

By Mr. J. B. WHITE: A bill (H. R. 10142) removing the charge of desertion against Charles Sweet—to the Committee on Military Affairs.

By Mr. J. R. WHITING: A bill (H. R. 10143) granting a pension to Nelson Fisher—to the Committee on Invalid Pensions.

By Mr. YODER: A bill (H. R. 10144) for the relief of James McMullin—to the Committee on Invalid Pensions.

By Mr. JACKSON: A bill (H. R. 10145) for the relief of S. S. McFerran—to the Committee on Claims.

Change in the reference of a bill improperly referred was made in the following case, namely:

A bill (S. 42) for the relief of Capt. Nicholas J. Bigley—from the Committee on Claims to the Committee on War Claims.

PETITIONS, ETC.

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

By Mr. BINGHAM: Memorial of the Philadelphia (Pa.) Board of Trade, protesting against the Mills tariff bill in relation to reduction of duty on sugar and molasses—to the Committee on Ways and Means.

By Mr. GEAR: Petition of J. M. Stinson and 96 others, citizens of Jefferson County, Iowa, for the Territorial organization of Oklahoma—to the Committee on the Territories.

By Mr. J. S. HENDERSON: Petition of Dr. S. W. Stevenson and 50 others, citizens and firms of Iredell County, North Carolina, in favor of amending the interstate-commerce act so as to protect the people from the oppressions of the railroad companies—to the Committee on Commerce.

Also, petition of the Blackwell's Durham Co-operative Company and other firms, of Durham, N. C., and elsewhere, favoring the repeal of all licenses and restrictions on the sale of tobacco, and that the tax be reduced to 2 cents per pound on manufactured tobacco—to the Committee on Ways and Means.

Also, petition of employés of the Government Printing Office, for relief—to the Committee on Printing.

By Mr. HOUK: Petition of heir of Richard Hayworth, of Jefferson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORROW: Resolutions of the Chamber of Commerce of San Francisco, Cal., in favor of action by Congress asserting the policy of maintaining the independence of the islands of the Pacific not already dominated by European powers—to the Committee on Foreign Affairs.

By Mr. CHARLES O'NEILL: Memorial of the Board of Trade of Philadelphia, Pa., favoring the bill to incorporate the Nicaragua Canal—to the Committee on Commerce.

By Mr. ROGERS: Petition of numerous citizens of Franklin County, Arkansas, relating to the amendment of the interstate-commerce law—to the Committee on Commerce.

By Mr. G. M. THOMAS: Petition of John S. May, with affidavits to be filed with bill No. 10130, for his relief—to the Committee on War Claims.

By Mr. A. C. THOMPSON: Petition of 77 citizens of the Eleventh district of Ohio, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. J. R. WHITING: Petition of Nelson Fisher, late private Company G, First Regiment Michigan Volunteers, for a pension—to the Committee on Invalid Pensions.

Also, petition of citizens of Inland, of Ionia and Kent Counties, and of Ingham County, Michigan, in favor of pure food—to the Committee on Agriculture.

By Mr. WHITTHORNE: Petition of Rachael Ewing, of Williamson County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILKINSON: Petition of J. Sambola, J. J. Reuss, and others, for the restoration of the duty on macaroni and vermicelli—to the Committee on Ways and Means.

The following petitions in favor of House bill 9716, for the better protection of free labor from convict labor, were received and severally referred to the Committee on Labor:

By Mr. C. H. ALLEN: Of Knights of Labor of Baldwinville, Mass.

By Mr. BOWEN: Of B. F. Sharpe and others, citizens of Virginia.

By Mr. T. M. BROWNE: Of Local Assembly No. 3243, Knights of Labor, of Connersville, Ind.

By Mr. LONG: Of Thomas Lynch and 15 others, citizens of Brockton, Mass.

By Mr. STEPHENSON: Of Local Assembly No. 9006, Knights of Labor, of Stevens Point, Wis.—to the Committee on Labor.

By Mr. VANCE: Of workmen of New Britain, Conn.

The following petition for the repeal or modification of the internal-revenue tax of \$25 levied on druggists was received and referred to the Committee on Ways and Means:

By Mr. KEAN: Of William Gale, of Westfield, N. J.

The following petition for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, was received and referred to the Committee on the Public Lands:

By Mr. GROSVENOR: Of L. M. Jewett and others, of Ohio—to the Committee on the Public Lands.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. GOFF: Of W. H. Ramsey and others, of Doddridge County, West Virginia.

By Mr. GROUT: Of Abel Slayton and 25 others, citizens of Felchville, Vt.

By Mr. JACKSON: Of 33 farmers of Washington County, Pennsylvania.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. CLARDY: Of 98 citizens of St. Louis County, Missouri.

By Mr. S. I. HOPKINS (by request): Of the Woman's Christian Temperance Union and Woman Suffrage Association.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. CLARDY: Of George W. Mahn and 80 others, citizens of Hazel Run, Mo.

SENATE.

FRIDAY, May 25, 1888.

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

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

HOUSE BILL REFERRED.

The bill (H. R. 9345) making appropriations for the Post-Office Department for the fiscal year ending June 30, 1889, was read twice by its title, and referred to the Committee on Appropriations.

PUBLIC BUILDING AT PATERSON, N. J.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. 1978) for the erection of a public building at Paterson, N. J., which were in lines 9 and 22, to reduce the amount of the appropriation from \$125,000 to \$80,000.

Mr. WALTHALL. On behalf of the Senator from New Jersey [Mr. McPHERSON], who is absent, I move that the Senate non-concur in the amendments of the House of Representatives, and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. SPOONER, Mr. QUAY, and Mr. VEST were appointed.

Mr. McPHERSON subsequently said: I desire to ask for a reconsideration of the vote by which the Senate non-concurred in the amendments of the House of Representatives to the bill (S. 1978) for the erection of a public building in Paterson, N. J., and ordered a conference thereon. I desire to have the Senate concur in the House amendments.

Mr. WALTHALL. I made the motion for a committee of conference on behalf of the Senator from New Jersey in his absence.

Mr. McPHERSON. I understand that, but it was a mistake on my part.

The PRESIDENT *pro tempore*. The action of the Senate refusing to concur in the amendments made to the bill by the House of Representatives will be reconsidered, if there be no objection; and the Senator from New Jersey now moves that the Senate concur in the amendments made to the bill by the House of Representatives.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. WILSON, of Iowa, presented the petition of S. L. Banks, of Wheatland, Iowa, praying for the passage of an act granting him a pension; which was referred to the Committee on Pensions.

Mr. SHERMAN presented four memorials of Local Assemblies, Nos. 6825, 303, 3435, and 4857, of the Knights of Labor, in the State of Ohio, remonstrating against the granting of civil pensions; which were referred to the Committee on Pensions.

Mr. VEST presented a petition of the faculty of Washington University at St. Louis, Mo., praying for the passage of a bill establishing a bureau of harbors and water ways; which was referred to the Committee on Commerce.

Mr. DANIEL presented the petition of Thomas William Lion, at the National Soldiers' Home, Wisconsin, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented the petition of W. A. Wilson and other citizens of Christiansburgh and other places in Virginia, and a petition of E. B. Spencer and other citizens of Virginia, praying for the repeal of that portion of the internal-revenue law classing druggists as liquor dealers, etc.; which were referred to the Committee on Finance.

Mr. PASCO presented the petition of R. Sumner and others, sureties on the bond of R. J. Marshall, late postmaster at Fort Dade, Fla., praying to be reimbursed for money paid by them as such sureties; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented certain petitions of tobacco manufacturers of Key West, Fla., praying for the imposition of increased duties on imported stripped and stemmed tobacco; which were referred to the Committee on Finance.

Mr. COCKRELL. I ask that bill (S. 2549) for the relief of Belle R. Clements, Order of Business 1262, reported adversely on the 8th of May, 1888, by the Senator from Nebraska [Mr. PADDOCK], may be recommitted, together with the report of the Committee on Pensions, and I desire to present in this connection an additional petition from Mrs. Mary I. Clements, and additional evidence, and trust that they may be referred to the committee, and that there will be full, fair, and favorable consideration of the additional evidence and facts.

Mr. PADDOCK. I am very glad that the Senator has made that proposition. It is one I should have made myself.

The PRESIDENT *pro tempore*. The bill will be recommitted to the Committee on Pensions, with the additional evidence introduced by the Senator from Missouri.

REPORTS OF COMMITTEES.

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

- A bill (H. R. 8722) granting a pension to Jessie M. Barthauer;
- A bill (H. R. 7857) to increase the pension of Henry L. Potter;
- A bill (H. R. 8400) for the relief of Lydia Burridge;
- A bill (H. R. 8174) granting a pension to Ellen Sexton; and
- A bill (H. R. 8884) granting a pension to Emily McClure.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1291) for the erection of a public building at the city of Staunton, Va., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1365) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Yorktown, Virginia, and making an appropriation therefor, reported it with an amendment.

He also, from the Committee on the District of Columbia, to whom was referred the bill (S. 2774) authorizing the Richmond and Danville Railroad Company to lay tracks, etc., in the District of Columbia, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 1631) to incorporate the Washington and Sandy Spring Narrow-Gauge Railroad and Street Railway Company, reported it with amendments.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia for the protection of girls and for the punishment of the crime of rape, reported it with an amendment.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill for the relief of W. H. Rader, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

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

- A bill (H. R. 600) increasing the pension of Mary Minor Hoxey;
- A bill (H. R. 6973) for the relief of Enoch Weathers;
- A bill (H. R. 6577) granting a pension to Abigail Sullivan;
- A bill (H. R. 7944) granting a pension to Ann V. Ferguson; and
- A bill (H. R. 8159) granting a pension to Jane Brown Dunn.

Mr. HOAR, from the Committee on the Library, to whom was referred the bill (S. 2986) to incorporate the American Historical Association, reported it without amendment.

Mr. JONES, of Arkansas. I ask leave of the Senate to state that yesterday the Senator from Massachusetts [Mr. HOAR], from the Committee on Claims, reported back the bill (S. 353) for the relief of William T. Crump, proposing to give the beneficiary \$5,000 for certain services alleged to have been rendered by him. I was not in the Senate at the time, and I desire to give notice that a minority of the Committee on Claims are opposed to the passage of the bill and may at some future time present their views to the Senate to be considered with the majority report.

Mr. HOAR. I understood that some members of the committee were opposed to the bill, but I was not aware that they desired to make a written minority report. If they do, I think my report had better be withdrawn so that the two can be in one document. It is much more convenient to the Senate to have them together.

Mr. JONES, of Arkansas. I prefer that that course should be taken,

Mr. HOAR. Very well. I will have my report withdrawn, unless it has gone to the Printer, so that a withdrawal would be too late.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks unanimous consent that the report submitted by him upon the bill indicated may be withdrawn.

Mr. HOAR. I will ascertain before doing that whether the report has been printed.

The PRESIDENT *pro tempore*. The matter will be passed over for the present.

Mr. HOAR subsequently moved to reconsider the order for the printing of the report, and the motion to reconsider was agreed to.

Mr. FARWELL. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (S. 537) to provide for the confinement of inebriates in the Government Hospital for the Insane, to report it favorably without amendment.

Mr. EDMUNDS. I ask unanimous consent that the bill reported by my friend from Illinois [Mr. FARWELL], providing for the confinement of inebriates at St. Elizabeth's for the time being, may be now considered. The bill was considered at the last session on a favorable report and passed unanimously by the Senate, and I think it extremely desirable that it should reach the House of Representatives as early as possible. As it is precisely the same measure that the Senate has once favorably and without division passed upon, I ask unanimous consent that it be now considered.

The PRESIDENT *pro tempore*. The bill having been this day reported, the Senator from Vermont asks unanimous consent that the Senate proceed now to consider the same. Is there objection?

Mr. HOAR. Let the bill be read at length for information.

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

The bill was read.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. HOAR. I think the bill had better lie over. It presents a very important constitutional question as it stands.

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

Mr. COCKRELL, from the Committee on Public Lands, to whom was referred the bill (H. R. 850) for the relief of Alfred Head, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 3020) for the relief of John H. Claus; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 3021) granting a pension to Carrie V. Miller; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 3022) granting a pension to G. L. Banks; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL (by request) introduced a bill (S. 3023) granting a pension to Elijah M. Kinzey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3024) granting a pension to Lewis H. Linville; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3025) to provide for the reconstruction of the Government dam at the Rock Island Arsenal, and for the immediate construction of a temporary dam to furnish water-power for said arsenal; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. DANIEL introduced a bill (S. 3026) to amend an act entitled "An act to make persons charged with crimes and offenses competent witnesses in the United States and Territorial courts," approved March 16, 1878; which was read twice by its title, and referred to the Committee on the Judiciary.

REGISTER OF LABOR.

Mr. TURPIE introduced a bill (S. 3027) to provide for the making, publication, and distribution of the "Register of Labor" therein named; which was read twice by its title.

Mr. TURPIE. I ask leave at this time to explain briefly the provisions of the bill as now offered.

The PRESIDENT *pro tempore*. The Chair hears no objection.

Mr. TURPIE. It is herein provided that the Commissioner of Labor shall be authorized and directed to make out a list of the names of persons of excellence in their vicinity in any line of skilled labor or mechanism actually engaged in the manual work of their respective callings, and that such list be distributed generally, as therein provided, the object being to give to the persons whose names appear therein and to the entire list as representatives of very large classes of our fellow-citizens that prestige indescribable, yet very effective, which is imparted to any object either connected with or related to the General Government, the constituted authorities in the administration of public affairs.

The bill does not deal in detail with the methods. The successful administration of a Department, and especially a new one, must depend much more upon management than upon legislation.

It is made the duty of the Commissioner of Labor to publish this list. We must confide in some one for that purpose, if the policy be adopted. We have confided in him as to much greater powers than those provided for in the bill now offered. One of the sections of the bill reported by the Committee on Education and Labor and passed the other day by the Senate directs that officer to procure information concerning and to make a report relating to the effect upon prices, wages, and productions of that class of new creations called trusts, and combinations of capital and labor. I do not conceive of duties any more difficult or delicate than those imposed by the section in the bill already passed by the Senate. Certainly they are much more arduous, much more laborious, much more responsible than any of the labors imposed upon him by the provisions of the bill now offered.

This bill is a modification of an amendment which I had the honor to offer the other day to the bill reported by the honorable Senator from New Hampshire [Mr. BLAIR] as chairman of the Committee on Education and Labor. I took the liberty, as the amendment could only appear in print as a portion of my remarks, to modify it before it was printed, to obviate some objections made then upon the occasion of its first presentation.

The Senator from Vermont [Mr. EDMUNDS] was of the opinion that the amendment then offered made no limitation as to the publication, and that millions might be published. Under the present bill the number is limited to a number equal to that of the Army and Navy Registers, and the same provision is made with respect to the size and contents.

These provisions thus submitted are reasonable. They will commend themselves as such to any Senators who may have the slightest inclination to favor legislation of this character.

The honorable Senator from New Hampshire made very earnest opposition to the adoption of the amendment on the ground that its adoption might endanger the passage of the Department of Labor bill, or, at least, retard it—perhaps defeat it altogether. That objection is certainly obviated by making the subject-matter, as in the present bill, one of an independent measure.

Allow me to say in passing that the honorable Senator from New Hampshire labored under a grave misapprehension in supposing that this amendment was by me offered as a facetious amendment to the Department of Labor bill. It may only be the very keen sense of humor of the honorable Senator which could detect anything like facetiousness in the amendment as first offered, in the bill now proposed, or in any of the remarks made in support of either. Give me leave, however, to prevent all possible misconstruction in future, to say that the measure now offered is a serious proposition, and that it very nearly relates to a subject-matter of very serious gravity and of most important concern.

It was not my intention the other day to cast any ridicule whatever upon the Army and Navy Registers, as was then intimated upon this floor, but only to contrast sharply the well-known, established, and long-accustomed usage of this Government in the recognition which it has given to the arts of destruction in the various bureaus and departments of the War and Navy, with the recognition, late, tardy, even now seemingly reluctant, bestowed upon the arts of construction, the useful arts of peace, the practice of which has been so glorious and beneficent upon the civic life and growth of the Republic.

In publishing the Army and Navy Registers, however, we only copy others. I believe every Government in the world issues a similar publication. In passing this bill providing for the publication of the Labor Register we shall act without precedent and without example. I do not think there is any other Government in the world which makes such a publication, or anything like it; nor do I think there is any other Government in the world which makes the pretense, a very lofty pretension, eternally emphasized, forever emblazoned in gigantic italics, that this is a Government of, for, and by the people. If it be such, why may we not do somewhat more for the people, even of this kind, than that which is required or directed by the policy of other nations?

This, indeed, may be considered a very little thing. It may lead to something greater. It may be considered so insignificant as not to justify a second mention here in this presence. I admit that I may have been guilty of that solecism. Even though it be a trifle, we must remember trifles may be done with a grace which shall make them large.

I move the reference of the bill to the Committee on Education and Labor, and I trust it will have a favorable and early consideration.

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

RELIGION AND SCHOOLS.

Mr. BLAIR introduced a joint resolution (S. R. 86) proposing an amendment to the Constitution of the United States respecting establishments of religion and free public schools; which was read the first time by its title.

Mr. BLAIR. I ask that the joint resolution may be read at length and lie on the table.

The joint resolution was read the second time at length, and ordered to lie on the table, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution of the United States be, and hereby

is, proposed to the States, to become valid when ratified by the Legislatures of three-fourths of the States, as provided in the Constitution:

"ARTICLE —

"SECTION 1. No State shall ever make or maintain any law respecting an establishment of religion or prohibiting the free exercise thereof.

"SEC. 2. Each State in this Union shall establish and maintain a system of free public schools adequate for the education of all the children living therein between the ages of six and sixteen years, inclusive, in the common branches of knowledge, and in virtue, morality, and the principles of the Christian religion. But no money raised by taxation imposed by law, or any money or other property or credit belonging to any municipal organization or to any State or to the United States, shall ever be appropriated, applied, or given to the use or purposes of any school, institution, corporation, or person whereby instruction or training shall be given in the doctrines, tenets, belief, ceremonials, or observances peculiar to any sect, denomination, organization, or society being or claiming to be religious in its character; nor shall such peculiar doctrines, tenets, belief, ceremonials, or observances be taught or inculcated in the free public schools.

"SEC. 3. To the end that each State, the United States, and all the people thereof, may have and preserve governments republican in form and in substance, the United States shall guaranty to every State and to the people of every State and of the United States the support and maintenance of such a system of free public schools as is herein provided.

"SEC. 4. Congress shall enforce this article by legislation when necessary."

AMENDMENTS TO BILLS.

Mr. HOAR submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FARWELL submitted an amendment intended to be proposed by him to the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia; which was ordered to lie on the table, and be printed.

Mr. EDMUNDS submitted an amendment intended to be proposed by him to the Post-Office appropriation bill, relating to Central and South American mail facilities; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. EDMUNDS submitted an amendment intended to be proposed by him to the consular and diplomatic appropriation bill, relating to the Congo Commission; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. EDMUNDS submitted an amendment intended to be proposed by him to the consular and diplomatic appropriation bill, relating to the Congo agent and consular-general; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. BERRY submitted an amendment intended to be proposed by him to the consular and diplomatic appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

ROCK ISLAND ARSENAL DAM.

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

Resolved, That the Secretary of War be, and he is hereby, directed to report to the Senate as soon as practicable, whatever information may be in possession of the War Department in relation to the destruction of the Government dam at the Rock Island Arsenal by the recent floods in the Mississippi River, and as to the damages resulting therefrom, and the effect of the destruction of said dam upon the operations of the arsenal and the factories and saw-mills at Moline and Rock Island; and also to submit to the Senate without delay an estimate of the amount necessary for the reconstruction of said dam, and for the immediate construction of a temporary dam which will restore the water-power and log harbor, and which can be used as a coffer-dam when the permanent dam is reconstructed.

STATE BONDS HELD BY THE UNITED STATES.

Mr. EDMUNDS. I offer the resolution which I send to the desk, and am led to do it by seeing the Indian appropriation bill reported with a pretty heavy amount of appropriations for interest on trust-fund stocks, many of which are, I have understood, the stocks of States that do not pay the interest. I think it desirable that the Committee on Indian Affairs should make inquiry into that subject, and see how the matter stands. I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Indian Affairs be, and it hereby is, instructed to examine into the condition of the bonds of any and every State held by the United States or under its authority, either in trust or otherwise, and to report the respective amounts of such bonds of each State, and if overdue how long overdue, and the amount of arrears of interest thereon, and also whether there is now any legal method of enforcing payment thereof, and if not, whether any such method can be devised, and to report by bill or otherwise.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes.

The message also announced that the House had passed the bill (S. 1851) providing for an international marine conference to secure greater safety for life and property at sea, with an amendment in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 409) for the relief of Thomas W. Lord; in which it requested the concurrence of the Senate.

The message also returned to the Senate, in compliance with its request, the bill (S. 1948) to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, in the Choctaw Nation, Near Fort Smith, Ark.

HETTIE K. PAINTER.

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

Mr. PADDOCK. I ask unanimous consent to make a conference report.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks unanimous consent to submit a conference report.

Mr. SHERMAN. I have no objection, but I supposed the morning business was through.

The PRESIDENT *pro tempore*. The conference report submitted by the Senator from Nebraska will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3839) granting a pension to Hettie K. Painter, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment to the said bill.

ALGERNON S. PADDOCK,
C. K. DAVIS,
D. TURPIE,

Managers on the part of the Senate.

J. L. CHIPMAN,
C. FRENCH,
E. N. MORRILL,

Managers on the part of the House.

Mr. EDMUNDS. I should like to hear the report explained. It is impossible to understand it by the mere reading.

Mr. PADDOCK. It is a pension case—

The PRESIDENT *pro tempore*. The Chair suggests to the Senator from Nebraska that the conference report can not be submitted without the papers, which do not appear in the hands of the clerks.

Mr. PADDOCK. I supposed the papers were on the Secretary's desk. That being the case, I withdraw the report.

Mr. EDMUNDS. Then the report should not be made here until the papers come over.

The PRESIDENT *pro tempore*. The report is not in order, and is withdrawn.

CUSTOMS AND OTHER DEFICIENCIES.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 9788.

The PRESIDENT *pro tempore*. The Senator from Ohio [Mr. SHERMAN] has moved that the Senate proceed to the consideration of executive business.

Mr. SHERMAN. I am willing to yield, this being an appropriation bill, but I give notice that after the bill is disposed of I shall again submit my motion.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate proceed to the consideration of the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

Mr. ALLISON. Let the bill be read for amendment.

The PRESIDENT *pro tempore*. For amendment. The amendments of the Committee on Appropriations will be acted on as they are reached in the reading of the bill.

The Chief Clerk read as follows:

Be it enacted, etc., That to defray the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1883, in addition to the amount heretofore appropriated, the sum of \$450,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by, or under the direction of, the Secretary of the Treasury, who is authorized to cause to be paid therefrom the full compensation which the employes in the customs-revenue service would have been entitled to receive had no order been made reducing their compensation in consequence of an estimated deficiency in the appropriation.

Mr. EDMUNDS. If the bill is being read for amendment, I should like to have the Senator from Iowa explain, before the reading proceeds further, how it happens that \$450,000 are wanted to pay employes compensation which would be due but for some order. I think the Senate would be glad to know what the facts about that are.

Mr. BECK. I ask the chairman of the Committee on Appropriations to explain why the committee struck out the next paragraph.

Mr. ALLISON. The appropriation for the payment of the expenses of collecting the customs revenue is a permanent appropriation of five and a half million dollars, payable semi-annually; that is, one-half the appropriation is available at the beginning of each half year.

Mr. EDMUNDS. Under a standing law?

Mr. ALLISON. It is under a standing law. It is under section 3687 of the Revised Statutes. That appropriation at its present amount was originally made in 1871. For many years it has been found insuf-

ficient to pay the necessary employes in collecting the customs revenue. The Secretary in his last annual report called attention to this and to the necessity of increasing this appropriation.

Section 3687 is as follows:

SEC. 3687. There is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,750,000 for the expenses of collecting the revenue from customs for each half year, in addition to such sums as may be received from fines, penalties, and forfeitures connected with the customs, and from fees paid into the Treasury by customs officers, and from storage, cartage, drayage, labor, and services.

That appropriation has been found in the last two or three years to be less than is necessary for the payment of those who are engaged in collecting the customs revenue.

Mr. EDMUNDS. May I ask the Senator if he has the figures to show how much the deficiency has been for the last two or three or four years, per year?

Mr. ALLISON. Last year it was \$233,000 in round numbers. This year the Secretary states that it will be \$450,000. One reason why the deficiency is growing larger is found in the fact that the fees contemplated in that section of the Revised Statutes have been gradually repealed. I think the entire amount of the fees for the current fiscal year is less than \$200,000. By various acts that have been passed from time to time we have gradually removed the fees that collectors of customs were formerly accustomed to receive.

Mr. EDMUNDS. May I ask the Senator if there is not some report from the Secretary of the Treasury which shows specifically the diminution of these sources of revenue and the causes therefor, and, as it is supposed, of the increase of the expenses under another head, so as to require an increase of the standing appropriation?

Mr. ALLISON. There is a full statement found in House of Representatives report, No. 2024, made at this session, and also in the last annual report of the Secretary of the Treasury, an extract from which I have before me. The Secretary in his annual report states:

By changes in the statutes since that date—

That is since 1871—

By changes in the statutes since that date the first two accounts have greatly fallen off, while the last one has responded to the increase of business, and the exhibit for the fiscal year 1887 is as follows:

From fines, penalties, and forfeitures	\$160,205.41
From fees of customs officers	144,817.53
From storage, cartage, etc.	748,014.92

Total..... 1,053,037.86

That sum, of course, was added to the \$5,500,000 provided in the statutes. These items of fees, fines, penalties, etc., have been reduced so that they amount to only \$1,053,037.86.

Mr. EDMUNDS. Reduced from non-collection or from changes in the law?

Mr. ALLISON. The amount from storage, cartage, etc., being one of the items, has been increased to \$748,014.92 from \$409,587.69. The fees of customs officers have been reduced by law, by various statutes, to \$144,817.53, as against \$585,887.69, a large reduction. Fines, penalties, and forfeitures, which in 1871 amounted to \$952,579.86, are reduced to \$160,205.41 in 1887.

I will say here that there are practically no revenues coming in now from fines, penalties, and forfeitures. Since the act of 1874, called the anti-moieties act, there has been a constant, gradual reduction of receipts from that source, there being now practically no fines, penalties, and forfeitures as compared with the old time.

Mr. EDMUNDS. But how is that accounted for? Is it because the importers and smugglers have ceased their unlawful transactions, or because there is no stimulus to the officers of the United States to hunt them out and bring them to punishment?

Mr. ALLISON. It is the result of various causes. One section of the statute to which I have referred is repealed in our undervaluation law, whereby the burden of proof is put on the man who is charged with fraud. The law now requires that the jury shall specially find that the importer was guilty of fraud. Perhaps there will never be a conviction under such a law. These fines have been gradually reduced, so that it is necessary I think that the sum here provided should be appropriated in addition to the amount now available for the purpose of collecting the customs revenues.

The Secretary of the Treasury on the 1st of April, or perhaps about the last of March, issued an order reducing the pay of a large number of employes at the various custom-houses 40 per cent., in order to keep the expenditure within the appropriation.

Mr. SHERMAN. Does not the Secretary of the Treasury advise the continuance of the old mode of appropriating for the collection of the revenue—a gross appropriation for the whole service?

Mr. ALLISON. Yes.

Mr. SHERMAN. My own impression is that the idea of itemizing the appropriation for this particular branch of the service, or indeed any branch of the service, and fixing specific salaries and so on, is all wrong. I think the Committee on Appropriations would relieve themselves from a great deal of trouble and relieve the Department of a great deal of expense in keeping the various accounts of itemized appropriations, if instead of that system they would report general appropriations, and those to a great extent of a permanent character.

Mr. ALLISON. The House of Representatives in this bill propose

to repeal section 3687 of the Revised Statutes, which makes a permanent appropriation for collecting the customs revenue.

Mr. SHERMAN. That is precisely what I wished to call attention to.

Mr. ALLISON. We recommend, and I think for substantial reasons, that this ought not to be done.

Mr. SHERMAN. That is right.

Mr. ALLISON. The Committee on Appropriations, after investigating this subject, recommend the striking out of lines 16 to 26 inclusive, for the reason that we think this change, if made at all, should be made before this section of the Revised Statutes is repealed, so that we shall not be left without the necessary means to collect the revenue. If we repeal the section of the Revised Statutes making this permanent appropriation without at the same time providing an appropriation for collecting the revenue, it will rest then with the House of Representatives or with the Senate to stop the collection of the revenue by withholding the necessary appropriations. Therefore the committee recommend that these lines be stricken out.

Mr. McPHERSON. May I ask the Senator from Iowa a question?

Mr. ALLISON. Certainly.

Mr. McPHERSON. I ask if the Treasury Department has furnished the Committee on Appropriations an itemized statement as to the particular objects to which the appropriation is applied; or has the Committee on Appropriations not appropriated heretofore what the Department asked for?

Mr. ALLISON. For this particular service, for the collection of the customs revenue, there is provided a permanent appropriation, originally made at the present amount in 1871. We do not appropriate for collecting the customs in the annual appropriation bills; but there is a gross sum appropriated in bulk permanently. That sum has been found inadequate to pay for the necessary service in making these collections.

Mr. EDMUNDS. I should like to ask the Senator from Iowa if he can tell us what would be the statistical comparison from year to year in respect of the amount of fees, fines, penalties, and forfeitures; the fees of customs officers, the fees for storage, cartage, etc., from 1871 when that law of permanent appropriation was established down to this time? Is there anything which will enable the Senate or any member of it to see how the practical operation of this law has worked from year to year?

The Secretary of the Treasury in his last report only compares the year 1870-'71 with the year 1886-'87, showing a reduction of receipts from these sources of fines, penalties, and forfeitures, fees of customs officers, storage, cartage, etc., of \$895,017.38. That compares two different years that are sixteen years apart. Now, how was it during that period, or for the last six or eight or ten years? Is there anything to show that this diminution in the collection of fines, penalties, forfeitures, fees, etc., has arisen from the legislation of Congress putting questions between the United States and the importers and informers, etc., in a different attitude from what they were before, and thus leaving us to infer that it was the legislation which has produced this diminution, or is it some want of administration? That is what I should like to find out.

Mr. ALLISON. I have not before me at this moment a statistical table showing the amounts received annually from fines, penalties, and forfeitures, but I venture to state from my general knowledge of the subject that it will appear—and if any Senator will send for the reports of the Secretary of the Treasury for 1876, 1877, and 1878, for illustration, which would be ten years ago—it will be found that the receipts from fines, penalties, and forfeitures fell down immediately after the legislation of 1874. I do not believe that under any administration any considerable sum will be realized from fines, penalties, and forfeitures until we change our customs laws.

Mr. EDMUNDS. May I ask the Senator one other question?

Mr. ALLISON. Certainly.

Mr. EDMUNDS. I ask when we first began to make this appropriation additional to the permanent appropriation, and by what amount? What year did we begin to have these special deficiency bills for this purpose, and how much in each year have we appropriated thereby?

Mr. ALLISON. I have not the data to answer fully on that subject for each particular year. We have appropriated for a number of years small sums. Last year I know the appropriation was in round numbers \$235,000. Not only these receipts from fines, penalties, and forfeitures have been falling off, but the fees of customs officers have been decreased since the legislation of 1883 respecting the fees and charges made on our vessels. Up to that time the collectors and surveyors of the small ports received fees from charges upon vessels, tonnage, etc., but by the act of 1883, or perhaps 1884, all these fees were repealed, so that the fees of customs officers have been largely reduced from year to year since that time.

The Secretary of the Treasury submitted a table, which is in the report of the House committee, beginning with the year 1884, showing the cost of the collection of revenue from customs, or rather the percentage of the cost as compared with the amount collected, showing a constant diminution of that percentage for the last few years. For 1887 it was 3.12 per cent., and for 1888 it is put at 2.98 per cent., even with this additional appropriation of \$450,000. I did not anticipate that there

would be required a detailed statement of these appropriations for this period. I can have it made up if the Senator desires to have entire accuracy in regard to this bill, and furnish later in the day a detailed statement.

Mr. EDMUNDS. I should like to see just how the amount is made up.

Mr. ALLISON. From a general knowledge of this subject, I am satisfied that these amounts have been constantly diminishing, while the expenses of collecting the revenue have been constantly increasing in amount.

Mr. EDMUNDS. Can the Senator at the same time put into his statement the total amount of increase of customs business? Naturally, with such an increase, if the force was not raised before, there might be expected to be an increase in the number of persons employed. Can he put into that statement figures showing the whole number of persons employed in the revenue service of every kind for the last ten years, year by year, so that we may see whether the force employed has kept pace with, or fallen behind, or outstretched the supposed increase of business?

Mr. ALLISON. I am afraid all that can not be obtained within a very short time. I ask that the bill may be considered as respects the other items at this time.

Mr. EDMUNDS. Very well; let us pass over this point for the time being.

The PRESIDENT *pro tempore*. The reading will proceed.

Mr. SAULSBURY. I should like to have a general statement as to the causes of the increase in the cost of the collection of the revenue over any previous time, if such be the fact. If the cost of collection is in excess of what it has heretofore been, it might be the subject of inquiry; but I understand from the Senator from Iowa that the Secretary of the Treasury states that the cost is less now than it has been heretofore by percentages. Therefore I can see no reason for going into a list of the number of employes, etc. If the revenues are collected at a less cost than formerly, it ought to be satisfactory to the Senator from Vermont.

Mr. EDMUNDS. I do not think, with great respect to my friend from Delaware, that that answer would precisely meet the whole of the case. If the revenues of the United States for the last year should have suddenly increased by, for illustration, \$50,000,000, supposing the expenditures to have been \$5,000,000 for collection and the expenses had risen by \$1,000,000 when there were \$50,000,000 more coming in, the percentage of cost would be less than it was before; but that would not prove at all that there was no extravagance in the administration of 1874—of course there has been none during this Administration; we all understand that; but as to the administration of 1874 it would not prove at all that they had not been extravagant in employing too many persons. The percentage argument, therefore, would be fallacious.

Mr. ALLISON. I am satisfied that for the last ten or twelve years there has been a constant increase in the amount of revenue, and therefore a constant diminution of the percentage of the cost of collecting it, because during all this time substantially the same force has been engaged. So I do not think that the suggestion of the Senator from Delaware will meet the suggestion made by the Senator from Vermont.

But I want to say another thing to the Senator from Delaware, that a permanent appropriation for the collection of our revenue from customs has existed for more than fifty years, and taking the amount collected since 1861 there has been a most marked diminution. Under the tariff of 1857 and under the tariff of 1846 it cost \$4,000,000 per annum to collect the revenue, in round numbers, running along the same appropriation from year to year during all that period of time. However, I will furnish the Senator from Vermont and the Senate a full statement of the receipts from fines, penalties, and forfeitures, etc., and also a full statement of the cost from year to year since 1874, as I understand the Senator desires.

The PRESIDENT *pro tempore*. The reading of the bill will proceed. The Chair understands the Senator from Iowa to ask that the reading be resumed at section 2.

Mr. ALLISON. No, sir; at line 16 of section 1.

The PRESIDENT *pro tempore*. The amendment there proposed will be read.

The CHIEF CLERK. The Committee on Appropriations report an amendment in section 1, to strike out the clause from line 16 to line 26, inclusive, as follows:

That section 3687 of the Revised Statutes, appropriating out of any money in the Treasury not otherwise appropriated, the sum of \$2,750,000 for the expenses of collecting the revenue from customs for each half year in addition to such sums as may be received from fines, penalties, and forfeitures connected with the customs, and from fees paid into the Treasury by customs officers, and from storage, cartage, drayage, labor, and services, be, and the same is hereby repealed, to take effect from and after June 30, 1889.

The amendment was agreed to.

The Chief Clerk resumed the reading of the bill.

Mr. ALLISON. The Senator from Vermont [Mr. EDMUNDS] withdraws his objection to the consideration of the first section if the committee will furnish the detailed statement he called for in the nature of a report. We shall do so.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk resumed the reading of the bill.

The next amendment of the Committee on Appropriations was, at the end of section 3, to add to the bill:

Senate:

For contingent expenses for fiscal year 1888, namely: For postage stamps for the office of the Secretary of the Senate, \$25.

For expenses of maintaining and equipping horses and mail-wagons for carrying the mails, \$1,000.

For materials for folding, \$2,000.

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$4,000.

For fuel, oil, and cotton waste, and advertising for heating apparatus, \$3,500.

For furniture and repairs of furniture, \$3,000.

For miscellaneous items, exclusive of labor, \$6,000.

For miscellaneous items, exclusive of labor, for fiscal year 1887, \$920.37.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was to add:

House of Representatives:

For contingent expenses for fiscal year 1888, namely: For materials for folding, \$5,000.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ADJOURNMENT TO MONDAY.

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

Mr. CULLOM. Pending that motion I ask the Senator to yield to me for a motion. I desire to move that when the Senate adjourn today it adjourn to meet on Monday next.

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts yield for that purpose?

Mr. HOAR. Yes, sir.

The PRESIDENT *pro tempore*. The Senator from Illinois [Mr. CULLOM] moves that when the Senate adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 409) for the relief of Thomas W. Lord was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. DANIEL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

INTERNATIONAL MARINE CONFERENCE.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1851) providing for an international marine conference to secure greater safety for life and property at sea.

On motion of Mr. FRYE, it was

Resolved, That the Senate disagree to the amendment of the House of Representatives to the said bill, and ask a conference with the House of Representatives 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. EDMUNDS, Mr. FRYE, and Mr. MORGAN.

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After four hours and twenty-five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 42 minutes p. m.) the Senate adjourned until Monday, May 28, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 25, 1888.

The House met at 11 o'clock a. m., and was called to order by Mr. ROGERS, as Speaker *pro tempore*, who directed the reading of the following:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES, May 25, 1888.

Hon. JOHN H. ROGERS, of Arkansas, is hereby designated to preside as Speaker *pro tempore* at the session of to-day.

JOHN G. CARLISLE, Speaker.

JOHN B. CLARK, Jr.,
Clerk of House of Representatives.

Prayer was offered by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

JUDICIAL EXPENSES IN UTAH.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, transmitting estimates of deficiencies in the appropriations for expenses of the United States courts and of

Territorial courts in Utah; which was referred to the Committee on Appropriations, and ordered to be printed.

WAR CLAIMS.

The SPEAKER *pro tempore* also laid before the House letters from the assistant clerk of the Court of Claims, transmitting copies of findings of fact in the cases of the following named claimants against the United States: W. M. Hawkins, Louisa Schrader, Harriet Jones, administratrix; Abner Lewis, James W. Allen, administrator, and Joshua Baker; which were severally referred to the Committee on War Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. SAWYER, for ten days, on account of important business.

To Mr. DOUGHERTY, for one week, on account of important business.

BRIDGE ACROSS TENNESSEE RIVER.

Mr. HOUK. Mr. Speaker, yesterday morning, during my absence in the Committee on Elections, the bill (H. R. 7783) to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn., was laid before the House with certain amendments of the Senate, which were non-concurred in. As those amendments were merely formal, I move to reconsider the vote by which they were non-concurred in. I desire to have the amendments concurred in.

Mr. FORNEY. I call for the regular order.

The SPEAKER *pro tempore*. The motion to reconsider will be entered, but the call for the regular order prevents action upon that motion now. The regular order is the call of committees for reports.

Mr. STEWART, of Texas. I have a privileged report.

Mr. FORNEY. Of course I do not desire to interfere with privileged reports.

IMPROVEMENT OF MOUTH OF BRAZOS RIVER.

The SPEAKER *pro tempore*. The report sent to the desk by the gentleman from Texas [Mr. STEWART] will be read.

The Clerk read as follows:

The Committee on Rivers and Harbors, having duly considered the bill referred to it entitled "A bill for the improvement of the mouth of Brazos River, in Texas," report the same back to the House with the recommendation that it lie on the table; and in lieu thereof they report a substitute, which accompanies this report, and recommend the passage of the substitute.

The SPEAKER *pro tempore*. On what ground does the gentleman from Texas claim that this is a privileged report?

Mr. STEWART, of Texas. It is a report from the Committee on Rivers and Harbors, which has the right to report at any time.

The SPEAKER *pro tempore*. In the opinion of the Chair this is not a privileged report.

Mr. STEWART, of Texas. I ask that, at any rate, the report be accepted. The gentleman from Alabama [Mr. FORNEY] has given way for it.

The SPEAKER *pro tempore*. The regular order has been demanded.

ELIZA WRIGHT OWEN.

Mr. HERMANN. I rise to a parliamentary inquiry. In the early part of yesterday's session, during my absence, the bill (S. 42) granting a pension to Eliza Wright Owen, which was returned from the Senate with a request for a conference as to certain House amendments, was referred to the Committee on Invalid Pensions. I now wish to inquire whether that was the proper course under the rules; whether a conference should not have been granted, as a matter of course, in accordance with the request of the Senate?

The SPEAKER *pro tempore*. The bill took its regular course. If the gentleman had been present, he might have asked for a conference; but in his absence the bill was referred, in accordance with the usual parliamentary course.

Mr. HERMANN. Well, Mr. Speaker, if it be now in order, and if there be no objection, I will now ask, inasmuch as I was not present yesterday morning—

The SPEAKER *pro tempore*. No request for unanimous consent is now in order, the regular order having been demanded. The regular order is the call of committees.

FILING OF REPORTS.

Mr. LANHAM. I ask unanimous consent that the call of committees for reports be dispensed with, and that gentlemen having reports to make may file them with the Clerk.

The SPEAKER *pro tempore*. If there be no objection, the call of committees for reports will be dispensed with, and leave will be granted that reports of a private nature (this being Friday) may be filed with the Clerk for reference to the appropriate Calendars. The Chair hears no objection, and it is so ordered.

The following reports were filed by being handed in at the Clerk's desk:

ADVERSE REPORTS.

Mr. WALKER, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were severally laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 78) granting a pension to La Fayette Franklin; and

A bill (H. R. 8473) for the relief of Tarrell W. Young.

CHANGE OF REFERENCE.

On motion of Mr. THOMPSON, of California, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 2126) to pension Winemah Riddell; and the same was referred to the Committee on Pensions.

DISTRICT OF COLUMBIA AND SAMUEL STRONG.

Mr. GROUT, from the Committee on the District of Columbia, reported back favorably the bill (S. 26) to arbitrate and settle the question at issue between the District of Columbia and Samuel Strong; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALLARD & CROZIER.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably the bill (H. R. 10029) for the relief of Allard & Crozier; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

OBSTRUCTION TO NAVIGATION BROAD CREEK, DELAWARE.

Mr. PHELAN, from the Committee on Commerce, reported back favorably the bill (S. 2123) to authorize the removal of an obstruction to the navigation of Broad Creek, in the State of Delaware; which was referred to the Committee of the Whole House on the Private Calendar, and with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. LANHAM. I move that the House now resolve itself into Committee of the Whole for the purpose of considering business on the Private Calendar.

Mr. RANDALL. I hope that motion will not prevail. The contest to-day is between private business and the legislative appropriation bill. If this motion be voted down we can proceed with the appropriation bill.

Mr. LANHAM. This question is not debatable, I believe.

Mr. RANDALL. I do not wish to debate it further. [Laughter.]

The SPEAKER *pro tempore*. Debate is not in order.

The motion of Mr. LANHAM was rejected, there being—ayes 34, nays 58.

Mr. FORNEY. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the legislative appropriation bill.

Mr. BUCHANAN. I rise to a parliamentary inquiry. I understand that under our rules we have a second morning hour, which has for some time past been persistently ignored. I would like to know whether it is not necessary to dispense with that before the motion of the gentleman from Alabama can be entertained.

The SPEAKER *pro tempore*. There is no second hour on Friday.

The motion of Mr. FORNEY was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BLOUNT in the chair, and resumed the consideration of the bill (H. R. 9377) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes.

LEGISLATIVE APPROPRIATION BILL.

The CHAIRMAN. Of the time remaining for general debate the gentleman from Ohio has seven minutes and the gentleman from Alabama fifteen.

Mr. FORNEY. We do not wish any further debate, and I now ask that the bill be read by paragraphs.

The CHAIRMAN. The Clerk will report the first paragraph of the bill.

The Clerk read as follows:

That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June 30, 1889, for the objects hereinafter expressed, namely:

Mr. NELSON. I make the point of order against so much of the clause contained in the fifth line of the paragraph just read as is expressed in the words "in full compensation." I make the point of order on the ground that it changes existing law.

There are several items of appropriation in this bill, as I understand, that lessen the salaries paid to public officials by existing law; and the result of the adoption of the words to which I have called attention, would fix the compensation of these officials at a different rate than that provided by the existing law wherever the salary is cut down by this bill. The words to which I have referred, therefore, I think should be stricken out, and against them I make the point of order.

The CHAIRMAN. It may be that the point of order to which the gentleman refers would be applicable to certain paragraphs of the bill as they are reached, where the changes to which he refers in salary are made. When such paragraphs are reached the gentleman can interpose the point of order, and the Chair will rule upon it.

Mr. RANDALL. I would like to say a word in this connection. It is due to this House to say that the effect of the point of order, if sustained, would be to involve the Government probably in a great number of lawsuits, to the extent perhaps of two hundred or more, and

involve seventy-odd thousand dollars. If the gentleman from Minnesota takes the responsibility in that connection, I do not know that I have any reason to complain of it.

The CHAIRMAN. The Chair has made no ruling as yet upon the point of order submitted.

Mr. RANDALL. It is the existing law to-day.

The CHAIRMAN. The Chair has stated that it may be as the paragraphs of the bill are reached the point of order would be applicable to them where salaries are changed.

The Clerk read as follows:

For mileage of Senators, \$33,000.

For compensation of the officers, clerks, messengers, and others in the service of the Senate, \$370,398.80, namely:

Mr. BUCHANAN. I move to strike out the last word, for the purpose of inquiring whether in this paragraph the item of appropriation is included for the compensation of clerks to Senators?

Mr. FORNEY. Yes, sir.

Mr. BUCHANAN. Then we are not to have the farce of last year repeated?

Mr. FORNEY. The gentleman can move to strike it out if he so desires.

The Clerk read as follows:

Office of secretary: For Secretary of the Senate, \$5,000, including compensation as disbursing officer of the contingent fund of the Senate, and for compensation as disbursing officer of salaries of Senators, \$396; hire of horse and wagon for the Secretary's office, \$700, or so much thereof as may be necessary.

Mr. TAULBEE. I desire to inquire of the gentleman in charge of the bill whether or not the amount appropriated here for hire of horse and wagon for the Secretary's office, \$700, "or so much thereof as may be necessary," is in the customary form. I believe in the appropriation bills generally the words "or so much thereof as may be necessary" for this item have not been heretofore used. If the committee have assurances that the amount appropriated in the bill is sufficient for the service, I think the proviso is proper; otherwise it is not proper, for the reason that it might impair the service, unless the officer will agree to do the work for the amount in gross. The item as embodied here will require an itemized account.

Mr. FORNEY. The bill makes provision, as the gentleman will observe, for the expenses of the Senate for the approaching short session. The committee are satisfied that the amount appropriated will be sufficient after conference with this officer.

Mr. RANDALL. And heretofore no vouchers have been presented for this service.

Mr. TAULBEE. I only desired to know the facts.

The Clerk read as follows:

Document-room: For superintendent of the document-room (Amzi Smith), \$3,000; two assistants in document-room, at \$1,440 each; one clerk to superintendent of document-room, \$1,440; one page in document-room, \$900; in all, \$8,220.

Mr. TAULBEE. I would like to inquire the object of the committee in inserting the name of the official in charge of the document-room at this point?

Mr. FORNEY. The Senate insist upon it, and have for seven or eight years past. He is an old and trusted employé, whose services they consider indispensable. If stricken out here it will be inserted in the Senate and insisted upon as an amendment to the bill.

Mr. TAULBEE. I move to strike it out, and I desire to make a few observations in that connection.

Mr. HOLMAN. The gentleman can make the point of order upon it.

Mr. TAULBEE. I do make the point of order.

The CHAIRMAN. The Chair thinks it is now too late to interpose the point of order.

Mr. TAULBEE. I have, of course, the utmost respect for the opinion of the Chair.

The CHAIRMAN. But the gentleman had engaged in a colloquy with the gentleman from Alabama before submitting the question of order.

Mr. TAULBEE. I thought I had simply inquired the object of the provision.

The CHAIRMAN. The Chair thinks the point of order is too late; but, unless there be objection, will hear the gentleman briefly upon it. The only object of the Chair is to facilitate the consideration of the bill.

Mr. RANDALL. I object to going back.

Mr. TAULBEE. Then I move to strike out the name of the official, and in that connection desire to offer these brief observations.

I do not regard the services of any man as indispensable for the proper execution of any public office in this country. I do not think that we ought in this case or in any other case to fasten upon the service of the country any one particular man, for the reason that he might, after the passage of the bill, for instance, prove incompetent by sickness or from any other cause, and that would certainly embarrass the disbursing officer of this fund. I do not understand that the services of any man are indispensable to the execution of the duties of any particular office. I do not believe there is any man in this country who is alone competent to discharge the functions of any public office under our system.

This is a system of favoritism which has been carried on both in the Senate and in the House of Representatives for a number of years. I think it is time we were dispensing with such foolishness, if I may be indulged in that expression. I do not wish to be unparliamentary in my language in regard to the committee or disrespectful to them; but I think every man ought to stand on an equal footing in the matter of office-holding in this country. I believe this is a system of civil-service reform which goes beyond any theory which has been advocated by the most sanguine adherent of that system; and I think we ought to quit this way of doing things and strike this name out of this bill. If the officer who has control of this appointment sees proper to retain this man I have nothing to say; but I think it ought to be left optional with the heads of Departments and bureaus who are held responsible for the duties of their officers to select their own appointees.

Mr. RANDALL. The gentleman from Kentucky may be entirely right as to what is the proper rule in this matter. Nevertheless the Senate has always claimed the absolute right to resist the least interference with the manner of payment, the amount of payment, and the number of employes in that body. It is idle to strike this out for it will be inserted by the Senate, as has been the case for years, as stated by the gentleman from Alabama [Mr. FORNEY].

Mr. TAULBEE. May I ask the gentleman from Pennsylvania a question?

Mr. RANDALL. Yes, sir.

Mr. TAULBEE. Has the gentleman from Pennsylvania any assurance that the present Senate insists on the retention of this name in the appropriation bill?

Mr. RANDALL. I have. The Senate is composed mostly of the same members, and so far as I know will take the same course in the future as in the past. I know their character for sufferance—I say that with all respect to the Senate.

Mr. TAULBEE. I believe, even if it is true that the Senate will insist on this, the House should not assume the responsibility in anticipation of the action of the Senate with reference to a matter so flagrant as this, in contradiction to every theory which the gentleman from Pennsylvania would dare to advocate on this floor or before the country.

The question being taken on Mr. TAULBEE'S amendment, the Chairman stated that the "noes" seemed to have it.

Mr. TAULBEE. I call for a division.

The committee divided; and there were—ayes 10, noes 49.

So (further count not being called for) the amendment was not agreed to.

The Clerk read the following paragraph:

Capitol police:

For one captain, \$1,600; three lieutenants, \$1,200; twenty-two privates, \$1,000 each; and eight watchmen, at \$900 each; in all, \$35,600, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House of Representatives.

Mr. TAULBEE. I wish to inquire if the present salaries of the watchmen of the Capitol police are fixed by law?

Mr. RANDALL. In reply to the gentleman from Kentucky, I will say that all salaries of employes connected with the House and Senate are fixed by the appropriation act.

Mr. TAULBEE. Then, Mr. Chairman, I move to amend this section by striking out in line 21, "\$900" and inserting "\$1,000."

The amendment was not agreed to.

The Clerk read the following paragraph under the heading "House of Representatives."

For mileage, \$110,624.

Mr. TAULBEE. I move to amend by inserting, after the word "dollars," in line 11, the words "or so much thereof as may be necessary for actual necessary traveling expenses."

Mr. FORNEY. I make the point of order that there is no law providing for the proposition in this amendment.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read the following paragraph:

Office of the Clerk: For Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$5,000; and for hire of horses and wagons and cartage for the use of Clerk's office, \$700, or so much thereof as may be necessary; for Chief Clerk, Journal Clerk, and two reading clerks, at \$3,600 each, and for the journal clerk for preparing Digest of the Rules, \$1,000 per annum; tally clerk, \$3,000; for printing and bill clerk, and disbursing clerk, at \$2,500 each; for file clerk, and enrolling clerk, at \$2,250 each; for assistant disbursing clerk, assistant enrolling clerk, resolution and petition clerk, newspaper clerk, index clerk, superintendent of document-room, and librarian, at \$2,000 each; for distributing clerk, stationery clerk, and two assistant librarians, at \$1,800 each; for one book-keeper and seven clerks, including three clerks to index private claims, at \$1,600 each; for document clerk and locksmith, at \$1,440 each; two messengers in the House library, at \$1,314 each; one telegraph operator, one assistant to the file clerk, and two laborers in Clerk's document-room, at \$900 each; one page, one laborer in bath-room, and four laborers, at \$720 each; one assistant journal clerk, at \$6 per day during the session, \$720; one assistant index clerk, during the session and three months after its close, two hundred and eleven days, at \$6 per day, \$1,266; one messenger-boy in chief clerk's room, \$300; in all, \$83,320.

Mr. BRECKINRIDGE, of Arkansas. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 21 insert the following: "Messenger to the Speaker, \$1,000."

Mr. BRECKINRIDGE, of Arkansas. In speaking to this amendment I desire to say just a word. This relates to the pay of the messenger who attends uniformly at the Speaker's room. The messenger there at present is merely a laborer who is detailed to that service, and, unlike other messengers, has other duties to perform. It is customary to make a small appropriation each year in the deficiency bill to supplement the laborer's pay of this messenger. But the Speaker believes that his messenger ought to be put upon a proper footing. He desires to have this messenger specially assigned to his room. The amount stated in my amendment is the proper and usual pay of messengers. Of course where the service is necessary this ought to be provided for as it is in every other instance.

Mr. FORNEY. We have allowed for thirty-two messengers, and given the Speaker a clerk at \$1,600. We do not think any provision ought to be made for any additional messenger.

Mr. BRECKINRIDGE, of Arkansas. That list does not include a messenger for the Speaker's room. If the gentleman has allowed for too many messengers in this bill, he ought to cut the number down. This is not one of those thirty-two messengers.

Mr. FORNEY. We think that thirty-two messengers are sufficient.

Mr. BRECKINRIDGE, of Arkansas. If the gentleman has given too many laborers or too many messengers, let him cut the number down, but he should not cut off from the Speaker's room a messenger who is necessary for the transaction of our business. There can be no reason why we should not provide for this messenger, unless it be that he is a messenger for the Speaker's room or for some other reason that I can not imagine.

Mr. TAULBEE. Mr. Chairman, I am entirely in accord with the sentiments expressed by the gentleman from Arkansas [Mr. BRECKINRIDGE]. I find in the Departments of this Government this state of facts existing: That persons are found working at desks alongside of each other, performing precisely the same work, some of them being paid \$1,600 a year and others as low as \$900, some of them even less than that; and the prevailing rule seems to be that those who get the most pay do the least work. Now, none of us believe that that is right. I believe that in the public service, as in private employments, individuals ought to be paid in accordance with the kind and amount of the work which they perform, and I know of no better way to impress the Departments of the Government with the sentiments of Congress in that respect than by conforming to it ourselves. I find that in the service of this House there are persons who are carried on the pay-rolls as laborers and are assigned to duty as messengers. Now, if it be a fact that the duty of a messenger is more onerous than the duty of a laborer and that a messenger is entitled to greater compensation than a laborer, then I see no reason why a person should be borne on the rolls as a laborer and assigned to duty as a messenger.

If, on the other hand, the duties of a messenger are not so difficult as those of a laborer, or that they are not entitled to more pay, then certainly we ought to reduce the compensation of the messengers. Now, in this case, the messenger to the Speaker's room is carried on the rolls as a laborer, and if his services are not found to be necessary among the laborers, then I say we ought to reduce the number of laborers, and put him on the roll as a messenger and give him a messenger's pay. I think it is time for this House to set an example in this matter and to conform to what we all concede to be the proper rule for the Departments. I hope the amendment will be adopted, and also that another amendment will be adopted reducing the number of laborers by one.

Mr. HOLMAN. A single word, Mr. Chairman. Of course, the committee would respect the views of the Speaker of the House in regard to the number of persons necessary to be employed in connection with the discharge of the duties of his office; but I do not understand that the Speaker himself recommends this, else I take it for granted that it would have been inserted by the Committee on Appropriations. But, sir, I wish to call attention to the fact that at the very threshold of the appropriations for the House of Representatives we are beginning to increase the compensation and the number of employes. Already the bill contains an additional clerk for the Speaker. He now has two. Over the existing law for the current year there is an increase of one clerk at \$1,600, and it is now proposed to add another clerk at \$1,000. The suggestion of the gentleman from Kentucky [Mr. TAULBEE], that the laborer's roll be decreased by one, I predict will not be carried out.

The number of employes will not be reduced. I wish it could be, but I do not indulge that hope. This is simply a proposition to add another to the list of the employes of this House. I have no doubt that the House was surprised to hear the statement made a few days ago by a gentleman on the other side as to the number of persons employed at the several doors of this Chamber. That the number of employes of the House is beyond the wants of the public service is too obvious, and I do not believe that the Speaker of the House would desire to see the number increased.

Mr. BURROWS. Mr. Chairman, I understand that the person in question is now borne upon the rolls as a laborer, and that this is simply a proposition to transfer him to the messengers' roll.

Mr. HOLMAN. That is not the proposition.

Mr. BRECKINRIDGE, of Arkansas. That is the fact.

Mr. BURROWS. I understand that that is the case, and that this is merely a proposition to change this man from one roll to another.

Mr. HOLMAN. Does the gentleman from Arkansas [Mr. BRECKINRIDGE] propose to reduce the number of laborers?

Mr. BRECKINRIDGE, of Arkansas. Of course it ought to be done if there are too many of them; but we are not at that part of the bill now.

Mr. HOLMAN. But does the gentleman propose to move that amendment?

Mr. BRECKINRIDGE, of Arkansas. I leave that to the gentleman from Alabama [Mr. FORNEY], who has charge of the bill. I will certainly vote for it if he thinks there are too many laborers. I have not looked into the subject myself.

Mr. BURROWS. This amendment simply proposes to change this messenger from the laborers' to the messengers' roll—and certainly the Speaker of this House ought to be provided with a regular messenger.

Mr. BRECKINRIDGE, of Arkansas. The gentleman from Indiana [Mr. HOLMAN] says he does not think the Speaker desires this. Of course I would not offer an amendment of this kind without asking the Speaker if he did desire it, and when the amendment was sent to me by his private secretary I did ask him and he said that he did wish this change made.

Mr. ROGERS. Mr. Chairman, under the present arrangement every year when the deficiency bill comes up we pay this same "laborer" \$300 extra for messenger work; so that it simply resolves itself into making two bites of one cherry. If you are going to have this man do messenger work the practical business way is to pay him as a messenger and put him on the roll of messengers.

Mr. RANDALL. In fact, this does not involve an increase of this man's pay. He has served for many years in the capacity of messenger under Speakers of both political parties. He is a valuable man, and I do not know that the committee object to giving him adequate compensation, whatever the House may think to be right. But if this is to be done and this position as messenger is to be made a permanent one, there ought to be a decrease in the number of laborers; and for one I would prefer to have it understood now that such a decrease shall be made.

Mr. BRECKINRIDGE, of Arkansas. Of course the bill ought to be made harmonious in that respect; I presume the committee will take care of that matter. As has been remarked, the effect of this amendment is simply to give this man the same amount of money that we have in fact been voting him annually heretofore.

Mr. PETERS. I understand that this man is now on the laborers' roll at the regular rate of laborers' compensation; but that we are in the habit of giving him in the annual deficiency bill the difference between a laborer's pay and that which he would receive as a messenger. If that is the case, why not provide for the compensation in this bill at \$1,000, the amount which he is actually paid each year?

Mr. RANDALL. He now performs laborer's work in addition to serving as messenger. The effect of this proposition may be to relieve him from his duty as a laborer.

The amendment of Mr. BRECKINRIDGE, of Arkansas, was agreed to.

Mr. BRECKINRIDGE, of Arkansas. I ask that the aggregate sum named at the close of the paragraph be increased to conform to the amendment just adopted.

Mr. FORNEY. It is the business of the Clerk to make corrections of that kind.

The CHAIRMAN. The change suggested by the gentleman from Arkansas will be made.

The Clerk read as follows:

For Chaplain of the House, \$900.

Mr. JOSEPH D. TAYLOR. I move to amend the clause just read by striking out "\$900" and inserting "\$1,000." I do not think this proposition needs any discussion. Gentlemen of the House who know the circumstances in which our Chaplain is situated, and his disability, must realize the propriety of increasing the present salary of \$900 to \$1,000. I hope this increase will be granted without any hesitation.

Mr. SPRINGER. Make it \$1,200.

Mr. JOSEPH D. TAYLOR. At the suggestion of the gentleman on the other side [Mr. SPRINGER] I modify my amendment so as to make the salary \$1,200. I think that is what it ought to be, and it is the amount which I originally intended to propose.

Mr. SPRINGER. I think it ought to be \$1,200.

Mr. CANNON. Why not make it \$1,500?

A MEMBER. Why not \$2,000?

Another MEMBER. Because we can get all the prayers we require for \$1,200.

Mr. SPRINGER. The salary was fixed at \$900 with the idea that Congress should always employ some clergyman having a congregation in this city. This is entirely a religious question, and I hope gentlemen will look at it in the light which becomes us. We have now the benefit of the services of a most able and excellent gentleman as Chaplain, one who is an honor to this House and to the profession which he has adopted. I hope the House will not hesitate to make the salary adequate to the position.

It is well known to members that during the last winter our present Chaplain suffered great affliction by reason of long sickness, which en-

tailed upon him large and unexpected expenses. He is now quite advanced in years, and may not be able to be with us very much longer. I think we should feel it our duty to give him at least the compensation which is now proposed.

Mr. CANNON. I wish to say only a word. When my colleague [Mr. SPRINGER] undertakes to do something religious I do not think we should interpose any obstruction. [Laughter.]

Mr. SPRINGER. Certainly not.

Mr. ALLEN, of Michigan. I am heartily in favor of this increase, both because I think it right in itself and also because of the high character of the gentleman who is now acting as our Chaplain. But I would like to ask the gentleman from Illinois, who has been here longer than most of us, how it happens that this salary has thus far been only \$900. There must have been some reason for it.

Mr. SPRINGER. I stated that the salary had been fixed at that amount in the expectation that we should employ as Chaplain some clergyman having a congregation in this city, this sum being merely an addition to his regular salary. The effect has been generally to compel the House to make a selection under that restriction. But our present Chaplain has no congregation here; he is entirely dependent upon his compensation from Congress and upon the lectures which he delivers in vacation.

Mr. BROWNE, of Indiana. Is it understood that we are to pay this increase because of the increased necessity for prayer?

Mr. SPRINGER. There is a great necessity for it.

Mr. BROWNE, of Indiana. An increased necessity?

Mr. SPRINGER. Gentlemen have no idea of the great power required to bring salvation to such a body as this.

Mr. GROSVENOR. I wish to inquire whether, if this increase be now agreed to, the salary will continue at the increased rate hereafter when there may be some other Chaplain.

Mr. FORNEY. I admit that we have a most excellent Chaplain; but the salary for this officer for the last twenty-five years has been \$900.

Mr. GROSVENOR. I have not got through with my statement. I am trying to find out whether this amendment if adopted will operate as a permanent increase of the Chaplain's salary—

Several MEMBERS. Of course.

Mr. GROSVENOR. Or will it only continue for the year to which the bill applies?

Mr. SPRINGER. It can be fixed every year.

Mr. STRUBLE. But never decreased.

Mr. GROSVENOR. My own expectation is that the next House of Representatives will not require as much praying as this.

Mr. SPRINGER. Then we will let you select your own Chaplain and pay him out of your own pockets. It will not require much to pay for the services he will render. [Laughter.]

Mr. FORNEY. This salary has been \$900 for the last twenty-five years. Now, if we increase the salary you must bear in mind that the increase will apply to the short session which is coming. We give now \$900 for the four months, and I think that is a good salary. This bill only provides for the short session—four months.

Mr. HOLMAN. Three months really.

Mr. FORNEY. And he gets over \$200 a month. That we regard as fair compensation.

Mr. WHITE, of Indiana. Mr. Chairman, I hope the amendment will be adopted, as I think it is a very proper one. It can not be expected that we can secure the services of a Chaplain of great ability for a compensation of \$900 a year. Chaplains in ordinary churches do not get less than from \$1,500 to \$5,000 a year.

Mr. STRUBLE. Does the gentleman regard it as essential that the Chaplain of this House should be a man of very great ability?

Mr. WHITE, of Indiana. It is just as proper that we should have a Chaplain of ability for the House of Representatives as for a church; probably more so. I do not see why we should not secure the services of a thoroughly able man.

Both sides will be better for having a sufficient appropriation for the purpose of securing the prayers of a competent person, and of course if they do not do any good they will not do any harm.

Mr. STRUBLE. I quite agree with the gentleman that it is proper to have a Chaplain; the only question, as I understand the gentleman's position, is whether the man who is to be employed for that service is to be able to make acceptable prayers.

Mr. WHITE, of Indiana. Well, it would certainly be better to have a man who was capable of doing so; and I think \$900 is not sufficient to secure the services of a man of much ability to fill the position. Besides that, we should remember that if the Chaplain is to be here, as is usually the case during the session, four, or five, or six days in the week, that his duties in that connection will be as great in the aggregate as the duties of a preacher who attends church only once a week. I would be in favor of increasing the amount above the \$1,200 proposed, but as that has been suggested I hope it will be adopted. The Chaplain that we have is most worthy of this advance, and needs it very much in consequence of his recent sickness.

Mr. ALLEN, of Michigan. In answer to the gentleman from Iowa [Mr. STRUBLE] I desire to say that I had a good deal to do with schools in my day, and my experience has shown that it always takes a higher

order of ability to deal with an immature mind than is usually supposed. Applying that rule to this House, I think it is necessary that the Chaplain should be a man of considerable ability. [Laughter.]

Mr. STRUBLE. Mr. Chairman, I move to strike out something, for the purpose of saying a word. [Laughter.]

I have no intention or desire of being understood as opposing a proper compensation to be paid to the Chaplain of the House; and I will concede what my friend from Indiana says, and agree with him, that the present gentleman who is officiating as Chaplain is in a condition to be entitled to our sympathy. I sympathize with him most deeply and appreciate his ability as Chaplain of the House. He is not only a man of intelligence, ability, and great learning, but a man of very great eloquence, and a man who is concise and of great brevity in his prayers. [Laughter.] I use the term to indicate conciseness of expression. He is conscientious in the discharge of his duty, and if I were called upon to vote personally for the benefit of the Chaplain of the House I would feel like voting an increase to this gentleman of from \$1,200 to \$1,500. But while he is the present occupant of that position, it is not unreasonable to suppose that the time will come when there will be a change, and possibly a man of less ability and better able to get along with a lower salary will be appointed.

Mr. ALLEN, of Michigan. And with a different religion.

Mr. STRUBLE. I do not say that. I do not think it is a matter that has any bearing upon this question; but I think it is well to continue the old rule for the present.

Mr. HOLMAN. Mr. Chairman, I know that all gentlemen in this House appreciate the qualities of the present Chaplain, and if we were not legislating on a great appropriation bill and at the very threshold of the bill, but were permitted to do what our own feelings would prompt, as a matter of favoritism, there would be little question that the proposition to increase this salary would meet with favor. But I know that a gentleman of the high character of the Chaplain of the House would not consent that members of this body should forget their duties to the country in the way of granting this increase as a matter of favoritism to him, and I do not believe that the constituency of my friend from Illinois would consent that at the very threshold of this great bill, carrying almost all the salaries of the Government, this departure should be made which will lay the foundation for a wide increase of all the salaries covered by the bill.

This salary has remained at the present rate for more than twenty-five years. It has always been satisfactory, and the office has always been filled by gentlemen of high standing and character. I hope that the House will not begin here at the threshold of this bill, according to the feelings of gentlemen and their sympathies, to increase a salary which is now high enough. The salaries of the employes of this House are all far beyond the average salaries paid in this country at the present time. Besides that, this appropriation is but for three months. Three hundred dollars a month is a pretty high salary, as carried by this bill, and yet it is proposed to increase it. As the appropriation stands in the bill the Chaplain will receive \$10 a day for every day he renders any service to the House. I hope the increase, then, will not be made, but I do hope that if the committee determine to increase this salary or any other, it will provide that the increase shall be confined to the time during which the office shall be held by the present incumbent.

Mr. SPRINGER. I desire to say just one word in reply to my friend from Indiana. I am willing to take the responsibility before my constituents of voting the sum of money that is necessary for a proper salary to the Chaplain. I know the council of Jacksonville, Ill., if they wanted a chaplain, would be willing to pay him the necessary salary.

Mr. STRUBLE. Is that a Democratic town?

Mr. SPRINGER. No; it is largely Republican.

Mr. TAULBEE. Could you get a competent chaplain for that money?

Mr. SPRINGER. They would be willing, I feel assured, to pay for the services of a man so competent as this gentleman a salary on which he could live. There is no danger of setting a wrong precedent. I will say to the gentleman from Indiana that what relates to this office can not relate to any other. There is no other blind man led here every morning to perform his duties. It is an exceptional case. There never will be another, and I hope this will not be made a precedent. It will not be, and gentlemen need not be so afraid of increasing the salaries paid by this Government. The increase of \$300 will not hurt you, and it will be a great benefit to him.

Mr. DOCKERY. I wish to ask the gentleman from Illinois a question. I understood the gentleman from Alabama [Mr. FORNEY] to say that this salary has been fixed at \$900 for the last half a century.

Mr. RANDALL. It was so fixed in 1871; and it was always the same before that year, so far as we know.

Mr. DOCKERY. And this is a proposition to increase the salary?

Mr. SPRINGER. The reason is that hitherto we have been employing clergymen who had charges in this city, and the salary we voted was in addition to the compensation the clergyman received as the pastor of his church. But in this instance we have selected a man who had no other duty.

Mr. OATES. Then do you put this proposed increase of salary on the ground of mere charity?

Mr. SPRINGER. No, sir; I hold it is the duty of this House to provide itself with a Chaplain. The clergyman selected, although not participating in the deliberations of the House, must be here every day to perform the duty for which he is appointed. And if we require the service of a Chaplain we should pay him for that service. He must be here all the time. He can not go off on a lecturing tour; he can not visit his home in Illinois; he must be here; and for that reason he ought to be properly paid.

Mr. OATES. If it is a mere charity, let us put our hands in our own pockets and make up this amount.

Mr. SPRINGER. It is not a mere charity. There are many gentlemen in this city who would like to have this place at half the salary. We wanted a man of ability; we got him, and we are willing to pay him.

Mr. RANDALL. I desire to make this remark, that the Chaplain has never appeared before the Committee on Appropriations by letter or in person to ask an increase of salary.

Mr. SPRINGER. He has never asked me either to propose this increase. He is too modest to do so. I rest his case on his merits.

Mr. ROGERS. I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. We have too much disorder.

The CHAIRMAN. The gentleman's point of order is well taken. The Chair asks gentlemen to aid in preserving order.

Mr. FORNEY. The gentleman from Missouri [Mr. DOCKERY] asked if the salary of the Chaplain had not been \$900 for the last fifty years. I will state to the gentleman that the appropriation act for 1871 fixed the salary of the Chaplain of the House at \$900; and I presume that was the salary for a number of years prior to that. I may remark also that this is a salary given in a certain sense for a period of four months. There is a law which permits the Chaplain to draw the whole amount of his salary after four months' service.

Mr. KERR. I dislike to make any objection to this proposed increase of salary, because I know the great worth of the gentleman who is our Chaplain. He has been known for nearly half a century as one of the most worthy men in this country. But I do not think the service he has to perform is such as to require a compensation more than has been hitherto allowed.

The gentleman from Illinois [Mr. SPRINGER] has shown a commendable interest in the Chaplain. I suppose he is a resident of that gentleman's district, and I do not wonder at his interest in his behalf. But we can not have chaplains from all of our districts, and I am a little surprised that the gentleman from Illinois, with all his professions with regard for economy, should go so far as to press this claim simply because the gentleman who is our Chaplain is a former constituent of his, a former resident of his district.

Mr. JOSEPH D. TAYLOR. I offered this amendment without reference to the gentleman from Illinois. I had no conversation with him or with anybody else in regard to it. But when I saw in this bill that the Chaplain was only receiving a salary of \$900 I was very much astonished. I do not think it is creditable to this House to give to the Chaplain such a salary. When gentlemen desire to practice economy with an overflowing Treasury, the surplus in which threatens to imperil the business interests of the country, I think the place to begin is not with the salary of the blind Chaplain. I think it ought to be \$1,200. The Speaker's messenger is paid \$1,000, and there are messengers in all the Departments of the Government getting from \$1,000 to \$1,500, and certainly I think \$1,200 is not too much to pay our Chaplain.

Mr. KERR. Has there been any proposition to return to the principles of economy in regard to any of the offices? Has not the tendency been rather in the other direction?

Mr. JOSEPH D. TAYLOR. That does not make any difference. The argument is all the more against the gentleman. If we have not heretofore begun to practice economy that is no reason why we should begin here and now. This gentleman lives in a distant State; he receives no mileage; he is required to be here day after day; and I say it is a wrong, a hardship, an injustice, to ask him, in view of his services, to receive a less sum than \$1,200. [Cries of "Vote!" "Vote!"]

The question was taken on the amendment of Mr. JOSEPH D. TAYLOR, and there were—ayes 72, noes 72.

Mr. JOSEPH D. TAYLOR. No quorum.

The CHAIRMAN. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] and the gentleman from Alabama [Mr. FORNEY].

The committee divided; and the tellers reported—ayes 81, noes 82. So the amendment was rejected.

Mr. JOSEPH D. TAYLOR. I move to strike out the words "nine hundred" and insert "eleven hundred."

The question was taken on the amendment, and the Chairman declared that the noes seemed to have it.

Mr. JOSEPH D. TAYLOR. I ask for a division.

The committee divided; and there were—ayes 27, noes 65.

Mr. JOSEPH D. TAYLOR. No quorum has voted.

The CHAIRMAN. The point being made that no quorum has voted,

the Chair will appoint to act as tellers the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] and the gentleman from Alabama [Mr. FORNEY].

The tellers took their places, but before the count was completed, Mr. JOSEPH D. TAYLOR said: Mr. Chairman, I will withdraw the point of no quorum and move that the amount be made \$1,000. That was my original motion.

The CHAIRMAN. What motion does the gentleman make?

Mr. JOSEPH D. TAYLOR. I modify my motion so as to strike out "nine hundred" and insert "one thousand."

The question was taken on the amendment of Mr. JOSEPH D. TAYLOR, and the Chairman declared that the yeas seemed to have it.

Mr. JOSEPH D. TAYLOR. I ask for a division.

The committee divided; and there were—yeas 47, noes 70.

Mr. JOSEPH D. TAYLOR. No quorum.

The CHAIRMAN. The point of order having been made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] and the gentleman from Alabama [Mr. FORNEY].

The committee divided, but before the count was completed Mr. JOSEPH D. TAYLOR withdrew the point of no quorum.

The Clerk read as follows:

Office of the Clerk: For Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$5,000; and for hire of horses and wagons and cartage for the use of the Clerk's office, \$700, or so much thereof as may be necessary; for Chief Clerk, Journal Clerk, and two reading clerks, at \$3,600 each, and for the Journal clerk for preparing Digest of the Rules, \$1,000 per annum; tally clerk, \$3,000; for printing and bill clerk, and disbursing clerk, at \$2,500 each; for file clerk and enrolling clerk, at \$2,250 each; for assistant disbursing clerk, assistant enrolling clerk, resolution and petition clerk, newspaper clerk, index clerk, superintendent of document-room, and librarian, at \$2,000 each; for distributing clerk, stationery clerk, and two assistant librarians, at \$1,800 each; for one book-keeper and seven clerks, including three clerks to index private claims, at \$1,600 each; for document clerk and locksmith, at \$1,400 each; two messengers in the House library, at \$1,314 each; one telegraph operator, one assistant to the file clerk, and two laborers in Clerk's document-room, at \$900 each; one page, one laborer in the bath-room, and four laborers, at \$720 each; one assistant Journal clerk, at \$6—

Mr. COX. Mr. Chairman, I move to amend on page 10, line 5, by striking out "for the Journal Clerk," and inserting "for a clerk to be designated by the Speaker."

Mr. RANDALL. Mr. Chairman, the gentleman from Alabama [Mr. WHEELER] has an amendment which comes in before that, and which I would like to have taken in connection with the prior paragraph.

Mr. WHEELER. Mr. Chairman, I send up an amendment which I desire to offer.

The amendment was read, as follows:

In line 25, page 10, and in lines 1 and 2, page 11, strike out the words "at six dollars per day during the session, seven hundred and twenty-six dollars," and insert in lieu thereof the words "at eighteen hundred dollars."

Mr. HOLMAN. If that is subject to the point of order, I wish to reserve the point.

Mr. WHEELER. Mr. Chairman, I am as much opposed as the most economical member of this House to tolerating an increase of salary in any case where the purpose or the effect is to give additional pay for work which can be properly done at the compensation heretofore provided in appropriation bills of this character, and I would not have offered the amendment were it not that it seems to be conceded that the amount paid the assistant Journal clerk is entirely out of proportion to the work and responsibility which attaches to the position.

In the Forty-third Congress the salary of this official was \$3,000. In that Congress 5,050 bills were introduced and 711 reports made thereon; in all, 5,761. In the Forty-seventh Congress 8,055 bills were introduced and 2,044 reports were submitted; in all, 10,099. In the Forty-eighth Congress the bills increased to 8,637 and reports 2,692, in all 11,329. In the Forty-ninth Congress 11,510 bills were introduced and reports were made upon 4,181 of said bills; in all, 15,691. It will therefore be observed that the keeping of the Journal in the Forty-ninth Congress involved three times the labor that was required in the Forty-third Congress. In this Congress we have already introduced 10,066 bills, and the reports some days ago numbered 2,217.

I mention these facts to show the increase of the work connected with the Journal, and the absolute necessity of employing a clerk of the highest capability. I have just consulted with the distinguished chairman of the committee, and also with the gentleman [Mr. FORNEY] who has charge of the bill, and I feel authorized to say that they fully recognize the inadequacy of this official's compensation. After the bill now being considered was reported to the House, General Clark, our efficient clerk, addressed a letter to the committee, a paragraph of which I will read:

The bill recently reported from your committee provides for an assistant Journal Clerk, to be paid at a rate which, in my opinion, is entirely inadequate to the character and amount of work performed.

[Here the hammer fell.]

Mr. HOLMAN. I still reserve my point of order.

Mr. ROGERS obtained the floor and yielded his time to Mr. WHEELER.

Mr. WHEELER. I thank the gentleman from Arkansas for his courtesy in giving me time to explain the necessity for the amendment.

The Clerk of the House, with the experience of three Congresses as Clerk and double that number as a Member, gives his views upon this

subject very clearly. In his letter to the Appropriation Committee he says:

I take this method of suggesting that the time has come when the rapid increase of the public business requires a higher rate of compensation than that provided in the bill.

If General Clark is right in this, and I believe the Committee on Appropriations do not question his opinion on this subject, it seems that now is the time to rectify what really appears to have been an inadvertence in the preparation of the bill. I will read further from the letter. General Clark says:

The position is one of great responsibility and labor, requiring the utmost accuracy and detail, and many hours of writing, a great deal of which must necessarily be performed after the adjournment of the House.

The Journal often reaches from forty to sixty pages of manuscript, nearly all of which is prepared by the assistant Journal clerk, the time of the Journal Clerk being constantly required upon the floor of the House.

This work has to be done by one man. It is a character of work which admits of no delay, and must be done with the most scrupulous accuracy.

Mr. JOHNSTON, of North Carolina. If this salary should not be increased, is there any danger that the gentleman who now occupies the position will resign? [Laughter.]

Mr. WHEELER. In reply to my friend who makes this inquiry I would state that I am informed that the gentleman who now performs the duty of assistant Journal clerk has been induced to remain by assurances that all proper efforts would be made to secure the permanent salary which is embodied in the pending amendment. We are credibly informed that the pay as appropriated by the bill as it now stands will not retain in our service that experience and capability the person intrusted with this important duty should possess.

Mr. JOHNSTON, of North Carolina. I can bring a man here who will be glad to do the work for the present pay.

Mr. WHEELER. I will bet that the man my friend refers to can not do it. [Laughter.] We can get plenty of men who will come here and accept the position and go through the form, but I beg to assure the gentleman from North Carolina that although his friend may be a most excellent and capable gentleman he might fall far short of compassing the work which attaches to this position.

The letter which I hold in my hand gives us some information on this point. In speaking further on the duties of the assistant Journal clerk, it says:

The duties require not only the exercise of intelligence, but also experience on the part of the clerk, and unless an increase is made the probability is that frequent changes will have to be made, to the great detriment of the public service.

It has also been urged with some force that this position should be provided with a fixed salary, as the incumbent is required to do considerable work after Congress adjourns, which is not the case, so far as I can learn, with others, who, like the assistant Journal clerk, are on the session's roll.

I can not do better than to read General Clark's words. He says:

After the adjournment of Congress much time is required in putting in order the large amount of business incident to the closing days of the session, such as verifying the reports of conference committees, reading and correcting proof, preparing the points of order for insertion at the end of the printed Journal, preparing the manuscript Journal for the binding, etc.

We must keep the Journal of the House in capable and experienced hands. There must be no doubt or question to the verity of the proceedings as recorded in the Journal of the House; a mistake, particularly at the close of the session, might become a matter of most serious consequence. Intelligence and capability are indispensable, and experience should be added when attainable.

I do not care to give this matter any more extended discussion.

Mr. HOLMAN. I still reserve my point of order.

Mr. RANDALL. Mr. Chairman, as we are likely to be flooded with amendments touching the compensation of House employes, I wish to speak generally on that point now. I know how difficult it is to resist the applications of those who are daily associated with us in the public employ. I experience this perhaps as much as any other member of the House, for I can say truthfully that I have been the recipient of as much courtesy from officers here as can possibly have been the case with any other member, and I feel the obligation on my part thus created. But I think in matters of this kind we ought not to be governed by friendship or sentiment.

Now, I wish to state the fact that the cost of the service of the employes in the English House of Commons is but one-half what this House pays its employes.

A MEMBER. "Cheap foreign labor!"

Mr. RANDALL. In other words, while the amount paid by the House of Commons of Great Britain is \$240,000, we pay for similar service \$510,000; yet the membership of the House of Commons is double in numbers that of this House. I only mention this under a supposition that perhaps "Jeffersonian simplicity" may have some lodgment in the minds of members as contrasted with the demands of royalty.

Mr. SPRINGER. Jefferson was opposed to royalty, and it was through his efforts, with those of others, that we separated from Great Britain. And I hope we shall never get back to British standards in questions of government.

Mr. RANDALL. As to the matter immediately under consideration, the committee read and carefully considered the letter of the Clerk of the House, and were rather disposed to adopt some equalization between the salary of the Journal Clerk and the compensation of his assistant. The Journal Clerk's compensation is \$4,600—within \$400 of what a member of this House receives. That includes, of course, \$1,000 for the preparation of the digest. The young man who is now acting as assistant Journal clerk receives upon an average, \$1,100 annually. I believe if the committee had felt called upon to make a change some of us, at least, would have agreed to raise the salary of the assistant and reduce that of the Journal Clerk. I do not believe we should increase the aggregate now paid for the work in connection with the Journal. Five thousand six hundred dollars or \$5,700 is a very large amount of money to be paid for journalizing the proceedings of this House. The work of the assistant Journal clerk, I am free to say, is about as arduous, though it may not be so responsible, as that of the Journal Clerk. The latter officer, if I understand correctly, does that portion of the service which is open to our observation here in the House, while the assistant Journal clerk, after the daily adjournment, makes up the Journal in the form to be read the next morning. I do not hesitate to say that, in my judgment, this young man who is acting as assistant Journal clerk receives too little pay, while I believe the compensation of the Journal Clerk, including its different forms of payment, is too large.

If I should be allowed to move an amendment to the amendment to reduce the Journal Clerk what we increase the other, I believe it would meet the justice of the case and be fair play all round.

Mr. HOLMAN. Mr. Chairman, I wish to present the point of order I have raised. I do it under the third clause of Rule XXI of the House. It is not pretended, Mr. Chairman, this employé is provided for by any general law. The employment is provided for on an appropriation bill, and has been since the office was created. So there is no law on the subject except the law of the appropriation bill, the law of the current year. In view of that fact I desire to call the attention of the Chair to the language of the third clause of the twenty-first rule:

3. No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

I think the Chair has uniformly held the terms "except for public works and objects already in progress"—that those terms have no relation to the employés of the House. So the whole objection turns on the first clause of this paragraph:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

If there is any law it is the law of the current year. There can not be any other law. There is no other law. It seems to me to be impossible to rule this expenditure is authorized by law, inasmuch as the only law in force makes a different provision for compensating this employé of the House. The proposition is so clear it is not necessary to discuss it, and it seems to me that a mere statement of the question is sufficient.

Mr. WHEELER. I hardly think it is necessary to make any reply to the position taken upon the point of order by my friend from Indiana [Mr. HOLMAN]. There is no law fixing the salary of assistant Journal clerk. The authority for his appointment, and the authority for appropriations to pay his salary come to us by virtue of the constitutional provision in reference to the House of Representatives, and that necessarily involves the right on the part of the House to employ such clerical force as Congress in its wisdom may find necessary for its proper organization and the efficient conduct of its business.

I understand that the gentleman from Indiana [Mr. HOLMAN] relies upon section 3 of Rule XXI, which I will read:

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

The amendment is not obnoxious to the first part of the rule I have read. The law does not provide any salary for this official, and if an amendment is not in order fixing a salary, then with equal force the section in the bill sought to be amended would also be subject to a point of order, because it is just as much a violation of the rule to report a bill for an expenditure not previously authorized by law as it is to lodge an amendment for such an expenditure. This shows that section 3 does not at all apply to this class of cases.

The language which follows sustains this view. It clearly indicates that the first part of the clause refers to public works and for expenditures of that character. But the gentleman says that the appropriation bill which provided the salaries of the officers for this current year is the law, and that there can not be any other law in this matter, and therefore he insists that to change the amount from that appropriated for this current year would be a change of existing law. Suppose we had failed to pass an appropriation bill for this current year, then, according to the position assumed there would be no law authorizing any appropriations whatever for assistant Journal clerk, and therefore we could be inhibited from making any appropriation for this purpose.

It seems to me this shows that the amendment should be allowed and the point of order overruled.

Mr. TARSNEY. Mr. Chairman, at the Forty-ninth Congress this same question was raised. It was then contended by members on the floor of the House that amendments of this kind were not in order, because they changed existing law.

Mr. HOLMAN. I am not claiming they change existing law, but that it is provided by law.

Mr. TARSNEY. Then we provide, if we are in favor of it, that it shall continue as the law until the expiration of the appropriation bill.

Mr. HOLMAN. The current bill is the law in this case.

Mr. BOOTHMAN. Mr. Chairman, I wish to address myself for a short time to the point of order which has been raised. By an examination of the statutes it will be found that many of the officers and employés of the House are provided for in appropriation bills passed in years since 1879. In 1879 I believe there were five messengers provided for, but since that time the number has grown from five to twenty-three, and they have all been provided for in appropriation bills, and if this point of order has never been raised before it seems to me the precedent is against the construction of the rule asked for.

Mr. RANDALL. I do not know what we can be governed by unless it be the current law making the appropriation.

Mr. TARSNEY. There is no other law.

Mr. BOOTHMAN. If the Chair please, there is no other law, except the existing appropriation act. That does not apply to the fiscal year commencing the 1st of July, 1888, and running to the 30th of June, 1889.

A MEMBER. Then there would be no law authorizing the appropriation.

Mr. BOOTHMAN. Then we would be in the position of having these officers here during this session of Congress provided for and paid under an appropriation bill, and no power in the House to provide for the payment of the same officers for the next year, no matter how imperative the necessity for such payment might be, unless we went to the trouble of passing a general law. The precedents are all against that construction. We are providing now for a period commencing on the 1st of July next and ending on the 1st of July, 1889. The proposed law at this time does not provide for the existence of these offices. It is intended simply to provide pay for offices already created. It is in the line of existing law. They are officers of the House, and we are providing for the salaries of these officers by this law. Therefore the point of order does not lie.

Mr. CANNON. Is it not true, Mr. Chairman, that the Constitution of the United States established the rule and regulations in this matter for the House of Representatives? There is no general law declaring how many employés there shall be, but as the necessity arises for the employment of these officers they are provided under the power granted in the Constitution.

Mr. BOOTHMAN. In answer to the inquiry of the gentleman from Indiana I would say this: The point raised is not that we have not the power to create the office, but that we have not the power to provide for the increased pay for the next year in the present appropriation bill. I am contending that this office already exists by virtue of law. There is no question but that Congress has the power to provide for the office under its general legislative powers; but the question presented here is whether we can provide for the increased pay asked in this bill. It seems to me that we are providing for payments authorized by existing law, and that the point of order can not lie against the proposition.

The CHAIRMAN. The point made by the gentleman from Indiana is on a proposition to increase the salary of the assistant Journal clerk of the House.

Mr. HOLMAN. If the Chair will permit an interruption, I hope the amendment will be read against which I have made the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was again read.

The CHAIRMAN. This is a proposition to increase the salary of the assistant Journal clerk of the House of Representatives on an appropriation bill. The gentleman from Indiana insists that this proposition is in violation of the third clause of Rule XXI—that it changes existing law.

Mr. HOLMAN. If the Chair will pardon me, my point of order is that there is no law authorizing this expenditure, in the language of the rule.

The CHAIRMAN. The Chair does not want to make a ruling on the subject without being aware of the gentleman's exact point. Does the gentleman from Indiana not recognize the fact that there are duties devolving upon the assistant Journal clerk for which provision may be made in this bill?

Mr. HOLMAN. Certainly they are provided by law; but this is simply an increase of compensation not authorized by law.

The CHAIRMAN. So the Chair understood, and was about to rule in regard to the point made by the gentleman.

If that be true, it necessarily comes under the subdivision 3 of Rule XXI, providing that no provision changing existing law shall be incorporated in any general appropriation bill, etc.

Mr. HOLMAN rose.

The CHAIRMAN. The Chair would prefer to proceed without interruption for the present.

In the Forty-fourth, Forty-fifth, and Forty-sixth Congresses time and again this question was raised and sustained, and it has been frequently so decided since. It has generally been held that where there was any general law fixing a salary, that that law governs in relation to this rule; that where there had been no salary fixed by law, other than in an appropriation bill, that the salary therein stated indicated the purpose of Congress as to what it should be, and that any effort to change it after it was once indicated by the House on an appropriation bill was in violation of the rule and subject to the objection here raised.

The Chair holds that the point of order is well taken; and the Clerk will continue to read.

Mr. COX. I move to strike out in line 5, page 10, the words "for the Journal Clerk for preparing the Digest to the Rules" and insert "for a clerk to be designated by the Speaker."

Mr. HOLMAN. I reserve the point of order on this amendment.

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

Mr. HOLMAN. That it is a change of the existing law.

Mr. COX. Mr. Chairman, I do not think the point of order is well taken. Let me say in this connection—

Mr. RANDALL. I would like to have the point of order decided.

Mr. COX. I will not take up much time.

Mr. RANDALL. I do not speak personally; but the gentleman will understand the importance of having these questions decided promptly and without debate as far as practicable.

Mr. COX. Let me state that this amendment does not raise the pay of the clerk provided for here, nor does it make a new office. It simply gives to the Speaker of the House the right to designate a clerk who shall make out the annual Digest. The Speaker evidently is the man of all others who is most competent to select the proper person for that duty; and if it be that the pay of the Journal Clerk is too much, which has been suggested for other reasons about which I make no comment one way or the other or complaint, for I have none to make, and make no point upon the salary, then this salary can be amended.

Mr. RANDALL. Let me interrupt the gentleman for a moment. The gentleman understands that the Journal Clerk is the best person to make this selection. He is certainly best fitted for the performance of that duty.

Mr. HOLMAN. And he has always performed it heretofore.

Mr. RANDALL. And satisfactorily.

Mr. COX. But nevertheless it can scarcely be doubted that the Speaker is the proper person to indicate the clerk to do this duty. The Speaker is most closely connected with these questions of order, and he should be permitted to select the person who is to journalize them.

Mr. RANDALL. I ask a ruling on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk will read.

Mr. COX. I did not understand the Chair to give any reason for sustaining the point of order.

The CHAIRMAN. The Chair did not. It is not necessary. But the Chair will give a reason, that there is no authority of law for it, and under the rules of the House it is not in order—under Rule XXI—for it creates a new office.

Mr. COX. Very well.

Mr. CANNON. I move the amendment I send to the desk.

The Clerk read as follows:

After the word "operator," in line 21, on page 10, insert "\$1,200;" so that it will read "one telegraph operator, \$1,200."

Mr. HOLMAN. I will reserve the point of order upon this, as I wish to ask the question if that is to supply a mere omission?

Mr. CANNON. I will state to the gentleman what it is. The telegraph operator out here, the Department operator for the House, now gets \$900 a year, while the Senate operator gets \$1,200. This man has two or three times the amount of work to do that the Senate operator has. I have been requested by a number of parties to offer this amendment, and I believe it is a just and proper one.

Mr. FORNEY. I suggest to the gentleman from Illinois that \$900 for three months' work during the next session is pretty good pay.

Mr. CANNON. Well, this is the salary for short session and long session, year in and year out. He can not get employment outside while thus engaged.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read the following paragraph:

Indexing Journals of Congress: For clerk to prepare the general index to the Journals of Congress, under resolution of June 18, 1878, \$2,500, and for the following assistants under his direction, to be appointed by the Committee on Rules, namely: Two at \$1,200 each, four at \$1,000 each, and two at \$800 each; in all, \$10,500.

Mr. TARSNEY. The gentleman from Illinois [Mr. CANNON] interrupted me when I was on the floor to offer an amendment to the preceding paragraph. I ask unanimous consent to go back and offer an amendment on page 10 so as to insert in line 4 the word "tally clerk."

The CHAIRMAN. That can only be done by unanimous consent. The gentleman from Michigan asks unanimous consent to return to page 10, line 4, and offer the amendment which the Clerk will read.

The Clerk read as follows:

On page 10, line 4, after the words "Journal Clerk," insert "tally clerk;" so that it will read:

"For Chief Clerk, Journal Clerk, tally clerk, and two reading clerks, at \$3,600 each.

The CHAIRMAN. Is there objection to returning to that paragraph?

Mr. RANDALL. That is part of the flood.

The CHAIRMAN. The gentleman from Pennsylvania objects.

Mr. TARSNEY. The gentleman from Pennsylvania does not object.

The CHAIRMAN. Does the gentleman object?

Mr. RANDALL. I do not.

Mr. HOLMAN. I reserve the point of order.

Mr. TARSNEY. I will state the reason why I offer the amendment. In the last appropriation bill the tally clerk of this House was provided for by the salary fixed in that bill. That was at the rate of \$3,000, as I remember. Since that time, and during this Congress, additional work has been placed upon him. He is now required to make an index of all the Calendars of this House. There is not a harder-worked man than the man who sits at that desk, designated as the tally clerk. I simply ask in the spirit of equalization that he shall be placed on an equality with the others who sit at the desk with him. I thoroughly agree with my friend from Pennsylvania [Mr. RANDALL] that when a man accepts a position connected with the House at a fixed salary he should be bound to perform the duties which at the time of his acceptance pertained to that office.

Mr. RANDALL. I did not make that argument.

Mr. TARSNEY. But if in the course of the performance of his duties additional burdens are placed on his shoulders, then additional compensation commensurate with that additional service should be awarded him. It is in that spirit, and in that spirit only, that I offer this amendment in justice to a hard-worked officer of this House.

Mr. RANDALL. I want to repeat what I said once before: While I do not seek to lower the salaries of those officials at the desk, I do not want to raise them. I know their qualifications are of a peculiar character as regards some of them, and especially the reading clerks. But these officials are liberally paid. They are only on duty while the House is in session. When the House adjourns they can put on their hats and go hence; and when the final adjournment takes place they can pack their trunks and go home. There is no real merit, in my judgment, in the proposition at this time of year to demand an increase in those salaries for the short session.

Mr. TARSNEY. I ask the gentleman from Pennsylvania, when are these indexes made? It is not while the House is in session. They are made when the gentleman from Pennsylvania and I are asleep, many of them.

Mr. PETERS. I want to call further attention to a fact which my friend from Michigan [Mr. TARSNEY] has already emphasized. Prior to the time that the tally clerk was required to index the Calendars of the House, it may be true, as stated, that after the adjournment of the House the tally clerk had nothing to do. But now that additional work is imposed upon him, and it is certainly no light task to index such a Calendar as we have now, and which, as I understand, is reprinted twice a week.

The indexing of the Calendar, especially after the middle of the first session, from that time on, and during the second session, is a laborious task, requiring a man of considerable ability to perform it properly. I know those who have been familiar with the Calendar during this session have realized the great convenience which the index to the Calendar has been to them as members of Congress and for the dispatch of business in this House. It seems to me that with this additional work placed on the tally clerk it is no more than right that his compensation should be increased.

Mr. RANDALL. I understand the point of order is pending.

Mr. TARSNEY. I did not know that any point of order had been raised.

Mr. HOLMAN. I reserved the point of order.

Mr. TARSNEY. What is the point of order? Is it that the amendment changes existing law?

Mr. HOLMAN. It is that the amendment makes an appropriation not authorized by law.

Mr. TARSNEY. During last session, when the legislative appropriation bill, or a bill of like character, was under consideration in this House, and the distinguished gentleman from Illinois [Mr. SPRINGER] was in the chair, this same question was raised, and the Chair then ruled that the appropriation bill was not a general law within the meaning of the language of that rule. And neither is it.

I concede that where Congress has passed a law which is intended as a perpetual law, which stands until it is repealed, and which does not expire by its own limitation, that is a general law which can not, under the rule, be changed by an amendment in a bill like this. But, sir, we are here dealing with an existing condition of things, simply making an appropriation to pay expenses for what we have on hand, and who tells me that this is the "existing law?" This bill, if it passes, as it certainly will, does not become operative until the 1st day of July next. It does not change in the slightest degree the compensation that any

employé of this House is receiving under the last appropriation bill that we passed.

This is a special law intended to apply only for twelve months, beginning on the 1st day of July and ending on the 30th day of June next. This is not a general law. This is not the "existing law" that is contemplated in the rule, and it was so held, and properly held, last year by the gentleman from Illinois [Mr. SPRINGER], sitting in the chair which you, sir, now occupy. Here is the ruling. I refer to page 2423 of the CONGRESSIONAL RECORD:

If seems that there is no general law fixing this salary, and it must be carried in the appropriation bill. Therefore it is not for the Chairman of the Committee of the Whole House to fix it, and he will submit the question to the committee.

And he did submit it to the committee.

Now, I raise this point because if the ruling made by the Chair is to stand as the law of this House, then, sir, this House has no power, but the Committee on Appropriations possesses all the power that was delegated to the entire House of Representatives. The Committee on Appropriations, consisting of fifteen members, may go into their committee-room and there fix the salary of any employé of this House and bring their bill in here, and every Representative from every other part of the country has his lips sealed because under such a ruling he can not even offer an amendment to the edict of the Committee on Appropriations.

Mr. RANDALL. The action of the committee is regulated by law and by the rules of this House.

Mr. TARSNEY. The salaries are regulated only by the appropriation bills coming from the Appropriations Committee, and against such a usurpation of power I, for one, as a Representative, protest and say that it is not right. I say we should have the right to offer amendments to every section of the bill, whether we belong to one committee or another, and I say this with the utmost deference and respect for the gentlemen composing the Committee on Appropriations. I know that they have labored hard and labored earnestly, and exercised their best judgment in reference to this matter, but of course the doctrine of infallibility does not apply even to the Committee on Appropriations of the House of Representatives.

Mr. PETERS. Mr. Chairman, I want to be heard for a moment on the point of order.

Mr. RANDALL. I call for a decision.

Mr. PETERS. Mr. Chairman, the appropriation bills—

Mr. RANDALL. I ask for a decision on the point of order. The gentleman has already spoken.

Mr. PETERS. I have not spoken on the point of order.

The CHAIRMAN. The Chair does not care to have the debate protracted very much on the question of order.

Mr. PETERS. I think the Chair will bear me out that I do not occupy very much time in that way.

The CHAIRMAN. The Chair is not reflecting upon the gentleman at all; the Chair will be glad to hear him.

Mr. PETERS. The position of tally clerk has been created by an appropriation bill and is recognized by the bill. This office, therefore, is in a different position from the one upon which the Chair ruled a few minutes ago. The difference is that additional duties have been placed upon this official. Now, certainly, it can not be contended that if this House sees fit, by custom or by law, to increase the duties of one of its officials, the House is still debarred under the rule from increasing the compensation of that official. I do not think that such was the intent or spirit of the rule, and therefore I do not think that this case comes within the ruling which the Chair made awhile ago upon the other case. That is the point to which I wish to direct the attention of the Chair.

Mr. TARSNEY. It is an entirely different question.

The CHAIRMAN. The Chair wishes to say that whatever embarrassment may have arisen in the matter of legislation upon appropriation bills, the House itself in the fixing of its rules is responsible for it. If there is anything unreasonable or tyrannical in the rules the fault lies not with the Chair, but with the House itself. This question is an old one. It has been ruled on time and again from the Forty-fourth Congress down to the present, and almost uniformly it has been held that this provision refers not only to legislation relating to the fixing of a salary generally, but also to such provisions contained in appropriation bills; that is, that the necessity of the service existing, and the appropriation bill having fixed the salary, that was an indication to the Committee on Appropriations and to the House of what the compensation should be; and that the Committee on Appropriations could not report a different provision, nor could any member offer such a provision by way of an amendment to the bill in the House.

The Committee on Appropriations, it is complained, have some extraordinary power. Certainly the Chair was misunderstood if such was assumed to be his opinion. In saying that the appropriation bill fixed salaries, the Chair did not refer to the bill under consideration, but to the appropriation bills of the preceding year which had become law. The Chair is quite aware that the gentleman from Illinois, as presiding officer during the last Congress, made a different ruling; but the Chair is also aware that that ruling was exceptional, the decision having been

in general the other way. Therefore the Chair sustains the point of order.

Mr. BURNES. For the purpose of addressing an inquiry to the gentleman having charge of this bill, I desire to submit a point of order upon the paragraph just read. I find there a provision for a clerk to prepare a general index to the Journals of Congress; and I find also provision for certain assistants—eight in number, I believe. It is provided, I observe, that these assistant clerks are to be appointed by the Committee on Rules. It has been suggested that this is a change of existing law, and, if so, I wish to ask the reason for the change. I have reserved a point of order in order that I may decide upon the explanation which may be made whether to press the point or not.

Mr. RANDALL. The main object on the part of the committee was to secure the completion of this work in four years, instead of allowing it to be extended over sixteen years under the provision already adopted. The official who was originally selected by the Committee on Rules stated, I believe, that with his present force it would take sixteen years to do this work. The original plan for the work was introduced in this House by Hon. Alexander H. Stephens, of Georgia, upon a resolution from the Committee on Rules; and the work has always been under the direction of that committee. That is the reason the selection of these clerks was left to the Committee on Rules. If there is any other committee more competent to supervise or direct this work than the Committee on Rules, it is desirable the change should be made; but it was the judgment of the Committee on Appropriations (I myself taking very little part in the matter, as my associates will recollect, because, being a member of the Committee on Rules, I felt some delicacy in regard to it); it was the judgment of the Committee on Appropriations that as the work had heretofore been done under the direction of the Committee on Rules, it would be best to continue in their hands the control of it in the future.

Mr. HOLMAN. My recollection is that in the appropriation bill for the present year, on account of there not being proper responsibility on the part of the persons employed, the provision placing the work under the direction of the Committee on Rules was omitted.

Mr. RANDALL. There has never been any legislation connected with this matter except to execute the original resolution by providing pay for those employed in this work. It has now taken eleven years to do the work of indexing the first twenty-five Congresses.

Mr. HOLMAN. We provided for a clerk and assistant, I believe.

Mr. RANDALL. Yes, sir.

Mr. HOLMAN. They were subject only to the Committee on Rules?

Mr. RANDALL. Yes, sir.

Mr. HOLMAN. And it was thought desirable that they should be under the direction of the Clerk of the House. Hence, as will be found, I think, upon examination, the provision which contemplated continuing those officers under the control of the Committee on Rules was omitted, and another was adopted which placed them under the direction of the Clerk of the House.

Mr. RANDALL. I do not know that the Clerk of the House seeks to enlarge his power in this respect. I am not aware, however, that the Committee on Rules cares anything about the matter.

Mr. HOLMAN. The provision was not even suggested by the Clerk of the House; but it was thought desirable that there should be some responsible officer to have charge of the work.

Mr. RANDALL. Well, I do not see that anybody is more responsible than the Committee on Rules.

Mr. HOLMAN. But they are not always in session; that is the trouble.

Mr. FORNEY. The Speaker of the House is the head of the Committee on Rules.

Mr. BURNES. While I am of opinion that this provision is subject to a point of order, I do not see that anything better can be done than to accept it under the circumstances. Therefore, so far as I am concerned, I shall not make the point.

Mr. RANDALL. I concede that the provision is subject to a point of order.

The CHAIRMAN. The Clerk will read the next paragraph.

The Clerk read as follows:

Clerks and messengers to committees: For clerk to the Committee on Ways and Means, \$3,000; assistant clerk, \$1,600; messenger, \$1,000; clerk to the Committee on Appropriations, \$3,000; assistant clerk, \$1,600; messenger, \$1,000; clerk to Committee on Agriculture, clerk to the Committee on Claims, clerk to the Committee on Commerce, clerk to the Committee on the District of Columbia, clerk to the Committee on Foreign Affairs, clerk to the Committee on Indian Affairs, clerk to the Committee on Invalid Pensions, clerk to the Committee on the Judiciary, clerk to the Committee on Military Affairs, clerk to the Committee on Naval Affairs, clerk to the Committee on the Public Lands, clerk to the Committee on Rivers and Harbors, clerk to the Committee on War Claims; clerk to continue Digest of Claims under resolution of the House adopted March 7, 1888; clerk to the Committee on the Post-Office and Post-Roads; clerk to the Committee on Public Buildings and Grounds, and clerk to the Committee on Elections, at \$2,000 each; assistant clerk to the Committee on War Claims, \$1,200; in all \$46,400.

Mr. LANHAM. I move to amend by inserting after the word "dollars," in line 1, page 13, these words:

Assistant clerk to the Committee on Claims, \$1,200; *Provided*, That the pay heretofore allowed such assistant clerk for the session shall cease on June 30, 1888.

Mr. RANDALL. I reserve a point of order on that amendment.

Mr. LANHAM. Mr. Chairman, we already have, under a resolution of the House, an assistant clerk of the Committee on Claims, who is paid at the rate of \$6 per day. The object of this amendment is to make this assistant an annual clerk. This, I take it, will operate ultimately as a reduction of expenditure. If Congress should be in session for eight months, this assistant clerk, whose per diem compensation is never refused because of the vast amount of labor required at his hands, would receive \$1,440 in a single year, and for a session of nine months \$1,620. Under this amendment, the salary of the assistant would be \$1,200 a year instead of \$6 per day, or \$180 per month during the session. As I have suggested, this amendment would, in my judgment, be really in the interest of economy. I do not think any point of order ought to be urged against it.

Mr. RANDALL. There is now no law authorizing the employment of this officer as an annual clerk. I insist on the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For clerk to the Committee on the Census from July 1, 1888, to March 4, 1889, at the rate of \$2,000 per annum, \$1,351.90.

Mr. COX. I move to strike out on page 13 of the bill, commencing with the words "from July first, eighteen hundred and eighty-eight, to March fourth, eighteen hundred and eighty-nine," and in line 6 the words "one thousand three hundred and fifty-one dollars and ninety cents," so the paragraph will read, "For clerk to the Committee on the Census, two thousand dollars."

Mr. FORNEY. We have followed the instructions of the Committee on Accounts in this matter.

Mr. RANDALL. Just as they said.

Mr. COX. This only extends from the 4th of March to the 1st of July. There is no objection to that.

Mr. RANDALL. Oh, yes, there is.

Mr. COX. It is an oversight; I thought it was in the bill.

Mr. RANDALL. It is not an oversight.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For thirty-nine clerks to committees, at \$3 each per day during the session, \$28,314.

Mr. McRAE. I move to strike out "at \$6 each per day" and insert "\$100 per month."

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

Mr. HOLMAN. Why, this is a reduction.

Mr. RANDALL. I do not know of any law fixing these clerks at an annual salary.

The CHAIRMAN. If that be the amendment the Chair sustains the point of order.

Mr. McRAE. My amendment does not propose to give these clerks an annual salary. I only seek a reduction in their pay. They may be worth \$6 per day if they had anything to do; but many of the committees they are supposed to serve do nothing, and, with the best of feelings towards the clerks, I think \$100 per month enough for the work.

Mr. RANDALL. But does not the amendment make them annual?

Mr. McRAE. Certainly not; it merely strikes out the words "at \$6 each per day" and inserts "at \$100 per month," so it will then read, "For thirty-nine clerks to committees, at \$100 per month during the session." Instead of giving them \$6 a day, I propose to give them a hundred dollars a month during the session. That is all I intend, and that I am sure will be the effect of the amendment if adopted, as I trust it will be.

Mr. RANDALL. In that case I withdraw the point of order.

The CHAIRMAN. The point of order being withdrawn, the gentleman from Arkansas is entitled to the floor on his amendment.

Mr. McRAE. My amendment simply provides that instead of paying the session committee clerks \$6 a day during the session, they shall be paid \$100 a month during the session. I propose it purely as a measure of reform in the item of expenses. We pay too much money for committee clerks. I want to stop it.

Mr. TAULBEE. I thought the point of order had been made against that amendment.

The CHAIRMAN. It was made, but afterwards withdrawn, and the gentleman from Arkansas is now discussing his amendment.

Mr. TAULBEE. I did not catch what the Chair stated.

The CHAIRMAN. The Chair stated that the point of order had been made and withdrawn, and the gentleman was now occupying the floor discussing the amendment.

Mr. TAULBEE. I renew the point of order.

The CHAIRMAN. It is too late. The gentleman from Arkansas is on the floor explaining his amendment.

Mr. TAULBEE. At what time was it in order to renew the point? I did not understand the gentleman from Arkansas took the floor for discussion of his amendment.

The CHAIRMAN. The Chair so stated, that he took the floor for that purpose.

Mr. TAULBEE. If I had understood that to be his purpose I should have renewed the point of order.

The CHAIRMAN. The gentleman from Arkansas sent up his amendment, and it was read, when the gentleman from Pennsylvania rose to a question of order. After some discussion, the gentleman from Pennsylvania withdrew his point of order, and the Chair then recognized the gentleman from Arkansas to discuss his amendment. If the gentleman from Kentucky was not giving attention it is not the fault of the Chair.

Mr. TAULBEE. If the Chair pleases, I was giving attention to it, and as soon as I understood the point of order had been withdrawn I rose and renewed it.

Mr. BLAND. The amendment reduces the salaries of these clerks.

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

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS. The chairman of the Committee of the Whole, I think, is evidently laboring under a misapprehension of the fact, and is unwittingly doing the gentleman from Kentucky an injustice. When the gentleman from Pennsylvania found there was no point of order and he withdrew it, then the gentleman from Kentucky rose and renewed the point of order.

The CHAIRMAN. But the Chair had recognized the gentleman from Arkansas, and he was proceeding to explain his amendment.

Mr. TAULBEE. I rise to a point of order. I wished to ascertain from the gentleman from Arkansas the purpose for which he first rose, for the reason I wished to enter another point of order. But I did not wish to lose my right to recognition for the purpose of doing so.

Mr. McRAE. I am willing to waive time as to the point of order made by the gentleman from Kentucky so as to relieve the Chair from embarrassment. I will submit the matter to the judgment of the Chair after it has heard my friend from Kentucky on the point he seeks to make.

Mr. TAULBEE. I ask to have the report of the Official Reporter read, so as to see what did occur when I rose to renew the point of order when withdrawn by the gentleman from Pennsylvania.

The CHAIRMAN. The Chair desires to state to the gentleman that is not necessary, as the point of order has been withdrawn. The Chair recognizes the gentleman on his point of order.

Mr. TAULBEE. Do I understand the Chair to withdraw his ruling deciding that my point of order came too late?

The CHAIRMAN. The gentleman from Arkansas states that there is no objection to waiving the time on the point of order that the gentleman from Kentucky was too late.

Mr. McRAE. I waive the time on the point of order, provided the gentleman from Kentucky comes at once to the point. I do not want to occupy the time of the committee in having the notes of the Reporter written out and read. The Chair is correct in the statement made.

Mr. TAULBEE. I always come directly to the point. [Laughter.]

Mr. McRAE. Then I hope the gentleman will maintain his record in that respect, and not consume time by having other matter read. I am in earnest about this matter.

Mr. TAULBEE. I did not call for the reading of the official notes for the purpose of consuming time, but because I did not understand the Chair to withdraw the ruling by which I was taken off the floor.

My point of order, Mr. Chairman, is this, that this provision of the bill now under consideration makes an appropriation for the payment of the clerks appointed under a resolution of this House, passed by the House, and the employes so provided for are clerks and acting as such, and are paid as such under existing law. The amendment of the gentleman from Arkansas to that extent changes existing law. Now, that is all I have to say.

Mr. McRAE. I think it is unnecessary to say anything against the point of order. I remember we had a little experience about these clerks when we proceeded to organize the present House of Representatives at the beginning of this session. I did my best to have the salaries fixed at that time, but was voted down, because it was said the per diem had been fixed until July 1, 1888. I predicted then just what we have now. With this kind of dealing we can never get rid of these clerks nor reduce their pay. It is a waste of money, and should be stopped.

This bill, of course, fixes the salaries for the next session, or rather for the year beginning July 1, 1888. The bill under which we are now operating—the current appropriation bill—provides for the pay of some of these clerks for the present session, or until June 30, and no longer. They will get their pay at \$6 per day until that time, even if we pass this. It was definitely stated in the debate on the resolution by which some of them were provided that no provision was made for their payment beyond the current fiscal year. There was no authority to make any contract beyond that time, and of course we have the right to control the amount of compensation, or to dispense with them entirely if we desire to do so. They took their positions with the distinct understanding that there was no payment provided for them beyond this fiscal year, and should not be heard to complain now. Believing that we can get competent clerks to do all the work of the committees interested at the rate I have suggested, \$100 a month, I hope the amendment will be adopted. I think the point of order against the amendment ought to be overruled.

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

Mr. MCRAE. Certainly.

Mr. CRAIN. If you can not increase a salary in this appropriation bill—a salary that is fixed by existing law—

Mr. MCRAE. There is no existing law fixing these salaries. If you do not pass this bill you have no law and no clerks after the 30th of June. Even the number of clerks is not the same as in the current law.

Mr. TAULBEE. The same may be said of the salary of every official of this Government.

Mr. CRAIN. The question I want to ask is, if you can not increase a salary fixed by law, whether you can reduce it?

Mr. BURNES. Yes; that is in the direct line of economy.

The CHAIRMAN. The Chair desires to know if there has been any order of the House as to the amount to be paid these clerks?

Mr. TAULBEE. I answer the Chair and state that there is. There was a resolution providing for their payment.

Mr. MCRAE. Where is it?

Mr. FORNEY. I think the gentleman from Kentucky is correct. The resolution providing for these clerks provided also for their compensation.

Mr. TAULBEE. I have not the resolution before me, but the gentlemen on the Appropriations Committee, who have had the matter in charge, know this to be the case. They have considered it and in connection with this bill, and the gentleman from Pennsylvania [Mr. RANDALL], as well as the gentleman from Alabama [Mr. FORNEY], are ready to corroborate what I say.

Mr. MCRAE. I undertake to say that there is nothing whatever except the current appropriation bill which fixes the salary, and names thirty or thirty-one, instead of thirty-nine. There may possibly have been in the resolution of the House a provision fixing it, but I do not understand that to be existing law within the meaning of the rule. It is simply a House resolution and was not concurred in by the Senate, and has nothing to do with the compensation except for such as are paid out of the contingent fund; even that depends for its continuance on this bill.

Mr. TAULBEE. And I undertake to say that the resolution providing for the appointment of the assistant clerks and fixing their duties, where assistant clerks are appointed, and for session clerks, when appointed, does fix the time of their appointment, the term of their service, and the rate of compensation, and I am unwilling to agree with the gentleman from Arkansas that the resolution so providing for these things is not the existing law for the purposes of this bill.

Mr. FORNEY. I think the gentleman from Kentucky is correct. The resolution came from the Committee on Accounts.

Mr. TAULBEE. Yes, sir.

Mr. FORNEY. And fixed the rate of compensation.

Mr. BLAND. Mr. Chairman—

Mr. MCCREARY. I desire to make a parliamentary inquiry. Are we now discussing the point of order or are we discussing the amendment of the gentleman from Arkansas?

Mr. BLAND. I rise for the purpose of discussing the amendment.

The CHAIRMAN. The point of order of the gentleman from Kentucky is under discussion, but in connection with it the question is raised whether or not the House has ordered or fixed the sums to be paid to these officials.

Mr. TAULBEE. And I make the further point that the point of order should be disposed of before the merits of the amendment are discussed.

The CHAIRMAN. The Chair will rule upon the point of order, but desires information from the gentleman in charge of this bill on this point: whether or not this House has by resolution determined that the amounts fixed in this bill are the salaries to be paid to these clerks.

Mr. MCCREARY. Mr. Chairman—

Mr. FORNEY. We know the fact that the Committee on Accounts assigned thirty-nine assistant clerks to these various committees, and that the salaries were fixed at \$6 a day, each, during the session.

Mr. MCRAE. I would like to ask the gentleman if he knows the resolution provides for a rate of \$6 a day, and if he is willing to say that it fixes the per diem and term of service and provides for the whole of the thirty-nine? I think you will find it only provides for such as are to be paid out of the contingent fund. If the resolution providing for this is existing law, then the bill violates the rule by changing this law so as to provide for payment otherwise. It will fix permanently upon the House eight more clerks. Some of them serve committees with almost nothing to do. Other employes of the House work for \$100 per month and some for less, and they work hard, too.

Mr. TAULBEE. I desire to answer for the gentleman. I hold in my hand one of the resolutions authorizing the appointment of a clerk for this session, and I will send it to the Clerk's desk that it may be read. In this resolution the compensation is fixed at \$6 a day. I have a distinct recollection also as to the resolution under which the other session clerks are appointed; and I think I am not mistaken in saying the compensation for each of them is fixed at \$6 per day.

Mr. SOWDEN. Why do you not send for the other resolution?

Mr. TAULBEE. I can not obtain it at this moment. The gentle-

man from Texas [Mr. LANHAM] has informed me that he has sent for the other resolution, which can be read when it comes in.

The Clerk read as follows:

Resolved. That the Committee on Claims be authorized, during this session only, until further ordered by the House, to employ an assistant clerk, to be paid out of the contingent fund of the House, at the rate of \$6 per day.

Mr. MCRAE. That resolution provides for payment out of the contingent fund. I undertake to say that the resolution providing for the payment of clerks authorized by the current appropriation bill does not say anything about \$6 a day, and if it does it can have no binding effect, because we only had authority to employ thirty or thirty-one clerks until June 30, and the resolution only apportioned these to so many committees.

The CHAIRMAN. In the doubtful condition of the information connected with the resolution, the Chair will entertain the amendment.

Mr. MCCREARY. As I understand, the Chair has overruled the point of order, and the amendment to reduce the amount payable to these committee clerks to \$100 per month is now before the committee. I think that for the House to adopt that amendment at present would be treating the persons who are now acting as clerks of committees unfairly.

The general law which I have now before me provides for thirty-one clerks to committees at \$6 each per day during the session. That is the general law. I dare say that every clerk who was appointed and who came here to enter upon the discharge of his duties, accepting a compensation of \$6 a day, has been drawing it ever since he qualified and entered upon the discharge of his duties. As these gentlemen left their homes and their various avocations and came here relying upon this statute that they would get \$6 a day, and as they have been drawing that amount, I think it would be unjust to these gentlemen in the middle of the session to allow them only \$100 a month, or a little over one-half of what they accepted.

I believe, therefore, Mr. Chairman, that the amendment offered by the gentleman from Arkansas should be voted down. I am in favor always of economy; but certainly the day has not arrived under our Government when a man should be induced to take a position as an officer and then, while discharging his duties faithfully, have his salary reduced nearly one-half.

It may be added also that \$6 per day has been the rate paid to the clerks of committees for many years; and there is no necessity now for that economy which reduces the pay one-half and puts it at an amount that I do not believe you can obtain good clerks for.

Mr. RANDALL. There is one point in connection with this item to which I desire to draw the attention of the committee. It increases the number of clerks provided for from thirty-one to thirty-nine. That arises from the resolutions which have been adopted in this House adding eight clerks to the number provided for in the current law. This is done because the committee believe the entire number of clerks to committees should appear in the law, and that part should not be paid out of the annual appropriation and part out of the contingent fund.

Mr. TAULBEE. Will the gentleman from Pennsylvania allow me?

Mr. RANDALL. Yes, sir.

Mr. TAULBEE. I believe this does increase the number of clerks beyond the number actually employed.

Mr. RANDALL. It does not increase the number of clerks, but the bill provides for thirty-nine clerks, to be paid out of this appropriation, increasing the amount \$5,808. It does not increase the number actually, but makes provision that they shall not hereafter be paid out of the contingent fund.

Mr. BUCHANAN. This proposed amendment does no injustice to any one. The clerks are now employed by virtue of different resolutions which provide that their employment shall be for this session only at \$6 per day. This House proposes to carry out that contract. The bill under consideration provides for the compensation of committee clerks for the next session. For the next session we have no contract with them, and we have a perfect right to put the rate of compensation at \$6 per day, or at \$100 a month, as we think fit. There is no vested right, and I doubt very much whether there is any reason at all for the employment of those thirty-nine clerks for the coming session. Everybody knows the Calendar has more bills upon it than will be acted upon.

Mr. MCCREARY. Will the gentleman permit me to interrupt him?

Mr. BUCHANAN. I have only got five minutes, and I have to talk fast. Everybody knows, I say, that the Calendar has more bills on it than will be acted upon, and that there will be practically no work done in those committees during the next session.

Mr. WHITE, of Indiana. Mr. Chairman, I fully agree with the gentleman from Kentucky on this question. I think it would be little less than an outrage to attempt to reduce the salaries of these gentlemen employed as clerks. Clearly it was understood when they were employed that they were to have \$6 a day—

Mr. BUCHANAN. Well, we are giving it to them.

Mr. WHITE, of Indiana. Yes; but it applies to the next session just the same as to this.

Mr. BUCHANAN. Not at all. There is no authority for saying that. There is no contract with them for next session.

Mr. McCREARY. The gentleman from New Jersey is mistaken. These gentlemen are employed for the Fiftieth Congress, including both sessions.

Mr. WHITE, of Indiana. It was understood that their employment extended through both sessions of Congress, otherwise you could not have employed them. They could not be hired to be buffeted around in that way any more than a member of Congress could. Their salaries are just like the salaries of members. They extend through both sessions.

Mr. BUCHANAN. But we are elected for two sessions.

Mr. WHITE, of Indiana. And they are appointed for two sessions. I do not think that any proposition to reduce their salaries is admissible. When I heard the amendment in the first place I was in favor of it, because I thought it was a proposition to increase the salaries; but when I found that it was designed to cut them off by paying them only during the working days of the session I was opposed to it, and I am opposed to it. A motion to increase these salaries might be admissible, but a motion to decrease the salaries, in the face of the terms of the employment of these men is unfair and wrong, and I hope it will be promptly voted down.

The question was taken on the amendment of Mr. McRAE, and the Chair announced that it was rejected—ayes 11, noes 44.

Mr. McRAE. No quorum.

Mr. McCREARY. I make the point that the result has been announced.

The CHAIRMAN. The announcement of the result disclosed the fact that there was no quorum voting. The point being made, the Chair will appoint the gentleman from Arkansas [Mr. McRAE] and the gentleman from Alabama [Mr. FORNEY] to act as tellers.

Mr. McRAE. If I can have a vote in the House on this question, I will withdraw the point.

The CHAIRMAN. Does the gentleman withdraw the point of "no quorum?"

Mr. McRAE. I do not unless they will accept my proposition to have a vote on this in the House.

Mr. TAULBEE. I hope the gentleman will withdraw the point.

The CHAIRMAN. The tellers will take their places.

Mr. McRAE withdrew the point of "no quorum," and the amendment was rejected.

The Clerk read as follows:

Office of Doorkeeper: For Doorkeeper, \$3,500; and for hire of horses, feed, repair of wagon and harness, \$600, or so much thereof as may be necessary; assistant doorkeeper, superintendent of document-room, assistant superintendent of document-room, and Department messenger, at \$2,000 each; one employe, \$1,500; document file clerk, \$1,400; assistant document file clerk, under resolution of December 19, 1881, \$1,314; clerk for Doorkeeper and janitor, at \$1,200 each; nine messengers, including the messenger to the reporters' gallery, at \$1,200 each; nine messengers, at \$1,000 each; seven laborers, at \$720 each; two laborers in the water-closet, at \$720 each; three laborers, including two in the cloak-rooms, at \$600 each; female attendant in ladies' retiring-room, \$600; superintendent of the folding-room, \$2,000; three clerks in the folding-room, one at \$1,800 and two at \$1,200 each; one foreman, \$1,500; one messenger, \$1,200; one folder in the sealing-room, \$1,200; one page, \$500; one laborer, \$400; ten folders, at \$960 each; five folders, at \$840 each; three folders, during the session, at \$70 per month each; and fifteen folders, at \$720 each; one night watchman, \$900; one driver, \$600; fourteen messengers on the soldiers' roll, at \$1,200 each; two chief pages, at \$900 each; thirty-three pages, boys not under fourteen years of age, during the session, including two riding pages, one telephone page, and one telegraph page, at \$2.50 per day each; two messengers, during the session, at \$70 per month each; ten laborers, during the session, at \$60 per month each; six laborers known as cloak-room men, during the session, at \$50 per month each; in all, \$117,476.50.

Mr. WASHINGTON. Mr. Chairman, I wish to raise the point of order against the provision in lines 20 and 21, which increases the salary of the Doorkeeper \$500 above the amount in the last bill. I think that what is sauce for the goose is sauce for the gander; and if this Committee of the Whole can not make any change in last year's appropriation bill to increase or decrease a salary, neither can the Committee on Appropriations.

Mr. FORNEY. I wish to call the gentleman's attention to the fact that this proposed increase is offset by the decrease of the allowance for horse-hire.

Mr. WASHINGTON. I know that, but, as I have said, what is sauce for the goose is sauce for the gander; and if the Committee of the Whole House can not increase any salary upon this bill, but must conform in all particulars to the bill of last year, I can not see how under any reading of the rule it does not apply equally to the Committee on Appropriations; so that the committee are bound to adhere strictly to the law of last year. In other words, they become mere clerks to re-write the law of last year as regards the salaries contained in this bill.

Mr. RANDALL. Mr. Chairman, the proposed change may be subject to the point of order, but it is proper to give the reason which prompted the committee in making it. The change is exactly in the same line as that which is made in reference to the salaries of the Clerk of the House and the Sergeant-at-Arms. The committee found on investigation that the Doorkeeper was receiving \$1,100 for horse-hire, and that he was actually expending for that service only \$600; the remaining \$500 being an addition by indirection to the emoluments of his office. The committee did not feel at liberty to decrease his emoluments, so they made this change, with a provision which requires him to ac-

count to the proper auditing officers of the Treasury for the amount which is allowed for horse-hire. I think the change is in the line of good policy, because it secures strict responsibility for the money expended in that way by these officers. But I concede, of course, that it may still be subject to the point of order.

Mr. BUCHANAN. I wish to ask the gentleman a question for information. Under the course pursued heretofore, has it been the practice of the Doorkeeper to receive this \$1,100 for horse-hire without being required to account for the expenditure of it?

Mr. RANDALL. Yes, sir; and the First Comptroller decided that he had no power over the expenditure of that \$1,100; so that it was in effect a perquisite, and that is the arrangement which we propose to break up.

The CHAIRMAN. The Chair thinks business will be facilitated by a prompt ruling. The point of order made by the gentleman from Tennessee is sustained.

Mr. WASHINGTON. The point of order having been sustained, I now move to amend by striking out "\$500," in line 21, so as to make the clause read, "for Doorkeeper, \$3,000."

Mr. HOLMAN. I understand that the effect of the ruling of the Chair was to leave this salary at \$3,000 instead of \$3,500.

Mr. WASHINGTON. The point of order having been sustained, I think it proper this amendment should be entertained.

The CHAIRMAN. It does not appear to the Chair a matter of much moment whether the \$500 goes out under the ruling of the Chair or by a direct vote of the Committee of the Whole. The Chair's ruling in effect is that the salary of \$3,500 is contrary to existing law.

Mr. RANDALL. I want the Committee of the Whole to understand that the effect of the amendment is to make a cut of \$500 upon the salary of the Doorkeeper. I do not think the House wants to do that, and I do not understand that to be the object of the gentleman from Tennessee.

The CHAIRMAN. The gentleman from Tennessee raised the question of order that the amount of salary allowed the Doorkeeper in this bill was not in accordance with existing law; and the Chair sustained the point of order.

Mr. RANDALL. The Chair was no doubt right.

The CHAIRMAN. Therefore this increase of compensation goes out.

Mr. RANDALL. Does the whole sum go out, or only the amount in excess of the existing law?

The CHAIRMAN. The Chair will rule that the \$500 increase upon the salary allowed by law goes out.

Mr. TAULBEE. Then the \$3,000 will stand.

The Clerk was proceeding to read the bill, when

Mr. OUTHWAITE rose.

The CHAIRMAN. The Chair was under the impression that this paragraph in relation to the office of Doorkeeper had been read when the question of order was raised. But the Clerk now informs the Chair that he was in error. Therefore the paragraph will now be read, after which the Chair will entertain any points or propositions which may be presented.

Mr. BOOTHMAN. I desire to offer some amendments to the paragraph.

Mr. STONE, of Missouri. This paragraph contains the clause "and for hire of horses, feed, repair of wagon and harness, \$600." Is it in order to move an amendment to that clause now?

The CHAIRMAN. The paragraph must first be read. The Chair supposed it had been read when the gentleman from Tennessee raised the point of order which has been ruled upon.

Mr. OUTHWAITE. I desire to make a point of order as to a part of the language in this paragraph, and also to offer an amendment.

The CHAIRMAN. The gentleman will be recognized for that purpose in due time.

The Clerk read as follows:

Office of Doorkeeper: For Doorkeeper, \$3,500; and for hire of horses, feed, repair of wagon and harness, \$600, or so much thereof as may be necessary; assistant doorkeeper, superintendent of document-room, assistant superintendent of document-room, and Department messenger, at \$2,000 each; one employe, \$1,500; document file clerk, \$1,400; assistant document file clerk, under resolution of December 19, 1881, \$1,314; clerk for Doorkeeper and janitor, at \$1,200 each; nine messengers, including the messenger to the reporters' gallery, at \$1,200 each; nine messengers, at \$1,000 each; seven laborers, at \$720 each; two laborers in the water-closet, at \$720 each; three laborers, including two in the cloak-rooms, at \$600 each; female attendant in ladies' retiring-room, \$600; superintendent of the folding-room, \$2,000; three clerks in the folding-room, one at \$1,800 and two at \$1,200 each; one foreman, \$1,500; one messenger, \$1,200; one folder in the sealing-room, \$1,200; one page, \$500; one laborer, \$400; ten folders, at \$900 each; five folders, at \$840 each; three folders, during the session, at \$70 per month each; and fifteen folders, at \$720 each; one night watchman, \$900; one driver, \$600; fourteen messengers on the soldiers' roll, at \$1,200 each; two chief pages, at \$900 each; thirty-three pages, boys not under fourteen years of age, during the session, including two riding pages, one telephone page, and one telegraph page, at \$2.50 per day each; two messengers, during the session, at \$70 per month each; ten laborers, during the session, at \$60 per month each; six laborers known as cloak-room men, during the session, at \$50 per month each; in all, \$117,476.50.

Mr. BUCHANAN. I desire to raise a question of order.

Mr. OUTHWAITE. I now desire to submit a proposition.

Mr. FORNEY. I wish to offer an amendment to perfect this paragraph.

Mr. TAULBEE. Before amendments are offered I desire to reserve a point of order on this paragraph.

The CHAIRMAN. Points of order will be reserved, but the amendment sent up by the gentleman from Alabama [Mr. FORNEY] will be acted on, if there be no objection.

The Clerk read as follows:

In line 9, page 14, strike out the word "seven" where it first occurs and insert "six;" so as to read: "six laborers, at \$720 each."

Mr. FORNEY. This change is made to conform to the action of the Committee of the Whole this morning in raising to the rank of messenger a man who, while holding the position of laborer, has in fact acted as a messenger to the Speaker.

The amendment was agreed to.

Mr. FORNEY. On behalf of the committee I desire to offer a further amendment, to strike out "fourteen," in line 4, page 15, and insert "twelve."

The amendment was agreed to.

Mr. OUTHWAITE. I now make a point of order against the word "six," in line 22, and also against the words "or so much thereof as may be necessary," in lines 22 and 23. My point is that these portions of the paragraph are out of order as contrary to existing law. If it be necessary, I desire to amend by inserting "eleven" instead of "six;" so as to make the bill conform to existing law. If the Chair should sustain the point of order against the word "six" and should decide that the effect of ruling out that word is to insert the word "eleven," in conformity with existing law, then of course no amendment will be necessary.

Mr. RANDALL. The clause "or so much thereof as may be necessary" is, I believe, in order. It has been decided that the committee has power to introduce restrictions upon expenditures provided for.

The CHAIRMAN. The Chair understands that the control of this matter is not left with the committee, but that the Comptroller has ruled that this sum is a part of the salary of this position as much so as if so designated. The Chair sustains the point of order.

Mr. TAULBEE. I would like to call the attention of the Chair to the language of the decision of the First Comptroller, to which reference has just been made. I had occasion to examine that decision very closely, and, if I recollect correctly, the construction of the Comptroller was based on the phraseology of the then current appropriation law. As I understand, there is no law fixing this item of expenditure as part of the compensation of the Doorkeeper, except that the former appropriation bill provided that \$1,100 should be applied for this purpose; and the present appropriation bill has restricted that expenditure by language which has heretofore been considered as not obnoxious to the rule which prohibits new legislation on general appropriation bills.

The CHAIRMAN. The Chair sustains the point of order.

Mr. RANDALL. Does the Chair hold that the Committee has not the power to make the change from \$1,100 to \$600?

The CHAIRMAN. The Chair remembers well that in the Forty-fourth Congress there was a change of salary in reference to this office; and this amount, which was then fixed, was understood to be a part of the salary allowed to this officer, so that he was required to make no account of the particular sums expended by him under this item. The Chair sustains the point of order.

Mr. OUTHWAITE. Does the decision of the Chair result in the introduction of the word "eleven" instead of the word "six"?

The CHAIRMAN. The Chair has ruled out the sum named in the bill, and it is now in order to move an amendment covering that point.

Mr. OUTHWAITE. I move to amend by inserting the word "eleven" before the word "hundred," so as to make the appropriation conform, as I understand, to the ruling of the Chair and to the intention of the law upon the statute-book, which was that the Doorkeeper should receive this amount of \$1,100.

Mr. PAYSON. I ask that the amendment of the gentleman from Ohio [Mr. OUTHWAITE] be reported.

The Clerk read as follows:

In line 22, on page 13, strike out "600" and insert "1,100;" so as to read: "For hire of horses, feed, repair of wagon and harness, \$1,100."

Mr. PAYSON. Is an amendment to that amendment in order?

The CHAIRMAN. The Chair thinks not.

Mr. PAYSON. Why?

The CHAIRMAN. The Chair has already stated that, according to his information, the accounting officers of the Treasury have uniformly treated this item of \$1,100 as a part of the salary of this official, so that he does not render any account of the particular expenditures in connection therewith.

Mr. PAYSON. But if this is an amendment offered by the gentleman from Ohio under the rules of the House, why is it not subject to amendment?

The CHAIRMAN. The gentleman from Ohio first raised the question of order that this item for the Doorkeeper as inserted in the bill was not in accordance with the statute. The Chair sustained the point; and hence the amount proposed in the bill went out. There being then no provision for the amount required by law, the gentleman from Ohio moved an amendment in accordance with existing law. Any amendment differing from that, the Chair holds, would be in violation

of the rules. Whatever reasonableness or unreasonableness may attach to a decision which is necessitated by the rules, the Chair is not responsible for it.

Mr. PAYSON. In order to present the question, I move to amend the amendment of the gentleman from Ohio by striking out "11" and inserting "6."

Mr. OUTHWAITE. On that I make a point of order.

The CHAIRMAN. And the Chair sustains it.

Mr. TAULBEE. I rise to a parliamentary inquiry. If the law fixes the compensation of the Doorkeeper at \$3,000, and also allows a perquisite of \$1,100 for certain expenditures, is it in order under the rules of the House to provide in a general appropriation bill for the payment to that officer of a less sum than is provided for by existing law as his salary?

The CHAIRMAN. The Chair will not rule on any supposed case, but only on amendments as they are offered.

Mr. TAULBEE. This is not a "supposed case," but is connected with the point now under consideration.

Mr. WASHINGTON. I believe the Chair has ruled the amendment of the gentleman from Ohio as in order, and therefore before the committee. On that point I wish to say that the Committee on Appropriations, who have investigated this question, have reported \$600 as amply sufficient to enable the Doorkeeper to provide for "hire of horses, feed, repair of wagon, and harness." Some examination of this matter was made at the beginning of this session, when it was insisted by many members that \$1,100 was an excessive allowance for these purposes, and they undertook to show that a former Doorkeeper had done the work for less money, and because he had saved a small amount in this way he was accused of embezzlement and fraud. Now, if this work was done for \$600, I say this Committee of the Whole, in justice to itself, and in justice to the country, ought not to appropriate \$1,100, but ought to save \$500 for the Treasury. This sum, which we can save on this item, ought not to go to the Doorkeeper, whoever he may be, Democrat or Republican. We ought not, because of the wording of a previous law, to make this sum \$1,100, when it has been demonstrated that a less sum is sufficient for this purpose. Referring to past appropriation bills, we find that the salary of the Doorkeeper has been raised and lowered from time to time according to the discretion of Congress. In 1878 the Doorkeeper's salary was only \$2,500. This bill, as it came before us, proposed to make the salary \$3,500. Where is the necessity for this increase? Have the duties of the Doorkeeper increased? Have his responsibilities increased? Has the amount of his work increased? Let gentlemen answer those questions for themselves. In 1885 the law fixed this salary at \$3,000, and that has since been the amount. I insist that it is sufficient to-day, but I do not object to allowing the Doorkeeper in addition the \$600 which the Committee on Appropriations say is sufficient to pay for horse-hire, etc. It seems to me proper to pass the appropriation in this shape.

Mr. RANDALL. The committee thought that \$600 was adequate, and that \$1,100 gave an emolument which came by indirection.

Mr. MCCREARY. Which was not intended.

Mr. HOLMAN. Certainly not.

The question recurred on Mr. OUTHWAITE's amendment.

The committee divided; and there were—ayes 27, noes 55.

Mr. OUTHWAITE. No quorum has voted. I do not think the House understands this is doing the Doorkeeper an injustice. [Cries of "Order!"]

Several MEMBERS. Debate is not in order.

Mr. O'NEILL, of Missouri. It cuts down his salary \$600.

The CHAIRMAN appointed as tellers Mr. FORNEY and Mr. OUTHWAITE.

The committee again divided; and there were—ayes 59, noes 42.

Mr. OUTHWAITE. I withdraw my point of order that there is no quorum, if nobody objects.

Mr. WILLIAMS renewed the point of order, but afterward withdrew it.

The CHAIRMAN. The tellers now report—ayes 59, noes 42.

So Mr. OUTHWAITE's amendment was agreed to.

Mr. BOOTHMAN. I move, after the word "at," in line 9, page 14, to strike out the words "one thousand dollars" and insert "one thousand two hundred dollars;" so it will read:

Nine messengers, at \$1,200 each.

Mr. KERR. I make the point of order, Mr. Chairman, against that amendment. I understand the present law provides for \$1,000 only. I make the point of order that it changes existing law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BOOTHMAN. I move, then, to strike out the last word. Certainly, if the Democrats of the House of Representatives can afford to continue this injustice against their own employes, the Republicans can afford to permit them to do so.

I wish to reply to the criticism made yesterday in the course of the debate by my friend, the gentleman from Iowa [Mr. KERR], to the effect that he regarded it as the duty of the Republicans of the Committee on Accounts to refrain from offering any such amendments or recommending such action in the House. He said that it was not good politics, or that seemed to be the gist of his criticism.

Now, Mr. Chairman, I wish to say that, so far as my limited experience is concerned, I have yet to learn that anything is gained by loading a cannon for the purpose of destroying a tom-tit. [Laughter.]

Judging from the debate which has been carried on here for the last month, it seems to be agreed that the great questions of protection and free trade and revenue reform and reduction in the surplus revenue are to be the issues in the coming Presidential campaign before the country, and it is barely possible in the discussion of these great questions that there will be dropped-out of sight any question of a reasonable increase in the salaries of the messengers and other employes of the House of Representatives. It does not seem to me that this latter question is broad enough upon which to base a national issue and a national campaign, nor does it seem to me to be essential to the great doctrine of public economy that injustice should be perpetuated by this House against its own officers. Nor do I believe that the American people are in favor of economy which degenerates into niggardliness. [Applause.]

That is all I have to say.

Mr. KERR. I wish to say to the gentleman there is one principle of the Republican party which he does not seem to be much in favor of, and that is economy in the public expenditures.

Mr. BOOTHMAN. In all the essentials of Republican principles I think I can say with truth that I have never been found wanting. But I am not in favor of the kind of economy which the gentleman from Iowa mistakes for a Republican principle.

The CHAIRMAN. The gentleman's time has expired.

Mr. BOOTHMAN. I withdraw the *pro forma* amendment.

Mr. BUCHANAN. I raise the point of order on the words on the fifteenth page, beginning with the third line, "boys not under fourteen years of age," as they propose new legislation in this bill.

Mr. RANDALL rose.

The CHAIRMAN. The gentleman from Alabama [Mr. FORNEY] moved an amendment to this very item which was entertained and agreed to by the House.

Mr. BUCHANAN. The Chair will remember that as to these words in this paragraph I reserved the point of order. I have been unable to obtain the floor to state my point of order until the present moment. I did not hear the amendment of the gentleman from Alabama.

The CHAIRMAN. The Chair has no doubt that is true.

Mr. BUCHANAN. It is true.

The CHAIRMAN. But the Chair is bound to rule as he has done. No doubt if the gentleman had heard it in the confusion he would have raised the point.

Mr. BUCHANAN. What amendment was inserted?

The CHAIRMAN. Twelve instead of fourteen.

Mr. BUCHANAN. I raise the point of order on the remaining words "not under years of age," and on that point of order I desire to be heard.

Mr. FORNEY. That portion of the bill has already been amended.

The CHAIRMAN. But the gentleman from New Jersey raises a new question of order, which he will state.

Mr. DOCKERY. The point of order evidently comes too late. It is not a substantive proposition. The words left do not make good sense standing alone.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BUCHANAN. Will the Chair indicate some way that I could have made the point of order sooner? I announced my intention of reserving the point of order upon the paragraph when it was first read, as the Chair will remember.

Mr. FORNEY. The gentleman should have made the point of order when the amendment was offered by myself.

Mr. BUCHANAN. But I had not the floor for that purpose. I reserved the point of order, and supposed that reservation would be regarded.

I will submit to this now; but I give notice now that it shall not be done again.

The CHAIRMAN. The Chair wishes to state that there was no disposition whatever to prevent the gentleman from presenting his point of order. When the gentleman from Alabama moved to amend the paragraph, if the gentleman from New Jersey had heard it and made his point of order, the Chair would have entertained it.

Mr. BUCHANAN. I am not seeking to find fault with the Chair. The Chair undoubtedly performed its duty.

The Clerk read as follows:

Office of Postmaster: For Postmaster, \$2,500; first assistant postmaster, \$2,000; ten messengers, including messenger to superintendent transportation of mails, at \$1,200 each; three messengers during the session, at \$800 each; four messengers, at \$100 per month each during the session; and one laborer, at \$720; in all, \$21,220.

For hire of horses and mail-wagons for carrying the mails, \$5,000, or so much thereof as may be necessary.

Mr. TAULBEE. I make the point of order against the provision contained in lines 22 and 23—

For hire of horses and mail-wagons for carrying the mails, \$5,000, or so much thereof as may be necessary—

That it changes existing law.

Mr. RANDALL. I hope the gentleman will not do that. He does not want us to contract for just \$5,000, when by competition we may be able to get it done for \$4,000.

Mr. TAULBEE. I would say, in reference to that, Mr. Chairman, that the point of order which I have made goes to the effect that the language of this clause should conform to the former appropriation bill; and it does not necessarily involve the expenditure of any additional sum, if the point of order is sustained.

Mr. RANDALL. The object of this is to have this work done by contract, and at the lowest possible rate. Now there is no power to do this unless the language employed here is used. It may be done for \$4,500 or \$4,000, as I have said, and I hope the gentleman will not insist upon his objection.

Mr. TAULBEE. I wish to say, in reference to the statement of the gentleman from Pennsylvania, that this item of expenditure is amply guarded by the phraseology of the clause itself.

Mr. RANDALL. It is now as clear as language can make it.

Mr. TAULBEE. The provision that my point of order would strike out relates to the words "five thousand dollars."

Mr. HOLMAN. But that is the law now.

Mr. RANDALL. In the last appropriation it was this sum.

Mr. TAULBEE. But it recurs to the former law of the legislative appropriation bill.

Mr. HOLMAN. But, as I have said, that provides for \$5,000.

Mr. FORNEY. The idea here is to provide for competition, so as to reduce the cost.

Mr. TAULBEE. On the suggestion of gentlemen around me I will withdraw the point of order.

The Clerk read as follows:

Official Reporters: For one Chief Official Reporter, \$6,000; and for four Official Reporters of the proceedings and debates of the House, at \$5,000 each; messenger to the Official Reporters, \$1,000; in all, \$27,000.

Mr. FORNEY. By direction of the committee I offer the amendment which I send to the desk to come in after the words "twenty-seven thousand dollars," just read.

The Clerk read as follows:

Insert:
"Stenographers to committees: For two stenographers to committees, at \$1,000 each, \$8,000."

Mr. KERR. I desire to ask the member of the committee in charge of this bill whether this is a copy of the existing law?

Mr. FORNEY. It is.

Mr. RANDALL. In making up the bill the committee are required to comply with the existing law under the rule.

Mr. TAULBEE. I desire to make the point of order upon the amendment for the purpose of asking the gentleman who offered it to what committees these are to be assigned.

Mr. RANDALL. To all committees having need for them.

Mr. HOLMAN. The Speaker assigns them to such committees as require their services.

Mr. FORNEY. Any committee that has need for that service can employ these stenographers.

Mr. TAULBEE. I withdraw the point of order.

The question recurring upon the amendment of Mr. FORNEY, it was agreed to.

Mr. BURNES. I move to strike out, in line 2, the words "messenger to the Official Reporters," and in lieu thereof to insert the words "one Assistant Official Reporter under the Chief Official Reporter." The amount is left as it is in the bill, the only change proposed being one of phraseology. Mr. Philip McElhone, the incumbent of this office, is a young gentleman of education and special skill as a shorthand writer. He is perfectly competent to fill the position of Assistant Official Reporter under the Chief Official Reporter. He is familiar with the rules and business of the House, and is daily engaged in noting the filing and disposition of reports of committees. It would seem to be fair if he is to make this his profession he should receive the proper designation of Assistant Official Reporter with the hope and expectation of standing in the line of promotion by experience and ability to the higher position.

The membership of the House has largely increased, and there has been a corresponding increase in the business transacted, yet the Official Reporters remain the same while their duties continue to be of the most onerous, difficult, and responsible character. It would only seem to be just that the Chief Official Reporter should have this one assistant to afford him some relief in the discharge of his labors.

The amendment was agreed to.

The Clerk read as follows:

For miscellaneous items and expenses of special and select committees, including compensation at such a rate as may be fixed by the Committee on Accounts, but not exceeding \$1.50 per printed page: To stenographers to committees, to be appointed by the Speaker on the application of committees, \$28,000.

Mr. FORNEY. I move the amendment I send to the desk.

The Clerk read as follows:

On page 16, line 16, strike out all after the word "committees" down to and including line 20, and insert "\$20,000."

Mr. FORNEY. This makes the paragraph conform to the amendment just adopted.

The amendment was agreed to.

The Clerk read as follows:

For Botanic Garden: For superintendent, \$1,800; for assistants and laborers, under the direction of the Joint Library Committee of Congress, \$9,900; for three additional laborers, at \$1.25 per day each, \$1,173.75; in all, \$12,873.75.

Mr. LEHLBACH. I move to amend by striking out, in line 22, the word "twenty-five" and insert in lieu thereof the word "fifty;" so that it will read:

Three additional laborers, at \$1.50 per day each.

Mr. FORNEY. I make the point of order that this changes existing law.

Mr. LEHLBACH. I hope the gentleman will allow me to be heard upon this amendment.

Mr. FORNEY. I think we had better proceed with the bill.

The CHAIRMAN. The Chair must rule upon the point of order which is insisted upon by the gentleman in charge of the bill.

Mr. LEHLBACH. I move to strike out the last word. Of course I believe the present occupant of the chair considers himself right in his decision. Still it looks to me like a farce to ask the members of the House to sit here and go through this bill, which merely re-enacts the law passed by the last Congress—to listen to the reading of this bill and not be able to make a single amendment, even where it might appear proper to every member of this House. I believe that this decision of the Chair is wrong. And while I do not feel called upon myself to appeal from the decision of the Chair, I do hope that some other member, more versed than I am in parliamentary law, will at this stage of the consideration of the bill discuss the parliamentary question involved, and after discussion demand an appeal from the decision of the Chair.

In the consideration of this bill the ruling of the Chair in the Forty-ninth Congress was different, and, in my judgment, correct. Here is an amendment to pay a laborer \$1.50 per day, the least that is paid for similar work in most of the cities. In New York and my own city the pay for the same kind of labor is often even more than that. To make a point of order on an amendment which will have the effect of only adding \$234.75 to the total amount appropriated, raising the wages of men underpaid 25 cents per day, I will say, is rather a small piece of business on the part of the gentleman who made the point of order. I hope he will withdraw it in the interest of fair play to the wage-worker. We certainly ought to ask no man to work for this Government for the paltry sum of \$1.25 per day.

Mr. FORNEY. I will state to the gentleman that laborers in my part of the country get less than \$1.25 a day.

Mr. LEHLBACH. I now withdraw the *pro forma* amendment.

Mr. PAYSON. I renew the substantial amendment made by the gentleman from New Jersey, to strike out "twenty-five" and insert "fifty." I ask the Clerk to read the paragraph as it would be so amended.

The Clerk read as follows:

For three additional laborers, at \$1.50 a day each.

Mr. FORNEY. I make the point of order upon that amendment.

Mr. PAYSON. On the point of order I desire to say a few words.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. PAYSON. I was not present when the point of order was originally decided by the Chair, holding that these amendments were not in order. As I understand the ruling of the Chair—and if incorrect in that understanding I desire to be corrected—as I understand, the ruling of the Chair is tantamount to holding that whenever an appropriation bill is adopted by the House of Representatives, that is a continuing law for this country as long as the Government shall stand and the rules of the House shall not be changed. The rule of the House which it is claimed is impaired or infringed upon by this amendment, as I understand it, is this, that an amendment to an appropriation bill which changes existing law shall not be in order.

The point which will be urged against this amendment is that, under existing law, whatever laborers are employed in the Botanic Garden can only receive \$1.25 per day. The error in that argument is that the provision in existing law ceases and is limited by the expiration of the pending year. I agree as to any laborer now employed in the Botanic Garden; his wages for the current year can not be reduced below \$1.25, because a rule of the House provides that existing law shall not be changed in an appropriation bill. I submit to the Chair with all deference, and yet with earnest confidence, that the only existing law with reference to these men who are working for a dollar and a quarter a day at the Botanic Garden is the appropriation bill for the present year. When the present year shall end, when the 30th of June shall roll around, that is the end, not only of the law, but of the power to employ those men.

What is the existing law with reference to the men provided for or about to be provided for in this bill? There is none. This committee is making a law with reference to those men. That will be the law whenever what we do in committee shall be approved by the House.

It seems to me the statement of the proposition is the strongest ar-

gument we can have with reference to it. In this precise case what are we asked to do? By this bill and by the pending proposition we are asked to authorize the superintendent of the Botanic Garden after the 1st day of July to appoint three men. Except for the provisions of the bill we are now considering, he has no power to employ these men. He would be as powerless in regard to it as the President of the United States or any citizen of the Union. But in the law which we are proposing to enact, to become operative at the beginning of the next fiscal year, we provide for the details and say that three men shall be employed under the provisions of this bill and that those men when thus employed under this authority shall be paid \$1.25 a day. I say that Congress has the power to order that those men shall be paid \$1.50 a day. Suppose something should happen requiring that their services should be dispensed with (and I am in ignorance now how many are employed there)—suppose there should be an exigency of the service requiring, in the judgment of Congress, the employment of four men, or half a dozen men, it seems to me to go without saying that this Congress, looking at the necessities of the future as to the employes of the Botanic Garden, has the power to say not only what they shall be paid, but how many shall be employed. Otherwise it all comes back to the proposition, under the ruling of the Chair, that until there shall be a change in the rules of this House the annual appropriation bill fixes the status of every condition of employment under this Government as long as the nation shall stand, which to me is an utter absurdity.

A MEMBER. This appropriation commences in the future.

Mr. PAYSON. Of course it must commence in the future, because the "existing law" in connection with appropriations is simply the current law for the current fiscal year. What can be said against the proposition that there is no "existing law" as to the number of men that shall be employed in the Botanic Gardens after the 1st day of July, or as to what they shall be paid?

Mr. REED. And the last House fixes all the expenditures of the present House.

Mr. PAYSON. Yes; and the First Congress of the United States fixes them for all time, on that theory.

Mr. REED. The House fixes it and deprives itself of the right to change it. I always thought the rule was absurd any way.

Mr. PAYSON. But this goes far beyond the rule. Now, Mr. Chairman, if I have made myself understood, I do not desire to say anything further at the outset; but the matter seems to me to be so clear that if the Chair insists upon its ruling I think the rule ought to be changed—

The CHAIRMAN. The Chair can but rule as the Chair thinks correct in the matter and as has been ruled heretofore. The Chair thinks, however, that the gentleman from Illinois [Mr. PAYSON] states the ruling very much more strongly than the Chair intended it, or than has ever been ruled. The gentleman says that under the ruling the number of employes at the Botanic Garden could not be added to; and so the gentleman might lead on and say that there could not be any increase in the number of employes in any Department. The Chair never meant to announce any such opinion.

Mr. PAYSON. Then let me make a parliamentary inquiry for the purpose of understanding the ruling of the Chair. Does the Chair hold that it would be in order to move to increase the number of employes under the present appropriation bill?

The CHAIRMAN. The Chair holds that it is perfectly competent for the Committee on Appropriations, when they find that the Government needs an additional number of employes, to provide for them in the bill, as has always been done.

Mr. PAYSON. That is not the question I asked the Chair. My question was as to the power of the Committee of the Whole House on the state of the Union.

The CHAIRMAN. And the Committee of the Whole on the state of the Union may do the same thing.

Mr. PAYSON. Then if the committee can make that change as to the number of employes, why may it not do the same with reference to their pay?

The CHAIRMAN. The Chair does not care to get into a colloquy with the gentleman.

Mr. PAYSON. It is not a colloquy. I am making a parliamentary inquiry.

The CHAIRMAN. The Chair has already given his views in stating his ruling.

Mr. REED. But does not the Chair perceive that the same line of reasoning which allows an increase in the number can also allow a change in the compensation?

The CHAIRMAN. The Chair does not think so.

Mr. REED. Because they are both a change of existing law, if one of them is.

The CHAIRMAN. The Chair does not think so.

Mr. PAYSON. With all due respect to the Chair, I must ask the ruling of the committee on this point.

Mr. REED. The whole thing has its origin in a folly which has been prevalent in the House for ten or a dozen years past, the idea that the House of Representatives—its majority—is not to be trusted with

the power to fix salaries; that it may lower them, but it may not raise them—an idea which always seemed to me to be a logical and practical absurdity, which never could justify itself to any intelligent person.

The CHAIRMAN. The Chair has not ruled that the committee may lower salaries, but not raise them. The Chair has simply held that it is restrained by the rules of the House from any discretion in the matter of what shall go into appropriation bills in relation to the compensation of employes. When the compensation of any number of employes shall be once ascertained, then the salary has been fixed, and that is an indication of the legislative will.

Mr. REED. Will the Chair permit me a question?

The CHAIRMAN. The Chair prefers not to make any ruling until the gentleman concludes. The Chair will hear the gentleman.

Mr. REED. Merely one suggestion. The point is, I suppose, as to "existing law." Now, the appropriation bill covers only a certain time, a certain year. How, then, can it be "existing law" with regard to an appropriation bill which proposes to cover another year? There has always been my difficulty about calling these appropriation bills existing law. I can understand that where a statute has deliberately fixed for all future time, until repealed, the salary of an office, it would be a violation of existing law for the House, under its present rules, to permit a change upon an appropriation bill. But where there is only an appropriation bill, which is existing law for the time being, and can not be the existing law *quoad* the time to which the appropriation bill is to apply, I can not see how a point under the rules can be based upon a mere temporary provision in such prior law. This is the point I wished to bring before the Chair. I have not been attending to the present discussion, and very possibly the same point has been already made.

Mr. BOOTHMAN. I rise to a parliamentary inquiry. The provision of the rule is that "no appropriation shall be reported in any general appropriation bill, or be offered as an amendment thereto, for an expenditure not previously authorized by law." Now, I wish to inquire whether the Committee on Appropriations may report to this House in an appropriation bill matter which would not be proper by way of amendment in the Committee of the Whole?

The CHAIRMAN. The Chair thinks not.

Mr. BOOTHMAN. I understood the ruling of the Chair was the other way.

Mr. LAWLER. Mr. Chairman, upon examining this bill very carefully yesterday, I was very much surprised to find that any committee of this House should in a bill like this propose that men working in a city like Washington should receive for their work only \$1.25 a day. I take it upon myself to say that there is no member of this House, however economically he may manage his expenditures, who is not called upon to take out of his pocket daily for merely incidental expenses \$1.25; yet we propose this sum as the whole per diem compensation for men who are to labor for the Government.

Mr. FORNEY. I will remind the gentleman that the appropriation here proposed is the same that has been made heretofore.

Mr. LAWLER. That may be; but I take the position that this parsimonious way of paying the humbler employes of the Government is one of the causes of our troubles to-day. I have listened very patiently while gentlemen on this side and on the other side have recently, by their speeches on this floor, declared their feelings toward the toilers of the country; and I was gratified at the expressions which I heard uttered. But when I look over this bill, I can see the attempt to carry out right here in this city class legislation of the most objectionable character. Gentlemen here who find themselves scarcely able to live at a less expense than \$4,000 or \$5,000 a year, are so generous as to propose that the humble laborers of the Government shall support themselves and families on a compensation of \$1.25 a day.

Now, I say to members of the House who during the last thirty days have been expressing themselves with so much feeling in behalf of the toilers of the country, that here is a splendid opportunity to show what we are willing to do practically in that direction; and I propose to put every member of this House on record. I say that these men ought to have \$2 a day. [Applause.] It is a crying shame that members of this House who have some knowledge of the cost of living in this city of Washington, and who provide in other portions of this bill princely salaries for high officials of the Government, should ask any human being to work for the Government for \$1.25 a day. I protest against it; and I ask that this allowance for men employed in the Botanical Garden be made \$2 a day instead of \$1.25. I ask unanimous consent of this Committee of the Whole that that change be made. I want to see any gentleman get up and object to it. [Laughter.]

Mr. TILLMAN. I object to it.

Mr. PAYSON. Mr. Chairman, I understand there is a question of order pending which must be decided before the proposition of my colleague [Mr. LAWLER] can be entertained. I assure him that he has my thorough sympathy in a great deal of what he has been saying—

Mr. LAWLER. I understood that the Chair rendered his opinion on the point of order.

The CHAIRMAN. The Chair sustained the point of order.

Mr. LONG. Under the Chair's ruling the question is, what is the existing law? That, I understand the Chair to say, is concluded, in the

absence of a general statute, by the appropriation bill of last year. And, looking at the appropriation bill of last year, its provisions make the rate of wages \$1.25 a day for the current fiscal year ending the 1st of July next, but there is no provision for the future. The existing law, therefore, is \$1.25 a day until July 1, and nothing after that time. The Chair's ruling, therefore, leads to the absurdity, you can make no provision at all for the next year, because that would change existing law, which now provides nothing for next year. It is a *reductio ad absurdum*.

Mr. FORNEY. I withdraw the point of order.

Mr. PAYSON. It might as well be decided now as at any other time. I insist on the motion to amend.

Mr. FORNEY. I have withdrawn the amendment.

Mr. PAYSON. The amendment I move is to increase the pay of these three men from \$1.25 to \$1.50 a day. Now, it does seem to me that is asking a great deal of the laboring men of this city who work for the Government and put in the necessary time to constitute a day's work and to receive the pay of only \$1.25. It seems to me opposition to this simple increase to the laboring men of this country comes with poor grace from those who have no hesitancy whatever in increasing salaries ranging from \$500 to \$1,000 on the part of men upon whom are imposed the arduous duties of sitting and waiting at the different doors of this room and of the gallery. [Laughter.] The idea of economy, which seems to have been adopted in the Committee on Appropriations, is to cut down the wages of men who do actual work to \$1.25 a day. I do not believe the House will sustain any such action, in view of appropriations contained in the pending bill.

Mr. RANDALL. The Committee on Appropriations do not anywhere cut down the wages of workmen. On the contrary, in many places the wages of the laborers have been increased.

Mr. PAYSON. They certainly have not been increased in this instance.

Mr. FORNEY. There is a fund of \$9,900 out of which laborers are paid, ranging from \$1.50 to \$3 a day each. These three additional laborers were provided for at \$1.25 a day each, because the Superintendent of the Botanical Garden asked for their employment at that rate. Out of the slush fund of \$9,900 he can pay \$3 or \$5 as he pleases, according to the service rendered; but I presume these three laborers are required to be permanently employed at \$1.25 a day each. They are required to roll wheelbarrows and to do like work around the grounds.

Mr. LEHLBACH. I moved to strike out \$1.25 and insert \$1.50, because I did not think this economical House would agree to give \$2 a day, as suggested by the gentleman from Illinois [Mr. LAWLER]; but I now move to strike out \$1.25 and insert \$2 a day. It must be remembered that expenses in the city of Washington are considerably higher than they are elsewhere or than they were here fifteen years ago. Rents have considerably increased in that time, and I do not see how it is possible for a man to get along for a less sum than \$2 a day.

The CHAIRMAN. The question is on the amendment of the gentleman from New Jersey [Mr. LEHLBACH].

The House divided; and there were—ayes 65, noes 20.

So the amendment was agreed to.

Mr. COBB. I move to amend by striking out the whole paragraph in reference to these three laborers at \$2 a day; and I desire to state the reasons why I do so. This committee has already provided for the usual number of laborers under the appropriation of \$9,900, and in making this provision it is to be presumed the committee which reported the bill understood the character and amount of labor necessary to be had, and provided in this sum adequate compensation therefor. It is to be presumed that the committee covered all the labor necessary to be performed at the Botanical Garden. Therefore, why is it necessary to put in a provision for three additional laborers as is done in this paragraph? Because I deem that to be unnecessary I have moved to strike out the paragraph.

Mr. LAWLER. Mr. Chairman, I do not know whether the gentleman from Alabama is actuated by motives of economy, or if he is against the allowance of this special amount being paid to these employes. There must have been a necessity for their getting into this bill, for I can promise my friend from Alabama that the committee who reported it never would have carried them in its pages if they had not deemed that necessity to exist. If I could understand the purpose that actuates my friend and the principles that govern him in moving to strike this out after the House of Representatives has made the increase that was asked for from \$1.25 a day up to \$2 a day, then I could respond to the gentleman's position.

Mr. COBB. I will state to the gentleman my object in making the motion. I am in favor of the employment of such labor as may be necessary at whatever pay is proper and right to be given for the services rendered. Under the provisions of this bill, immediately preceding the words which I propose to strike out, the power is given to the superintendent of the Botanical Garden to employ at any reasonable price or at the market price such labor as he may require, even if it costs three or five dollars a day. By the words I move to strike out he is limited, as to the three laborers, to the compensation named—\$2 per day. He could not pay more, even if the market price demanded it.

Mr. LEHLBACH. Do you know whether it is necessary or unnecessary to employ these additional laborers?

Mr. COBB. I know nothing in regard to the matter, except what I hear from the chairman of the committee.

Mr. LEHLBACH. But the committee say it is necessary. Now if they say it is not necessary to employ the three additional laborers, then strike that from the bill. But do not put the House in the false position (because they were generous enough to advance the rate of wages from \$1.25 a day to \$2 a day) of striking it out altogether from the bill, although the gentleman may be willing to do that. That would put the House in a false position.

Mr. COBB. No, the gentleman is putting me in a false position by assuming that I am opposed to the specified per diem pay. I am perfectly willing that these laborers, if employed at all, shall be paid the sum of \$2 a day, as has just been determined by this House to be proper and right. I have no objection whatever to that. It is not opposition to such compensation that prompts me to submit the motion. But I do say that the superintendent ought to be allowed, under the preceding provisions of the bill, to go into the market and employ all needed labor at whatever price it commands, even if such price be \$3 a day, and to employ just such labor as is necessary to carry on the work. It would be class legislation for the Government to give more for labor than it is reasonably worth—more than it commands in a fair market, uninfluenced by unusual surroundings or disturbances.

Mr. LAWLER. I want to say to the gentleman right here and now that the tax-payers of this country are paying millions of dollars for salaries of persons whose services we could get in the market at a much less rate, and save to the people of this country that large sum which we now expend.

This bill, which he gracefully votes for, proposes in some instances the payment of thousands of dollars a year in the way of salaries to certain individuals, and yet the gentleman proposes to strike from this very bill an item for the employment of three additional laborers at \$2 per day.

Mr. Chairman, I have refrained from taking any very active part in the business during the present session up to this time, but I give notice that the agitation going on now in this country and all over it arises from the very condition of the class legislation which is found in such bills as this. I repeat that it is a crime and a shame that gentlemen who draw from the tax-payers of this country \$5,000 for salary each year will ask a man to live on \$1.25 a day in a city like Washington, or any other city in the United States, as a laborer or employé of this Government. On general principles I believe that no laborer ought to be employed under \$2 a day.

But my issue is on the general principle involved without regard to the three men here at all. We are met always with the statement that "the city is filled with laborers, and let us take advantage of them and employ them at \$1 a day or less if we can get them."

Gentlemen, that is all wrong. I know in my district there are gentlemen who would give \$10,000, yea \$20,000, to hold the position I am occupying here to-day [laughter], and they would make a present to some charitable institution of the salary of this office; and I believe the same can be applied to every district to-day in this country. Now, you pay a Congressman \$5,000 a year, and we come here gracefully and draw our \$5,000, like little men, and vote \$5,000 here without question as salary for a few hours a day to other men, besides giving them carriage hire and feed for horse, and we give them servants, and take it all out of the blood of the man who is compelled to labor to beautify the city and keep it in a healthful and attractive condition, and ask him at the same time to render his services to the Government for a dollar and twenty-five or a dollar and fifty cents a day. I say this Congress must commence somewhere to make an equalization of all such things, and now is as good a time as ever, and this bill is the very place. Hence I hope the gentleman will not press his motion.

Mr. COBB. I would like to be heard for a moment in response to the gentleman. I do not propose, Mr. Chairman, to be placed in any false attitude in regard to the question here presented. I am perfectly willing to meet any responsibility that may be cast upon me as a member of this House by my action upon this or any other question. If the gentleman had paid attention to what I said, if, indeed, I have been fortunate enough to make myself understood, he would have found that it was not against, but absolutely in the interest of, the very laborers for whom he speaks, that I was arguing.

There is no limit necessary to be fixed here. Here is an appropriation which, it is to be presumed, is sufficient to cover all the labor that is reasonably necessary to be employed in and about this business. If it is necessary to employ labor, and if that labor is worth \$3 a day, it is unjust to fix it in this bill at \$2 a day.

Mr. LAWLER. Let me say to the gentleman that the superintendent made, as I understand, a statement to the Committee on Appropriations that it was necessary to have these three additional men.

Mr. COBB. The chairman of the committee has just said that the superintendent had this matter incorporated in a former appropriation bill out of abundant caution, lest, on account of some emergency, he would not have a sufficient appropriation to do the work in and about the botanical department. And on account of the emergency that

might possibly happen—whether it has ever happened or not we are not informed—this provision for the employment of three laborers was put in the appropriation bill some years ago.

Now, I want to say that I am willing to strike out the whole section. I am opposed to this whole botanical business. I am opposed to this conservatory affair we have that does none of our constituents any good. What have we got here? We have something that we call the botanical department; and what does it do? You are permitted to go there if you have the time—I have not gone there yet, but they tell me such is the case—and you find stuck away under glass various and sundry kinds of flowers; some, I believe, they call orchids, that cost from \$200 to \$1,000 apiece.

What good they do to anybody I have not yet been informed. Where they are sent, if anywhere, I am not advised. As to who gets the benefit of them I know nothing. I do know, sir, that your constituents and mine who pay the costs of their cultivation receive no good from them. I know that fact well. So far as this whole thing is concerned I am unalterably opposed to it, and if the gentleman from Illinois [Mr. LAWLER] is on the line of economy and for the protection of the interests of laborers, and of his constituents, I will cheerfully join with him in voting to strike this whole section out of the bill. This would be legislation in the direction of reducing taxation, or, at least, of economy in expenditure, which makes reduction of taxes possible and hence in the interest of labor.

Mr. LAWLER. What would then become of my colleague [Mr. SPRINGER] and his bouquet every day? [Laughter.]

Mr. COBB. Mr. Chairman, I am just informed why it is that this Botanic Garden is kept in existence. If the gentleman from Illinois [Mr. LAWLER] is correct it is for the purpose of supplying his colleague with the bouquets he wears on the lappel of his coat.

Mr. SPRINGER. I never got a bouquet there in my life.

Mr. COBB. The reason I do not make the motion to strike out the whole section is this: Some time ago I was talking to a gentleman on this floor and was asking about this flower business. Being a new member, and, like other new members, not used to these extra performances, and being in favor of and committed to retrenchment and reform, I asked him why it is we need a botanical department; what good it does to anybody; especially what good does it do to my and his laboring constituents who never saw one of these elegant orchids or like expensively cultivated flowers?

[Here the hammer fell.]

Mr. MONTGOMERY was recognized and yielded his time to Mr. COBB.

Mr. COBB. I thank the gentleman for his courtesy. The gentleman I was talking to was an old member, who had been here many years. I asked him about all this, and I told him it did not seem to me to be exactly in the direction of retrenchment and reform. He was a Democrat, too. [Cries of "Name him!"] I told the gentleman that I was a very modest man. I assumed that. [Laughter.]

A MEMBER. You are making a violent assumption.

Mr. COBB. Well, be that as it may, I asked the gentleman in consideration of my supposed modesty, to attack the useless business, or if he would not, as he seemed not disposed to do so, to advise me how best to proceed in making such attack. He suggested, "Wait until the appropriation bill comes in, and then you can get a chance at it; but I warn you to let it severely alone." I told him I felt constrained to make some effort in so good a cause, and that when the appropriation bill was reported I intended adopting his suggestion to move to strike out any appropriation for the botanical department, and thus starve it out. What do you suppose was his reply—the reply of a Democrat in favor of retrenchment and reform? He said, "If you do, you are a fool." [Great laughter.]

Mr. STRUBLE. Let the name of the genius be known.

Mr. COBB. He gave a good reason for his assertion. He said, "When I came into Congress I was just as green as you are." [Laughter.] He went on to say, "I thought just as you do, that a man ought to bring his common honesty with him when he comes into the House of Representatives, and not leave it all at home; and that he should look around to see what is best to be done to carry on the Government in the most economical manner consistent with the greatest efficiency in the service, and I thought about this thing, too, and I made this effort, and they laughed at me and called me just what I say you will be if you make the effort." [Laughter.] I asked him what was the use of the thing. "Well," he said, "the members are entitled to go there, the favorite ones—not every fellow" [laughter]—I found that out afterwards [laughter]—"they are entitled to go there, and get bouquets."

You see, Mr. Chairman, he was going upon the idea, and I expect it is a very just one, that a first-termer has not much standing in this House [laughter]; that there is not much use for him here until it is seen whether he is going to be indorsed by his constituents or not. And really I am not sure that my friend was very far wrong in such ideas, or that it is not assumed that the first-termer is a "fool" until it is ascertained whether his constituents think otherwise.

Mr. STRUBLE. That is, whether his constituents are fools. [Laughter.]

Mr. COBB. Perhaps so, only I can not consent that my constituents are entitled to such designation under any circumstances.

Mr. WEBER. Till they find out whether he is going to fight these appropriations.

Mr. COBB. Yes, sir; all improper appropriations.

Mr. WEBER. Well, you are all right from this time on.

Mr. COBB. I am just telling you what my friend told me about the uses of this concern—this Botanic Garden.

Mr. PETERS. You will have no trouble hereafter in obtaining flowers. [Laughter.]

Mr. COBB. No; that is one thing I am doing this speaking for. [Renewed laughter.]

[Here the hammer fell.]

Mr. TAULBEE. I move to strike out the last word, and I yield to the gentleman from Alabama.

Mr. COBB. Mr. Chairman, I do not want to consume the time of this committee unnecessarily, but I am not quite through telling what my friend told me about this garden.

Mr. LAWLER. Go ahead and tell it.

Mr. COBB. I do not believe I will tell the rest of it.

Mr. LAWLER. Oh, yes.

Mr. COBB. He was just giving me a history of the uses of the garden.

Mr. LAWLER. I want that information myself.

Mr. COBB. Well, he said, "There are beautiful bouquets that go out from that garden to favored members, but where they go after they reach the possession of the members I can not tell; only I know they do not go to members whose wives are with them." [Great laughter.]

Mr. FORNEY. Mr. Chairman, I desire to offer an amendment to this paragraph.

The CHAIRMAN. There is a pending motion by the gentleman from Alabama [Mr. COBB] to strike out the paragraph.

Mr. COBB. I withdraw that, Mr. Chairman.

The CHAIRMAN. The motion to strike out is withdrawn. The gentleman from Alabama [Mr. FORNEY] can now send up his amendment.

Mr. FORNEY. I send the amendment to the desk, and ask to have it read.

The Clerk read as follows:

On page 18, strike out all of line 21 and the lines following down to and including line 25, and in lieu thereof insert "\$13,100."

Mr. FORNEY. The effect of that amendment will be this. Under the head of Botanic Garden is this provision:

For Botanic Garden: For superintendent, \$1,800; for assistants and laborers, under the direction of the Joint Library Committee of Congress, \$9,900; for three additional laborers, at \$1.25 per day each, \$1,173.75; in all, \$12,973.75.

The committee will notice that this is all under the direction of the Joint Committee on the Library. By striking out what this amendment proposes to strike out there is given a net sum, so that the pay of the laborers will be under the control of the joint committee, and the amount embraces the pay of three laborers at \$2 a day.

Mr. PAYSON. Mr. Chairman, I desire to inquire first of the gentleman having the bill in charge upon what per diem basis this computation as to the pay of the day laborers is founded?

Mr. FORNEY. That is to be left to the Joint Committee on the Library. But if the gentleman will notice, \$9,900 is given for the pay of assistants and the laborers, under the direction of the Joint Library Committee. Now, in addition to that, the superintendent asked some time during the last Congress for an additional force of three laborers, at \$1.25 a day, but the House has just decided that they should have \$2 a day; so we have made a computation at that rate, and have increased the amount to that extent.

Mr. PAYSON. But the amendment proposed by the gentleman from Alabama does not place any restriction upon the committee as to the wages which shall be paid, though in the computation of the amount allowed \$2 a day may have been the basis. To place the matter beyond question, I move this amendment:

Provided, That the wages of no day laborer shall be less than \$2 per diem.

I offer this as an amendment to the amendment.

Mr. FORNEY. I think this matter should be left to the joint committee of Congress and to the superintendent.

The amendment to the amendment was agreed to.

The amendment as amended was adopted.

The Clerk read as follows:

Civil Service Commission:

For three commissioners, at \$3,500 each; one chief examiner, \$3,000; one secretary, \$2,000; one clerk of class 4, who shall be a stenographer; one clerk of class 3; one clerk of class 2; one clerk of class 1; one clerk, at \$1,000; two clerks, at \$600 each; one messenger; and one laborer; in all, \$25,800.

For necessary traveling expenses, including those of examiners acting under the direction of the commission, \$1,000.

Mr. TAULBEE (during the reading). I desire to inquire whether these salaries are in conformity with existing law.

Mr. HOLMAN. Exactly.

Mr. FORNEY. They correspond with the appropriation bill for the present year.

The Clerk having concluded the reading of the paragraphs,

Mr. MCCOMAS said: I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 20, in line 9, strike out "one" and insert "two."
In line 10 strike out "one" and insert "two;" and also strike out "one," after the words "class one," and insert "two."
In line 16 strike out "\$1,000" and insert "\$5,000."

Mr. MCCOMAS. Mr. Chairman, my purpose in this amendment is to give the Civil Service Commission three additional clerks, as asked for by the commission, and also \$1,000 additional asked for by them as traveling expenses.

It will, perhaps, surprise members of the House when I remark that the last printed report of the Civil Service Commission was published in 1886. That was the year when President Cleveland, for the last time, commended the civil service, in his language, to "the jealous care of Congress." But since August, 1886, there has been a great change, and now the best avenue to the applause of the other side of the House is to throw up your hat and cry "To the victors belong the spoils!" This slogan brings down the Congressional applause across the aisle every time.

The President himself seems to be now so much concerned in other matters that unless we on this side of the Chamber, whose party inaugurated the civil-service reform, take care of it, it will be stabbed and wounded after it has been left for dead already by the Administration now in power. It is not dead, but will survive this spoils Administration, and triumph ultimately.

I send to the desk to be read an extract which I have marked, wherein with precision one of the noblest, one of the foremost Democrats of this country defines the relation of the President to revenue reform and to civil-service reform, to which the President no longer gives "jealous care."

The Clerk read as follows:

Finally, we think that the legitimate relations of the President to the two subjects of reform are not by any means identical. When he postpones the purification of the Federal service to advise Congress how to purify the tariff he neglects what is emphatically his own business to meddle in what is primarily the business of others. "Dr. Cleveland" is slighting his patient to obtrude his opinions on another physician. No doubt he ought to be called into consultation, and no doubt the other doctor has shown himself utterly incompetent, but this does not excuse him. He was elected as an executive officer; it is the duty of such an officer to choose faithful and competent subordinates; and however excellent may be the counsel he gives the National Legislature, if he abandons the public service to inefficiency and corruption while he urges it on them, he is committing a mortal sin to do a work of supererogation.

Mr. Chairman, this language, which appears in the Civil Service Reformer, published in Baltimore, I believe to be from the pen of one of the purest and best men in this country. It is, in my belief, the felicitous utterance of the ablest, though not the foremost, Democrat in Maryland.

Several MEMBERS on the Democratic side. Who is he?

Mr. MCCOMAS. I have not named him. My belief does not warrant the use of his name. If you will inquire you will find out who he is and what he is, and that I have justly called him a Democrat. I am ready to whisper to my friends in private on the other side the name of this Democrat who justly says that the President is "committing a mortal sin" to do "a work of supererogation."

I ask favorable consideration for the amendment I have offered, to increase the number of clerks of the Civil Service Commission, which has not been able to have published any reports since August, 1886, and which now says that additional clerks are needed for the proper and prompt performance of the steadily-increasing clerical work of that Department. I wish to enable the members of this commission to investigate in different parts of the country the operation of Democratic civil-service reform; and in this connection I wish particularly to see the \$1,000 additional appropriated for traveling expenses, so that the members of the commission may at least go to New York and find out how it was that in the campaign of 1885 Democratic custom-house officials raised a campaign fund of \$2,000 in a raffle over the Widow McGinnis's pig. [Laughter.] I think this \$1,000 will enable the commission to find out the paternity and proprietorship of that pig, and how assessments in the coming campaign can be raised by levies on office-holders, and how many dollars are to be subscribed for each pig in the various custom-houses this fall. In this investigation \$1,000 may count for a great deal. I ask for a vote on my amendment. I hope to see it carried even in this House.

Mr. CLEMENTS. Mr. Chairman, I do not propose to discuss the amendment offered by the gentleman from Maryland [Mr. MCCOMAS], because I suppose it was not offered with any intention of having it adopted.

Mr. MCCOMAS. With the desire, but not with the hope.

Mr. CLEMENTS. I presume they were offered in order to secure the opportunity of making the remarks which the gentleman has made. It is needless now to discuss the merits of the system.

It has been a disappointment to the partisan Republican politicians and editors that President Cleveland has faithfully and honestly carried out the civil-service law according to its letter and spirit, whereas the preceding Republican administration disregarded its provisions. [Applause.]

Gentlemen may criticize this statement, but I wish to give some figures which will satisfy this House and the country the present Administration has faithfully executed the law and that its action is in

commendable contrast with the action of the Republican party when it was in power. [Applause.]

This law was approved January 16, 1883. From January 16, 1883, to January 16, 1884, there were forty-eight appointments to places within the classified service in the Departments at Washington. From January 16, 1884, to January 15, 1885, there were four hundred and thirty-two, including ninety pension examiners not apportioned by the commission. This was during the preceding administration, and shows a greater number of appointments in one year than have been made in that service within any twelve months of the present Administration.

Then from January 16, 1885, to January 16, 1886, the first year of this Administration, including a month and a half of the former administration, there were in all two hundred and thirty-nine appointments, eighteen of these before the 4th of March, 1885. From January 16, 1886, to January 16, 1887, there were three hundred and ninety-one, and from January 16, 1887, to June 30, 1887, there were one hundred and fifty-five. From June 30, 1887, to May 24, 1888, there were three hundred and forty-one. The removals have been less than the numbers I have given, because these numbers indicate all appointments, whether to fill vacancies caused by removal, death, or resignation, or to fill new offices created by law.

Within the twelve months preceding the incoming of the present Administration, the last Republican administration made more removals than have been made in any one year under the existing Democratic Administration. [Applause on the Democratic side.] And that, too, after you had possession of the Government and control of all appointments throughout the country for twenty-five years. No stronger proof could be asked on the part of the people of the fidelity with which the President has executed the civil-service law. [Applause.]

It shows also an excess in the twelve months preceding the present Administration of removals of your own appointees, turning out those who held office and replacing them by others, no doubt of the same political faith. That period covered the Presidential campaign, during which it was necessary, I suppose, to reward those who were expected to work for the Republican cause. [Laughter.]

Mr. MCCOMAS rose.

Mr. CLEMENTS. The gentleman from Maryland will excuse me, as I have but a few moments, and have not a minute to spare.

There have been, since the civil-service law went into effect, appointments in the graded service in Washington in the Departments numbering sixteen hundred and seven. As I have already stated, that includes a little more than two years of the previous administration, during which about five hundred of these appointments were made. Allow for new positions created and vacancies by reason of death and resignation, and the actual removals fall far short of this number. Of the thousands of employes in all the Departments here, it is evident that there have been far less than one thousand removals within the classified service. This, I submit, is a very small number considering the kind of material by which the Departments had been largely filled during the twenty-five years of Republican rule.

The CHAIRMAN. The gentleman's time has expired.

Mr. ROGERS. I will take the floor and yield my time to the gentleman from Georgia.

Mr. CLEMENTS. I am obliged to the gentleman from Arkansas for his courtesy.

Now, Mr. Chairman, let us see how the law was carried out under the preceding administration. When this Administration came into power, of the various boards of examiners not only in the city of Washington but in all the customs districts throughout the country, as well as in all the post-offices controlled by the civil-service law, and there are quite a number of them, there were only two boards upon which there was a single Democrat, one here and one in the city of Philadelphia.

The Secretaries were of the same party. Thus the officials requesting certification of eligibles and choosing therefrom, as well as those conducting the examinations, grading applicants, and certifying eligibles, were all of the same party. The excuse rendered for this state of things was that the law required the boards to be composed of persons in the service, and that suitable persons who were Democrats could not be found. This, I have no doubt, was true, for they were not admitted to the service. There was not even a pretense of fairness in this.

In the New York custom-house there were in the five years preceding 1882 sixteen hundred and seventy-eight removals and appointments, which is a larger number than all the appointments which had been made in the departmental service here under the administration of this law on account of removals, deaths, and resignations.

The President has in good faith kept his pledges and executed the law and all that has been promised in relation to the civil service. We hear complaints about the removal of postmasters who are not controlled by this law, and I find that on yesterday the gentleman from New Jersey [Mr. BUCHANAN] complained that papers were filed in the Departments here against officials of this class who were not allowed to see them in order to prepare and file answers. He denounced the practice as one of the most outrageous invasions of common right and common fairness ever witnessed in any land or in any age. This is no new practice. It has been the practice ever since the Government has existed. It is not peculiar to this Administration by any means.

He might go through the Departments, and if he took pains to look he would find that under all administrations charges have been filed and are on file, complaints in the archives against incumbents of offices; and it never was proposed, until the gentleman by his bill introduced here proposed it, to convert all of the Departments into courts to hear charges and answers of gentlemen contesting for places.

Mr. BUCHANAN. The gentleman will do me the justice to say that my bill does not propose to take anybody into court; and my experience and observation are diametrically opposite to what the gentleman states to be the fact.

Mr. CLEMENTS. The gentleman proposes in his bill to make a radical change, to break down this practice, and I say that the practice has been the same ever since the organization of the Government in regard to the filing of such charges.

Mr. BUCHANAN. And I repeat that my experience and observations are diametrically opposed to the gentleman's.

Mr. CLEMENTS. And the gentleman from Maryland [Mr. MCCOMAS] a few moments ago alluded to some practices in 1875 in New York. Now, I want to read—

Mr. MCCOMAS. I said 1885.

Mr. CLEMENTS. I want to read some letters illustrating the Republican machine methods bearing date of 1885. I send one to the desk.

[Here the hammer fell.]

Mr. TAULBEE moved to strike out the last word, and yielded his time to Mr. CLEMENTS.

Mr. CLEMENTS. I am very much obliged to the gentleman. I ask the Clerk to read now the letter I send to the desk.

The Clerk read as follows:

HEADQUARTERS REPUBLICAN STATE COMMITTEE,
Philadelphia, September 2, 1885.

DEAR SIR: We desire an early subscription to the State committee, and as liberal as you can afford to make it. If the Republicans of Pennsylvania win a decisive victory this year it will prevent any agitation or disastrous change of the tariff by the incoming Congress and pave the way for the overthrow of the Democratic State and national administrations. We propose to push the work of the State committee with the utmost vigor until election day. Please send your subscription as early as possible, by check, money-order, or call at headquarters.

Yours, very truly,

THOS. V. COOPER, Chairman.

Mr. CLEMENTS. I now ask him to read this one.

The Clerk read as follows:

PHILADELPHIA, October 10, 1885.

MY DEAR SIR: We ask you as an active and generous Republican to promptly aid the Republican State committee to whatever extent you may feel able. You can send by check, post-office order, or call in person at headquarters, St. Cloud Hotel, where a correct and private financial record is kept. Prompt aid will insure a victory in Pennsylvania, which, with that now surely promised in New York, will maintain Republican ascendancy in the United States Senate, insure the election of our governor and Legislature next year, and pave the way to Republican supremacy in 1888.

Very truly, yours,

THOS. V. COOPER.

Mr. CLEMENTS. These letters were written to parties in the employ of the Government in the post-office and custom-house at Philadelphia. I have some letters here written to other employes, but I will not take the time of the committee to read more of them. The Republican party became so in the habit—under the system of "Jay Hubbellism," and sanctioned by the Republican committee of which Mr. HALE was a member (notwithstanding he proposes now to complain because the President made removals without the limits of civil service)—of assessing the employes of the Government from the least to the greatest, that when the civil-service act became a law and went into practical operation they did not cease their old habits; and I suppose to-day that the great majority of those remaining in the Departments at Washington and in the custom-houses and post-offices and other public offices throughout the country, who remain still loyal to the old party, are contributing their proportion to its success.

But simply because the President has seen proper to extend this law and the spirit of the law beyond the mere letter, but has made removals of postmasters and others, gentlemen have gone to great pains to collect data to show how many removals have been made. The gentleman from Maryland [Mr. MCCOMAS] just said that this law was passed by a Republican Congress; that it was their law. Why then complain that a Democratic President has seen proper to make removals which you did not embrace within the law? Why object to his carrying it out? Can the gentleman point to a single instance on the part of the present Administration where a violation of the law or any rule under it has taken place?

Mr. REED. Did he not write a letter extending the status somewhat?

Mr. CLEMENTS. What does the gentleman say?

Mr. REED. Did he not write a letter extending the status of the law somewhat? [Laughter on the Republican side.]

Mr. CLEMENTS. I understand—

Mr. REED. And about the same time he wrote the silver letter, you remember?

Mr. CLEMENTS. He did, and I will add that he did not say to Mr. Curtis, "Burn this letter." [Applause and laughter on the Democratic side.]

Mr. REED. Now, will the gentleman answer my question? He has stated what he did not do. Will he state what he did do?

Mr. CLEMENTS. The President has written letters. What letter does the gentleman from Maine refer to?

Mr. REED. I have stated it. I spoke of the letter enlarging civil-service reform, and the silver letter dated about the same time.

Mr. CLEMENTS. The President did say that the spirit of this law could with great propriety be applied to officers without its limits, and he has extended its application so as to retain in office a large per cent. of the postmasters, postal clerks, and other officers. After the election of President Cleveland and before his inauguration the Republican administration changed the classification in the Departments, extending it upward and downward so as to include all employes as near as possible, but the propriety of this was not seen by them until after the election.

[Here the hammer fell.]

Mr. MCCOMAS. The gentleman from Georgia [Mr. CLEMENTS] is the chairman of the Committee on Civil Service Reform under the administration of President Cleveland. It was his office, and not mine, to introduce the amendment which I have sent to the desk, and yet my friend has not said one word in behalf of civil-service reform. Every word he has said has been in extenuation of the abuses of which I complain, and which this law was enacted to prevent. I care less which party was right or wrong long ago, and more to know which will do right to-day.

Mr. Chairman, my colleague on the Appropriations Committee and the chairman of the Civil Service Committee at the same time, the gentleman from Georgia, ought to be the first man to give this Civil Service Commission all the aid it needs; but he points away back yonder how, in some other year, some people were removed, and I may safely deny the accuracy, as I deny the relevancy, of his old Silurian excavation; but it is strange he forgets that President Cleveland, in the letter which he ought to have burned, in view of what has taken place since, said the benefits of the law should be extended and its usefulness increased, and commended it to the liberal care and jealous protection of Congress, and straightway proceeded to remove almost every Presidential postmaster, all of the lower-class postmasters except about 12 per cent., all the foreign ministers and secretaries of legation, nearly all the consuls, the collectors of customs, the naval officers of customs, the appraisers, the assistant treasurers of the sub-treasuries, the collectors of internal revenue, the district attorneys, the Territorial governors, the pension agents nearly all swept clean—a change of 100,000 office-holders.

Mr. TAULBEE. Will the gentleman allow me?

Mr. MCCOMAS. Wait a moment. Peace; be still! My friend from Georgia talks of one year—some years ago. I say in a whole century, even under Jackson and under Van Buren, there has not been such a clean sweep as under Cleveland of Federal officers, with this difference, that fifty years ago the clean sweep was with brutal frankness, while under Mr. Cleveland it is done under the phylactery of the most colossal hypocrisy that ever was worn by a lord high executioner.

Mr. O'NEILL of Missouri, Mr. MCKINNEY, and Mr. TAULBEE rose to interrupt Mr. MCCOMAS.

Mr. MCCOMAS. One at a time, gentlemen.

Mr. O'NEILL, of Missouri. If your party should regain office, would you not be in favor of cleaning out every Democrat?

Mr. MCCOMAS. No, sir; the good of the public I would place before the greed of the party. I hope and believe when the Republican platform is framed that the Republican party will endorse a candidate and a platform squarely and boldly in favor of civil-service reform and its extension to other offices. But you gentlemen who came into power under the cry "turn the rascals out," have deceived nobody but the dyspeptic Mugwumps who, believing first in free trade, bartered away for it civil-service reform. And so your President every day is committing mortal sin in abandoning civil service to tinker with the tariff to the destruction of American labor and American interests.

Mr. TAULBEE. Let me suggest to the gentleman—

Mr. MCCOMAS. The suggestions of the gentleman from Kentucky are so frequent and so verbose that my five minutes would expire before he got them in.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman from Maryland [Mr. MCCOMAS] has expired.

Mr. HOPKINS, of Illinois, rose.

Mr. TAULBEE. I only wanted the floor long enough to suggest—

The CHAIRMAN. The gentleman from Illinois [Mr. HOPKINS] is entitled to the floor.

Mr. HOPKINS, of Illinois. It seems to me we are wandering a little from the proper line of debate on the amendment of my friend from Maryland. I confess to some little surprise at the argument made by the chairman of the Committee on Civil Service Reform. This amendment proposes to restore the amount claimed by the Civil Service Commission, in order that they may efficiently discharge their duty.

The book of estimates before me shows they represented to the Committee on Appropriations that in order to properly discharge their duties and carry out this law in its spirit and in its letter it was necessary to have an appropriation of \$36,160; and yet we find that the Committee

on Appropriations, of which the chairman of the Committee on Civil Service Reform is a member, cut that appropriation down to a little over \$25,000—less than three-quarters of the amount that was actually asked.

When the attention of the House is called to this fact, instead of the chairman of the committee, who, we would suppose, would desire to see this law carried out in its true spirit—instead of his getting up here and aiding his colleague on the Committee on Appropriations to have this amendment made, he opposes it, and attempts to evade the issue by claiming that the Republicans did something wrong some years ago.

Now, sir, in the trial of causes in court I never have known it to be regarded as a good defense for a criminal to say that somebody else had done the same thing that he was accused of doing. If the Republicans have not carried out the law, as these parties claim, why do not the Democrats live up to their own professions, made when they were voted into power, and carry out this law, as the Mugwumps were led to believe they would do when they aided them with their votes? Why does not the chairman of this committee help to carry out this law, by coming to the aid of the commissioners and voting this appropriation through? Look at the Calendars of this House. What day has been assigned to the Committee on Civil-Service Reform for the purpose of giving us better laws to aid this commission in weeding out the corruption that is showing itself every day under this Democratic Administration?

A MEMBER. Where?

Mr. HOPKINS, of Illinois. Where! On every hand; in the custom-house at New York, in Pennsylvania, in the State of Illinois. Why, look at the post-offices at Indianapolis and Philadelphia. Where! The trouble is that you can not find a Democratic office-holder who is carrying out this system as the party agreed to carry it out when Mr. Cleveland was placed in the executive chair. If the newspaper reports are to be believed, Mr. Cleveland's Federal office-holders have captured the State convention of Pennsylvania, and have muzzled the representatives of the people. The same thing has been done in the State of Illinois. The leader of the delegation to the St. Louis convention, where it is planned that the President is to be re-nominated, is a Federal office-holder. Yet this is a reform administration, and this is the way that the civil-service law is being carried out!

Mr. LAWLER. We will wipe out the law, if that will suit the gentleman any better. [Laughter.]

Mr. HERBERT. Mr. Chairman, the gentleman from Illinois [Mr. HOPKINS] complains that a Democratic President has not enforced the civil-service law. The first civil-service law was passed during the administration of President Grant, and the Republicans, in charge of both Houses of Congress, afterwards repealed that law by refusing to appropriate money to carry it out. Thus failed that first attempt at civil-service reform. A Republican Committee on Appropriations starved it to death.

In this House a Democratic committee has reported an appropriation sufficient to carry out the law and enforce it as Democratic committees have done ever since a Democratic President came into office.

Mr. HOPKINS, of Illinois. If the gentleman will permit me to interrupt him, I find in the Book of Estimates, in a note, a statement as to the additional clerk-hire needed for the proper and prompt performance of the steadily-increasing clerical labor of the commission.

Mr. HERBERT. Yes, sir; and so the gentleman will find that every Department of this Government, I think I might say almost without exception, asks of Committees on Appropriations larger sums every year than it really needs or than it expects to get. The Democratic party is responsible to the country, and Democratic committees scarcely ever appropriate according to the extravagant estimates sent in, and so estimates are always sent in with a margin to cut down. But if enough was appropriated last year to carry out and enforce the law during the current year, and undoubtedly that is so, and if the committee recommends the same sum now, I fail to see how any gentleman can say we are failing to support the civil-service law.

Mr. BUTTERWORTH. May I ask the gentleman a question?

Mr. HERBERT. Yes, sir.

Mr. BUTTERWORTH. Is it your understanding that the Appropriations Committee desired to carry out in all its letter and spirit the civil-service law, and made an appropriation with direct reference to that law?

Mr. HERBERT. I do not know what may have been the motive of the majority of the committee; I can only judge by their conduct, and this I do know: They have not done as a Republican Committee on Appropriations did under President Grant; they have not refused any appropriation at all for carrying out the civil-service law.

Mr. MCCOMAS. Will the gentleman from Alabama [Mr. HERBERT] now, under Cleveland, vote to give this Civil Service Commission what they want to carry out the law?

Mr. BUTTERWORTH. We are talking about one thing and the gentleman from Alabama is talking about another thing. You, on that side, are always satisfied when your best comes up to our worst. [Laughter.] The point is that the Democratic party is not friendly to civil-service reform, whether real or not, and the appropriation, I submit, is not made equal to the requirements of the service; while I understood

my friend from Alabama [Mr. HERBERT] to say that he understood that the committee had made the appropriation deeming it full and ample to meet the proper requirements of the service.

Mr. HERBERT. I understand that this appropriation is the same as the appropriation of last year. That was sufficient to enable the commissioners and the President to carry out the law. You Republicans have been quarreling with the President ever since he came into power because he has disappointed you, because he has failed to verify your prediction that, like a Republican President and a Republican Congress, he would trample the law under foot.

Mr. O'FERRALL. And Democrats have complained of him on the same ground.

Mr. HERBERT. The Democrats have complained, some of them, that he did not go far enough in turning out the office-holders, but the Republicans have quarreled with him because he has enforced the law.

[Here the hammer fell.]

Mr. BUTTERWORTH. If the Chair will recognize me, I will yield to my friend from Alabama [Mr. HERBERT].

Mr. HERBERT. But the people who have watched the President from the moment he took the oath to support the Constitution and the laws have been with him and are with him to-day.

Mr. BUTTERWORTH. The experience of some members of this House on the Democratic side is that it is not safe to be anywhere else. [Laughter.]

Mr. HERBERT. The gentleman and his party will find next November that it is not safe for anybody to be against Mr. Cleveland who wants to be with the people.

Mr. McCOMAS. I would like to ask the gentleman one question. If it was wrong for a Republican Congress not to give the full amount for civil-service reform ten years ago, will not the gentleman to-day vote to the Civil Service Commission in the pending bill the amount which they have asked and which my amendment proposes to give them?

Mr. HERBERT. I will vote enough to enable the President to administer the law faithfully and honestly, just as he has been doing ever since he took office.

Mr. McCOMAS. The Civil Service Commissioners ask this sum.

Mr. HERBERT. No Committee on Appropriations can safely take the estimates of officials and appropriate the full amount asked. It is scarcely ever done.

Mr. HOPKINS, of Illinois. Will the gentleman explain why it is that we have not been able to get any more civil-service reports since 1886?

Mr. HERBERT. I do not know, but I think a very satisfactory explanation has been given by the chairman of the Civil Service Committee [Mr. CLEMENTS].

Mr. DOCKERY. The Agricultural Report has not been published since that year either.

Mr. HERBERT. A great many reports are behind.

Mr. HOPKINS, of Illinois. I presume there has been no civil-service report since 1886 because there has been nothing to report under the present commission.

Mr. HERBERT. The quarrel with the President all the time has been, not that he has not enforced the law as passed by Congress, but that he has not gone further and enforced something that is not the law.

A MEMBER. Do you mean the complaint on the Democratic side?

Mr. HERBERT. No; the quarrel on the part of gentlemen on the other side with Mr. Cleveland is that, as they choose to believe, he has not lived up to the construction they seek to put upon a letter he has written—a letter which the gentleman from Maine calls an enlargement of the statute made by the President.

Mr. MILLIKEN (to Mr. HERBERT). What is your quarrel with him?

Mr. HERBERT. None whatever. We do not quarrel with him at all.

[Here the hammer fell.]

Mr. REED. Mr. Chairman—

Mr. FORNEY. I hope we may be able to agree on some limit to this debate.

Mr. REED. I desire only five minutes.

Mr. FORNEY. Then I will ask that this debate be closed in five minutes.

Mr. HOLMAN. I would like to occupy five minutes.

Mr. FORNEY. Well, let it be agreed that the debate be closed in ten minutes.

Mr. REED. The gentleman from Illinois [Mr. ADAMS] would like to occupy five minutes.

The CHAIRMAN. What proposition does the gentleman from Alabama make?

Mr. FORNEY. Well, I will not make any proposition at present.

Mr. REED. Mr. Chairman, I do not think gentlemen on the other side in their own minds deal quite fairly with the accusation made against them. I have no doubt they desire to do so; their failure results rather from confusion of mind than from wicked intention. [Laughter.] I can remember when there was no subject that seemed to penetrate the atmosphere with Democratic objection like civil service and civil-service

reform. I can remember how gentlemen on the other side, in season and out of season, used to point to the melancholy spectacle of Federal office-holders participating in nominating conventions. I can remember when those gentlemen were in the habit of using language of the most violent reprobation in regard to the appointment or removal of any man for political reasons. On these questions they used to tear a passion to tatters on all occasions, and they asserted that if they ever came into power that thing should end. They declared that it was for the interest of the Republic that it should end. Carrying out the language of their own virtuous oratory, the sincerity of which the President in his then innocent condition did not doubt [laughter], he proclaimed to the world that he intended to stop Federal office-holders from participating in this fashion in nominating conventions, not having a prophetic eye on the recent Pennsylvania convention [laughter], nor upon the New York convention, nor anything of that sort.

The accusation made against these gentlemen is—and I hope I shall not be unparliamentary—that their conduct compared with their declarations savors of hypocrisy. [Laughter.]

Now, what we point out is that after all their virtuous oratory, these gentlemen, as soon as they get into power, do precisely the same things about which they were so indignant before they got into power. They reiterate by saying, "You did it before the election." That is precisely the gravamen of their charge. It is precisely the thing they were to rectify. That is precisely the fault they were going to correct.

Now, when they commit precisely the fault which they themselves had reprobated they turn around and reiterate what they said before election, forgetting the position has entirely changed. [Laughter and applause.]

In other words, the pointed accusation, gentlemen, we make against you is that you maintain it is perfectly proper to do what you do because we did it, forgetting that the real issue is what you do compared with your own declarations. [Great laughter and applause.]

Now, there is the whole charge [renewed laughter], and I submit you can not get rid of it by repeating some of your old speeches, because your old speeches charge us with the fault, accompanied by the promise of correction on your part, a promise the non-fulfillment of which we point out. Now, there is the whole matter. [Laughter and applause on the Republican side.]

Mr. ADAMS. I wish to say a word about the last amendment proposed by the gentleman from Maryland [Mr. McCOMAS], which relates solely to the traveling expenses of the Civil Service Commissioners. The last fifteen minutes has shown how easily a discussion of civil-service reform takes on a partisan character. I have been waiting patiently for fifteen minutes to let partisan discussion clear away in order that I might show that something might be said on the subject which did not consist in crimination or recrimination of any political party.

When a Republican Congress adopted this Pendleton bill, so called, its purpose was to substitute a new mode of appointing subordinate officers. How did we propose to make that substitution? Did we propose the President should make it? No; the President is too far from these clerks to exercise his judgment. Did we propose the members of his Cabinet should do it? No; for they were too far, and they had to trust to local boards.

Now, the course taken under that law was to provide for a board of Civil Service Commissioners. They might have provided for local boards of a non-partisan character. They decided not to do so. As the gentleman from Georgia [Mr. CLEMENTS] said a few minutes ago, many of these local boards, even under Democratic administration, consist altogether of Republican partisan office-holders. The mode in which the law is executed depends on the fidelity with which those local boards act, and you can be sure of having nothing like consistency or even fidelity unless the general Board of Civil Service Commissioners can have adequate compensation for traveling expenses in order they may assume the responsibility of the whole matter. And therefore it is, if you are in favor of carrying out this experiment of the Pendleton bill in good faith you ought to appropriate at least for that Civil Service Commission the \$5,000 they ask for traveling expenses. And the traveling expenses they need are not for junketing excursions. They are to examine the working of this system in the local boards, on the fidelity or lack of fidelity of, which depends the whole question of success or failure of the whole system. And therefore it is that every year for two or three years I have offered this particular amendment to this appropriation bill. And it seems to me, if regard be had to all that has been said in the last fifteen minutes, this increase should be made for the purpose I have indicated.

Mr. CLEMENTS. Only a word, Mr. Chairman, in this connection, and that is in relation to the merits of the amendment which has been suggested.

The first appropriation made for the support of the Civil Service Commission and to carry out the law was about \$17,000. It has gone up from that time—and that was in the Forty-seventh Congress—until now the annual appropriations amount to about \$25,000. Of course the Committee on Appropriations is not prepared to recommend the highest amount asked by the Department in relation to the various bureaus. This is one only among many instances where the full amount of the estimates has not been allowed.

Mr. ADAMS. Will the gentleman from Georgia, as he is at the head of an important committee in connection with this subject, tell me whether in the judgment of that committee the Committee on Appropriations ought to have allowed the estimate of \$5,000 for traveling expenses?

Mr. CLEMENTS. The question has not been before the committee.

Mr. ADAMS. It ought to have been.

Mr. CLEMENTS. And I can not speak from personal knowledge.

Mr. MCOMAS. Mr. Chairman, after full inquiry and examination, as a member of the Committee on Appropriations permit me to say that this allowance for traveling expenses of the board is in my opinion just and necessary and it ought to be allowed, and I make this statement without any reference to any partisan considerations which may enter into the question.

I would like to ask the chairman of the Committee on Civil Service Reform to co-operate with me in trying to have it passed.

Mr. HOPKINS, of Illinois. And let me state, as a member of the Committee on Civil Service Reform, that I will cheerfully co-operate and join hands with the chairman of the committee in trying to get it adopted.

Mr. HOLMAN. Mr. Chairman, when this amendment was offered I reserved the question of order upon it; but on reflection it seems to me entirely proper that it should be waived, and a direct vote of the committee taken upon the proposition to increase the appropriations for this commission. I wish to say, going a little more into the details of the creation of the commission than the gentleman from Georgia, that the appropriation for 1884, the first general appropriation for this service, amounted in the aggregate to \$23,300. My friend from Georgia referred only to the salaries fixed for the Commission when he spoke of \$17,000 as being the first expenditure. That appropriation embraced three commissioners, one chief examiner, one secretary, one stenographer, and one messenger, and these were the only officers provided by the original law. That first appropriation also embraced \$5,000 for traveling expenses.

The appropriation for the present fiscal year provides as follows: For three commissioners, one chief examiner, one secretary, one clerk of class 4, one clerk of class 3, one clerk of class 2, and one clerk of class 1, two at \$900 each; one messenger, one laborer; and \$4,000 for traveling expenses, making the entire appropriation for the commission, \$29,800.

Now, it will be seen at once and at a glance that this is quite an unusual increase. I wish to mention to the committee also the fact that during both sessions of the last Congress this force was materially increased, and I think the commission has force enough to perform its duties at Washington. No further appropriations, I think, ought to be made. I had occasion during the last Congress, at both sessions, to look into the subject most carefully, and I think the appropriation of \$4,000 for traveling expenses is quite ample.

One word more. The duties of the commission are well performed; that is my judgment, at least; and I think that no law has ever been placed upon the statute-books which has been carried out with more fidelity than this law. It applies, as all gentlemen know, to the classified clerks in the Departments, but not to any of the administrative offices; and the existing law is carried out by this Administration with a fidelity that may be characterized as absolutely without variation or shadow of turning. I think, therefore, that gentlemen who favor the law—I am not the champion of it by any means—ought to feel that the law has been carried out both in letter and spirit to an extent not even expected by its most ardent friends. A glance at all of the Departments here, showing their working, will demonstrate the fidelity with which it has been carried out.

Mr. LODGE. Mr. Chairman, as everybody on both sides seems entirely favorable to the principle of civil-service reform, and as we have each of us been accusing the other of dereliction in regard to it as parties, I wish to call attention to one fact which this amendment reaches. This seems to be more than a mere question of money. I introduced a bill early in the session in this House for the extension of the civil-service law to certain additional offices. I did so because I believed that the advance of that reform, which I regard as clearly in the interests of the public business and of the public welfare, could only be achieved through legislation. I believe the only solid advance that has been made in regard to civil-service reform has been by legislation, and the Civil Service Commission appointed under that law.

I was told with regard to that bill, which now lies on the Calendar under an adverse report from the committee of which the gentleman from Georgia [Mr. CLEMENTS] is the chairman, that one objection to it was that there was ample power in the President and the Civil Service Commission to extend the present law to other offices; that it was merely an expression of the wish of Congress in the matter; but that they could not extend it to new offices, because they did not have the money to do it with. Therefore this proposed additional appropriation is simply a statement on the part of Congress that they believe that the civil-service law should be extended and maintained. And I think that was the language of both political platforms of both political parties in many conventions, State and national.

Therefore I hope to see this amendment prevail as a distinct advance in the line of civil-service reform.

Mr. HERBERT. I desire to say in reply to what fell from the gentleman from Maine that it was not the Democratic party that, before the passage of the present law, was loudest in its professions in favor of civil-service reform. The gentleman happened to be, as I was, a member of this House, when that bill was passed. It was in the first session of that Congress—I believe the Forty-eighth.

Mr. BUTTERWORTH. The Forty-seventh.

Mr. HERBERT. In the first session of the Forty-eighth Congress, I think it was, a modest bill was reported by a Democratic committee simply making it unlawful to levy contributions upon office-holders here in the Departments. The Republican party arrayed itself solidly against that bill and resorted to the parliamentary tactics—filibustered for weeks and weeks to prevent even that first step in the direction of civil-service reform.

Congress adjourned and we went before the country. That was the year when Mr. Cleveland was nominated for governor of the State of New York. That was the year when Jay Hubbell was chairman of the Congressional executive committee of the Republican party, and that was the year when the question of civil-service reform was submitted to the people in the elections. The result was that in the State of New York Grover Cleveland was elected governor by 192,000 votes. When we came back to the second session of that Congress our Republican friends showed that they had experienced a great change of heart. They went to work with great zeal in both ends of the Capitol and hurried through the bill that is now the law. They sent it to us from the Senate, and here Democrats and Republicans voted for it alike.

That is the history of this law; and the quarrel to-day of the Republicans is that Grover Cleveland has enforced the law which public opinion forced them to vote for. They predicted he would violate it, as they had done; but the gentleman from Georgia, the chairman of the Civil Service Commission, has challenged them to show, and the gentlemen on the other side failed to point out, a single instance in which the law has been violated under a Democratic Administration. The only charge is that Mr. Cleveland has not extended it as far as, in the opinion of his critics on the other side of this Chamber, he ought to have done because of some letter he has written. To that extent, and to that extent only, his offending goes.

It seems to me that is a perfectly fair statement of the situation. Sir, if I did not believe this appropriation sufficient I should be in favor of increasing it so as to carry out this law faithfully. The Democratic committee charged with this matter does not seek to destroy or emasculate the law, but has reported to the House what the gentleman from Indiana, long connected with appropriations and familiar with the necessities of this case, says is sufficient to enable the commissioners to enforce the law.

Mr. MCOMAS. I ask the gentleman from Alabama—

[Here the hammer fell.]

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

Mr. MCOMAS. I ask just a moment.

Mr. FORNEY. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. ROGERS having resumed the chair as Speaker *pro tempore*, Mr. BLOUNT reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 9377) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1889, and for other purposes, had come to no resolution thereon.

PUBLIC BUILDING AT SACRAMENTO, CAL.

Mr. MCKENNA. I ask unanimous consent to take from the Union Calendar, for present consideration, the bill (S. 1554) to increase the appropriation for the erection of a public building at Sacramento, Cal.

The bill was read, as follows:

Be it enacted, etc., That the amount heretofore fixed as the limit of cost for the erection of a public building by the United States Government at Sacramento, Cal., be, and the same is hereby, increased to \$150,000, and that sum is hereby fixed as the limit of cost for the erection of said building, including site.

SEC. 2. That the officers of the United States Government having charge of the erection of public buildings are authorized and required to be governed by the limitation hereby prescribed in making contracts for the erection of said building.

SEC. 3. That the additional sum of \$50,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purposes provided in this act.

The bill was reported by the Committee on Public Buildings and Grounds with the following amendments:

In section 1, line 6, strike out "\$150,000" and insert "\$200,000."
In section 3, line 1, strike out "\$50,000" and insert "\$100,000."

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

Mr. HOLMAN rose.

Mr. MCKENNA. I will state to the gentleman from Indiana that the bill as we propose to have it passed is the Senate bill making the limit \$150,000.

Mr. HOLMAN. With the understanding that the amendment increasing the amount to \$200,000 is withdrawn, I shall not object.

Mr. MCKENNA. Mr. Speaker, it is understood that the amendments are withdrawn, and that the Senate bill shall be passed.

The CHAIRMAN. Is there objection to the suggestion of the gentleman from California that the amendments be disagreed to and the question taken on the Senate bill?

There was no objection.

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

Mr. MCKENNA moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PUBLIC BUILDING, TALLAHASSEE, FLA.

Mr. DAVIDSON, of Florida. Mr. Speaker, I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the bill S. 1083, and that it be now put upon its passage. It is a bill for the erection of a public building at Tallahassee, Fla. I also ask unanimous consent that the reading of the bill be dispensed with. It is exactly in the form prescribed by the Committee on Public Buildings and Grounds, and it has been reported favorably by that committee. The bill passed the Senate, and was referred to the House committee and reported back favorably. There have been three reports in favor of this bill.

Mr. HOLMAN. Let the bill be read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide, a site for, and cause to be erected, a suitable building, with proper fire-proof vaults therein, for the accommodation of the courts of the United States, post-office, land-office, internal-revenue offices, and other Government offices, at the city of Tallahassee, Fla. The site and building thereon, when completed, upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$75,000, nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of \$75,000 for site and building: *Provided*, That no money to be appropriated for this purpose shall be available until a valid title to the site of said building shall be vested in the United States, to be approved by the Attorney-General, and until the State of Florida shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein. And the sum of \$75,000 be, and the same is hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to be used and expended in the purchase of said site and toward the construction of said building: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys around the same.

There being no objection, the bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. DAVIDSON, of Florida, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DEFICIENCY BILL.

Mr. BURNES. Mr. Speaker, I ask unanimous consent that the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, returned from the Senate with amendments, be taken up, the amendments non-concurred in, and the bill and amendments recommitted to the Committee on Appropriations.

Mr. REED. I object.

The hour of 5 o'clock having arrived, the House took a recess, under the order, until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., Mr. ROGERS in the chair as Speaker *pro tempore*.

JESSE DICKEY.

Mr. DOCKERY, by unanimous consent, called up for present consideration the bill (H. R. 9682) increasing the pension of Jesse Dickey. The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Jesse Dickey, late of Captain Johnson's Company Illinois Mounted Volunteers, Black Hawk war, to \$12 per month.

The report (by Mr. BANKHEAD) is as follows:

The claimant is now a pensioner of the United States at the rate of \$6 per month for a gunshot wound of the right thigh, which he received while in the military service of the United States, in the Black Hawk war of 1832. He is in his seventy-ninth year, has no source of income except his small pension, and has an aged wife dependent upon him. A large number of his townsmen join in a petition to Congress setting forth his indigent condition and the necessity for relief. The old man is severely disabled by his wound, and by hernia and hydrocele.

Your committee report back the bill to the House with the recommendation that it do pass.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DOCKERY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN F. HUCKABA.

Mr. WHITTHORNE, by unanimous consent, called up for consideration the bill (H. R. 9200) granting a pension to John F. Huckaba. The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John F. Huckaba, a private of Company H, Second Regiment of Tennessee Mounted Infantry.

The report (by Mr. HUNTER) is as follows:

The claimant made application to the Pension Office for pension, and the same was rejected on the ground that the soldier was not properly in the service of the United States when the wound for which he claimed a pension was incurred, and that the same was not incurred in the service and in line of duty.

The facts in the case, as gathered from the papers before the committee, are as follows:

In August, 1863, John F. Huckaba enlisted in a military organization then being formed under the direction of Andrew Johnson, then military governor of the State of Tennessee. The organization was under control of Capt. Thomas J. Crypert, and was designated as the Second Tennessee Mounted Militia Infantry. He was sworn into service by Captain Crypert, and shortly after, before said force had arrived at Nashville, where they were to be mustered in, he was sent out with a scouting party by order of said Captain Crypert, and while out in the discharge of his duty as a scout he accidentally received a severe wound in his left hand by the accidental discharge of his own gun while dismounting from his horse. He presented himself at Nashville for muster, but owing to the crippled condition of his hand he was refused the privilege of being mustered into said service.

Thomas J. Crypert testifies that he was captain of Company A, Second Tennessee Mounted Infantry; that he is acquainted with John F. Huckaba; that he enlisted him in the service of the United States and swore him into said service while making up said regiment, about the month of August, 1863, under the authority of Andrew Johnson, military governor of Tennessee; that after he was enlisted and sworn he went with him and other enlisted men to Corinth, Miss., then a United States military post, and drew a gun and ammunition and part of a uniform. Soon thereafter, say about September 8, 1863, the said John F. Huckaba was sent on a scout in Wayne County, Tennessee, he thinks by his own order, with other enlisted men belonging to the organization, and while on said scout he was severely wounded in the left hand, which wound, the captain says, "was reported to me as having been made by an accidental shot from his own gun. His wound has almost entirely deprived him of the use of his hand permanently. He had not been mustered into the service at the time he received said wound, but soon thereafter he presented himself, with others, for muster at Nashville, Tenn., but, owing to the crippled condition of his hand, he was rejected. While enlisting men for the regiment it was necessary for the enlisted men to remain together in a body and perform duty as soldiers for their mutual protection before they were mustered into the service, as the enemy were in that part of the country at that time."

Isaac H. Goble, a member of said company and regiment, testifies as follows: "Some time after enlistment I was ordered to take five or six men with me and go on a scout, and the said John F. Huckaba was one of the men sent with me on that duty. While in the line of his duty he received a severe wound through his left hand by the accidental discharge of his own gun. I was present when he received the wound; the same was received while in the act of dismounting from his horse, and was purely accidental. The wound shattered the bones of his hand, and he has ever since been almost totally deprived of the use of that hand on account of the wound."

James F. Goble, who was a member of said company and regiment, and who was one of the number in said scout, testifies that Huckaba was also one of the number on said scout, and was wounded as stated by Captain Crypert, Isaac H. Goble, and others. He was present and saw Huckaba when the accident occurred.

The committee believe that the evidence warrants the conclusion that the soldier was a member of the military organization, as stated, that he was in line of duty when the accident for which he asks relief occurred, and that said accident occurred as stated. The committee believe this to be a meritorious case, and therefore submit a favorable report and recommend the passage of the bill.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WHITTHORNE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FLORA C. ANDREWS.

Mr. WILLIAMS, by unanimous consent, called up for consideration a bill (H. R. 8771) to place the name of Mrs. Flora C. Andrews on the pension-roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension law, the name of Mrs. Flora Andrews, widow of Samuel D. Andrews, deceased, late a private in Company C, Forty-fourth Regiment of Ohio Volunteer Infantry.

The report (by Mr. YODER) is as follows:

Samuel D. Andrews, the husband of Flora C. Andrews, enlisted in Company C, Forty-fourth Ohio Volunteer Infantry, on the 15th day of September, 1861, and was borne on the company rolls as Simon D. Andrews, and was discharged from the service of the United States on the 25th day of January, 1862, on surgeon's certificate of disability, reciting that he had done no duty for a month, and had had a cough for six months and was suffering from phthisis pulmonalis. The soldier's discharge recited that he was discharged by reason of phthisis pulmonalis.

Mr. Andrews filed an application for pension April 2, 1880, and he was granted a pension certificate from the 25th day of January, 1863, and ending November 16, 1881. Said certificate is on file with papers in the case, which certificate was subsequently revised to end January 26, 1868. His first certificate was granted the 11th day of February, 1855, and when the same was revised the soldier ap-

plied for restoration to pension-rolls April 16, 1886. On July 14, 1888, the medical board gave him no rating; nevertheless the soldier died November 3, 1886, and his attending physician, Dr. E. C. Cruener, of Dayton, a physician of high character and large practice, states in the affidavit filed in the papers that Samuel D. Andrews died from the effects of a deposit of tuberculous matter in the intestine glands, causing inflammation, ulceration, and rupture of the bowels, and that he is convinced that the deceased was suffering with a tuberculous deposit in the lungs, and that he was an undoubted sufferer from phthisis pulmonalis, and that deposit in the intestinal glands was of the same nature, causing inflammation and rupture.

Dr. Green, who attended shortly after his discharge from the Army, testified that in 1863 he examined the soldier, and that he was very much emaciated, and that he had chronic pneumonia, with marked evidence of "caseation in one or possibly both lungs." Although the soldier in a measure recovered his health, yet the evidence shows that up to the day of his death he had a cough, weakness, difficulty of breathing, and many of the certain indications of lung disease, and from the fact that he was discharged for phthisis pulmonalis, and that he died from the effects of tuberculous matters in the intestinal glands, and from the further fact that after a thorough investigation the Pension Office found a pensionable disability from date of discharge to November, 1881, your committee are satisfied that the deceased soldier suffered from phthisis pulmonalis in greater or less degree from date of his discharge until the day of his death, and that his death was the result of the same disease, and do therefore recommend the passage of the accompanying bill.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WILLIAMS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

AURELIA P. HALL.

Mr. THOMPSON, of Ohio, by unanimous consent, called up for consideration the bill (H. R. 9487) granting a pension to Mrs. Aurelia P. Hall, with an amendment.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Aurelia P. Hall, mother of Wilson S. Gilliland, deceased, late a private in Company A, Third Ohio Infantry Volunteers; also of Company C, Fourteenth Ohio Volunteer Infantry, and still later of Company C, Fourteenth Infantry, United States Army.

The report (by Mr. THOMPSON, of Ohio) is as follows:

That the beneficiary of this bill, Mrs. Aurelia P. Hall, of Vineland, N. J., is the mother of Wilson S. Gilliland, who, when about seventeen years of age, enlisted in Company A, Third Ohio Volunteer Infantry, on the 13th day of June, 1861, and served until the 21st day of June, 1864, when he was honorably discharged, and who afterwards, on the 27th day of September, 1864, enlisted in Company C, Fourteenth Ohio Volunteer Infantry, and served until the 3d day of June, 1865, when he was again honorably discharged.

Claimant was twice married, and at the enlistment and during the service of her said son was living with her second husband, Albert G. Hall, who was an invalid, and could contribute but little to her support or to the support of her children. She had four children, younger than the soldier, who remained at home with her, the eldest of whom was only about sixteen years of age when the soldier enlisted. During his service and afterwards the soldier contributed largely to the support of claimant and his brothers and sisters who resided with her, and she was in great measure dependent upon him.

After the war the soldier married, but his wife soon separated from him and remarried, although not divorced, but she afterwards instituted a suit for divorce, which was pending at the time of the soldier's death.

After his marriage and some time in the year 1870 the soldier enlisted in Company G, Fourteenth United States Infantry, and died in July, 1871, at Fort D. A. Russell, Wyo. During his service in the war of the rebellion he contracted chronic diarrhea, which continued during the remainder of his life, and contributed materially to his death.

The claimant is now nearly seventy years of age and in needy circumstances, and your committee, in view of the facts above stated, recommend the passage of the bill, with an amendment striking out the letter "C" in the last clause of the bill, and inserting the letter "G," so that this clause will read "and still later of Company G, Fourteenth Infantry, United States Army."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. THOMPSON, of Ohio, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RUTH ANN PORTER.

Mr. HOLMAN, by unanimous consent, called up for consideration the bill (H. R. 9321) granting a pension to Ruth Ann Porter, with an amendment.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Ruth Ann Porter, dependent sister of George H. Porter, late a private in Company D, Third Regiment of Indiana Volunteer Cavalry, on the pension-roll, and pay her a pension at the rate of \$12 per month.

The report (by Mr. GALLINGER) is as follows:

The claimant under this bill is a dependent sister, for which class no provision is made in the general laws, but which Congress has recognized in many private bills which have received executive approval.

This case is one of exceptional merit, the fact being that claimant's three brothers, upon whom her mother and herself were dependent, enlisted in the Union Army at the same time. One was killed in the battle of the Wilderness, another was wounded and died at Douglas Hospital, Washington, after undergoing a second amputation of the leg, and the remaining one came home completely broken down and dissipated, after which he left home in search of health, and has not been heard of for eighteen years, and is undoubtedly dead.

The mother was pensioned. She has since died, and the daughter asks that the pension be continued to her. Claimant's memorial and an affidavit from William S. Holman, jr., a son of Hon. William S. Holman, are herewith appended:

"STATE OF INDIANA, County of Dearborn, ss:

"On this 12th day of March, 1888, personally appeared before me, a notary public in and for the county and State aforesaid, Ruth E. Porter, a resident of Aurora, Dearborn County, Indiana, aged forty-one years, and who, being duly sworn, makes the following statement in order to procure a pension by special act of Congress as dependent sister: I have resided in the city of Aurora, Ind., during my entire life; my father died in 1849, leaving surviving my mother and eight children, consisting of three girls and five boys. My father was not possessed of any real estate and but little personal property. The eldest child was a daughter, and who married the same year that my father died; the next eldest was a son, who died in 1854, and my mother was thus thrown upon her own individual exertions and that of her remaining sons to obtain a means of subsistence, and by the united labor of the family we managed to gain a living.

"In July, 1851, my three remaining brothers, George H. Porter, Benjamin F. Porter, and Gillett A. Porter, all enlisted in Company D, Third Indiana Cavalry, thus leaving my mother with a family of two daughters and one grandson. I was then about twelve years of age, and my remaining sister and my mother were compelled to provide for the family by their own labor and the help of my brothers in service, as myself and the grandson were too young to assist in obtaining a means of subsistence. My mother, however, received contributions from all of my brothers while in the Army, and these contributions were absolutely necessary for the support of the family, as we lived in rented property, and we had no means of subsistence except the labor of my mother and sister, as before stated. My brother Gillett was mortally wounded May 30, 1864, and died June 1, 1864, and my brother George H. was wounded in action May 5, 1864, and died at Douglas Hospital, Washington, D. C., June 4, 1864, from amputation of leg. My other brother, Benjamin F., served out his time, but came out of the Army in feeble health. My mother was thus left in very destitute circumstances, as my brother George was the main dependence of the family.

"My mother was pensioned on account of the death and service of my brother George H., under certificate No. 72235; my mother died January 21, 1882. My only remaining sister married in 1865, and died in 1878 at Memphis, Tenn., leaving a daughter eight years of age, that was sent to my mother to care for. The said child is now with me, and is an invalid, and I and the said daughter of my sister are all that remain of our family, as I have not seen my brother Benjamin for eighteen years. I have always been in very delicate health, and am nearly all of the time under the doctor's care, and I have been compelled to gain a subsistence by sewing, which has so injured my health and my eyesight has become affected by working after night, that I fear that I will be compelled to abandon my only means of subsistence. And I make this true statement of facts believing that a grateful Government will be willing to admit a claim to which I think I am justly entitled, having been deprived of the natural and only means of support by the loss of my brothers in the Army.

"If I was in good health I would not ask anything of the Government. My mother was confined to her bed in last sickness for six months, and I had to give up my sewing to attend her, and we had no money except as her quarterly allowance of pension came to hand. I can furnish testimony of neighbors to corroborate these statements. I am in very destitute circumstances, and make this appeal in my dire necessity, and hope that I do not plead in vain.

"Miss RUTH E. PORTER.

"STATE OF INDIANA, Dearborn County, ss:

"On this the 12th day of March, 1888, before me, Benjamin Vail, jr., a notary public within and for the county and State aforesaid, personally came Ruth E. Porter, a person of lawful age, well known to me to be reputable and entitled to credit, who, being by me first duly sworn according to law, made oath to the foregoing statement and subscribed to the same in my presence.

"Witness my hand and notarial seal.

"[SEAL.]

BENJ. VAIL, JR., Notary Public.

"William S. Holman, jr., first being duly sworn, says: I have resided in and near Aurora, Ind., for more than thirty-five years. I have been acquainted with Ruth Porter for about fifteen years. I have known of her and her family for more than twenty years. She had three brothers in the Union Army during the late war. Two of her said brothers, George Porter and Gillett Porter, never returned, having died or been killed while in the said service, as I have been informed and believe. The other brother, becoming intemperate in habits, has for many years failed to do anything for the support of his said sister.

"My special attention was directed to this family about the time Ruth Porter's mother, Mrs. Sarah Porter, obtained a pension from the Government on account of the death of her said sons, or one of them. That at the time of Mrs. Sarah Porter's death, and for a longtime previous thereto, she and her said daughter Ruth were entirely dependent upon said pension and the charity of friends for their support. That since the death of Mrs. Sarah Porter, who departed this life on the 24th day of January, 1882, her said daughter Ruth has had a bitter struggle for existence. That she has only been able to obtain necessary food, shelter, and clothing through aid of charitable persons. That she has made every effort possible towards self-support. That she has been in feeble health for many years, and is unable to perform continuous labor.

"That so far as her strength would permit she engaged in sewing, but that recently her eyesight has failed to such an extent she is able to accomplish but little. That she is in destitute circumstances. That she owns no real estate, and that her personal property will not exceed in value \$25. That she is a lady of refinement, of high moral character, and of strict integrity. That she is destitute by reason of the death of her said two brothers, who lost their lives in the service of their country, she being dependent upon them for support. That she is in every way worthy of aid; and further deponent saith not.

"WM. S. HOLMAN, JR.

"Subscribed and sworn to before me this 31st day of March, 1888.

"[SEAL.]

BENJ. VAIL, JR., Notary Public."

Your committee are in possession of other affidavits, from leading citizens of Indiana, setting forth the necessities of claimant, and urging that the pension be granted. As before said, we regard the case as one of great merit, and therefore recommend that the bill be passed, after being amended by striking out the words "subject to the conditions and limitations of the pension laws," and inserting instead thereof the words, "and pay her a pension at the rate of \$12 per month."

The amendment of the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HOLMAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WEBSTER C. WEBB.

Mr. HUNTER, by unanimous consent, called up for consideration the bill (H. R. 9284) granting a pension to Webster C. Webb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Webster C. Webb, late a private of Company H, Seventieth Regiment of Kentucky Volunteer Cavalry.

The report (by Mr. HUNTER) is as follows:

It is shown by the proof on file in this case that claimant enlisted at Brownsville, Edmonson County, Kentucky, in September, 1864, and was at the same time elected a second lieutenant of Company G, Seventeenth Regiment of Kentucky Volunteer Cavalry.

In this capacity he continued to serve until the 23d day of February, 1865, when he resigned because of some misunderstanding with the colonel, Samuel Johnson, and on the same day he enlisted and was duly mustered into the United States service as a private in Company H of said regiment to serve one year, and on the 20th day of September, 1865, he was honorably discharged at Louisville, Ky.

On the 7th day of August, 1876, he filed an application for pension, because of disability resulting from a wound received and a disease contracted in the service, and alleged in his declaration that in January, 1865, at or near Nebo, in the county of Hopkins and State of Kentucky, he was wounded in a battle with the rebels by a pistol ball passing through his arm between the elbow and shoulder, and that he contracted small-pox in the month of March, 1865, at Russellville, Ky.

He filed an affidavit from T. W. Campbell, who was lieutenant-colonel of the regiment, and who is now a resident of Louisville, Ky., who states under date of September 29, 1876, as follows:

"I, T. W. Campbell, late Lieutenant-colonel of the Seventeenth Regiment of Kentucky Volunteer Cavalry, state that Webster C. Webb, in January, 1865, was acting second lieutenant of Company G, commanded by Capt. J. A. Studevant; that while so acting was attacked by a company of rebel soldiers at Bruce's Mills, in Hopkins County, Kentucky, and while so engaged was wounded in the right arm and taken prisoner and paroled by them. I further state that in a few hours after the attack was made upon Company G I was on the ground in pursuit of the rebels; I also state that while the said Webb was in the service and under my immediate command, he was attacked with small-pox; that I visited his tent in the field at Russellville, Ky., several times, having had the disease several years before myself. I further state that I have no interest, direct or indirect, in any claim the said Webb may have for pension or anything else."

Also affidavits of John W. Webb and William M. Stice, army comrades of claimant, who state:

"That they were members of Company G, Seventeenth Regiment of Kentucky Volunteer Cavalry; that they were present on the — day of January, 1865, and engaged in action with Lieut. W. C. Webb at Bruce's Mills, near the Hopkinsville County line, Kentucky; that while we were engaged in a fight with a portion of the rebel General Lyon's command, commanded by Walker Taylor, the said W. C. Webb was wounded in the right arm, above the elbow, by a gunshot or pistol wound. That we have no interest in the claim made by said Webb for pension."

John L. Skaggs, who was orderly sergeant of claimant's company, and Samuel E. Sanders, a member of the same, under oath, state as follows:

"That they have known Webster C. Webb for thirty years; that at the time and for many years prior to enlistment, as also ever since discharge to the present time, they have been close neighbors to said Webb and intimately acquainted with him. That said Webb was elected by their Company G as second lieutenant of said company in its original organization; that they know that at the time of enlistment and at the time of entering the service of the United States Webb was a stout, healthy man, free from any disease whatever as they verily believe, and free from small-pox or any of its deleterious effects."

"That on or about the 3d day of March, 1865, they were in camp at Russellville, Ky., and were messmates of said Webb, and tented with him; that he became sick, and that this affliction, Samuel E. Sanders, waited upon him until he became apprehensive that he was taking small-pox, when we sent Lieut. Col. T. W. Campbell, of our regiment, who had had small-pox previously, and Colonel Campbell pronounced it small-pox, and we then had Webb sent away out into the cedars, and placed in a tent, where he remained until his recovery. That Dr. Randolph, who prescribed for him, is dead. That our post-office address is Brownsville, Ky., and that we have no interest in the claim."

James Lindsay, a neighbor of claimant, states:

"That he has been acquainted with Webster C. Webb ever since his boyhood, during which time he has lived a neighbor to him. That at the date of his enlistment he was sound and free from diseases of all kinds and was considered a stout and healthy man. That at the date of his discharge, September, 1865, he came home suffering with an affection of the scalp, having had small-pox while in the service, and was not sound and well at date of his return home; had an ulcerous affection of the scalp and some disease of kidneys. I do not think he has been sound and well since his discharge, and it is my opinion that he has not been able to perform more than one-third manual labor."

Dr. John E. Roof, of Brownsville, Ky., states, under oath, as follows:

"That he has given the following medical advice and treatment to Webster C. Webb, late second lieutenant of Company G, Seventeenth Kentucky Cavalry Volunteers: Said Webster C. Webb came under my treatment and observation some time in the month of September, 1865, at or some time after his discharge. He was then suffering with albuminuria, caused by small-pox. The scalp was ulcerated, and I continued to treat and prescribe for his disease, occasionally, ever since; but I have no memoranda by which to fix exact dates and duration of all treatment rendered in his case, but know that he has been more or less disabled for the performance of manual labor, on account of said albuminuria and affection of scalp, which has become chronic ever since his discharge, and I am satisfied from his appearance and physical condition in general that he has been disabled at least one-third of the time from the performance of manual labor. I also knew him before enlistment, and regarded him as being sound and free from said diseases or any predisposition thereto; and I am not concerned in the claim."

Dr. Claiborne J. Watton, United States examining surgeon at Mumfordsville, Hart County, Ky., made an official examination of claimant on the 3d day of November, 1876, and states:

"Gunshot wound in right arm; ball entered the middle of arm, back portion, passing forward and inward, and curving on inner aspects of the arm, wounding the triceps and biceps muscles. There is pitting at the points of ingress and egress, and he represents that his arm upon hard manual labor becomes useless, and from this cause his disability is one-fourth. He is pitted severely from small-pox, and represents that his knees occasionally swell upon exerting himself physically. He looks debilitated, and is from this condition one-fourth disabled."

Dr. William T. Wilkins, United States examining surgeon at Bowling Green, Ky., also made an official examination of claimant on the 31st day of May, 1882, and states:

"There are quite a number of large scars over the head, arms, and legs, from which applicant states that in warm weather these scars break open and discharge matter that is very offensive. There is also considerable inflammation of both kidneys."

This claim was rejected by the Pension Office on the 7th day of July, 1887, on the ground that the wound was received and the disease contracted prior to enlistment.

While it is true that claimant's trouble originated before he was regularly mustered into the United States service, the fact remains that he was enrolled, performed military duty, participated in battle, and was at all times ready to be mustered from September, 1864, to February, 1865, during which time his disabilities occurred. He should not be permitted to suffer from the failure of the mustering officer to discharge his duty.

Your committee therefore make this favorable report, and recommend the passage of the bill with the following amendment: Strike out the word "private" in the sixth line and insert in lieu thereof "second lieutenant," and after the word "cavalry" in the seventh line add "and grant him a pension of \$17 per month."

Mr. MATSON. Mr. Speaker, I ask to have the bill read again.

The bill was again read.

Mr. MATSON. I can not understand, Mr. Speaker, from the reading of the report why we should undertake to fix the rate of pension in this bill. It is contrary to the rule of the committee and to the rules of the House. The proper thing to do is to treat this applicant the same as others are treated, and let his rating be fixed by a board of examining surgeons. The reason he comes to Congress at all is that he was not mustered in, and that point is covered by the bill, which gives him the right to go and be examined and rated by the board like other applicants. There is no reason why we should undertake arbitrarily to fix the rate. We are not competent to fix it properly, because we can not judge of the disability. I therefore move that the amendment fixing the rate at \$17 per month be not agreed to.

The amendment was rejected.

Another amendment recommended by the committee, striking out the words "a private" and inserting in lieu thereof "second lieutenant," was agreed to.

Also an amendment striking out "Seventieth" and substituting "Seventeenth" before the word "Regiment."

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HUNTER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MRS. MARY L. CLEVELAND.

Mr. McCREARY. Mr. Speaker, I would like to present to the House a bill which I think of great merit. It is for the benefit of Mrs. Mary L. Cleveland. This lady is now eighty-one years old. Her husband was a captain in the war of 1812. She is unable, without assistance, to get out of bed or to dress herself. She is now dependent on the bounty of her grandchildren, who are unable to support her. The committee has made a unanimous report in her favor. I have never but once this session asked for the passage of any bill for my district, and I hope there will be no objection to my request.

Mr. MATSON. I do not object if it can be agreed that the gentleman from Pennsylvania on the other side [Mr. O'NEILL] be recognized for a similar request, immediately after this bill is disposed of. I think this is due to the gentleman from Pennsylvania, in view of his long service in the House, as a similar courtesy has been extended to my colleague [Mr. HOLMAN].

Mr. NELSON. I wish to suggest here and now that inasmuch as we have started upon this proceeding the only proper course is to give us all a chance on the same plan, or else stop the proceeding right now.

Mr. MATSON. Then we will stop it right now.

Mr. O'NEILL, of Pennsylvania. Oh, no; we ought not to stop it "right now." [Laughter.] I think we are getting along very comfortably, and if we proceed in this way we shall no doubt pass a great many bills. I do not feel under the necessity of making a statement like that made by the gentleman from Indiana [Mr. HOLMAN], that I am not very well, for I am feeling right well to-night, and can stay here a long while; but at the same time I would like to reach some bills in which I feel a particular interest.

Mr. NELSON. I do not want to be understood as objecting.

Mr. GALLINGER and others called for the regular order.

ORDER OF BUSINESS.

Mr. MATSON. I move that the House resolve itself into Committee of the Whole for the consideration of pension business on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

Mr. SPOONER. I ask that the bills on the Calendar be read by title in their order, commencing where we left off last Friday night, and that unless the consideration of a bill be called for when its title is read the bill be passed over informally, retaining its place on the Calendar.

The CHAIRMAN. The gentleman from Rhode Island [Mr. SPOONER]

asks unanimous consent that bills on the Private Calendar be called over by title in their order, beginning where business was suspended at the session of last Friday night—

Mr. BRYCE. I object.

Mr. SPOONER. Then I ask that the Clerk commence with the beginning of the Calendar, and that the call be conducted in the manner I have just proposed.

The CHAIRMAN. The gentleman from Rhode Island now asks unanimous consent that bills on the Calendar be called over by title in their order, and that when the consideration of a bill is not asked for it be passed over informally, retaining its place on the Calendar. Is there objection? The Chair hears none, and it is so ordered.

MRS. D. P. WOODBURY.

The first business on the Private Calendar was the bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury.

Mr. BRYCE. I ask for the consideration of this bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension now paid Mrs. D. P. Woodbury, widow of General D. P. Woodbury, to the sum of \$50 per month from and after the passage of this act.

Mr. CHEADLE. I shall object to the passage of this bill at the present time. If the gentleman from New York [Mr. BRYCE] desires to have it go over, to be voted on in a full House, I am willing. I do not want to be compelled to call for a quorum at the beginning of this evening's session.

Mr. BRYCE. I am willing that the bill should go over until the 28th instant, upon the same conditions which have been applied to bills of a similar character—in other words, that the previous question be ordered, the right to offer amendments being reserved, and that debate be limited to thirty minutes—fifteen minutes on each side.

The CHAIRMAN. The gentleman from New York asks unanimous consent that this bill be fixed as a special order for the 28th instant, after the bills of similar character which have already been fixed for that time, that the previous question be considered as ordered, the right to offer amendments being reserved, and that fifteen minutes on each side be allowed at that time for debate.

Mr. McMILLIN. I must object to that, because I know it is desired that on Monday next we shall go on with the tariff bill. I would not object to fixing the consideration of this bill for to-morrow or for any other day when it would not interfere with the tariff bill.

Mr. BRYCE. This bill has already been up several times—

Mr. McMILLIN. I understand that; and I have no objection to assigning for its consideration any time when it will not interfere with the business of the Committee on Ways and Means. If the gentleman wants the bill to come up to-morrow, all right; but I know it is the desire that next week we shall go on with revenue bills, which are, I think, of paramount importance.

Mr. BRYCE. I ask, then, that the consideration of the bill be fixed for to-morrow under the conditions already stated.

The CHAIRMAN. The gentleman asks unanimous consent that the previous question be regarded as ordered on this bill, and that it come up for consideration immediately after the reading of the Journal to-morrow morning; that the right to offer amendments be reserved, and that fifteen minutes' debate be allowed on each side.

Mr. PETERS. Other bills which have been objected to have been fixed for Monday, the 28th instant. Why should this bill have precedence over those?

Mr. MATSON. I wish to know, Mr. Chairman, whether the Committee of the Whole can make an order of the kind proposed so as to bind the House.

The CHAIRMAN. This would be simply in the nature of a recommendation to the House. Is there objection to the proposition which has just been stated by the Chair? The Chair hears none; and that order is made.

EVALINA P. BROWN.

The next business on the Private Calendar (the consideration of which was asked) was the bill (H. R. 7025) granting a pension to Evalina P. Brown.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Evalina P. Brown, widow of Jacob L. Brown, late private of Company A, Third Regiment North Carolina Volunteers.

The report (by Mr. WALKER) is as follows:

The bill was introduced by the writer of this report, in accordance with the recommendations of the honorable Commissioner of Pensions contained in his letter of January 13, 1888, that the claim of Evalina P. Brown, although meritorious, can not be allowed by the Pension Bureau, and should receive the favorable consideration of Congress.

The facts in the case, as shown by the papers submitted by the Pension Bureau, are as follows:

Claimant's husband, Jacob L. Brown, about August 1, 1864, at Strawberry Plains, Tenn., enlisted under Lieut. John W. Edwards, in Company A, Third North Carolina Infantry. After his enlistment he was employed as recruiting officer, and sent into Carter County, Tennessee, from which he returned about August 15, 1864, with some sixty or seventy men, to Guernsey Cove, Tenn., the place of meeting agreed upon with said Lieutenant Edwards.

Brown was again sent out for more recruits, having in the mean time been promised a commission in Company D of said regiment; but while out on this trip he was killed by Confederates; and therefore his name was not taken up on the rolls of the command at the time of its final muster.

The soldier's name not being borne on the rolls of the Adjutant-General's Office, the Pension Bureau is stopped from the favorable consideration of the widow's claim.

The widow has not remarried, and the Commissioner of Pensions, after special examination, believing the claim to be meritorious, has presented the same, as heretofore stated, under the provision of joint-resolution of May 29, 1890, for the consideration of Congress.

Your committee, after full consideration of the evidence presented, concur in the opinion of the Commissioner of Pensions, and therefore report favorably on the bill, and ask that the same do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HIRAM M. GOSS.

The next business on the Private Calendar (the consideration of which was asked by Mr. CHIPMAN) was the bill (H. R. 6840) for the relief of Hiram M. Goss.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Hiram M. Goss, late of Company A, Ninety-fourth Regiment New York Infantry, subject to the provisions and limitations of the pension laws.

The report (by Mr. CHIPMAN) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6840) for the relief of Hiram M. Goss, have examined the case, and find that he enlisted October 23, 1861, and was discharged at Carver Hospital, Washington, D. C., July 9, 1862, for disability. He applied for a pension in March, 1880, on the ground that in May, 1862, while detailed as a teamster engaged in hauling supplies from the depot to camp at Fredericksburgh, Va., a barrel of pork fell from his load and that the effort made by him to reload it caused a rupture in his right side. The claim was rejected because he did not show that the injury was incurred in the line of duty. He testified that he was entirely alone when the accident happened, and when in consequence of it he suddenly felt a sharp pain and sick at his stomach he did not know what was the matter. He drove team about a week after this, but, being unable to lift anything, was ordered back to his command. He told some of his comrades his trouble, and was informed by them that it was a breach or hernia.

The records in the office of the Adjutant-General show his enlistment as a private in Company A, Ninety-fourth New York Volunteers, his enrollment October 23, 1861, and his presence until April 30, 1862; that he was absent in May and June sick, at Alexandria, and was discharged at Carver Hospital July 9, 1862, for disability.

The records of the Surgeon-General's Office show that he was admitted to Carver Hospital June 12, 1862, but not the nature of his illness. The certificate of disability under which he was discharged sets forth that he was incapable of performing military service because of direct inguinal hernia.

Edward B. Saunders, De France Green, and Horace Green all testify that he was a sound, vigorous man when he enlisted, and afflicted with hernia after his discharge. Their testimony shows that they knew him from infancy up to his enlistment; worked, ran, wrestled, and played with him during boyhood and manhood, bathing with him hundreds of times, and that they knew that when he enlisted he was sound and healthy and free from hernia or other disability, but that when he came out of the service he told them he was suffering from hernia. These men certainly had every opportunity to know his physical condition before he enlisted. The examining surgeon (J. T. Keates) reports that he has hernia now and one-half incapacitated from obtaining his living by manual labor. The claimant himself testifies that he was stripped naked and thoroughly examined physically when he enlisted.

It appears, then, that he had no hernia when he enlisted, but did have it when discharged. Should he be denied a pension because in the course of his duty he was alone when he was injured? That certainly would be very hard if he tells the truth.

The committee recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JULIA WELCH.

Mr. PLUMB. Mr. Chairman, I did not observe that the Clerk had passed over on the Calendar the bill (H. R. 8291) granting a pension to Julia Welch. I ask its present consideration.

The CHAIRMAN. The bill will be read.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at the rate prescribed by existing provisions of law, the name of Julia Welch, widow of James H. Welch, late private Company A, Twelfth Regiment Illinois Volunteer Cavalry.

The report (by Mr. LANE) is as follows:

The soldier enlisted in the Army on the 4th of January, 1861, and he was discharged therefrom on surgeon's certificate of disability May 29, 1868, and at the time of his enlistment he was a sound, able-bodied man, and when he returned from the Army he was greatly emaciated and debilitated and suffering from chronic diarrhoea and heart disease, and that his disease continued to affect his general health and disabled him from performance of manual labor to the date of his death, February 24, 1880. The claim was rejected on the ground that the soldier's death was not due to his army service.

The testimony shows that the soldier contracted chronic diarrhoea and heart disease in the Army, and he was treated for this disease to the date of his death, and while he died from lung disease the testimony warrants the conclusion that it was the result of chronic diarrhoea, and therefore the result of his army service.

And the testimony further shows that the widow is poor, and she has no person legally bound to support her, and that she is dependent upon her own exertions for her living.

In view of all the facts of this case, the committee recommend that said bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

PETER C. CHEEKS.

The next business on the Private Calendar (the consideration of which was asked by Mr. BACON) was the bill (H. R. 7693) granting an increase of pension to Peter C. Cheeks.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of Peter C. Checks, late a private of the United States Marine Corps, at the rate of \$72 per month, in lieu of the amount (\$50) per month he is now receiving.

The report (by Mr. CHIPMAN) is as follows:

The committee find that Checks is now receiving \$50 per month, on account of consumption of the lungs, as a pension, and applied in 1886 for an increase, which was refused because he was not on the pension-rolls at the time of the passage of the act of June 16, 1880. The examining board, September 25, 1885, passing on his application for relief, find that he is in the last stages of consumption, and so disabled as to require the constant aid of an attendant. Since then he has lingered along a mere physical wreck, and is now in condition of so great feebleness that the prolongation of his life is a cause of wonder.

We recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LOVINA J. REEVES.

The next business on the Private Calendar (the consideration of which was asked by Mr. MILLIKEN) was the bill (H. R. 813) granting a pension to Mrs. Lovina J. Reeves.

The bill is as follows:

Be it enacted, etc., 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 Mrs. Lovina J. Reeves, of Ellsworth, Me., widow of the late Forest Reeves, late of Company M, First Maine Cavalry.

The report (by Mr. GALLINGER) is as follows:

This claim was favorably reported by the committee of the Forty-ninth Congress, but was not reached on the Calendar. The facts seem to be that Forest Reeves, the soldier upon whose service this claim is based, was pensioned on account of gunshot wound in right arm, received while serving as private in Company M, First Maine Cavalry. He died July 19, 1873, in the Worcester (Mass.) Lunatic Asylum, where he had been placed on account of insanity. Claim was rejected "on ground that the soldier's fatal disease (insanity) was not predisposed or excited by the gunshot wound of left arm, for which he was pensioned, nor in any manner chargeable to his military service."

The gunshot wound for which Reeves was pensioned is described as inflicted "by a spent ball, which entered on the inner aspect of the left arm, midway between axilla and elbow, and passing upward and backward lodged behind the triceps muscle, where it can now be felt."

Four special examiners worked upon this case and procured a large amount of testimony. Much of it tends to show that soldier had considerable trouble with his wounded arm, which pained him for years at the point where the ball could be felt, and that during his last years the pain extended to his neck and head. He gradually lost his faculties, and some months before he died it became necessary to send him to the asylum.

Dr. Eastman, superintendent of the asylum, says:

"It is very probable the ball hereinbefore mentioned may have produced such injury to the nerves near and among which it passed and remained as led to or hastened the development in the spinal cord and in the brain of the disease which was the pathological cause of his insanity."

In 1884 Dr. Hood, medical referee of the Pension Office, expressed the opinion that, "giving the claimant the benefit of the doubt, with recorded evidence, it appears the claim should be allowed and the widow pensioned;" but subsequent to this Dr. Hood's opinion was overruled and the claim rejected. With the history of Reeves's disability, as disclosed in many affidavits before us, as well as the medical opinions on file favorable to the claim, your committee feel justified in resolving all doubts in favor of the widow, and therefore report the bill back with a recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS BENSON.

The next business on the Private Calendar (the consideration of which was asked by Mr. MILLIKEN) was the bill (H. R. 6070) granting an increase of pension to Thomas Benson.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas Benson, late a private in Company A, Thirty-second Regiment Maine Volunteers, and pay him a pension at the rate of \$35 per month, in lieu of the amount he is now receiving.

The report (by Mr. GALLINGER) is as follows:

This case was favorably reported by both the committees of the Senate and House of the Forty-ninth Congress, but was not reached for consideration. It appears that soldier served as a private in Company A, Thirty-second Maine Volunteers. He applied at the Pension Office and was granted a pension under the provisions of the general laws at the rate of \$24 per month, for amputation of left leg, from March 3, 1863.

He files a petition with your committee asking for an increase on the ground that, in addition to the loss of his left leg below the knee, for which he is now receiving all that is allowed by the provisions of the general law, he also has a shell wound in the right hip, some 8 inches long and 3 inches deep, which is so near the spine that it affects that and the kidneys, and also his right leg and foot. His petition is signed by many neighbors, who ask that his claim be allowed, and the fact of this additional injury and increased disability is fully established. Claimant is poor and unable to labor to support his family.

Your committee report the bill back favorably, with a recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARQUIS D. DAVIS.

The next business on the Calendar (the consideration of which was asked by Mr. TOWNSHEND) was the bill (H. R. 722) for the relief of Marquis D. Davis.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Marquis D. Davis, late a private in Company B, Eighty-ninth Regiment of Illinois Infantry Volunteers, at the rate of \$8 per month.

The report (by Mr. LANE) was read, as follows:

The record shows that the soldier was mustered into service in Company B, Eighty-ninth Regiment Illinois Volunteer Infantry, August 13, 1862, at Camp Douglas, and while in the line of duty was ruptured and sent home by the officer in charge, with the understanding that his name should be erased from the roll; and his pension was rejected in the Pension Office on the ground that he was never enrolled in the service of the United States.

There can be no question but this soldier served in the Army, and six or seven witnesses testify in the record that the soldier was a sound man when he entered the Army.

The examining surgeon, R. Poindexter, certifies in the record that he examined the soldier for disability from scrotal hernia of left side, and he says in his opinion that soldier received his disability in the service and in the line of duty and that the disability is permanent, and in the opinion of the doctor the soldier is one-half disabled from performing manual labor.

It does not appear why the soldier's name is not on the rolls of the Army, but it is certain that he served in the Army, and while in line of duty and under orders of his commander, while drilling, was ruptured, and was injured to such an extent that he was entirely unable to perform the duty of a soldier, and that the soldier was sent home by the officer of the company.

This fact is sustained by the testimony of several of his comrades, and there can be no doubt about the fact of his service and that he received the injury complained of in the line of duty.

The committee therefore recommend that the bill do pass, with an amendment striking out all after "volunteers," in the seventh line of said bill.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

JAMES W. HARRIMAN.

The next business on the Calendar (the consideration of which was asked by Mr. THOMAS, of Wisconsin) was the bill (H. R. 618) granting a pension to James W. Harriman.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James W. Harriman, late of Company E, First Regiment Maine Cavalry Volunteers.

The report (by Mr. SAWYER) was read, as follows:

The Adjutant-General, United States Army, reports the soldier to have enlisted December 9, 1861, in Company E, First Maine Cavalry, and was captured in action at Middletown, Md., May 24, 1862, and so borne on the rolls until November and December, 1862, when he is reported present for duty. The rolls for May and June, 1863, show him as absent sick, and same to October, 1863, when he was transferred to the Veteran Reserve Corps—cause not stated—and discharged December 9, 1864.

The Surgeon-General, United States Army, reports the soldier as follows: Admitted to hospital, Washington, D. C., June 14, 1863, and transferred to Portsmouth Grove, R. I., July 3, 1863, where he was treated for hematuria until February 3, 1864, when he was returned to duty.

The soldier declares that at the battle of Chancellorsville, Va., May 2, 1863, he incurred double inguinal hernia from constant horseback riding, and was ordered to hospital because of his inability to ride. That no examination was made by the surgeon, at either hospital, where he was treated for some bladder trouble and other complaints, to ascertain what his true condition was.

Capt. George W. Hassey testifies that near Chancellorsville, Va., the soldier was injured while in the saddle, and in the line of duty; that he saw him immediately after he was injured, and remembers the fact well, but is unable to state in what part of the body; that he was sent to the hospital for treatment for the injury.

The claimant, unfortunately, can not furnish the affidavit of officers or comrades, showing incurrence of hernia in the service, because of the death of his captain and of Lieutenant Ellis, and because of his inability to find a comrade who is conversant with the facts.

The soldier was discharged December 9, 1864, and subsequently went to Wisconsin, where he arrived January 3, 1865, and got employment as cook in a lumber camp because of his inability to do any heavy lifting.

E. Miner, Necedah, Wis., testifies that he procured a truss for the soldier in January, 1865, and purchased another some two years later.

H. L. Nye and P. R. Stivins testify that they have been acquainted with soldier since 1865; never knew him to do any heavy labor; when he came to Wisconsin he got employment as cook in a lumber camp, and they understood that the reason he could not labor was on account of rupture; that he frequently complained of pains, and trouble generally ascribed to rupture.

The claim was rejected by the Pension Office November 25, 1881, on the ground that there was no record of hernia, and the inability of the claimant to furnish testimony of incurrence in the service.

In view of the fact that some eighteen months elapsed between the date of enlistment and the date the injury was received leads to the presumption that he was sound at the date he entered the service, and as it is shown that he suffered from the cause alleged (rupture) at the date of his discharge, and a truss was purchased for him within thirty days from the date of his discharge, and the United States examining surgeon sets forth in his report that in his opinion the disability was incurred in the service of the United States, 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.

ELIZABETH SMITH.

The next business on the Calendar (the consideration of which was asked by Mr. MORRILL) was the bill (H. R. 6478) granting a pension to Elizabeth Smith.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension act, the name of Elizabeth Smith, dependent mother of George Harbaugh, late of Company H, Fifty-fifth Regiment Pennsylvania Volunteer Infantry.

The report (by Mr. MORRILL) is as follows:

The evidence submitted to your committee in support of this bill shows that Elizabeth Smith is the mother of George Harbaugh, late of Company H, Fifty-fifth Pennsylvania Volunteers. The father of the soldier died long prior to the war, and the mother remarried. Her second husband also died prior to the war. During the war the soldier supported his mother, who was then dependent.

In February, 1864, soldier while at home on a furlough was married, and after his return to the Army he was, a few months afterwards, wounded in action in front of Petersburg, from the effects of which he died at Fortress Monroe July 11, 1864.

The widow received a pension until 1869, when she re-married. No one is now receiving a pension on account of the soldier's death. As long as he lived he contributed liberally to her support. She is now destitute, and for three years worked for 75 cents a week to support herself. She is now nearly seventy years old, and through the infirmities of age is unable longer to earn a support.

Your committee feel that the general laws ought to be so amended as to include cases of this class, but in the absence of general legislation they recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LOUISE PAUL.

The next business on the Calendar (the consideration of which was asked by Mr. LAFFOON) was the bill (S. 749) granting a pension to Louise Paul.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Louise Paul, widow of Brig. Gen. Gabriel R. Paul, United States Army, and to pay her a pension of \$100 a month, in lieu of the pension she is now receiving.

Mr. CHEADLE. I will give notice to the gentleman that, unless this goes over to a full House, I shall be compelled to raise the question of a quorum on its passage.

Mr. LAFFOON. Then I ask that it be permitted to go over under the restrictions that have heretofore applied to such bills. I ask that its consideration be fixed for to-morrow, that the previous question be considered as ordered on its passage, and that the usual debate be had on each side for fifteen minutes.

Mr. CHIPMAN. That it take the same course as the Woodbury bill.

Mr. LAFFOON. Yes, sir.

Mr. BAKER, of New York. Let us have the report read.

Mr. CHEADLE. I do not ask the reading of the report, as the bill is not now to be considered.

Mr. BAKER, of New York. Very well; since it is not proposed to consider it now.

Mr. LAFFOON. I ask that the report be printed in the RECORD and that the bill go over until to-morrow with the conditions annexed that I have suggested.

Mr. CHEADLE. And let the usual order be made that the previous question be considered as ordered upon the passage of the bill; that fifteen minutes' debate on each side be allowed, and that it go over until to-morrow morning, subject, however, to the right of amendment.

There was no objection, and it was so ordered.

The report (by Mr. HUNTER) is as follows:

It appears that by act of Congress approved August 4, 1886, a pension was given to Mrs. Paul as the widow of Brig. Gen. Gabriel R. Paul, United States Army, at the rate of \$50 per month. It now appears that Mrs. Paul applies for an increase of pension.

The committee, in considering this application, have had their attention called to the following official statement of facts in support of said application:

"Statement of facts in support of a bill to grant a pension to Louise Paul, widow of Brig. Gen. G. R. Paul, United States Army.

"Brig. Gen. Gabriel R. Paul was born in St. Louis, Mo., appointed to West Point from that State, and graduated in July, 1834. From 1834 to 1839 he was on frontier duty, and in 1839 was engaged in the Florida war. From 1839 to 1842 he was on recruiting duty, and in 1842 was in the war against the Seminole Indians, a camp of whom he surprised near Tampa Bay. He served with distinction throughout the Mexican war, having taken part in the defense of Fort Brown, the battle of Monterey, siege of Vera Cruz, the battle of Cerro Gordo (where he was wounded), Contreras, Churubusco, and Molino del Rey. He led the storming party at Chapultepec, which captured the enemy's flag, and was for this act of gallantry brevetted major. For his service in Mexico he was presented by the citizens of St. Louis with a sword. From 1848 to 1850 he was in garrison at Fort Leavenworth, 1850-51 at Jefferson Barracks, and in 1851-52 on frontier duty at Corpus Christi, Tex.

"In 1852 he served with the Rio Grande expedition, in which he captured Carvajal and his gang of desperadoes. He was also in the Utah expedition of 1858-59-60, and was engaged in the surprise and capture of a camp of hostile Indians on Spanish Fork. He was actively engaged in the late war, having rendered valuable service in New Mexico in 1861-62. Subsequently he served with the Army of the Potomac, taking part in the battles of Fredericksburgh and Chancellorsville and in its Pennsylvania campaign. At the battle of Gettysburg, while in command of a brigade, he was seriously wounded, a bullet entering his head about 1½ inches behind the right eye and on a level with it, passing through his head and emerging through the left socket, carrying the left eye with it.

"Thus in an instant the vision of both eyes was completely destroyed, and at the same time the senses of smell and of hearing were greatly impaired. From the effects of this wound he suffered acutely ever after in the shape of violent attacks of pain in the head and of epilepsy, necessitating the constant presence of an attendant. During the last few years of his life these epileptic attacks became very frequent, not only daily, but sometimes to the number of six during the day and night. It was in one of these attacks of unusual severity, and the direct consequence of it, that he died, as shown by the report of the attending army surgeon, a certified copy of which is appended hereto.

"The career of General Paul was a series of gallant exploits in his country's defense, covering a period of nearly thirty years of actual service in the field, and embracing the Florida wars, the Mexican war, and closing with the battle of Gettysburg, where his sight was completely destroyed. In recognition of his gallantry on this occasion he was presented by the Twenty-ninth New Jersey Volunteers with a handsome jeweled sword, and was brevetted brigadier-general. In February, 1865, he was retired from active service 'for disability resulting from wounds received in line of duty,' and was assigned to duty at the Soldiers' Home, Washington, D. C., until June, 1865, when he was placed in charge of the Military Asylum at Harrodsburgh, Ky. Here he remained until December 20, 1866. This was his last duty.

"He died in this city on the 5th of May, 1886, having been in the service fifty-

one years and ten months. His widow, Mrs. Louise Paul, is much in need, and asks that relief which the bill recently introduced by Senator HAWLEY provides—a relief for which there are very many precedents.

"Respectfully submitted,

"R. A. MARMION,
"United States Navy."

"[Office of the attending surgeon, United States Army, No. 1733 G street, N. W.]

"WASHINGTON, D. C., May 5, 1886.

"SIR: I have the honor to report that Brig. Gen. Gabriel R. Paul, U. S. A., retired, died at his residence in this city at 10 o'clock this morning.

"The cause of death was coma, following on an epileptiform convulsion, the result of a wound received at the battle of Gettysburgh, Pa.

"I am, sir, very respectfully, your obedient servant,

"R. M. O'REILLY,
"Assistant Surgeon, U. S. Army."

"The ADJUTANT-GENERAL, U. S. A.,

"Washington, D. C.

"A true copy.

"R. A. MARMION,
"Surgeon, U. S. Navy."

"WASHINGTON, D. C., May 25, 1886."

"WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,

"Washington, May 25, 1886.

"Statement of the military service of Gabriel R. Paul, late of the United States Army, compiled from the records of this office.

"He was a cadet at the United States Military Academy from July 1, 1829, to July 1, 1834, when graduated, and appointed brevet second lieutenant Seventh Infantry; promoted second lieutenant December 4, 1834; first lieutenant October 26, 1836; captain April 19, 1846; major Eighth Infantry April 22, 1861; lieutenant-colonel April 23, 1862, and colonel Fourteenth Infantry September 13, 1864; was retired as colonel February 16, 1865, and with rank of brigadier-general July 23, 1866.

"He was mustered in as colonel, Fourth New Mexico Infantry, December 9, 1861, and honorably mustered out May 31, 1862; was appointed brigadier-general of volunteers September 5, 1862, which expired by constitutional limitation March 4, 1863; he was reappointed brigadier-general of volunteers April 18, 1863, and honorably mustered out of the volunteer service September 1, 1866.

"He received the brevets of major September 13, 1847, 'for gallant and meritorious conduct in the battle of Chapultepec,' and of brigadier-general, United States Army, February 23, 1865, 'for gallant and meritorious services in the battle of Gettysburgh, Pa.'

"He was on graduating leave to October 15, 1834; with his regiment at Forts Arbutle and Gibson, Ind. T., to February 7, 1839; in the Florida war to (on recruiting service from March, 1840, to June 17, 1842) October 23, 1842; on leave to December 7, 1842; with regiment at Fort Brooke, Fla., to March 30, 1843; at New Orleans and Baton Rouge Barracks, La., to June, 1844, and at Pass Christian, Miss., to October 6, 1844; on leave to November 13, 1844; with regiment at New Orleans Barracks, La., and at Pass Christian, Miss., to April 22, 1846; in the war with Mexico to July, 1848, and at Jefferson Barracks, Mo., to September 18, 1848; on recruiting service to August 29, 1850; with regiment at Fort Leavenworth, Kans., to September 15, 1850; en route to Santa Fe, N. Mex., and return to October 26, 1850; at Jefferson Barracks, Mo., to April 17, 1851; at Corpus Christi, Tex., to January 3, 1852, and at Ringgold Barracks, Tex., to July 25, 1853; on leave to February 18, 1854; with regiment at Fort Belknap, Tex., to February 13, 1858; at Jefferson Barracks, Mo., to May 26, 1858, and on the Utah expedition, and at Camp Floyd, Utah, to April 21, 1859; on leave to July 22, 1859; on detached service with recruits to October 8, 1859; with regiment at Camp Floyd, Utah, to May 16, 1860; at Albuquerque, N. Mex., to February 28, 1861, and at Fort Fillmore, N. Mex., to June, 1861; instructing volunteers at Fort Union, N. Mex., and from December 9, 1861, commanding the Fourth New Mexico Volunteers at that post to April 6, 1862; and in the field, New Mexico, to May 31, 1862, when honorably mustered out as colonel of that regiment; acting inspector-general of General Casey's Provisional Brigades, in the defenses of Washington, D. C., from August 12 to September, 1862; commanding Third Brigade, First Division, First Corps, Army of the Potomac, from October 14, 1862, to July 1, 1863, when severely wounded at the battle of Gettysburgh, Pa.; absent on account of wounds to February 16, 1865, when he was retired as colonel for loss of sight, resulting from wounds received in action, and with rank of brigadier-general, under act of July 23, 1866; was in charge of the military asylum at Harrodsburgh, Ky., from June 13, 1865, to December 20, 1866, from which date he was unemployed to May 5, 1886, when he died at Washington, D. C. By a resolution of Congress, approved April 12, 1870, he was granted the full pay and allowances of brigadier-general.

"A true copy.

"R. C. DRUM, Adjutant-General.

"O. D. GREENE, —

"Assistant Adjutant-General."

And, in connection with the foregoing, the statement made by Mrs. Paul that owing to the condition of General Paul from the time of his receiving his severe wound it was "such as to entirely disable him from the management of his business," and that "he was so helpless as to need constant attendance," and that "the necessary expenses of his family took up all of General Paul's pay, so that at his death nothing had been saved," and that his widow and daughter are entirely dependent on such pension as may be granted by Congress.

These allegations are supported by the certificate of Dr. O'Reilly, surgeon, United States Army (see Exhibit A), and by other testimony. General Paul was a helpless invalid almost from the date of his wound, received at the battle of Gettysburgh, requiring the constant attention of his wife, and therefore neither one was able either to contribute to an estate or save one. The amount of increase asked for is barely sufficient to secure the object Congress originally had in view in the allowance of a pension by the act of August 4, referred to; and believing this case to be one of exceptional merit and in the line of policy adopted by the Government, this committee recommend that the prayer of the petitioner be granted, and submit the accompanying bill, recommending its passage.

[Office of the attending surgeon, United States Army, No. 1733 G street, N. W.]

WASHINGTON, D. C., January 31, 1887.

SENATOR: As medical attendant for several years on the family of the late Brig. Gen. Gabriel R. Paul, I became well acquainted with their financial affairs. As you are probably aware, General Paul's condition, resulting from a severe wound, was such as to entirely disable him from the management of his business, and he was so helpless as to need constant attendance. The necessary expenses of the family took up all of General Paul's pay, so that at his death nothing had been saved. I believe that Mrs. and Miss Paul are entirely dependent on such pension as may be granted by Congress.

I am, Senator, very respectfully, your obedient servant,

A. M. O'REILLY, M. D.,
"United States Army."

Hon. W. C. WHITTHORNE,
"United States Senator."

CULLEN W. GREEN.

The next pension bill on the Private Calendar called up for consideration (by Mr. SHIVELY) was the bill (H. R. 3537) granting a pension to Cullen W. Green.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Cullen W. Green, late of Company I, Forty-fourth Indiana Volunteers.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3537) granting a pension to Cullen W. Green, have considered the same, and now submit the following report:

Cullen W. Green was enrolled January 10, 1862, in Company I of the Forty-fourth Regiment Indiana Infantry Volunteers, and was honorably discharged June 23, 1865.

He filed application for pension March 30, 1880, alleging that at the battle of Mission Ridge, Tennessee, about September 20, 1863, he was ruptured on the left side by straining and overexertion in going down the side of the mountain.

The claim was rejected on the ground of there being no record of the alleged rupture, having received no treatment in service, and claimant being unable to furnish evidence of its incurrence in line of duty, or the testimony of persons who saw the same prior to his discharge.

There is abundance of evidence in the affirmative, and none in the negative, that the soldier at the time of enlistment was a healthy man and free from hernia. The reason there is no medical record or that he is unable to furnish the evidence of comrades is because it was incurred when he was captured at the battle of Chickamauga, Tenn. He was ruptured on the 19th or 20th of September, 1863, at the battle of Chickamauga, while retreating down from the summit of Mission Ridge.

Immediately, the same day, after suffering the injury, he was taken prisoner and confined in Libby Prison about six months. From Libby Prison he was taken to Macon, Ga., and from there to Savannah; from Savannah to Charleston, S. C., and from Charleston to Columbia, and was retained a prisoner of war until March, 1865, when he was paroled and sent to Columbus, Ohio, and was, some time in May, 1865, exchanged and returned to the Forty-fourth Regiment Indiana Volunteers, and was then soon mustered out on account of expiration of term of service. He received no treatment in the Army excepting such as was given him while in the hands of the Confederates. Since his discharge he has been treated for hernia by Dr. R. J. Hagerty, lately deceased, and has received no treatment from any other physician for said complaint. At the time said soldier received said injury he was but twenty years old and did not know what rupture was, and he did not have an opportunity while a prisoner of war to gain any medical information in regard to it.

C. G. Conn testifies as follows:

"I was a prisoner of war and confined at Columbia, S. C., with Lieut. C. W. Green. The said C. W. Green complained of hernia during our imprisonment, and at times seemed to suffer very much from it. I have also been acquainted with him since his return home from the war, and do not consider him capable of enduring severe manual labor. I was also intimately acquainted with him before his enlistment, and am satisfied that at that time he was sound and free from the alleged disability."

E. P. Willard and S. P. Wilcox testify that—

"They have known claimant for about eleven years; that he has not been able to perform manual labor to the extent of a full man's labor, and they believe his disability is the result of rupture or hernia on left side."

Henry C. Dodge, assistant surgeon Seventy-fourth Indiana Volunteers, testifies that—

"In 1872 claimant bought a truss of affiant, and stated that he had tried for a long time to obtain a truss which would hold his hernia in a safe position; that he then stated that he incurred it while being hurried as a prisoner of war down toward the rear of enemy's line."

The examining surgeon, Dr. P. D. Harding, says: "Cullen W. Green has a direct inguinal hernia of the left side, which causes a tumor the size of a pheasant's egg. He wears a well-fitting truss and suffers but little when the truss is worn."

After a careful examination of all the evidence in this case, and taking into consideration all the circumstances surrounding the soldier during his long imprisonment, making it impossible for him to furnish such medical and other evidence in regard to his disability as is required by the existing laws and the rules of the Pension Office, the committee are of the opinion that this is a meritorious case, and that the relief asked for in the bill ought to be granted.

We therefore submit a favorable report, and recommend the passage of the bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOANNA BARRY.

The next pension bill on the Private Calendar called up for consideration (by Mr. JOHNSTON, of Indiana) was the bill (H. R. 4653) to grant a pension to Joanna Barry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-rolls the name of Joanna Barry, widow of Lieut. John Barry, late of Company C, First United States Cavalry, subject to the provisions and limitations of the general pension laws.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4653) granting a pension to Joanna Barry, have considered the same, and now submit the following report:

John Barry, husband of Joanna Barry, was pensioned at the rate of \$7 per month for chronic rheumatism. The widow filed claim for pension, alleging that soldier died from the effects of the disease for which he was pensioned. The claim was rejected on the ground that it was not proved that the diseases which caused the husband's death were connected as results with his military service.

Dr. Frank Hyatt, the physician who attended the soldier during his last illness, testifies that the immediate cause of his death was stricture of the œsophagus and pneumonia; that the pneumonia was of but one day's duration and hastened his death but little, if any, as the patient was in a moribund condition when it supervened, and he had been expecting him to die for several days; that he believes the stricture of the œsophagus was the immediate cause of his death, and that this stricture was caused by its muscular fibers being the seat of rheumatic inflammation, leading to contraction of that canal; that for several days he was unable to swallow anything solid, and was able to swallow only the smallest amount of liquid; that there was no cancerous cachexia and no symptoms or history of syphilis; that Dr. Basil Morris stated that Captain Barry had contracted rheumatism in the service and had been afflicted with it

continuously from discharge; that his limbs were drawn out of shape by it, and, in his opinion, the stricture which caused his death was due to his rheumatic condition.

The only evidence against the testimony of the attending physician is the opinion of the medical referee, which, in the opinion of the committee, is not of sufficient weight, in a pathological sense, to cause a rejection of the claim.

The committee therefore submit a favorable report, and recommend the passage of the bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

ANNA M. THIELE.

The next pension bill called up for consideration (by Mr. MATSON) was the bill (H. R. 6976) for the relief of Anna M. Thiele.

The CHAIRMAN. The Chair is informed that this bill can not be found at this moment by the Clerk.

Mr. MATSON. I was under the distinct impression that that bill was passed some weeks ago.

The CHAIRMAN. For the present it will be passed over, and the Clerk will make inquiry as to the fact.

JOHN SHINE.

The next pension bill on the Private Calendar called up for consideration (by Mr. FORD) was the bill (H. R. 5544) granting a pension to John Shine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-rolls the name of John Shine, late of Company L, Seventh Regiment Michigan Cavalry, subject to the provisions and limitations of the pension laws.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5544) granting a pension to John Shine, having considered the same, submit the following report:

Shine served in Company L, Seventh Regiment Michigan Cavalry, during the war of the rebellion, and afterwards applied for a pension on account of an injury to his left leg, alleging that it was received in the line of duty. The Bureau of Pensions rejected his application on the ground of "claimant's inability to furnish evidence to show that the alleged injury was received in the line of duty; the evidence strongly indicates that it existed prior to his enlistment."

It appears from Shine's affidavit that he was on temporary picket duty in 1863 with other men, who were unknown to him, and while on such temporary duty his horse was shot, and fell upon his leg, severely injuring him. That he (Shine) is utterly unable to ascertain the whereabouts and furnish the testimony of those who would be prepared to testify to his receiving the injury, because their names and residences are entirely unknown to him. This statement, if believed, would apparently account for his "inability to furnish evidence to show that the alleged injury was received in the line of duty."

As to Shine's reputation for truth and veracity, and as to the existence of his injury prior to enlistment, a number of affidavits have been submitted to the committee, as follows:

Alexander Gillett testifies that—

"He has known Shine for thirty years, and that just prior to his enlistment 'he was called the best workingman in the township of Paris,' where he resided; that Shine returned from the war very lame, saying his horse had been shot and had fallen on him; that his lameness has grown worse of late years, until now he is unable to work; that his reputation for truth and veracity is good."

Charles Yanson testifies that—

"He knew Shine well before his enlistment; that he worked for Shine on his farm, and that Shine was in good physical health, and was not troubled with lameness; that after Shine returned from the war he was lame, and accounted for his lameness by saying his horse had been shot and had fallen on his leg; that Shine bears a good reputation for truth and veracity."

James Dennis, in an affidavit submitted to the committee, states that—

"He has known Shine thirty years, and that when Shine enlisted he was, to all appearances, a healthy man. That when Shine came home from the war he was lame and said his horse had been shot and had fallen upon him. That Shine's reputation for truth is good."

Samuel Langdon testifies that—

"He has known Shine for fifteen years, and that he is an honest man in his dealings with others, and among his neighbors enjoys a good reputation, and is a man whose statements can be relied on fully."

Issac D. Hazen testifies that—

"He has known Shine well for thirty years, and that he was in good physical health at the time he enlisted; that immediately after Shine came home from the Army affiant saw him, and he was lame in one of his legs, and stated it had been caused by his horse falling on him after being shot; that Shine's lameness has increased ever since, until now he is unable to work; also, that affiant believes Shine's statements in regard to his injury in the service are true; that he is a man of truth and veracity, and bears a good reputation in the neighborhood where he resides."

Dr. John Brady, late assistant surgeon, United States Army, testifies that—

"He was Shine's physician before the war, and that he has no reason to know that he was unsound; that since the termination of the civil war Shine has been an invalid in consequence of an injury to the left knee-joint, and at present he is a permanent invalid."

Dr. Oscar H. Chipman testifies that—

"He was formerly a surgeon in the United States Army and made a physical examination of Shine at the time he enlisted, and that he was a sound, healthy man at that time; that after the war he examined Shine, and found he had an injury to his left leg."

The record in the Surgeon-General's Office discloses the fact that Shine was admitted to the post hospital, Cliffburn Barracks, October 15, 1863, with a contused wound of the knee, and was discharged from the service November 6, 1863.

In view of the above the committee recommend that the bill do pass.

The bill was laid aside to be reported to the House with a favorable recommendation.

PLEMAN COOK.

The next pension bill on the Private Calendar called up for consideration (by Mr. FORD) was the bill (H. R. 5177) granting a pension to Pleman Cook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Pleman Cook,

late of Company D, Sixth Ohio Cavalry Volunteers, subject to the laws regulating pensions.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill H. R. 5177, having considered the same, beg leave to submit the following report:

Pleasant Cook enlisted as a private in Company D, Sixth Regiment Ohio Cavalry, November 2, 1861, and served until the close of the war, being honorably discharged June 27, 1865. On June 28, 1889, he applied for a pension on the ground of hernia in the left groin. On October 14, 1885, his application was rejected by the Department on the ground of "inability of claimant to furnish testimony showing the existence of hernia while he was in the service."

From the testimony submitted to the Pension Department and to the committee, it appears, overwhelmingly, that Cook, at the time of enlistment, was a sound, healthy, able-bodied man, with no hernia or any indication of one. That he served faithfully until the close of the war. That in 1864, at Culpeper, Va., after long-continued and arduous duty in the saddle, upon dismounting, he felt a sharp, smarting pain in the left groin; that after resting awhile upon his back the pain ceased. That he was troubled from time to time thenceforward with the same smarting pain, and that when it came on he was obliged to lie down for awhile because it was so severe he could not continue on duty. That notwithstanding the fact that this pain gave him a good deal of trouble he did not go to a hospital, but continued on duty, although somewhat disabled, until the close of the war. That upon returning home he attempted to work upon his father's farm; that at once, to wit, the second day after he arrived home, a hernia appeared in his left groin, right at the point where he experienced this pain, which hernia has continued ever since.

Taking the conceded circumstances into account, they tend directly to corroborate Cook's statement. That he was an able-bodied man at the time of enlistment there can be no question. That he was ruptured two days after arriving home while performing only ordinary farm work would be a surprising circumstance were it not taken in connection with his statement of injury in the service, the symptoms of which correspond directly with those of hernia.

Cook is now an inmate of the Michigan Soldiers' Home, is paralyzed in his lower limbs, and his rupture has become enlarged. The committee think he should be given the benefit of all doubts, if any exist, and believe that a fair construction of the testimony submitted to them warrants the committee recommending the passage of the bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE W. CROOP.

The next pension bill on the Private Calendar called up for consideration (by Mr. RUSSELL, of Connecticut) was the bill (H. R. 8256) granting a pension to George W. Croop.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George W. Croop, late a private of Company A, Thirty-ninth Illinois Infantry.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8256) granting a pension to George W. Croop, find that he was enrolled as a private in Company A, Thirty-ninth Regiment Illinois Infantry, entered the service on September 16, 1861, and was discharged for disability July 21, 1862. He claims that the disability was chronic diarrhea, incurred in the service, and that he has suffered from it ever since. His claim for pension was rejected because he could not ascertain the address of comrades who served with him, and because, too, the hospital record does not show the exact nature of his disability. He avers that he was in regimental hospital. He was sixty-seven years of age in May, 1883, when he applied for pension, and is now about seventy-one years. His comrades and others petition for a pension on account of his destitute circumstances.

We recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ADELAIDE L. JESSUP.

The next pension bill on the Private Calendar called up for consideration (by Mr. LODGE) was the bill (H. R. 2475) granting a pension to Adelaide L. Jessup.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Adelaide L. Jessup, daughter of Robert W. Jessup, late a private in Company K, Seventh Regiment United States Veteran Volunteers, for a pension as minor child of a soldier who died in service.

The Committee on Invalid Pensions recommended the following amendment:

In line 8 strike out the words "for a pension as minor child of a soldier who died in service" and insert "and pay her a pension at the rate of \$18 per month, such payments to be made to her legally constituted guardian."

The report (by Mr. FRENCH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2475) granting a pension to Adelaide L. Jessup, have had the same under consideration, and beg leave to submit the following report:

The beneficiary named in the bill is the daughter of Robert W. Jessup, who served as private in Company K, Seventh United States Veteran Volunteers, and was at date of his death, July 21, 1857, a pensioner at the rate of \$30 per month. He left no wife surviving. Adelaide L. Jessup is an imbecile, and having passed the age of sixteen years is no longer entitled to pension. She is left without means of support, and taken care of at the present time by her only sister, who has been appointed her guardian, but whose financial condition is such as to preclude the possibility of a proper maintenance of this unfortunate woman.

These facts are shown by the certificate of the proper court and the affidavits of credible witnesses who are fully acquainted with all the circumstances surrounding the case.

Congress, in similar cases, has given relief to the helpless and dependent relatives of deceased soldiers, not provided for in the general laws governing the granting of pensions.

The soldier's helpless condition for over twenty years after discharge made it impossible for him to leave any means out of which to maintain his daughter, who, by reason of her unfortunate condition, is herself unable to earn anything towards her support.

Following this liberal action on the part of Congress, your committee report favorably on the accompanying bill, and ask that it do pass, amended, however, by striking out all after the word "Volunteers," in line 8, and insert instead the words "and pay her a pension at the rate of \$18 per month, such payments to be made to her legally-constituted guardian."

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ISABELLA F. DYKE.

The next pension bill on the Private Calendar called up for consideration (by Mr. LONG) was the bill (H. R. 8694) granting a pension to Isabella F. Dyke.

The bill was read, as follows:

Be it enacted, etc., 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 Isabella F. Dyke, mother of the late Edward G. Dyke, late second lieutenant of Company F, Thirty-eighth Regiment Massachusetts Volunteers.

The Committee on Invalid Pensions recommended the following amendment:

In lines 6 and 7 strike out the words "late second lieutenant of Company F, Thirty-eighth Regiment Massachusetts Volunteers," and insert "late first lieutenant and adjutant, Thirty-eighth Regiment Massachusetts Volunteers."

The report (by Mr. FRENCH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8694) granting a pension to Isabella F. Dyke, have had the same under consideration, and beg leave to submit the following report:

Isabella F. Dyke is the mother of Edward G. Dyke, who served in Company F, Thirty-eighth Massachusetts Volunteers, and as adjutant of the regiment from August 12, 1862, until May 17, 1865. He contracted disease of lungs while serving as first lieutenant and adjutant, for which he was pensioned at the time of his death, October 10, 1886, at the rate of \$50 per month. He left surviving him a widow, who was also pensioned, but left no minor child surviving him. The widow died after the allowance of her claim.

Because of the fact that the soldier left surviving him a widow his mother is not pensionable under existing laws.

It appears, however, from the sworn statement of the chairman of the board of selectmen of Plymouth, Mass., where the mother resides, and others, that she was dependent upon the soldier during his lifetime for her support; that she is seventy-one years of age, in feeble health, nearly blind, and without property or income, and now dependent upon the charity of her friends. Her husband died thirty years ago.

Congress in similar cases has granted relief to the poor and aged parents of soldiers who died of disease contracted in the service, and who are, for reasons heretofore stated, debarred from the benefits of the general pension laws.

The case under consideration is equally meritorious, and therefore your committee report favorably on the accompanying bill, and ask that it do pass, amended, however, by striking out all after the words "Edward G. Dyke," in line 6, and inserting therein instead the words "late first lieutenant and adjutant Thirty-eighth Regiment Massachusetts Volunteers."

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

TILLMAN FAUX.

The next pension bill on the Private Calendar called up for consideration (by Mr. LEHLBACH) was the bill (H. R. 5378) for the relief of Tillman Faux.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Tillman Faux, late a private in Company E, Two hundred and tenth Regiment Pennsylvania Volunteers.

The report (by Mr. PIDCOCK) was read in part.

Mr. DOCKERY. I ask unanimous consent that the further reading of the report be dispensed with, and that it be printed in the RECORD.

There was no objection.

The report in full is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5378) for the relief of Tillman Faux, have had the same under consideration, and beg leave to submit the following report:

Tillman Faux enlisted in Company E, One hundred and thirty-second Pennsylvania Volunteers, August 7, 1862, and was discharged therefrom May 24, 1863. He again enrolled in Company I, Thirty-fifth Pennsylvania Militia, June 29, 1863, and served in the Gettysburg campaign until mustered out, August 7, 1863. On the 7th of September, 1861, he again enlisted in Company E, Two hundred and tenth Pennsylvania Volunteers, and served until mustered out, May 30, 1865.

He applied for pension December 8, 1879, on account of rupture of left side alleged to have been incurred about April 1, 1865, near Appomattox Court-House, Va., by the pulling out of a stake to which the surgeon's horse was picketed. This claim has been rejected on the ground that there is no record of the injury, and the parol evidence is not deemed sufficient to establish origin in the service and line of duty, and the rejection was affirmed by the Secretary of the Interior.

The claim has been specially examined, and although none of the witnesses examined were present at the time of the injury (claimant then being on detail at brigade headquarters), a number of comrades testify that they saw the rupture shortly thereafter and while yet in service, and were then informed that it was incurred under the circumstances now related by claimant. The divorced wife of claimant, strongly prejudiced against him, testifies that upon his return home in 1865 he wore a truss, and then informed her that he was ruptured while pulling a stake by order of the surgeon.

The special examiner, in finally submitting the case, says: "The evidence now on file is not, to my mind, altogether satisfactory, yet I believe other and better can not be furnished. * * * There is a record of wound of right foot about the time he claims to have been ruptured. All this is against him; yet the preponderance of evidence is in his favor. Claim must be admitted or rejected. Doubts should be resolved in his favor. From the evidence secured by Special Examiners Chreyter and Vosburgh, I am inclined to the belief that this claim has merit. Under the liberal practice of the office, I can but recommend that it be allowed."

The Secretary of the Interior, in his decision, likewise refers to the record of treatment for contused wound of foot about the time of injury or rupture alleged, and says that the Department is at a loss to determine why claimant's hospital

record should notice contused wound of foot and fail to mention hernia. He further says:

"The claim bears marks of merit, and further investigation might establish it, but as it now stands it is involved in doubts that are too thick to be solved by the Department."

The record of contused wound instead of hernia seems to your committee to be satisfactorily explained. Claimant, in the morning of the day on which he was ruptured by the pulling up of the stake to which the surgeon's horse was picketed, while driving the same stake into the ground, accidentally struck his foot on the instep with the pole of the ax, which did not seem to hurt him much, but afterwards swelled up and troubled him for some time. It was really the more serious of the two injuries received on that day; hence the record of the wound instead of the hernia. The reputation of the claimant is of the highest order, as attested by his employers and neighbors.

From all the evidence in the case it appears to the satisfaction of your committee that claimant was sound at enlistment; that he received an injury while in service which resulted in rupture of left side, and that he has been a constant sufferer therefrom ever since.

The accompanying bill is therefore returned 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.

FRIEDERICKE RAFF.

The next pension bill on the Private Calendar called up for consideration (by Mr. THOMAS, of Wisconsin) was the bill (H. R. 927) for the relief of Friedericke Raff.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Friedericke Raff, widow of the late Theodore Raff, a private in Battery K, Second Regiment United States Artillery.

The report (by Mr. PIDCOCK) was read in part.

Mr. LONG. I ask unanimous consent that the further reading of the report be dispensed with, and that it be printed in the RECORD.

Mr. MATSON. I object.

The Clerk resumed and concluded the reading of the report, which is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 927) for the relief of Friedericke Raff, have had the same under consideration, and beg leave to submit the following report:

Friedericke Raff is the widow of Theodore Raff, who served as private in Company K, Second United States Artillery, from February 11, 1859, to February 10, 1864, and died of hydrops, November 24, 1882. He was a pensioner for gunshot wound of abdomen. The widow's claim has been rejected on the ground that the fatal disease was not due to the wound, nor in any other way chargeable to the soldier's military service.

The medical examinations show that ball entered midway between umbilicus and anterior superior spinous process of ilium; made exit over ninth rib near spine.

Charles W. Hagen, late surgeon Fifty-fourth Regiment New York Volunteers, and a prominent physician of Newark, N. J., testifies that he was acquainted with the soldier for ten years prior to his death, and treated him for six years. The wound was immediately beneath the liver. Since 1876 Raff was subject to frequent attacks of hepatitis, peritonitis, enteritis. The liver was enlarged and the patient had an outspoken icterus. In 1880 his condition became critical, the patient was extremely emaciated and anemic, the heart's action became irregular, and anasarca was soon followed by general dropsy. The disease from which the soldier died was hepatitis, which was followed by cirrhosis and general hydrops.

Soldier was also treated for neuralgia and rheumatism while in service, and medical examination shows a rheumatic condition for six years prior to death.

The statement of the family physician should not be ignored in the consideration of the widow's claim. The wound unquestionably appears as a factor in the cause of the soldier's death. Its close proximity to the seat of the disease necessarily suggests a close relation to the fatal disease, if not the direct cause. This is the opinion of the attending physician, and he being skilled in his profession and of good repute, no good reason appears why Congress should not accept the same and grant the relief asked for.

Your committee, therefore, report favorably on the accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

FRANKLIN LONG.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was the bill (H. R. 5114) granting a pension to Franklin Long.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Franklin Long, of Havana, Kans., late of Company A, Sixty-first Illinois Volunteers.

The report (by Mr. MORRILL) is as follows:

This soldier enlisted in Company A, Sixty-first Illinois Regiment, January 16, 1862, and was discharged February 7, 1865. He applied for a pension, alleging wound of foot by accidental discharge of his own pistol on the 7th of June, 1864. The claim was rejected on the ground that claimant was not in line of duty when the wound was received. The case is clearly stated by the chief of the western division as follows:

"Maj. Daniel Grass testifies in his own handwriting that claimant was a teamster, and on June 7, 1864, near Little Rock, Ark., while in the line of his duty as a soldier, accidentally shot himself with a revolving pistol in the great toe of right foot; that his knowledge of the above facts are derived from seeing claimant shortly after occurrence. Affiant replies to office letter to the same effect. Credibility is of the best. Comrade W. D. Holland testifies to having been present at the time the accident occurred. In reply to office letter he says that claimant accidentally received a pistol wound through great toe, as told in his affidavit; thinks it was in spring of 1864; credibility is good.

"Comrade R. L. Horen testifies that claimant was a teamster, and about June 7, 1864, near Little Rock, Ark., about sundown, while in the line of his duty, claimant accidentally shot himself in the great toe of his right foot, with a revolving pistol, while cleaning the same; that he was personally present and saw claimant shoot himself as above described. In a letter he says that he thinks it was at Duvall's Bluff, on White River; that claimant was sitting in the

hind end of a wagon and cleaning his revolver; that he (the affiant) stepped aside for something, and he heard the shot, turned and saw the claimant before his shoe was taken off, and it was stated that it went off accidentally; that it went through the toe; that claimant had been out with a scout or piloting a scout. Credibility of the best. Comrade John S. Marshall testifies to having been an eye-witness to the occurrence. There is a record of wound by the Adjutant-General and Surgeon-General.

"This claim, it seems to me, is fully proven, both as to origin and line of duty, and the testimony of the major and one comrade shows that claimant was acting as teamster."

The only point that your committee can conceive of as affording ground for rejection is as to the propriety of claimant's carrying a revolver. He could hardly be expected, as a teamster driving a six-mule team, to carry a piece of light artillery or even a Sharp's rifle or a heavy musket. If allowed to carry arms at all it could only be a revolver or some weapon which would not interfere with his duties in managing his team. If allowed to carry the weapon it was perfectly proper for him to keep it in proper condition for effective use.

Again and again your committee have held that wounds received as this one unquestionably was should be considered as received in line of duty. They therefore recommend the passage of the bill.

There being no objection, the bill was laid aside to be reported to the House with a recommendation that it do pass.

MARY FLORA.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was a bill (H. R. 6006) granting a pension to Mary Flora.

The bill was read, as follows:

Be it enacted, etc., 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 Flora, now of Ellinwood, Kans., dependent mother of Daniel Flora, late of Company I, Thirty-ninth Indiana Infantry Volunteers.

The report (by Mr. MORRILL) is as follows:

The beneficiary named in the bill is the mother of Daniel Flora, late of Company I, Thirty-ninth Regiment Indiana Volunteers. Her claim for pension has been rejected by the Pension Bureau on the ground that soldier's fatal disease—disease of brain—is, in the opinion of the medical referee, not chargeable to his military service.

The following facts are shown by the papers now before your committee: Daniel Flora enlisted in the above-described command February 3, 1862, and served until honorably discharged, April 4, 1865. In the spring after his enlistment he had the measles, which, according to the testimony of his officer and comrades, affected his spine and kidneys, as was evident from his frequent complaints. The records of the War Department also show treatment for congestion of the lungs in February, 1864, and for diarrhoea at intervals thereafter until discharge. Upon his return to his former home in Monroe County, Indiana, he was totally unfit for the performance of manual labor, and continued so until his removal to Iowa in 1867, where his parents then resided.

Dr. H. W. Miser, a physician of over twenty-five years' practice, testifies that he commenced treating the soldier in the fall of 1867. On examination he found him suffering from considerable tenderness along the spine, more particularly in the lumbar region, with pain over kidneys; treated soldier once or twice a week for two or three months, when he apparently improved. But after an exposure to a rain-storm he got worse and took to his bed. Affiant, upon examination, found inflammation all along the spine, which extended upward till it involved the brain, and he died a raving maniac on the 3d of July, 1868.

The dependence upon the soldier prior to his enlistment, as well as the needy condition of claimant, is clearly established. Her husband has been for many years totally unfit for manual labor, and neither he nor the claimant is possessed of any property affording any income.

After a careful examination of all the evidence in the case it is the opinion of your committee that the soldier's fatal disease is clearly traceable to his military service, and therefore report favorably on the accompanying bill, and ask that it do pass.

There being no objection, the bill was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

HENRY P. ALEXANDER.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was the bill (H. R. 2234) granting a pension to Henry P. Alexander.

The bill was read, as follows:

Be it enacted, etc., That the name of Henry P. Alexander, late of Company F, One hundred and sixty-ninth Ohio Volunteers, be placed on the pension-roll, subject to the provisions and limitations of the pension laws.

The report (by Mr. MORRILL) is as follows:

The records show that Henry P. Alexander was enrolled on the 2d day of May, 1864, in Company F, One hundred and sixty-ninth Regiment Ohio National Guards, and mustered as a private May 15, 1864. He alleges in a claim filed for pension January 27, 1882, that while stationed and lying idle at Fort Ethan Allen, Va., July 27, 1864, he volunteered to go on picket duty in the place of a recruit whose name he has forgotten; that he went on duty early in the morning with other soldiers, strangers, there being none of his company in the squad; that he remained all day and into the night, when it began to rain; that while he was on his post, sitting on some poles on the opposite side of the road from the squad, with woolen and rubber blankets fastened over his shoulders, his gun accidentally discharged and shot off the index and middle fingers.

He is unable to furnish the evidence of any of his comrades, as he was alone at the time the accident occurred.

Charles Thompson, captain Company F, One hundred and sixty-ninth Regiment, testifies that claimant was a good and faithful soldier; that he was shot by the accidental discharge of his own gun July 17, 1864; that the shot took effect in the index and middle fingers of right hand, removing said fingers at the second joints.

Dr. Sardin P. Taylor, surgeon, testifies that while acting as surgeon at Fort Ethan Allen, July 17, 1864, he dressed a gunshot wound of the first and second fingers of claimant's right hand; that affiant believes he lost said fingers from the accidental discharge of his own gun.

The claim for pension was rejected on the ground of claimant's inability to furnish evidence showing under what circumstances the wound was received, or that he was on duty or in line of duty at the time.

The committee believe the evidence is sufficient to warrant the conclusion that the soldier was in line of duty when the accident occurred, and so believing, we submit a favorable report, and recommend the passage of the bill.

There being no objection, the bill was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

STEPHEN SCHIEDEL.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was the bill (S. 1015) granting a pension to Stephen Schiedel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Stephen Schiedel, late of Company D, First Regiment Missouri Light Artillery.

The report (by Mr. MORRILL) is as follows:

Stephen Schiedel, the claimant under this bill, made application for pension March 20, 1880, alleging as a basis for his claim that at Corinth, Miss., about June, 1862, while loading logs, of which they were to build their quarters, he sprained his back by overlifting, being obliged to hold one end of a log, the other end having slipped down, falling upon a lever, which flew up and hit him on the left shoulder, injuring the same; that he was treated by regimental surgeon and in the hospital at Corinth, Miss., and at Huntsville, Ala., and by doctors at Hamburg, N. Y., and Hubbard, Ohio. The claim was rejected by the Commissioner of Pensions June 30, 1883, on the ground "that the evidence, the sources of which appeared to be exhausted, fails to show origin of injury to back and left shoulder in the service and line of duty."

The claimant in an affidavit states that he can not furnish the testimony of officers who knew of his injury for the reason that both the captain and lieutenant are dead; can not furnish the affidavit of the regimental surgeon who treated him, as he became a colonel and was killed; that the two other surgeons, whose names and whereabouts he can not give, treated him at different times.

The soundness of claimant prior to enlistment is established beyond any reasonable doubt. Two comrades testify to incurment of the disability in the service, both being present at the time and witnessed the accident.

The testimony of his neighbors since his discharge uniformly shows continuance, and that "he complained almost all the time of his lame back and shoulder."

Dr. Julian Harmon, examining surgeon at Warren, Ohio, reporting the results of his examination, gives it as his opinion that "the claimant is three-eighths incapacitated for obtaining his subsistence by manual labor from the cause above stated, injury to back and left shoulder."

The board at Cleveland, Ohio, August 30, 1882, report that his disability is three-eighths total.

Claimant was examined at Youngstown, Ohio, March 22, 1883, by Examining Surgeon J. McCurdy, who finds "the formation of his shoulders perfect, but there is a low but distinct creaking in left shoulder-joint, indicating low form of inflammation following injury or chronic rheumatism. Rating, $\frac{3}{4}$, or one-half." After his examination he rates him at total, or $\frac{3}{4}$.

The War Department records show that Stephen Schiedel was enrolled October 21, 1861, in Company C, First Missouri Artillery, and was mustered out October 29, 1864.

Your committee recommend the passage of the bill.

There being no objection, the bill was ordered to be laid aside to be reported to the House with a recommendation that it do pass.

GEORGE W. SCHELL.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was the bill (S. 625) granting a pension to George W. Schell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George W. Schell, late of Company D, Thirty-seventh Regiment of Iowa Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 625) granting a pension to George W. Schell, submit the following report:

The following report from the Committee on Pensions in the Senate sets forth the facts in the case and is adopted with the recommendation that the bill do pass:

[Senate Report.]

Claimant enlisted as a private in Company D, Thirty-seventh Iowa Volunteer Infantry, September 23, 1862, and was discharged May 21, 1865, and has not since been employed in the military or naval service. He was pensioned for disability on account of chronic diarrhea, January 21, 1883, at the rate of \$2 per month, commencing May 25, 1865, and ending September 26, 1869, disability having ceased.

On the 4th day of May, 1885, claimant made application for pension on account of total blindness of left eye and great impairment of vision of right eye, making it impossible for him to distinguish objects at a distance of 1 foot from his eyes. Said disability he alleges was contracted under the following circumstances: While a member of Company D, Thirty-seventh Iowa Volunteer Infantry, in the service and in the line of his military duty at Memphis, Tenn., August 29, 1864, he, with his company, was employed in guarding military stores, then being transported from Memphis to various points along the line; being compelled to ride upon the top of the cars, was greatly exposed to the burning rays of the sun, causing pain in his eye; that his eyes were also affected by straining while on guard duty dark nights in his efforts to recognize passing objects.

The claim was rejected April 17, 1886, on the ground of no record, no medical or other competent evidence showing origin of sunstroke or existence of disease of eyes in the service, or continuance of said disease from discharge to 1877. Claimant alleges loss of left eye in 1877, and of right eye in 1880—probably due to old age, being now seventy years old.

The testimony on file is in substance as follows: Claimant states that he was perfectly sound at the date of his enlistment, and especially free from any disease or affection of his eyes; that he could see to read the finest print; that all of his relatives possessed good eye-sight; that his eyes began to fail about July 1, 1864, while on picket duty at Memphis, Tenn.; that he first felt great dizziness, accompanied by headache, with pain in the region of his temples and across his forehead and over his eyes, causing for the time being almost total blindness; that he was treated in no hospital, but continued on duty, and that his eyes have affected him from 1864 to the present time; that he was detailed to assist about the regimental quartermaster's department at Cincinnati, Ohio; that upon going to work his sight had become so impaired that he could neither see to weigh upon the scales or to read and write without the use of eye-glasses, which he purchased; that whenever he worked in a stooping position, causing his blood to become heated, he would feel an oppressive sensation about his temples, and blindness would come over him; that from the date of incurment to 1877 the loss of sight gradually increased, and that in 1877 the sight of his left eye became wholly extinct; that his eyes were examined by Professor Holby, of Iowa City, Iowa, who gave him no encouragement as to good results from

medical treatment; that the sight of his right eye continually declined to the year 1880, at which time he became unable to distinguish one object from another; that his eyes were examined by one Professor Smythe, of Lawrence, Kans., who gave him no encouragement in the hope of bettering his sight by medical treatment; that from the date of his discharge to 1880 he had performed some manual labor at his occupation of raising small fruit, but since the last mentioned time he has been wholly disqualified for manual labor on account of his alleged disability, and dependent upon the labor of two small boys for the support of himself and family; that he is unable to furnish medical testimony showing treatment of his disability while in the service; that he will be compelled to rely upon the testimony of his lieutenant, who had personal knowledge of the facts in the case, as to origin, and his neighbors' testimony as to continuance; that he gave up all he had in defense of his country, and that his children are deprived of the opportunity for education by reason of the fact that they are compelled to labor to support him.

Prentice Ransom, first lieutenant and quartermaster of the Thirty-seventh Regiment Iowa Volunteer Infantry, testifies that up to June, 1864, claimant's eye-sight was unimpaired; that said regiment was on picket duty at Memphis, Tenn., guarding supplies sent by railroad; that the weather was excessively hot, and that claimant by riding on box-cars in the hot sun became dizzy, as he was informed by claimant, a day or two afterwards; that from this period of time his eye-sight began to fail him and he was compelled to use glasses to see to read or write; that he frequently saw claimant from the date of his discharge to the date of his removal to Kansas, and that his eye-sight continued to fail him, causing almost total blindness in one eye.

Robert Taylor, sergeant Company H, Thirty-seventh Iowa Volunteer Infantry, testifies that claimant's eye-sight was good up to about July 1, 1864, at which time it became impaired by doing guard duty at Memphis, Tenn., by exposure to the hot sun from the top of the cars; that claimant's eye-sight gradually grew worse from that time, until now he has entirely lost the sight of his left eye, and the sight of his right eye is so dim that he can not distinguish objects; that the facts testified to are from personal knowledge.

James P. Johnson, commissary sergeant, Thirty-seventh Regiment Iowa Volunteer Infantry, testifies that, in 1864, while claimant was in the service, his eyes became diseased; that he can not now state just what the disease was called. He substantiates this statement when questioned by a special examiner of the Bureau of Pensions.

Wesley E. Platt testifies to a continuance of loss of eye-sight from 1880 to 1885. Frederick Theobald testifies to prior soundness and continuance of impaired vision from 1865 to 1879.

Augustus W. Dales testifies to continuance of loss of eye-sight from 1873 to the present time.

The following-named citizens of Douglas County, Kansas, in their petition to the honorable Senate and House of Representatives of the United States of America in Congress assembled, state that claimant is totally unable to perform manual labor of any kind, owing to severe blindness; that he is very feeble, being sixty-nine years of age, and is entirely without means of support; that his disability developed very gradually, and that it will be impossible for him to prove its origin in the service, as his officers and comrades took no notice of it at the time; that claimant is a reputable citizen, temperate in all of his habits, and given to no excesses of any kind; that they therefore respectfully request the passage of a special act granting claimant an invalid pension, commencing, if possible, from November 1, 1880, the date he became totally blind.

L. J. Warden, postmaster; M. Summerfield, clerk district court; E. Jones; James N. Davis; Robert Taylor; J. S. Crew; A. T. Hannald, register of deeds; J. W. Watts; M. D. Greenlee, deputy clerk of the court; Paul R. Brooks, treasurer of the county; W. W. Fluke; G. H. Murdock; J. D. Bowersock, mayor; Theodore Gardiner; W. E. Benson; D. R. Prentice, chief of police; Alfred Whitman; M. Tisdale; Jacob House; Joel S. White, county clerk; R. D. Mason; J. G. Barber; J. P. Harris; John Barber; R. Carpenter; R. Storm; J. N. Roberts, representative sixteenth district.

Claimant is rated by the board of United States examining surgeons at Topeka, Kans., for total blindness of both eyes.

The statement of Robert Taylor before a special examiner of the Bureau of Pensions, that he had no knowledge of claimant's blindness in the service, should not be regarded as adverse testimony, from the fact that the evidence in the case shows that claimant's disability was of gradual development, beginning in 1864, and resulting in total blindness of left eye in 1877, and of the right eye in 1880. It is clearly shown by the evidence on file in the claim that the applicant for pension was free from impaired vision till about July 1, 1864, and from that date his sight began to fail him and continued to grow worse, resulting in total blindness of left eye in 1877, and of total blindness of right eye in 1880.

The facts in the case warrant favorable action, and the committee therefore recommend the passage of the bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MICHAEL LANE.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was the bill (S. 1286) granting a pension to Michael Lane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Michael Lane, late of Company H, Nineteenth Regiment Kansas State Militia.

The report (by Mr. MORRILL) was read, as follows:

The Committee, on Invalid Pensions, to whom was referred the bill (S. 1286) granting a pension to Michael Lane, submit the following report:

Michael Lane first enlisted March 25, 1863, as a private in Company M, Second Regiment Nebraska Cavalry, at Nemaha City, Nebr., for nine months. Served full time, was mustered out with his company, receiving an honorable discharge December 23, 1863.

In his declaration for pension he alleges that he enlisted October 8, 1864, in Company H, Nineteenth Regiment Kansas State Militia; that on or about October 24, 1864, he contracted hernia upon the right side of the lower part of his abdomen of an inguinal character, caused by his horse falling upon him while he was in the line of his duty as a soldier in full pursuit of the retreating enemy; his horse being upon the gallop struck his forefeet into a prairie-wolf hole, causing said horse to turn a complete summersault, claimant falling under him; that he was not treated in any hospital.

The War Department reports his service in the Second Nebraska Cavalry, and says the Nineteenth Kansas Militia is unknown to the Department.

The adjutant-general of Kansas reports that Michael Lane was enrolled August, 1864, in Leavenworth County by Capt. E. Moore, and ordered into active Kansas State militia service as private in Company H, Nineteenth Kansas Volunteer Militia, on the 8th day of October, 1864, at Leavenworth, by Governor Carney, under a proclamation issued in pursuance of a general order issued by Major-General Curtis, United States Army, commanding department, and that he was relieved from duty October 25, 1864, by order of the governor.

Two comrades testify as to incurrence and continuance. The board of examining surgeons at Topeka, Kans., under date of July 1, 1885, find a direct right hernia as large as an orange; rings dilated $\frac{1}{2}$ by $\frac{1}{4}$ inches; borders of rings soft and patulous; unable to retain hernia with truss because of size and patulous condition of parts; and rate him for rupture on right side at total.

In a petition accompanying the bill the claimant states that he is now seventy-three years of age; that these services were rendered and his disability incurred during the Price raid in 1864, when the Kansas militia was under the command of an officer of the United States Army.

In view of the fact of his extreme age and the twenty-four years of constant suffering from this painful disability, we think Michael Lane's name should be placed on the pension-roll, and therefore recommend the passage of this bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARGARET M. COLLINS.

The next pension business on the Private Calendar called up for consideration (by Mr. MORRILL) was the bill (S. 1286) granting a pension to Margaret M. Collins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret M. Collins, mother of John B. Collins, deceased, late of Company D, Fourteenth Regiment of Kansas Volunteers.

The Clerk proceeded to read the report.

Mr. MORRILL (before the conclusion of the reading). Mr. Chairman, I ask unanimous consent that the further reading of the report be dispensed with. This is the case of a dependent mother, the soldier having died in the service.

Mr. MATSON. I object.

The report was read in full, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1015) granting a pension to Margaret M. Collins, submit the following report:

The claimant is Margaret M. Collins, dependent mother of John B. Collins, late a private of Company D, Fourteenth Kansas Volunteer Cavalry, who enlisted August 2, 1863, and died of typhoid fever in regimental hospital at Fort Smith, Ark., August 29, 1864.

The claim was rejected October 15, 1885, on the ground that the claimant was not dependent upon nor supported by the soldier prior to and at time of soldier's death, it appearing in evidence in special examiner's report that her husband was then able to and did render her a comfortable support.

The evidence shows that the soldier was son of the claimant, never married, and left no widow or children surviving him.

The evidence is absolutely conclusive that this mother is now sixty-three years of age, penniless, and with her husband dependent on others for support.

Your committee, following the established rules that have governed them in this class of cases, recommend the passage of the bill.

Mr. MATSON (at 10 o'clock p. m.). I move that the committee rise.

Several MEMBERS. Oh, no.

Mr. MACDONALD. I suggest to the gentlemen on the other side that this motion should be agreed to. Last Friday evening it took very nearly all the time between the rising of the committee and the hour fixed for adjournment to dispose of the bills reported from the Committee of the Whole.

The motion was not agreed to; there being—ayes 11, noes 13.

STEPHEN C. LOBDILL.

The next business on the Private Calendar (called up by Mr. MACDONALD) was the bill (S. 760) granting a pension to Stephen C. Lobdill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Stephen C. Lobdill, late of Company G, Twenty-fourth Ohio Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The report of the Pension Committee in the Senate sets forth fully and clearly the evidence in this case.

Your committee recommend the passage of the bill.

SENATE REPORT.

Stephen C. Lobdill enlisted June 6, 1861, for three years, as private in Company G, Twenty-fourth Ohio Volunteers, and was discharged for disability June 9, 1862. He filed a claim for pension October 25, 1869, alleging that while in line of duty at Cheat Mountain, West Virginia, on or about August 2, 1861, and engaged with the command in building breastworks, he was ruptured while lifting a heavy log.

Joseph Reamer testifies that he was with claimant at Cheat Mountain, West Virginia, working on breastworks; was lifting on the same log with him, and heard claimant cry out; saw him within an hour in the hospital tent.

August Thomas was also with him at the same time, lifting and piling heavy logs; says claimant fainted when rupture occurred; helped carry him to hospital tent; his suffering was acute. Up to the time of rupture he was a man of wonderful physical development, having shown no indication of ill health. He passed a rigid physical examination with affiant at Camp Chase, being stripped.

These accounts of the incurrence of the rupture are corroborated by Comrades Hettel, Myers, and Hughes.

Not recovering from the rupture, the claimant was discharged June 9, 1862, on surgeon's certificate of disability, which stated: "Umbilical hernia; he has been entirely unfit for duty since the 12th day of July, 1861. He has had it for many years."

The last clause of this surgeon's certificate, through the efforts of the Pension Office to establish its truth, has cost the claimant his pension for the past eighteen years. It is alleged on behalf of the claimant that this clause is untrue; that his rupture originated as detailed; that the surgeon made the statement on his own responsibility and without knowledge of the facts.

To prove his sound health and freedom from rupture before enlistment there is the testimony of Dr. W. J. Clary, who was the family physician of claimant's mother and grandfather, and who testifies that he knew claimant for five years before enlistment. Claimant lived with his grandfather, and was perfectly sound and free from hernia. He was a remarkably strong boy. If he had been so

affected, the witness, from his relations with the family, must have known the fact. Never heard it spoken of.

Franklin Murphy and Isaac Smith knew claimant one from infancy, and the other for ten years before enlistment; claimant had worked for both at various times up to his enlistment, and both testify to claimant's soundness.

C. M. Lake and Joseph Weeks testify that they played with him when a boy, and worked with him when a man, and never heard of his having a rupture up to his enlistment. J. N. Griffin testifies to his soundness, having known him intimately. H. J. Scouton testifies that he knew him intimately before enlistment, being often with him, and that just after claimant's enlistment he was in bathing with him, and knows he was free from rupture; six comrades testify that he was sound at enlistment and up to the time he was injured, as he claims, five of whom positively state that at enlistment he was subjected to a thorough examination, while naked, with them and in their presence, which would certainly have resulted in his rejection had rupture existed. In all some thirteen witnesses testify explicitly to this point of priorsoundness, from the personal knowledge derived from intimate acquaintance. In addition to all this is the acceptance of claimant into service as a sound man and the fact that he is a man of high standing in his community, where his statements are received with confidence and respect.

The only evidence in the case to sustain the surgeon's certificate is the statement of Laura Hall, a cousin of the claimant, who says she had heard his mother say that he had this difficulty from boyhood. The witness testifies from hearsay, and not from personal knowledge.

On a careful review of the testimony in this case, it is difficult to understand, from any known standard of the value of evidence, on what meritorious ground the claim under consideration was rejected, or why its affirmation was delayed beyond the necessary limit of office routine. There is no reason to doubt the receipt of the injury in service and in the line of duty, nor that it is of pensionable degree and continuous to the present time.

The committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

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

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole House, having had under consideration the Private Calendar, had directed him to report sundry bills with various recommendations.

BILLS PASSED.

House bills of the following titles, reported without amendment, were severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 7025) granting a pension to Evalina P. Brown;

A bill (H. R. 6840) for the relief of Hiram M. Goss;

A bill (H. R. 8291) granting a pension to Julia Welch;

A bill (H. R. 7693) granting an increase of pension to Peter C. Cheeks;

A bill (H. R. 813) granting a pension to Mrs. Lovina J. Reeves;

A bill (H. R. 6070) granting an increase of pension to Thomas Benson;

A bill (H. R. 618) granting a pension to James W. Harriman;

A bill (H. R. 6478) granting a pension to Elizabeth Smith;

A bill (H. R. 3537) granting a pension to Cullen W. Green;

A bill (H. R. 4653) granting a pension to Joanna Barry;

A bill (H. R. 5544) granting a pension to John Shine;

A bill (H. R. 5177) granting a pension to Pleman Cook;

A bill (H. R. 8256) granting a pension to George W. Croop;

A bill (H. R. 5378) for the relief of Tillman Faux;

A bill (H. R. 927) for the relief of Friedericke Raff;

A bill (H. R. 5114) granting a pension to Franklin Long;

A bill (H. R. 6006) granting a pension to Mary Flora; and

A bill (H. R. 2234) granting a pension to Henry P. Alexander.

House bills of the following titles, reported from the Committee of the Whole House with amendments, were taken up, the amendments agreed to, the bills as amended severally ordered to be engrossed for a third reading, read the third time, and passed:

A bill (H. R. 722) for the relief of Marquis D. Davis;

A bill (H. R. 2475) granting a pension to Adelaide L. Jessup; and

A bill (H. R. 8694) granting a pension to Isabella F. Dyke.

Senate bills of the following titles, reported from the Committee of the Whole House without amendment, were severally ordered to a third reading, read the third time, and passed:

A bill (S. 1017) granting a pension to Stephen Schiedel;

A bill (S. 625) granting a pension to George W. Schell;

A bill (S. 1286) granting a pension to Michael Lane;

A bill (S. 1015) granting a pension to Margaret M. Collins; and

A bill (S. 760) granting a pension to Stephen C. Lobdill.

MRS. D. P. WOODBURY.

The bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury was taken up.

The SPEAKER *pro tempore*. This bill is now before the House on the question of its engrossment and third reading. It has been reported from the Committee of the Whole House with the recommendation that it go over until to-morrow morning, that the previous question be considered as ordered, the right to offer amendments being reserved, and that debate be allowed for fifteen minutes on each side. If there be no objection, the order recommended by the Committee of the Whole House will be agreed to.

There was no objection, and it was ordered accordingly.

LOUISE PAUL.

The bill (S. 749) granting a pension to Louise Paul was taken up, ordered to a third reading, and read the third time.

The SPEAKER *pro tempore*. This bill has been reported from the Committee of the Whole House with a recommendation that it go over until to-morrow morning, that the previous question be considered as ordered, the right to offer amendments being reserved, and that debate be allowed for fifteen minutes on each side.

Mr. MATSON. I believe I must object to this order unless the substance and the number of the amendments be stated now. In justice to the House we ought to have some understanding how much time is to be occupied upon the bill.

Mr. DOCKERY. The entire debate is not to occupy more than fifteen minutes on each side; and the offering of amendments will not extend the time for debate.

Mr. MATSON. If it be understood that the offering of amendments is not to give the right to additional debate, I will not object.

The SPEAKER *pro tempore*. That is the understanding of the Chair. If there be no objection, the order recommended by the Committee of the Whole House will be made. The Chair hears no objection, and it is so ordered.

Mr. MATSON. I move to reconsider the vote by which the several bills reported from the Committee of the Whole House have been passed; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARY L. CLEVELAND.

Mr. McCREARY. I move, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 9877) granting an increase of pension to Mary L. Cleveland.

There being no objection, the motion was agreed to.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of Mary L. Cleveland, widow of John H. Cleveland, a soldier of the war of 1812, at the rate of \$25 per month, in lieu of the amount now received by her under the law.

The report (by Mr. BLISS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 9877) granting an increase of pension to Mary L. Cleveland, have considered the same, and report as follows:

The husband of the claimant, John D. Cleveland, served in Capt. Conrad Saxe's company, Vermont militia, from July 15, 1812, to December 8, 1812. The widow is now drawing pension under the act of March 9, 1873, at \$12 per month. She applies for increase to \$25 per month.

Her physicians, Drs. C. S. Abell and A. D. Price, gentlemen of credibility and truth, certify that she is now over eighty years of age, and in very feeble health, being unable to walk or to arise from her chair when sitting, or to dress herself. She has no property of any kind, and is entirely dependent upon two grandchildren, who are financially unable to render her proper assistance.

The committee recommend that the bill do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. McCREARY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARTHA B. PERRY.

Mr. GROUT. I move, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 4100) granting a pension to Martha B. Perry.

There being no objection, the motion was agreed to.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the pension-roll the name of Martha B. Perry, foster-mother of Charles H. Perry, late of Company G, Fourth Vermont Volunteers, deceased, subject to the provisions and limitations of the pension laws.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4100) granting a pension to Martha B. Perry, having considered the same, report as follows:

Charles H. Perry enlisted as a private in Company G, Fourth Vermont Volunteers, in the early part of the war, and served continuously until June 5, 1864, on which day he was killed in battle at Cold Harbor, Virginia.

The claimant is the foster-mother of soldier, but as such can not secure pension through the regular channel. The evidence shows that claimant tenderly cared for soldier from the age of four years, at which date she became the second wife of his father. It also appears from letters of soldier filed with your committee that during his army service he contributed to the support of his foster-mother, addressing her in the most affectionate terms. Claimant is seventy-five years of age and in destitute circumstances. If she had been the natural mother of soldier she would long ago have been pensioned, and as the evidence conclusively shows that she was to him, from the tender age of four years, everything that a natural mother could have been, it brings the case directly within the rule laid down by Congress in a great many cases which have already become laws by special act.

Your committee recommend that the bill be amended by substituting the word "place" for the word "put," in the fourth line, by substituting the words "foster-mother" for the word "widow," in the fifth line, and by adding after the word "laws," in the seventh line, the words "and pay her a pension at the rate of \$12 per month," and that as thus amended the bill do pass.

The amendments of the committee were agreed to, and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GROUT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MRS. JEANNIE STONE.

Mr. ROBERTSON. I move to take up and concur in the amendment of the Senate to the bill (H. R. 401) granting a pension to Mrs. Jeannie Stone.

There was no objection, and the bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Mrs. Jeannie Stone, widow of General Charles P. Stone, a pension, subject to the provisions and limitations of the pension laws.

The Senate amendment was read, as follows:

Add at the end of the bill "at the rate of \$50 a month."

Mr. ROBERTSON. The bill came from the Senate amended as indicated, and was referred to the Committee on Pensions, and as I understand that committee recommended concurrence.

The amendment of the Senate was concurred in.

Mr. ROBERTSON moved to reconsider the vote by which the Senate amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CYNTHIA WITHERELL.

Mr. MOFFITT. I move, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 3868) granting a pension to Cynthia Witherell.

There being no objection, the motion was agreed to.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Cynthia Witherell, widow of David J. Witherell, late of Captain Thumway's company of New York Militia, war of 1812, on the pension-rolls, subject to the provisions and limitations of the pension laws.

The report (by Mr. BLISS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3868) granting a pension to Cynthia Witherell, have considered the same, and beg leave to report as follows:

Cynthia Witherell, the claimant, is the widow of David J. Witherell, who served in the war of 1812 as a soldier in Capt. Duty Shumway's company, in Colonel Adams's regiment New York Militia.

In her petition to Congress, and in her application before the Pension Office, she declared that her husband had served for a period sufficient to warrant her a pension under the act approved March 9, 1873. The Pension Bureau rejected her claim on the ground of the insufficient period of service, it having appeared by a report from the honorable Third Auditor, United States Treasury Department, that Witherell had been paid only for a period of eleven days, namely, from the 11th to the 22d day of September, 1814, while the act referred to requires a service of fourteen days.

Your committee have obtained from the adjutant-general of the State of New York the information that the rolls in his office show, as a fact, that Witherell enlisted in the company and regiment mentioned on the 8th day of September, 1814, for the period of sixteen days.

These reports of the auditor and adjutant-general of the State satisfy your committee that the man actually served a period of fifteen days, and the statement of the Third Auditor in the case shows that the regiment went as far as Burlington, Vt., to meet the invasion of the British.

There is on file before your committee the testimony of the leading citizens and local officers of the town in which the claimant resides showing that she is held in high esteem, but is in a needy condition. Her age is now seventy-two years.

Your committee recommend the passage of the bill.

Mr. MOFFITT. I move to correct the name "Thumway" so it will read "Shumway."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MOFFITT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN G. MERRITT.

Mr. MACDONALD. I move, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (S. 2738) granting an increase of pension to John G. Merritt.

There being no objection, the motion was agreed to.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of John G. Merritt, late sergeant of Company K, First Regiment Minnesota Volunteer Infantry, and pay him a pension of \$45 per month, in lieu of the pension he now receives.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2738) granting an increase of pension to John G. Merritt, submit the following report: The report of the Senate Committee on Pensions is herewith adopted and the passage of the bill recommended.

[Senate Report No. 1113, Fiftieth Congress, first session.]

The following report was made by your committee on this case during the Forty-fifth Congress, and a bill was passed then, giving claimant a pension of \$24 a month, which he is now receiving under that act. He now asks that this pension be increased to \$45 per month on account of increased disability, the grounds for which are set forth in the following statements:

Mr. John G. Merritt, late a sergeant in Company K, First Regiment of Minnesota Volunteer Infantry, was pensioned at \$18 per month for shell wound of the left leg below the knee.

He filed an application for increase, alleging that the wounded limb is gradually wasting and is the source of constant and severe pain, and that his disability is equivalent to the loss of the limb for purposes of manual labor.

He was examined May 25, 1878, by the board of examining surgeons, Washington, D. C., who find "shell wounds of left leg, fracture of tibia and fibula just below the middle third; cicatrices large and adherent, and great deformity; leg shortened 4 inches; ankle-joint swollen, motion impaired; evident loss of strength, causing great lameness, equivalent to loss of hand or foot."

The claim was rejected on the ground that he is now receiving the highest pension allowed by law for disabilities of a like nature.

He claims that his limb, in the condition it now is, is as useless as though it had been amputated at or above the knee-joint, and asks that this special act be passed increasing his pension to \$24 per month.

The committee regard the claim of the applicant as sustained by the evidence, and recommend the passage of the bill.

To the honorable Senate and House of Representatives in Congress assembled:

Your petitioner, John G. Merritt, of the State of Minnesota, respectfully represents that being a soldier of the First Regiment Minnesota Volunteer Infantry, in the late war of the rebellion, was severely wounded while engaged with his regiment in the battle of Bull Run, in the State of Virginia, on the 21st of July, 1861.

I was wounded in my left leg below the knee. The leg is 4 inches shorter than the right one and entirely useless so far as manual labor is concerned; is constantly swollen and inflamed (see medical examination) and very much shrunken in size from knee to hip joint. The wound has discharged constantly for the last ten or twelve years, and has to be dressed daily, and at times requires constant attention from my wife or one of my children, and during the last ten years I have undergone five surgical operations, giving me temporary but not permanent relief. My suffering is great and constant.

I now receive as a pension but \$24 per month, and I consider myself entitled, on account of increasing disability, to receive the same amount as those pensioners who have had their limbs amputated above the knee and are prevented the use of an artificial limb.

JOHN G. MERRITT.

APRIL 20, 1888.

WASHINGTON, D. C., April 17, 1888.

I hereby certify that I have examined Mr. John G. Merritt, and find that he is suffering from necrosis of the bones of the left leg, the result of gunshot wound fracturing both bones. The leg is deformed, shortened, and painful, with chronic ulcers about the seat of injury. He has undergone several serious operations without relief, one of which I performed myself about four years ago. The condition is incurable and he would probably be better off with the leg amputated.

J. FORD THOMPSON, M. D.,
804 Seventeenth street.

WASHINGTON, D. C., April 16, 1888.

This will certify that I have been called upon to render professional services to Capt. J. G. Merritt, late sergeant of Company K, First Regiment Minnesota Volunteers, and find after a careful examination that he is suffering from the effects of a gunshot wound of the left leg below the knee.

The wound is still open and at times becomes very much swollen and inflamed, and within the last few years has frequently discharged pieces of dead bone, and I believe that unless an improvement takes place, which is not warranted by the present condition, an amputation will be necessary.

By the constant absorption of septic matter his health has been very much broken down.

There is also an atrophy or shrinking in the size of the limb, it being by measurement 2 inches less in circumference than the right, and as a consequence a corresponding weakness. His sufferings at times are intense.

J. W. BAYNE, M. D.,
Late Acting Assistant Surgeon, United States Army.

Your committee recommend the passage of the bill.

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

Mr. MACDONALD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JENNIE HART MULLANY.

Mr. O'NEILL, of Pennsylvania. I move, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (S. 2346) granting an increase of pension to Jennie Hart Mullany.

There was no objection, and it was so ordered.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jennie Hart Mullany, widow of J. R. Madison Mullany, late rear-admiral in the United States Navy, and pay her at the rate of \$30, in lieu of that which she is now receiving.

Mr. O'NEILL, of Pennsylvania. I move by unanimous consent that this bill go over to be acted on with other bills on the 28th instant, and under like conditions.

A MEMBER. No; but to-morrow.

Mr. McMILLIN. The gentleman from Pennsylvania can not be here to-morrow.

The motion of Mr. O'NEILL, of Pennsylvania, was agreed to; and the bill was accordingly postponed until the 28th instant.

Mr. DOCKERY. Subject to like conditions as in the other cases.

Mr. O'NEILL, of Pennsylvania. Of course.

The SPEAKER *pro tempore*. The hour of 10.30 p. m. having arrived, in accordance with previous order the Chair declares the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ABBOTT: A bill (H. R. 10146) for the relief of J. Q. St. Clair—to the Committee on Claims.

By Mr. CROUSE: A bill (H. R. 10147) for the relief of Thomas W. Nash—to the Committee on War Claims.

By Mr. GEAR: A bill (H. R. 10148) granting a pension to Cecilia White—to the Committee on Invalid Pensions.

By Mr. HOUK: A bill (H. R. 10149) for the relief of John T. Smith—to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 10150) for the relief of Thomas Nelson—to the Committee on Invalid Pensions.

By Mr. O'NEILL, of Pennsylvania: A bill (H. R. 10151) to authorize the Adjutant-General of the Army to place the name of William M. Runkel on the roll of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 10152) granting a pension to William M. Runkel—to the Committee on Invalid Pensions.

By Mr. PATTON: A bill (H. R. 10153) granting a restoration and increase of pension to George Searles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10154) granting a pension to William J. Eyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10155) granting a pension to Emma A. Walk—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 10156) granting a pension to Nicholas P. McCracken—to the Committee on Invalid Pensions.

By Mr. RAYNER: A bill (H. R. 10157) for the relief of Rachel Walcott—to the Committee on Claims.

By Mr. ROMEIS: A bill (H. R. 10158) granting a pension to Mrs. L. P. Dickinson—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 10159) granting a pension to Jenny Buell—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 10160) to pension Harrison Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10161) granting a pension to J. N. Jordan—to the Committee on Invalid Pensions.

By Mr. McCULLOUGH: A bill (H. R. 10162) granting a pension to Susan Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10163) granting a pension to Hermon R. Tyson—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 10164) for the relief of Frank Roach—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. BUTLER: Petition of heir of John Easley, of Hamblen County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CAREY: Petition of certain citizens of Wyoming, for payment of Indian deprecation claims—to the Select Committee on Indian Depredation Claims.

By Mr. CATCHINGS: Petition of Julia D. Porterfield, of Warren County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. GAY: Papers in the case of Josephine Carlin, of Louisiana—to the Committee on War Claims.

Also, petition of Victoria Keller, and of Helari Carlin, of Louisiana, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. HOUK: Memorial of John T. Smith, of the First Tennessee Cavalry—to the Committee on Invalid Pensions.

By Mr. LYMAN: Petition of Mary B. Maynard, widow of W. W. Maynard, of Council Bluffs, Iowa, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. McCOMAS: Petition of J. R. Garrott, of Weaverton, and of Harvey Wilson, Westernport, Md., for relief—to the Committee on the Post-Office and Post-Roads.

Also, petition of James F. Poole, and of Laura C. Wilson, widow of Richard T. Wilson, of Montgomery County, Maryland, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of William Jennings, of Charles R. Gregory, administrator of T. Barnett, and of Old Town Methodist Episcopal Church, for payment of their war claims—to the Committee on War Claims.

By Mr. NELSON: Petition of farmers of Dakota, to place farm-machinery on the free-list—to the Committee on Ways and Means.

By Mr. SPRINGER: Petition of the Territorial Council of the Public Land Strip, for relief—to the Committee on the Territories.

By Mr. STEPHENSON: Resolution of the Chamber of Commerce of Milwaukee, Wis., relative to the interstate-commerce act—to the Committee on Commerce.

By Mr. CHARLES STEWART: Petition of C. E. Irbell and 71 citizens of Grimes County, Texas, in favor of pure food—to the Committee on Agriculture.

By Mr. TOWNSHEND: Petition asking a pension for Harrison Graham—to the Committee on Invalid Pensions.

Also, petition asking that a pension be granted to J. N. Jordan—to the Committee on Invalid Pensions.

The following petitions in favor of House-bill 9716, for the better protection of free labor from convict labor, were received and severally referred to the Committee on Labor:

By Mr. GEST: Of Knights of Labor of Moline, Ill.
By Mr. McCULLOUGH: Of Knights of Labor of Smithfield, Pa.
By Mr. NICHOLS: Of Knights of Labor of Raleigh, N. C.

The following petitions for the more effectual protection of agriculture, by means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. GOFF: Of D. W. Jones and others, of Daniel M. Bughley and others, and of C. L. Wolverton and others, of West Virginia.
By Mr. PHELPS: Of farmers of New Jersey.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 26, 1888.

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.

DEFICIENCY IN APPROPRIATIONS FOR COLLECTING REVENUE.

The SPEAKER laid before the House the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriations for the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, with Senate amendments.

Mr. FORNEY. I ask that this be committed to the Committee on Appropriations, and that the amendments be ordered to be printed. There was no objection, and it was so ordered.

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. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes;

A bill (S. 786) to provide a building for the United States courts, post-office, custom-office, and internal-revenue office at Vicksburg, Miss.;

A bill (S. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina;

A bill (S. 2481) to authorize the construction of bridges across the Kentucky River and its tributaries by the Louisville, Cincinnati and Virginia Railway Company;

A bill (S. 2883) for the relief of S. H. Pierce; and

A bill (S. 1747) to authorize the sale of a tract of land in the military reservation of Fort Leavenworth, in the State of Kansas.

ORDER OF BUSINESS.

Mr. FORNEY. I demand the regular order.

Mr. DIBBLE. I ask the gentleman to yield to me for a moment to ask the appointment of a conference committee.

Mr. FORNEY. Very well; I will yield for that purpose.

PUBLIC BUILDING, BAY CITY, MICH.

Mr. DIBBLE. Mr. Speaker, the Senate have amended the House bill No. 7263 and requested a conference with the House on the disagreeing votes thereon. I am instructed by the Committee on Public Buildings and Grounds to recommend non-concurrence in the Senate amendments, and to agree to the conference asked.

Mr. PAYSON. What is the bill?

The SPEAKER. The title will be reported.

The Clerk read as follows:

A bill (H. R. 7263) for the erection of a public building at Bay City, Mich.

There being no objection, the motion of Mr. DIBBLE was agreed to.

The SPEAKER. The Chair will announce the conferees during the day.

ORDER OF BUSINESS.

Mr. FORNEY. I renew the demand for the regular order.

The SPEAKER. The Chair desires to state that by reference to the Journal it is ascertained that certain bills, acted upon at the evening sessions of the House, have come over under the operation of the previous question. These bills are the unfinished business, and the first thing in order will be to dispose of that unfinished business.

Mr. MATSON. I ask unanimous consent that the bills which come over by reason of the previous question having been ordered upon them last evening, as well as the bills which came over with the previous question ordered, and the consideration of which was fixed by unanimous consent for next Monday, be postponed until the 19th day of June. The reason that I make this suggestion is that the appropriation bills are pressing now, and the Ways and Means Committee desire the time for the consideration of revenue bills. The bills to which I refer are private pension bills, and can be considered and disposed of at any time. I fix the 19th of June, because at that time the House

will likely be in a condition of truce, so far as political matters are concerned.

Mr. DIBBLE. I would suggest to the gentleman that that day is already set apart by special order of the House.

Mr. MATSON. Then I will say the 20th of June.

Mr. BOOTHMAN. Let me suggest to the gentleman that the 19th of June is the date of the Republican convention, and as probably quite a number will be absent from the House, it is not likely they can be here on the 20th.

Mr. DINGLEY. Suppose the gentleman from Indiana suggests the 5th of June, as perhaps it will suit gentlemen better than the day fixed. [Laughter.]

Mr. BOOTHMAN. I withdraw the suggestion I made.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the bills coming over from last evening as unfinished business, and those which have been postponed until next Monday, may be all postponed until the 20th day of June, immediately after the reading of the Journal.

Mr. JOHNSTON, of Indiana. Will the gentleman consent to substitute the 6th day of June?

Mr. MATSON. The reason I fix the 20th, as I have suggested, is that probably more Republicans are going to Chicago than Democrats to St. Louis, and the House will certainly be in a condition of truce so far as politics are concerned. There will not be any special business pressing, and these bills can be taken up and disposed of at that time. I understand that but few Democrats are going to St. Louis.

The SPEAKER. The Chair will again submit the request of the gentleman from Indiana, that these bills be postponed until the 20th day of June, the previous question ordered, and the same conditions applying as now apply. Is there objection?

There was no objection, and it was so ordered.

Mr. FORNEY. I move to dispense with the morning hour for the call of committees, and if that is carried will ask unanimous consent that gentlemen having reports to make may hand them in at the desk.

The motion to dispense with the morning hour was agreed to.

The SPEAKER. Is there objection to allowing reports from committees to be handed in at the desk?

There was no objection.

FILING OF REPORTS OF COMMITTEES.

The following reports of committees were filed by being handed in at the Clerk's desk:

BRAZOS RIVER.

Mr. STEWART, of Texas, from the Committee on Rivers and Harbors, reported the bill (H. R. 10165) for the improvement of the Brazos River; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MILITIAMEN.

Mr. MORRILL, from the Committee on Invalid Pensions, reported with amendment the bill (S. 1529) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, NEW LONDON, CONN.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 1846) for the erection of a public building at New London, Conn.; 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.

CLAIMS FOR STORES AND SUPPLIES.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported a bill (H. R. 10166) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

HOUSTON, CENTRAL ARKANSAS AND NORTHERN RAILWAY COMPANY.

Mr. PHELAN, from the Committee on Commerce, reported back with amendments the bill (H. R. 9420) authorizing the Houston, Central Arkansas and Northern Railway Company to construct and maintain bridges across Bayou Bartholomew and across Ouachita, Red, Little, and Sabine Rivers, in Louisiana; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MACON, TUSCALOOSA AND BIRMINGHAM RAILROAD COMPANY.

Mr. PHELAN, from the Committee on Commerce, reported back the bill (H. R. 9612) to authorize the Macon, Tuscaloosa and Birmingham Railroad Company to build a bridge across the Tombigbee River, in Alabama; which was laid on the table.

He also, from the same committee, reported back with amendment the bill (H. R. 9611) to authorize the Macon, Tuscaloosa and Birmingham Railroad Company to build a bridge across the Black Warrior River in