

By Mr. WHITTHORNE: Petition of estate of Peter Cole, of Frederick Cook, of James D. Copeland, and of Snowden B. Herbert, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

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. GIFFORD: Of H. M. Hanson and 41 others, citizens of Howard, Dak.

By Mr. REED: Of citizens of Mississippi County, Arkansas.

## SENATE.

THURSDAY, June 28, 1888.

Prayer by Rev. FREDERICK D. POWER, of the city of Washington. The Journal of yesterday's proceedings was read and approved.

### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Elizabeth M. Atwell, of Ontario County, New York, praying to be relieved from her political disabilities; which was referred to the Select Committee on Woman Suffrage.

Mr. COCKRELL. I present a petition of citizens of Bates and St. Clair Counties, Missouri, signed by A. C. Page and others, praying that Congress may by law provide amendments to the interstate-commerce law so that it shall be unlawful for any common carrier subject to the provisions of that act to carry or transport any commodity for any shipper in a car or vehicle owned, leased, or in any way controlled by such shipper, and that it shall be unlawful for any shipper to make any contract with any carrier to convey the property of such shipper in cars or vehicles owned or controlled by such shipper; and another addition, that in all prosecutions under that section, on complaint of a citizen of the United States, such citizens shall be entitled to have and receive, for his own benefit, all fines that may be imposed and collected for any violations of said act in any and all prosecutions in which he may be such complainant.

I move that the petition be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. HOAR presented the petition of Clement A. Cahoon, J. G. Ryder, William M. Ryder, and others, citizens of Harwick, Mass., praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented the petition of the Boston Board of Marine Underwriters and others, of Boston, Mass., praying for the passage of House bill 10183, to construct and establish a light-ship off Great Round Shoal, near Nantucket, Mass.; which was referred to the Committee on Commerce.

Mr. HALE presented the petition of William Pierce, late of Company F, Seventh Regiment Maine Volunteers, praying that he be relieved from the charge of desertion; which was referred to the Committee on Military Affairs.

He also presented a petition of Waldo County Grange, of Maine, praying for certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of citizens of Portland, Me., praying that the surplus in the Treasury be used in making arable and cultivating the Government lands, giving many people who are out of employment an opportunity to work thereon; and that such lands be divided into farms of 40 acres each, to be let or sold on easy terms; which was referred to the Committee on Education and Labor.

### VETOED PENSION BILLS.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following acts, and the veto messages of the President of the United States thereon, reported them with the recommendation that they be passed, the objections of the President to the contrary notwithstanding, and submitted a report thereon:

- An act (S. 820) granting a pension to David A. Servis;
- An act (S. 465) granting a pension to William Sackman, sr.;
- An act (S. 549) granting a pension to Hannah R. Langdon;
- An act (S. 1237) granting a pension to Anna Mertz;
- An act (S. 809) granting a pension to Betsey Mannsfield;
- An act (S. 838) granting a pension to Mary Sullivan; and
- An act (S. 739) granting a pension to Johanna Loewinger.

The PRESIDENT *pro tempore*. The Senator from Minnesota, from the Committee on Pensions, reports the several bills named with a recommendation that they pass, the objections of the President of the United States to the contrary notwithstanding. The bills will be placed on the Calendar.

Mr. MANDERSON. I understand that the report on these bills from the Committee on Pensions is one of very great importance and

treats upon the entire subject-matter of the veto of pension bills. I move that 5,000 additional copies of the report be printed for the use of the Senate, and I ask that the motion be referred to the Committee on Printing.

The PRESIDENT *pro tempore*. There is not a report in each case, the Chair understands.

Mr. MANDERSON. I understand that it is a combined report as to the seven bills now reported.

The PRESIDENT *pro tempore*. If there be no objection, the motion to print 5,000 additional copies of the report of the Committee on Pensions will be referred to the Committee on Printing, and the bills, the numbers and titles of which have been read, will be placed on the Calendar.

Mr. DAVIS. The committee report seven bills.

The PRESIDENT *pro tempore*. The Chair understood the report to include seven bills; and the motion was to print 5,000 extra copies of the report.

Mr. DAVIS. The seven bills will be placed on the Calendar?

The PRESIDENT *pro tempore*. The bills, with the report of the committee recommending their passage, notwithstanding the objections of the President of the United States, will be placed on the Calendar, if there be no objection.

Mr. HARRIS. What is the matter of which 5,000 copies are proposed to be printed?

The PRESIDENT *pro tempore*. The report will be stated, if there be no objection.

The CHIEF CLERK. The report of the Committee on Pensions on Senate bills 820, 465, 549, 1237, 809, 838, and 739, granting pensions, and the messages of the President in disapproval thereof.

The PRESIDENT *pro tempore*. These bills were returned to the Senate without the approval of the President of the United States. The committee report that the bills should pass, notwithstanding the objections of the Executive, with a report in writing. Does the Senator from Tennessee desire to have the report read?

Mr. HARRIS. I understand that the committee ask that 5,000 extra or additional copies be printed.

The PRESIDENT *pro tempore*. The Senator from Nebraska [Mr. MANDERSON] moved that 5,000 copies of the report be printed, which motion was referred to the Committee on Printing.

Mr. HARRIS. Oh, it was referred.

The PRESIDENT *pro tempore*. The motion has been referred.

Mr. HARRIS. That is right.

Mr. PLATT. Will the report appear in the RECORD without having been read at the desk?

The PRESIDENT *pro tempore*. It will not unless ordered to be printed in the RECORD.

Mr. PLATT. I wish there may be consent that the report shall appear in the RECORD.

The PRESIDENT *pro tempore*. Is there objection to the report of the committee being printed in the RECORD?

Mr. SAULSBURY. Is it proposed to have the veto messages as well as the report of the committee printed?

The PRESIDENT *pro tempore*. The veto messages have already been printed in the RECORD. Is there objection to the request of the Senator from Connecticut?

Mr. HARRIS. I object to printing the report in the RECORD. Let the Committee on Printing report the matter back, and we shall consider it then.

Mr. ALLISON. What is the motion?

The PRESIDENT *pro tempore*. The Senator from Connecticut [Mr. PLATT] moves that the report of the committee be printed in the RECORD. The question will be submitted to the Senate.

Mr. ALLISON. Is it a brief report?

The PRESIDENT *pro tempore*. The Chair can not state.

Mr. ALLISON. I should be glad to hear it read, if it is not long.

Mr. FAULKNER. I do not concur in the full report of the Committee on Pensions in reference to all the vetoes. As to some of those bills that have been vetoed by the Executive, I have very decided opinions; but before the 5,000 copies of the report are ordered to be printed I think it would be well for some of the members of the Committee on Pensions on this side of the Chamber to have an opportunity to read the full report as to all the bills, so as to see whether they concur in the report made as to each and every one of the seven vetoes reported upon.

As to some of these bills, I repeat that I have very decided opinions, and I shall express those opinions when the bills come up for action. As to others, I am not familiar with the facts, and wish to examine them before 5,000 copies of the report are ordered to be printed.

The PRESIDENT *pro tempore*. The Senator from Iowa [Mr. ALLISON] asks that the report may be read.

Mr. MORRILL. I think the Senator from West Virginia will withdraw his objection to having the report printed in the RECORD. As the veto messages have already been printed in the RECORD, it is proper and fair that the report should be also printed there. That will save the time of having it read now.

The PRESIDENT *pro tempore*. The Senator from Tennessee [Mr. HARRIS] objected, not the Senator from West Virginia [Mr. FAULKNER].

Mr. MORRILL. I thought the Senator from West Virginia objected.

Mr. FAULKNER. I did not make any objection to printing the report in the RECORD. My only objection, as I stated, is to the motion to print 5,000 copies of the report before further examination; and the motion should go to the Committee on Printing, as suggested by the Senator from Nebraska [Mr. MANDERSON].

The PRESIDENT *pro tempore*. It has been so referred.

Mr. FAULKNER. Then I can have an opportunity before the printing of extra copies of the report of the Committee on Pensions is ordered to examine the report and see whether I, as one of the members of that committee, concur in the views of the committee.

Mr. MANDERSON. I understand that the motion has been referred to the Committee on Printing, and if there should be a minority report, of course that would be printed with the 5,000 copies as a part of the report.

Mr. SAULSBURY. I do not know whether it is in order exactly now to move that the veto messages of the President on these bills also be published in connection with the report of the Pension Committee on these cases, and to have the motion referred to the Committee on Printing.

It is very evident that the object and purpose is to assail the President for the vetoes he has submitted. It is right and fair and just to the Executive that if that is to be a campaign document it should not be given out without submitting the causes of the vetoes, so that the Executive may have the benefit of his own reasons assigned to accompany the report on the subject, and that the country may understand the reasons pro and con for these measures. I suggest, therefore, that if the Committee on Printing should report favorably to the printing of this document, it should also report favorably to the printing of the Executive veto messages on the subject.

The PRESIDENT *pro tempore*. The Senator from Delaware asks unanimous consent that the veto messages of the President may be printed.

Mr. DAVIS. For the information of the Senator from Delaware I will state that in each instance the message of the President is set out fully in the report which it is proposed to have printed.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Delaware to the statement of the Senator from Minnesota.

Mr. SAULSBURY. I did not hear it.

Mr. DAVIS. I say to the Senator from Delaware that in each instance the veto message is set out fully in this report.

Mr. SAULSBURY. Very well, if the veto messages accompany the report in these cases.

Mr. DAVIS. It does, in each case.

Mr. SAULSBURY. If that is to be the case, I am perfectly satisfied.

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

Mr. COCKRELL. I do not see the Senator from Tennessee [Mr. HARRIS] here, who I believe objected to the printing of the report in the RECORD. I raise a question of order as to whether when a report is made in that way, and when it is first presented to the Senate, upon the request of any Senator the report can be read at full length.

The PRESIDENT *pro tempore*. Such has been the uniform practice of the Senate so far as the Chair is advised.

Mr. COCKRELL. I have not so understood, and I do not believe it is in accordance with the rule. I had hoped the Senator from Tennessee would withdraw his objection, so that no such precedent would be set, because I object to a ruling that any Senator can call for the reading of a report when it is presented and before it has been printed or anything has been done with it. If so, the entire day could be taken up in reading two or three reports that would be presented. If it is the right of a Senator to do that, it would place the entire business of the Senate in the control of one Senator.

The PRESIDENT *pro tempore*. Does the Senator from Missouri object to the reading of the report?

Mr. HARRIS. I will withdraw the objection to the printing of the report in the RECORD, if it is desired.

The PRESIDENT *pro tempore*. Does the Senator from Iowa then ask that the report be read?

Mr. ALLISON. No, sir; I do not.

The PRESIDENT *pro tempore*. The report will be printed in the RECORD, in the absence of objection.

The report is as follows:

The Committee on Pensions, to whom were referred the messages of the President returning with Executive disapproval bills (S. 820) granting a pension to David A. Servis; (S. 465) granting a pension to William Sackman, sr.; (S. 739) granting a pension to Johanna Loewinger; (S. 549) granting a pension to Hannah B. Langdon; (S. 1237) granting a pension to Anna Mertz and the minor children of Charles A. Mertz; (S. 809) granting a pension to Betsey Mansfield; and (S. 838) granting a pension to Mary Sullivan, have considered the same, and report: Since the 8th day of May, 1886, one hundred and thirty-six special acts granting pensions to individuals have been disapproved by the President.

Legislation of this character has been a matter of settled and favored policy for a very long period, commencing before the civil war. These disapprovals were based on a great majority of cases upon the expressed opinion of the President that Congress had erred in its judgment upon mere questions of fact, such as the incurrence of disability in the service; or whether death from a disease or casualty asserted to be the secondary result of some disease incurred in the service, ought to be held upon the testimony to be so referable; or whether the proof before Congress showed the existence of any disability whatever.

The practice of the President respecting bills of this character is indicated by the following extract from his message of May 8, 1886, disapproving an act to increase the pension of Andrew J. Hill: "There have lately been presented to me on the same day for approval nearly two hundred and forty special bills granting and increasing pensions and restoring to the pension-list the names of parties which for cause have been dropped. To aid Executive action they were referred to the Pension Bureau for examination and report." This practice is further disclosed by the following extract from the report of the committee upon the message disapproving Senate bill 2095, Forty-ninth Congress, first session, granting a pension to Mary J. Nottage:

The files of papers in these vetoed cases, which are now in possession of your committee, contain a letter of the Assistant Secretary of the Interior, under date of June 14, 1886, stating that he incloses enrolled bills as follows, enumerating 118 House bills and 11 Senate bills, and instructing the Commissioner of Pensions as follows:

"Please cause the same to be critically examined, and report to this Department whether, in your opinion, any objections to their approval are known to exist. In cases where objections exist they should be specifically set forth." (Forty-ninth Congress, first session, Report No. 1424.)

That this method of procedure still continues is apparent from several of the messages now in question. The result is that the decision of Congress upon the facts in reversal of the decisions of the Bureau of Pensions are referred by the President to that bureau for "examination and report;" and for any such "objections to their approval as are known to exist," in which cases such objections are to be "specifically set forth."

It is, of course, impossible for the President to examine the mass of documentary evidence upon which each case depends, and which is invariably examined by the committee; and it follows that when he disagrees with Congress upon the questions of fact in these cases, his judgment must be based, not upon the reports of the committees, in which the facts are always stated with sufficient fullness, but upon the report of some subordinate in the Bureau of Pensions. This bureau, whose action Congress has reversed, is thus enabled to review the action of Congress by the express direction of the President.

These reports of the bureau can not in the nature of things possibly be made by any one person within the time during which the President can hold bills for consideration when they are received by him in such numbers. This explains the numerous inconsistencies of Executive action which are hereafter fully exposed.

This method of consideration is an abridgment by the Executive of the exercise of the right of Congress to waive that strict proof which is properly required in ordinary cases in the Department under the somewhat technical rules that have grown up out of repeated precedents. This results plainly from the practice that Executive disapproval follows in any case where the records of the bureau are deemed by the President not to sustain the action of Congress. This invasion upon the province of Congress goes further: It annuls its undoubted power in the cases which have been subjected to Executive disapproval to determine by the will of its majority that the public money shall be appropriated for a legitimate and constitutional purpose.

It can not be maintained upon any fair construction of the Constitution that the power of Executive disapproval ought to be exercised upon acts of this character for the sole reason that the President differs in opinion from Congress upon a mere question of the weight of testimony, or upon the expediency of a special act which subserves a proper general purpose and which imperils no power of any other department.

If it shall ever become established that such an exercise of the veto power has sufficient warrant as to this class of cases, it must follow that it is proper in all cases. That this has never before been systematically attempted in any class of cases does not remove the cause for alarm. Usurpations move rapidly in republics from small objects to those of the greatest concern. That the power exists in the Executive to disapprove any legislative measure can not be denied. But the duty undeniably also exists that it shall not be used in such a manner or upon any occasion or pretext as to make its exercise operate as an encroachment upon the powers of other departments of the Government.

It is the theory of our Government that the great body of power shall rest in the legislative department as the most immediate representative of the people. To that department the Constitution has confided these powers by description if not by restrictive definition and enumeration. Equally with the executive department it is bound to exercise them in a proper manner and for constitutional purposes. But if from a factious or revolutionary spirit it shall ever fail to do this, and thereby cripple the power to act of the other departments, it will then have violated the spirit of the Constitution, and it will be no defense that the violation was committed by the refusal to exercise a granted power.

The Constitution provides that "no money shall be drawn from the Treasury but in consequence of appropriations made by law." A factious Congress can stop every function of the judicial department by refusing to enact laws making appropriations therefor. In doing so it would as clearly violate the Constitution as would a factious or usurping President who should refuse to approve an act making such appropriations in a case where the two-thirds vote necessary to enact the law over the disapproval could not be obtained.

The right to so use the power of executive disapproval as to change the ordinary method of legislative action by a majority vote, upon proper subjects of legislation, merely because the Executive differs from Congress upon the sufficiency of proof or the expediency of relief, does not, in the opinion of your committee, exist. Such a misconception of the extent of executive power, making it limitless, is fraught with dangers to the independence and to the constitutional powers of Congress, and it clearly implies that a factious or usurping President who proposes to subordinate to his will that department to which the Constitution has confided the principal powers of Government can rightfully do this and prevent the will of the people from taking statutory form, except by a two-thirds vote of each House of Congress.

The present Chief Executive has disapproved one hundred and sixty-two bills. Of these, one hundred and thirty-six are bills granting pensions to individuals. All of his predecessors vetoed but one hundred and thirty-three bills. None of his predecessors disapproved any acts of this character, excepting President Grant, who disapproved but five; and none of these were unsanctioned on account of any difference of opinion upon the facts. The bill to pension Abigail Ryan was disapproved by President Grant because her name was already on the roll; that to pension Ann Montgomery was disapproved merely to enable Congress to correct an ambiguity in the act and thereby to benefit the soldier's children; that to pension E. B. Crawford because he was already enjoying all the pension the general law allowed him; that to pension Lewis Hinely because his true name was Heinlig; that to pension Eliza Jane Blumer because the company to which her husband belonged was misdescribed in the bill. These bills were disapproved by this great soldier and patriot, who knew and felt the obligations of the nation to its defenders, not for the purpose of de-



feating relief, but to enable relief to be granted by amendments, or because relief had previously been given.

The veto power was odious to the founders of this Government. The first count in the Declaration of Independence against the King of Great Britain is that "he has refused his assent to laws the most wholesome and necessary for the public good." The persistent vetoes of the royal governor led to his expulsion from South Carolina before hostilities broke out. In Virginia the repeated veto of acts to check the slave trade was one of the most prominent of colonial grievances. So unpopular was this power that it was conferred by only one of the first constitutions of the original States—Massachusetts.

To overcome the popular distrust the advocates of the Federal Constitution urged that the power had not been exercised in England for nearly a century as to acts of Parliament; that it would never be employed by any President except to protect his own constitutional powers, or in rare cases of public emergency where revolutionary legislation should menace the general weal; that it was a power whose utility lay rather in its existence and in the fear that it might possibly be employed than in its use; that such existence was necessary (to use Hamilton's expression) "because of the superior weight and influence of the legislative body"—a foreboding which has not been verified by our history.

A contemporaneous exposition of this power will be found in an official opinion delivered by Mr. Jefferson to President Washington. Mr. Jefferson then being Secretary of State. It was given upon the bill granting a charter to the Bank of the United States. He remarks, "It must be added, however, that unless the President's mind on a view of everything which is urged for and against the bill is tolerably clear, that it is unauthorized by the Constitution; if pro and con hang so as to balance his judgment, a just respect for the wisdom of the Legislature would naturally decide the balance in favor of their opinion. It is chiefly for cases where they are clearly misled by error, ambition, or interest that the Constitution has placed a check in the negative of the President."

"The primary inducement," says Mr. Madison, "in conferring the veto power upon the President, is to enable him to defend himself. Indeed, even in England, where the King is considered a part of Parliament, and therefore possessing a share of legislative power, the royal negative would only be permitted in cases where encroachments were attempted upon the royal prerogative."

The framers of the Constitution well knew that paper limitations of power never execute themselves. They knew that the checks and balances of the Constitution depend for their efficacy upon the wisdom and the patriotism of the persons to whom their exercise is confided. They knew that maladministration can make them as destructive as correct application can make them preservative.

The same just conceptions have been entertained by the predecessors of the present Chief Magistrate. They have, in the opinion of your committee, been disregarded by him.

The inordinate proportions to which the executive power has grown during the last twenty-five years, through the tendency to centralization; through the production of those great subjects of administration which have come under executive control through its departments; through the political influence of office-holders, and through the discretionary power of the Executive over an enormous financial system, give just cause for apprehension. To admit that these powers, "which have increased, which are increasing, and which ought to be diminished," can be reinforced by a constitutional exercise of the veto power upon the action of Congress upon subjects clearly within its province and its duty, and involving not the least infringement upon any other department, is to admit a power totally subversive of the ends of government and destructive to the Federal Constitution.

The following observations are submitted upon the particular cases now under consideration:

#### DAVID A. SERVIS.

The testimony shows that while Servis was absent on duty for a short time from the military hospital to which he was detailed as a nurse one of the patients filled a pipe with powder, handed the pipe to claimant on his return to the hospital, and that the consequences detailed in the report ensued.

This act is disapproved on the ground that the injuries were not "such a result of military service as to entitle the applicant to a pension."

This is not a case of a mere joke played by one comrade on another while off duty. Whatever might be the rights of this claimant to a pension were this a malicious or thoughtless act of some well comrade when off duty, this case is different.

Servis was on duty as a nurse in a military hospital. He was in a position of authority over the patients, required to minister to and control them. One of these patients, while Servis was in his place of duty, inflicted upon him a grievous injury. The claimant is clearly within the statute (section 4693) which grants a pension to any enlisted soldier "disabled by reason of any wound or injury received or disease contracted while in the service of the United States and in the line of duty."

The fact that he was detailed to the hospital for duty explains to any one who was in the military service why no record appears of the casualty. In such cases the hospital attendant was treated there and was generally carried on its reports under his detail as nurse. This was of course quite irregular, but it was the way the business was frequently done.

It is to be regretted that the facts and law of this case did not sufficiently attract the attention of the President.

We append the report and the message, and recommend the passage of the bill, the objections of the President to the contrary notwithstanding.

Mr. SAWYER, from the Committee on Pensions, submitted the following report (to accompany bill S. 820):

The Committee on Pensions, to whom was referred the bill (S. 820) granting a pension to David A. Servis, have examined the same and report:

The claimant was a private in Company B, Twenty-first Wisconsin Volunteers, and he claims a pension for injury to his eyes by the accidental discharge of a cartridge. The testimony shows that while at Bridgeport, Ala., acting as hospital nurse, one of his comrades filled a large pipe which claimant was in the habit of smoking with powder, placing a thin layer of tobacco on top; that claimant, ignorant of the trick, lighted the pipe, which exploded and blew him half across the tent. There is no record testimony in the case, nor does it appear that any notice was taken of this wanton act of his tent-mate.

The application was rejected on the ground that the injury, to whatever extent it exists, was not due to the service. It was incurred in the service. It was due to the willful and reprehensible act of a soldier, for whose conduct the military branch of the Government was responsible. If he had killed this claimant, his wife would have been pensioned. That he escaped death and incurred injury to the most sensitive and valuable organ of his physical structure, does not exempt the Government from the obligation of compensation and relief. Surely the Government is as responsible in this case as is the corporation that by accident destroys life or limb, and upon which the decisions of the United States courts have repeatedly imposed pecuniary penalties.

The committee believe that the claimant should be pensioned to the extent of the existing damage to his eye-sight, and report the bill favorably, with a recommendation that it do pass.

#### To the Senate:

I return without approval Senate bill No. 820, entitled "An act granting a pension to David A. Servis."

The beneficiary named in this bill enlisted August 14, 1862, and was discharged June 8, 1865.

It is alleged that about the month of January, 1863, a comrade, by way of a joke, put powder into a pipe which the beneficiary was accustomed to smoke and covered it with tobacco, so that when he lighted it the powder exploded and injured his eyes. The report of the Senate committee states that it does not appear that "any notice was taken of this wanton act of his tent-mate."

There is no mention of any disability or injury in the record of the soldier's service. He seems to have served nearly two years and a half after the injury. He filed an application for a pension in May, 1885, more than twenty-two years thereafter.

Whatever may be the extent of the injury sustained, in regard to which the evidence is apparently quite meager, I can not see that it was such a result of military service as to entitle the applicant to a pension.

The utmost liberality to those who were in our Army hardly justifies a compensation by way of pension for injuries incurred in sport or pastime, or as the result of a practical joke.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 23, 1888.

#### WILLIAM SACKMAN, SR.

This case was considered by the committee with the care which the character of the evidence required, and the facts are set forth in the original report with more than the usual fullness.

The case as first made by the claimant was rejected April 11, 1883. Up to that date it was based upon his own affidavits, his hospital record, his certificate of discharge, and the certificate of the examining surgeon. This last certificate states that the disability "is a fracture of three ribs of left side, which are very well healed; the body is in poor condition; applicant complains of stinging pains; his inspiration (35) has a whistling sound; expiration, 34; palpitation of the heart."

The claimant's case was manifestly prejudiced by the imputations set out in his certificate of discharge, self-contradictory as it is. This document is in the handwriting of Asst. Surg. John H. Williams, and its material portions are set out in the report of your committee recommending the passage of the bill.

The case was reconsidered by the Bureau of Pensions, and it was then that the claimant furnished the mass of testimony the substance of which is stated in the original report of your committee.

Your committee, after a most critical re-examination of this voluminous body of proof, remain of the opinion that this veteran has not only cleared his character of the odious imputations placed upon it by the certificate of discharge, but that in doing so he has also established his right to a pension.

We do not believe the derogatory statements contained in the certificate of discharge.

It is incredible that if this man received his injury in September, 1862, and did no duty after that date, he should have been retained in the service until February, 1864. The discharge is self-contradictory. It is, as we have remarked, in the hand-writing of Assistant Surgeon Williams. It states in one place that the disability was caused by falling off his horse while in detached service; while in another place it states that the disease has been produced by sexual indulgence and the excessive use of intoxicating liquors. One of these statements, thus written by the same man at one time, must be false.

The claimant has successfully met the attack upon his moral character by evidence such as the rules of law make plenary for that purpose, by proof of good character and by the testimony of neighbors, comrades, and public officials. He has also overthrown the charge that he was intoxicated when he received the injury, by the testimony of comrades who were with him when it was incurred.

The fact that he said nothing about broken ribs until he applied for a pension is of no moment. He had no occasion until then to say anything on that subject. That the ribs had been fractured is distinctly stated by the examining surgeon, who also states his belief that the disability "did really originate in the service aforesaid, in the line of duty."

The Pension Bureau made use of none of its ample means for investigating the case. It sent no special examiner to re-examine witnesses. It made no inquiry of the company officers. To the above there is one qualification which confirms your committee in the conclusion they have reached after two examinations of the case.

On November 19, 1885, the Commissioner of Pensions wrote to Surg. John H. Williams, the author of the certificate of discharge, the following letter:

"SIR: The claimant in this case alleges that three of his ribs were fractured and his left side injured by being thrown from his horse during an engagement with the enemy near Fredericktown, Mo., in April, 1863. The certificate of disability upon which the claimant was discharged the service is signed by you, and shows him to have been discharged on account of 'hypertrophy, with dilation of left side of heart,' stating further that 'the disease in this case has been produced by sexual indulgence and excessive use of intoxicating liquors.'"

"It is requested that you inform this office whether your certificate was based upon a personal knowledge of the claimant's private habits, upon the statement of his captain, or upon statements made to you by others. Your early reply with such information as you may be able to furnish touching the general merits of this case will be fully appreciated."

"Very respectfully,

"JOHN C. BLACK,  
"Commissioner."

This letter was returned with the following indorsement:

"ASHEVILLE, N. C., November 21, 1885.

"In reference to within I have to state that I remember the case very distinctly. I made the examination in person and was thoroughly acquainted with the case. I read the statement on which the application for discharge was based to the man, and he consented to have the papers forwarded as they read. The application for pension is fraudulent and should not be allowed. The excessive verbiage alluded to was in part 'masturbation.'"

"Very truly, yours,

"JOHN HEY WILLIAMS, A. M., M. D.,

"Late Assistant Surgeon, Fifth Missouri State Militia Cav."

It is to be observed that the bureau, by reciting in its letter what Mr. Williams had written twenty-one years before, furnished him the means of making a consistent answer—in other words, by a leading question put the expected answer into the mouth of the witness.

The proper and fair question would have been to ask Mr. Williams what was his recollection as to the incurrence of the claimant's injuries and the cause of his discharge. The result expected as the answer to this informing question promptly followed. Mr. Williams cast his answer into the mold of the interrogatory. He did more and worse. He gratuitously added a charge of addiction to a certain habit. Such an answer to such a question is condemned by the rules of evidence even when given under oath. This answer, however, is not sworn to. Considering it in connection with the certificate of discharge which was given to this German boy, your committee believe that both aspersions are unworthy of credit upon the present question as they would be in a court of justice.

We have presented these considerations somewhat fully because the President has been avowedly influenced by discreditable, incredible, and unsanctioned *ex parte* declarations.



We append the act, the report, and the message, and recommend the passage of the act, the objections of the President to the contrary notwithstanding.

Mr. FAULKNER, from the Committee on Pensions, submitted the following report (to accompany bill S. 465):

The Committee on Pensions, to whom was referred the bill (S. 465) granting a pension to William Sackman, sr., have carefully examined the same, and report:

The claimant enlisted as a private in Company K, Fifth Regiment Missouri Militia Cavalry, on the 24th of December, 1861, to serve during the war in Missouri, and was discharged on the 29th of February, 1864. His declaration for a pension was filed July 1, 1881, claiming that "at Fredericktown, Mo., about the 10th or 12th of April, 1863, he had three ribs broken by falling from his horse while surrounded by the guerrillas."

The claim was rejected by the Pension Bureau April 9, 1883, upon the ground "that the record evidence shows that the alleged disability was not incurred in the line of duty."

The records of the Adjutant-General's Office show the petitioner present April 10, 1863. Absent sick at hospital until October 31, 1863. Present January and February, 1864. Nature of sickness not stated. No evidence by the record of the injury complained of.

The discharge for disability shows—

"Palpitation of the heart and defective lungs, the disability caused by falling off his horse near Fredericktown, Mo., while intoxicated, on detached service, in the month of September, 1862. Not having done any duty since, a discharge would benefit the Government and himself."

The assistant and acting surgeon certifies the disability to consist of—

"Hypertrophy with dilatation of left side of heart. The disease in this case has been produced by sexual indulgence and excessive use of intoxicating liquors."

The surgeon who attached the certificate to the discharge for disability, in reply to a letter from the Commissioner of Pensions, under date of November 21, 1885, says:

"I have to state that I remember the case very distinctly. I made the examination in person and was thoroughly acquainted with the case. I read the statement on which the application for discharge was based to the man, and he consented to have the papers forwarded as they read. The application for pension is fraudulent and should not be allowed. The excessive venery alluded to was in part masturbation."

Upon this evidence the Pension Bureau rejected the claim and declined to reconsider its decision, notwithstanding the affidavits filed by the petitioner, as follows:

"Henry Markwort, on the 27th day of December, 1883, made oath that 'he knew claimant, William Sackman, sr., in the year 1860, and also ever since, and knew him while he was a member of the above-named organization with affiant, and the said claimant was, during all that time, of sober habits and of virtuous disposition, and affiant never saw him in a state of intoxication, \* \* \* and was never, to his knowledge, guilty of sexual indulgence, but that he was a good soldier and bore a good name for morality.'"

"Frederick Lauderman, Christian Pape, Deiderich Klingman, Henry Thiessen, and John Haslauer, on the 26th day of September, 1883, made oath 'that they were members of the above-named organization, and that they well knew the claimant herein, William Sackman, sr., prior to his enlistment and during his service in said organization, and ever since he was discharged from the service of the United States, and that said William Sackman was a good soldier and bore a good character always for sobriety and moral habits, and that he was never guilty of the charge of being intoxicated or indulging in the excessive use of intoxicating liquors nor sexual indulgence.'"

"Henry Thiessen and William Braus, on the 11th day of June, 1883, made oath 'that they were members of the organization aforesaid, and that they well knew William Sackman, sr., the claimant herein, and that in the organization aforesaid, in the line of duty, being on detached duty at the time, the said Henry Thiessen being a corporal at that time in command of said detachment, and the said William Braus also a member of said detachment, and that while so detached for the purpose of guarding one of their company to his home, the horse claimant was riding took fright and ran off with him, thereby injuring said claimant so that he could not arise nor get onto his horse without assistance. That the post surgeon furnished a certificate to the said corporal in regard of the inability of said William Sackman, sr., to be carried back to his command.'"

"William Wolfeckiller, on the 17th of September, 1883, made oath 'that the said petitioner, while on duty on the march from Pilot Knob to Cape Girardeau, in the year 1862 or 1863, was thrown from his horse and seriously injured; that he was not intoxicated at that time; that he served with the said petitioner in the same company about three years, and that the said petitioner was free from sexual indulgence and the excessive use of intoxicating liquor.'"

"William Northrop, on the 17th day of September, 1883, made oath 'that he was first sergeant of Company D, Twelfth Regiment Missouri State Militia Cavalry, and knew petitioner to be a sober man and never saw him intoxicated or indulging in any bad habits. The record showing that the petitioner indulged in the excessive use of intoxicating liquors or sexual indulgence, is false.'"

"G. H. Cramer, mayor of Cape Girardeau, where the petitioner resides, on the 12th day of February, 1884, made oath as follows: 'I have known said petitioner and have been well acquainted with him ever since about the year 1854, while he was, as he is yet, a citizen of Cape Girardeau. I have never heard or seen anything derogatory to his moral character, and I believe he is considered, generally, as an honorable and virtuous man.'"

"On June 28, 1882, Fred B. Schultz, examining surgeon of the Pension Office, examined the petitioner and certified: 'The disability is a fracture of three ribs on the left side.'"

The evidence above quoted fully sustains that of the petitioner, that while in the service and in the line of duty he was thrown from his horse and seriously injured. This appears on the face of the certificate of discharge for disability. The records of the Adjutant-General's Department, as well as the Surgeon-General's, tend to sustain this view of the case. The certificate of the examining surgeon of the Pension Bureau confirms the claim of the petitioner in the declaration for a pension. Does the evidence justify the conclusion reached by the Pension Bureau, that at the time of the injury he was not in the line of duty, or that it occurred while he was intoxicated, or that his disability at present is the result of excessive sexual indulgence or the improper use of stimulants?

The committee is of opinion that the certificate of discharge and the evidence of his comrades conclusively show that the injury happening to him by the falling from his horse, near Fredericktown, Mo., was while in the line of duty, and that at the time he was performing services under the orders of his superior officer.

Was he intoxicated at the time the injury occurred?

The only evidence to sustain that allegation is the statement embodied in the discharge for disability signed by his captain. This is contradicted by the oath of the petitioner, as well as the testimony of two of his comrades, who were present and had personal knowledge of the fact, and the corroborating evidence of a number of comrades, who testify to his sober habits. This view is further strengthened by the affidavit of the mayor of the city in which he lives, who testifies to his moral character.

Was his disability the result of sexual indulgence or the excessive use of liquor?

The testimony upon these questions is full and satisfactory. The numerous affidavits filed overthrow even the suspicion that his disability is the result of either cause assigned; and the certificate of the examining surgeon of the Pension Bureau, that "the disability is the result of the fracture of three ribs on the left side," in the absence of all other evidence, should be conclusive on this point.

In the opinion of the committee the claim of the petitioner for a pension should be sustained. The bill is, therefore, reported favorably, with the recommendation that it do pass.

To the Senate:

I return without approval Senate bill No. 465, entitled "An act granting a pension to William Sackman, sr."

The beneficiary named in this bill served from December 24, 1861, to February 29, 1864, in the Fifth Regiment of the Missouri Militia Cavalry.

He was discharged on the day last named for disability. His certificate of discharge states his disability as follows:

"Palpitation of the heart and defective lungs, the disability caused by falling off his horse near Fredericktown, Mo., while intoxicated, on detached service, in the month of September, 1862. Not having done any duty since, a discharge would benefit the Government and himself."

It appears that a claim for pension was filed in the year 1881, in which the claimant alleged that—

"At Fredericktown, Mo., about the 10th or 12th of April, 1863, he had three ribs broken by falling from his horse while surrounded by guerrillas."

It will be seen that while the certificate of discharge mentions a fall in September, 1862, no allusion is made to any fracture of ribs, while the claimant alleges such an injury occurred in April, 1863.

In 1885 the surgeon who made the medical certificate attached to the discharge, in answer to an inquiry made by the Commissioner of Pensions, says:

"I have to state that I remember the case very distinctly. I made the examination in person, and was thoroughly acquainted with the case. I read the statement on which the application for discharge was based to the man, and he consented to have the papers forwarded as they read. The application for pension is fraudulent and should not be allowed."

I have omitted references made to the habits of the soldier by this medical officer.

Of course much reliance should be placed upon these statements made by an officer whose business it was to know the exact facts, and who made his certificate at a time when such facts were fresh in his mind. There is no intimation that the surgeon who made the statement referred to was inimical to the soldier or influenced by any unjust motive.

The attempt to impeach the record thus made is based upon affidavits made by a number of the soldier's comrades, who testify to his character and habits, and only three of whom speak of an injury to the soldier caused by falling from his horse. Two of these affidavits allege that they were with the claimant on detached duty when his horse took fright and ran away with him, injuring him so that he could not rise and get on his horse without assistance. So far as these affidavits are before me no date of this occurrence is given, nothing is said as to the character of the injuries, and no reference is made to the condition of the soldier at the time. The third affiant, who speaks of an injury, says that it occurred while on duty on the march from Pilot Knob to Cape Girardeau, in the year 1862 or 1863, and that it was caused by the soldier's being thrown from his horse. He says further that the soldier was not intoxicated at that time.

No mention is made that I can discover of any fracture of the ribs except in the claimant's application for pension made in 1881, seventeen years after his discharge, and in a report of an examining surgeon made in 1882.

With a denial of the soldier's condition, as stated by the surgeon, on the part of the only parties who claim to have been present at the time of the injury, I can not satisfy myself, in view of the other circumstances surrounding this case, that the allegations contained in the claimant's discharge are discredited.

GROVER CLEVELAND.

EXECUTIVE MANSION, April 30, 1888.

[Fiftieth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 5th day of December, 1887.]

An act granting a pension to William Sackman, sr.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 William Sackman, sr., late a private in Company K, Fifth Regiment Missouri Militia Cavalry.

JOHN G. CARLISLE,  
Speaker of the House of Representatives.  
JOHN J. INGALLS,  
President of the Senate pro tempore.

I certify that this act originated in the Senate.

Attest:

ANSON G. MCCOOK,

By CHAS. W. JOHNSON,  
Secretary,  
Chief Clerk.

JOHANNA LOEWINGER.

Your committee have carefully re-examined this record. The claimant has substantially been estopped by the Department and the President from showing the facts in this case by the undue conclusiveness attributed to the coroner's inquest, and even the verdict of the coroner's jury has been misconstrued. "Crowner's quest law" has seldom been given such efficacy. But one witness was summoned before that jury. What the fact in reality was concerning this death was absolutely established by the testimony filed before the Pension Bureau.

Emma Loewinger, daughter of the deceased, testifies: "At the time my father inflicted the wound in his throat I was away at work. My mother sent for me and I reached home about half an hour afterwards. My father was then lying on the floor and his wound had been dressed and there was no evidence at that time of any flow of blood. Shortly after my arrival they placed him on the bed, and he lay there apparently without suffering any pain, and finally passed away quietly without a struggle. He lived from three to three and a half hours after I reached his bedside. \* \* \* My father had been sick for a long time with chronic diarrhoea, and at the time he inflicted that wound was in a very weak condition, and so much so that he had to be assisted in and out of bed. \* \* \* I know he suffered a great deal of pain during his sickness."

Meland Freutz deposes that she lived in adjoining house to claimant. On the day soldier inflicted wound on his throat his wife was out marketing; affiant heard something fall and went into the house and found him lying on the floor; saw the blood and sent immediately for the doctor. The incision



across the throat was immediately in front and near the windpipe, just deep enough to expose the windpipe without cutting it. The incision was from 1 to 2 inches in length and was made with a razor. Affiant washed blood from the wound when the doctor was sewing it up. There was not much blood. He lived about four hours after the wound was dressed. \* \* \* He had been confined twenty-four weeks to the house prior to his death with chronic diarrhea, and he became so weakened from the disease that he had to be assisted in and out of bed. At times he appeared to suffer intensely with the disease.

Dr. Werner again deposes that the wound was about 2 inches in length and one-eighth of an inch deep; was cut over the larynx and on both sides from the larynx; only the skin was cut through. No large blood vessels were cut. He only lost about 2 ounces of blood. The loss of blood did not change the symptoms. He died twenty-four hours later, as the result of chronic diarrhea.

Your committee remain clearly of the opinion that the deceased, although he attempted to commit suicide, did not succeed in his attempt. But conceding that the death was self-inflicted it is apparent from the phraseology of the verdict that the deceased "came to his death by suicide by cutting his throat with a razor, caused from long-continued illness," and that the coroner's jury attributed the act to a condition of mental aberration, which was the result of the illness. Such an act thus induced is not suicide in legal contemplation or definition.

We append the act, the report, and the message, and recommend the passage of the act, the objections of the President to the contrary notwithstanding.

Mr. FAULKNER, from the Committee on Pensions, submitted the following report (to accompany bill S. 739):

The Committee on Pensions, to whom was referred Senate bill 739, granting a pension to Johanna Loewinger, have examined the evidence in the record, which may be briefly stated as follows:

Charles Loewinger, the husband of the widow now claiming a pension, enlisted June 13, 1861, in Company E, Twenty-eighth Ohio Volunteers. Discharged for disability May 18, 1862. Application for a pension filed January 27, 1865, for chronic diarrhea and ulceration of the bowels. He died July 17, 1876. His widow filed her application to be put upon the pension-roll March 31, 1880; claim rejected July 25, 1885.

The medical reviewer rejects the claim of the widow on the ground "that the soldier committed suicide, as shown by the verdict of the coroner's jury, and his death in this manner is not considered the result of chronic diarrhea, nor chargeable in any way to his military service." If the above finding is sustained by the evidence filed with the widow's application there could be no question that her claim had been properly rejected. On a careful analysis of the testimony the committee can not agree with the finding of the Pension Office, and is satisfied that the evidence clearly supports the opposite conclusion.

The verdict of the coroner's jury finds: "The deceased came to his death from suicide by cutting his throat with a razor, caused by long-continued illness."

This verdict is supported as to the cause of his suicide by an overwhelming amount of testimony.

The "certificate of disability for discharge" finds him "incapable of performing the duties of a soldier because of chronic ulceration of the mucous membrane of the colon, resulting from an attack of camp fever contracted while on Big Sewell Mountain, in October, 1861, marked by excessive exhaustive diarrhea, occasional hemorrhage of the bowels, and such reduction of strength that he is utterly unfit for service."

The evidence of a number of physicians, as well as his neighbors, embracing the period from the date of his discharge to the hour of his death, conclusively proves that his disease, for which he was discharged from the service, continued, without intermission, during that whole period, and that he suffered excessive pain and was totally unfit to perform any labor, and that during the latter years of his life he was confined to his house, and most of the time to his bed. That his condition preyed upon his mind, and at times it was seriously affected. Dr. G. C. Werner, who attended him during the last years of his illness and at the time of his death, testified that—

"The soldier became affected with melancholy and became very debilitated several months before he committed suicide. That affiant never had any doubt but that the chronic diarrhea, from which he was continually suffering, was the immediate cause of his melancholy; that death was not caused by cutting his throat, as affiant sewed up the wound and there were no arteries severed, and that, in affiant's opinion, he could not have lived more than a few days longer, as he was then in a dying condition from chronic diarrhea."

This statement is supported by the affidavits of Neland Frenz, Dr. F. L. Emmer, Annie N. Rohrer, Mary Byer, Frank Geiler, Carl Keneher, and Carl Lirche.

The medical reviewer, July 14, 1885, upon these facts, in referring the cause to the chief of the medical division, said: "As the case now stands we must, in my opinion, accept death as due to diarrhea, and not to the wound of the throat."

This conclusion, which the committee think is fully sustained by the testimony, was reached after the medical reviewer had commented upon the case, May 6, 1885, and the medical referee himself had called for further testimony June 12, 1885.

It is clear from the evidence that the pensioner was the victim of painful, exhausting, and debilitating disease; that no cause other than this disease is pretended to have existed which could have affected the mind of the husband of the petitioner and caused him to take his life. And it is fair to conclude that at the time he made the attempt on his life his mind, by reason of the disease contracted in the service, was seriously affected. And the evidence of the physician that he did not die from the injury inflicted, but as the result of his debilitated condition, resulting from that disease, seems to your committee conclusive of the case.

The conclusion of the committee in this case is fully sustained by the decisions and rulings of the Pension Bureau, found in the "Digest of Pension Laws and Decisions," pages 141, 142, 143, 144, 145, 279.

Your committee would report the bill favorably, after amending the title so as to read: "A bill granting a pension to Johanna Loewinger," and by striking out, in line 6, the word "Johanna" and inserting in lieu thereof the word "Johanna."

To the Senate:

I return without approval Senate bill No. 739 entitled "An act granting a pension to Johanna Loewinger."

The husband of the beneficiary named in this bill enlisted June 28, 1861, and was discharged May 8, 1862, upon a surgeon's certificate of disability. He was pensioned for chronic diarrhea. He died July 17, 1876. A coroner's inquest was held, who found by their verdict that the deceased came to his death "from suicide by cutting his throat with a razor, caused by long-continued illness."

This inquest was held immediately after the soldier's death, and it appears that the case was fully investigated with full opportunities to discover the truth. Upon the verdict found, in the absence of insanity caused by any disability, it can hardly be claimed that his death was caused by his military service. The attempts afterwards to impeach this verdict and introduce another cause of death do not seem to be successful.

EXECUTIVE MANSION, June 5, 1888.

GROVER CLEVELAND.

[Fiftieth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 5th day of December, 1887.]

An act granting a pension to Johanna Loewinger.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 Johanna Loewinger, widow of Charles Loewinger, deceased, late of Company E, Twenty-eighth Regiment Ohio Volunteers.

JOHN G. CARLISLE,  
Speaker of the House of Representatives.  
JOHN J. INGALLS,  
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. MCCOOK,  
Secretary.

HANNAH R. LANGDON.

Your committee, after re-examining the records in this case, adhere to their former report.

We are clearly of the opinion that the claim should have been allowed by the Department, and this widow should have thus become entitled to receive what is due her from the Government from the date of her application, instead of from the date of the passage of the special act in her behalf.

It seems to have attracted the attention of the President that the deceased husband tendered his resignation in less than six months after entering the military service. This is true. He served from October 7, 1862 to March 27, 1863. But he had been stationed at Pensacola and Santa Rosa Island, Florida, and there contracted the diseases (chronic hepatitis and diarrhea) which forced him to quit the service. The change of climate in his case was an extreme one. He was undoubtedly entitled to a pension from the date of his resignation. From motives of pride, doubtless, he did not apply for it until June, 1880, and it was allowed to him in January, 1881, for chronic diarrhea and resulting piles. He died in September, 1881. Some five years before his death he began to break down, evincing symptoms of the disease of which he finally died, and was reduced to a physical condition which invited it and made him an easy victim to its attack.

Dr. H. H. Atwater, a member of the board of examining surgeons, in an affidavit filed December 5, 1881, deposes that he first professionally advised for the deceased five or six years since, for purpura hemorrhagica, consequent upon an impoverished condition of the blood; also for various derangements of the digestive organs, and continued to advise him for such derangements at occasional intervals during the next three or four years. \* \* \* That he began to treat him regularly about two years since, for pleuro-pneumonia, followed by abscesses and degeneration of lung tissue; and that these diseased conditions were complicated with the above-mentioned digestive affections, such as diarrhea, dyspepsia, indigestion, etc. That, in his opinion, the said Langdon was incapacitated for manual labor about one-eighth of the time, during the first three or four years of his treatment, and totally incapacitated during nearly all of the last two years of his life.

Warren Gibbs, next neighbor to Dr. Langdon, deposes December 30, 1880, that the "deceased has been in a gradually failing condition for years; think he has done little business for the last two years on account of not being in sufficient health."

To this testimony no effect seems to have been given in the Department or in the message.

It is stated in the message that the breaking down, cough, emaciation, and debility were not made by the deceased any ground of a claim for pension. In this respect the President was insufficiently informed as to the facts. On August 30, 1881, less than one month before he died, Dr. Langdon applied for an increase of pension, in which application he deposes as follows:

"The disability for which he (affiant) is pensioned has resulted in loss of appetite, bad cough, and bloody expectoration, increased respiration, hemorrhage of the lungs, loss of flesh (39 pounds) to such an extent that he is not capable of any manual labor whatever. The hemorrhoids have so disabled me that I am at times unable to sit upon a chair. Loss of appetite being almost total."

We append the act, the report, and the message, and recommend the passage of the act, the objections of the President to the contrary notwithstanding.

Mr. BLAIR, from the Committee on Pensions, submitted the following report (to accompany bill S. 549):

The Committee on Pensions, to whom was referred the bill (S. 549) granting a pension to Hannah R. Langdon, have examined the same, and report:

A bill to pension this widow was reported favorably by this committee, and passed the Senate during the last Congress. The former report is herewith appended, and your committee again recommend the passage of the bill.

That the petitioner is the widow of Dr. Henry H. Langdon, late an assistant surgeon in the Seventh Regiment Vermont Volunteers, war of the rebellion; that he enlisted in the Army October 7, 1862, and was discharged on surgeon's certificate of disability March 27, 1863; that at the time of his death, 24th September, 1881, he was receiving a pension of \$8.50 per month for chronic diarrhea and piles, contracted at Pensacola and Santa Rosa Island, Fla., about January, 1863; that the petitioner filed a claim for pension December 5, 1881, which was rejected on the ground that it failed to appear in the papers in the case that the disease from which the officer died (consumption) was in any degree traceable to his military service.

On this point the affidavits of Dr. A. P. Grinnell and Dr. H. H. Atwater, submitted to your committee, among other proofs and papers, would seem to be conclusive, which are as follows:

"I, A. P. Grinnell, of the city of Burlington, Vt., of lawful age, on oath depose and say, that I am a practicing physician in Burlington, Vt., and have been for the last fourteen years; that I was acquainted with Dr. H. H. Langdon and knew him and his family from boyhood, and also saw him quite frequently, and advised with him often regarding the treatment of his disease, although I was not his regular professional attendant; that no history of consumption could be traced in his family; that I am acquainted with Hannah R. Langdon, and know that she is the widow of said Dr. H. H. Langdon, and has not married since his decease; that I have read her petition for a pension, and state that I have no doubt from the facts set forth in said petition and from my personal knowledge of said Dr. Langdon's condition, that his lung trouble was the direct result of his chronic diarrhea, and that the chronic diarrhea was the cause of his death.

"A. P. GRINNELL, M. D.

"Subscribed and sworn to this 10th day of November, 1886, before me.

"J. M. RUSSELL,  
Justice of the Peace."

"I, Hiram H. Atwater, United States examining surgeon for pensions, do de-



pose and say that, as a member of the board of examining surgeons, I examined Henry H. Langdon, assistant surgeon of the Seventh Vermont Regiment, December 1, 1880, who claimed a pension for chronic diarrhea and piles, and that upon the certificate of said examination said Langdon was granted a pension. I further state that said Langdon died 24th September, 1881; that I saw him and prescribed for him several times during his last sickness; that the immediate cause of his death was disease of the lungs; and that I believe this disease supervened upon and was associated with the chronic diarrhea for which he was pensioned, and that this latter disease was the remote cause of his death. I further state that I have read the petition of Mrs. Langdon, and that I believe reliance can be placed upon her statements.

"H. H. ATWATER.

"Personally appeared before me this 16th day of November, 1888, at Burlington, Vt., Dr. H. H. Atwater, and made oath to the above affidavit by him subscribed.

"J. M. RUSSELL,  
"Justice of the Peace."

In view of the statements contained in these affidavits, the signers of which are gentlemen well known to be of the very highest standing in their profession and in the community where they and Dr. Langdon resided, your committee are of the opinion that the prayer of the petitioner should be granted; and therefore report the accompanying bill, and recommend its passage.

#### To the Senate:

I return herewith without approval Senate bill No. 549, entitled "An act granting a pension to Hannah R. Langdon."

The husband of the beneficiary named in this bill entered the military service of the United States as assistant surgeon in a Vermont regiment on the 7th day of October, 1862, and less than six months thereafter tendered his resignation, based upon a surgeon's certificate of disability on account of chronic hepatitis (inflammation of the liver) and diarrhea.

On the 12th day of June, 1880, more than seventeen years after his discharge, he filed a claim for pension, alleging chronic diarrhea and resulting piles. He was allowed a pension in January, 1881, and died of consumption on the 24th day of September in the same year.

Prior to the allowance of his claim for pension he wrote to the Bureau of Pensions a full history of his disability as resulting from chronic diarrhea and piles, and in that letter he made the following statement: "I have had no other disease, except last September (1880) I had pleurisy and congestion of my left lung." From other sources the bureau derived the information that the deceased had suffered an attack of pleuro-pneumonia on his left side, and that his recovery had been partial.

In December, 1880, he was examined by two members of the board of surgeons at Burlington, Vt., of which board he was also a member, and the following facts were certified:

"For the past fifteen years claimant has practiced his profession in this city, and has, up to within a year or year and a half of this date, shown a vigor and power of endurance quite equal to the labor imposed upon him by the popular demand for his services. About a year ago he evinced symptoms of breaking down, cough, emaciation, and debility."

These results, "breaking down, cough, emaciation, and debility," are the natural effects of such an attack as the deceased himself reported, though not made by him the ground of a claim for pension, and it seems quite clear that his death in September, 1881, must be chargeable to the same cause.

His widow, the beneficiary named in this bill, filed her claim for pension December 5, 1881, based upon the ground that her husband's death from consumption was due to the chronic diarrhea for which he was pensioned. Upon such application the testimony of Dr. H. H. Atwater was filed, to the effect that about 1879 he began to treat the deceased regularly for pleuro-pneumonia, followed by abscesses and degeneration of lung tissue, which finally resulted in death; and that these diseased conditions were complicated with digestive affections, such as diarrhea, dyspepsia, and indigestion. Another affidavit of Dr. Atwater, made in 1886, will be found in the report upon this bill by the House Committee on Invalid Pensions.

The claimant's application for a pension was rejected by the Pension Bureau on the ground that the cause of her husband's death was not shown to have been connected in any degree with the disease on account of which he was pensioned, or with his military service.

I am entirely satisfied that this determination was correct.

I am constrained to disapprove the bill under consideration, because it is thus far our settled and avowed policy to grant pensions only to widows whose husbands have died from causes related to military service, and because the proposed legislation would in my opinion result in a discrimination in favor of this claimant unfair and unjust to thousands of poor widows who are equally entitled to our sympathy and benevolence.

GROVER CLEVELAND.

EXECUTIVE MANSION, April 16, 1888.

[Fiftieth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 5th day of December, 1887.]

An act granting a pension to Hannah G. Langdon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Hannah R. Langdon, widow of Henry H. Langdon, late an assistant surgeon in the Seventh Regiment Vermont Volunteers in the war of the rebellion.

JOHN G. CARLISLE,  
Speaker of the House of Representatives.  
JOHN J. INGALLS,  
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. MCCOOK, Secretary.

ANNA MERTZ.

A critical re-examination of the records in the Pension Bureau and also of the additional evidence and the petition filed with the committee, upon all of which their report was founded, fully justifies the conclusion therein stated.

Upon the face of the record in the Bureau of Pensions there is, in our opinion, evidence amply sufficient to justify such conclusion. To this body of testimony are to be added the proofs and the petition which were laid before the committee, and which, manifestly from the message, the President has never seen. The claimant has thus suffered prejudice from the fact that the revising authority considered only a part of the evidence. If such a method of re-examination by the Chief Executive is to obtain, the result will be that any new testimony and all petitions laid before the committee are struck out of the case upon the appeal upon mere questions of fact, which is entertained for the first time in the history of the Government by the President upon bills of this character. The fruits of the right to petition Congress are thus denied the citizen, and he is judged solely upon the representations which he may have previously made to

a bureau of one of the Departments. This is manifestly true unless the President applies to Congress for the additional testimony or petitions upon which it has acted, and your committee feel warranted in stating that no such application has ever been made.

More than this: If it shall become established, in case of private right and legislative relief thereof, that executive disapproval will annul legislative action, unless it expressly appears by documentary evidence that the weight of testimony sustains such action, the hitherto undoubted right of the legislative department to act upon the knowledge of its members, or upon parol representations, or upon considerations of sound policy in individual cases, or upon mere petition, will be annihilated in such instances by an arbitrary and technical rule of procedure adopted by the President. It can not be successfully contended by the most intrepid advocate of the vast extension which the veto power has received from the present Chief Executive that any application of that power which produces practical collision between the legislative and executive departments by abridging the one by the mere will of the other is anything less than encroachment by the latter upon the former.

Such a consequence is conclusive that the power of disapproval by the President was never intended to apply to cases of this character, where the only question is as to the weight of testimony. That Congress may err in its judgment as to testimony does not affect the principle nor at all derange the constitutional limitations upon the several departments of the Government.

The case of the pauper widow and children of this soldier is in itself of no great consequence to any persons excepting themselves. But their case as connected with the rights of others in like situation, and with the rights and duties of the legislative and executive departments as to each other, is of the greatest public concern; and the more so because it is upon the rights of the weak and defenseless that usurpation always first lays its hands and is made strong by precedent for attack upon interests of more general importance.

In addition to the records of the Bureau of Pensions the committee had before them the following:

1. The affidavit of the claimant dated December 17, 1887, stating, among other facts, that "about three years prior to his (the husband's) death he brought home medicine given him by a regular physician; that said Mertz told said claimant contained morphine; that from that time on until his death he continued to take similar medicine, but at no time, so far as said claimant knows or believes, without being both prescribed and prepared, or prescribed (and prepared by a regular druggist) by a competent and regularly practicing physician."

2. A petition signed by 53 citizens of Mattoon, Ill., praying a pension to this widow and her children. It is dated December 9, 1886, is addressed to General John A. Logan, and filed with the committee by Senator CULLOM.

This claim was rejected August 8, 1886, and the committee carefully considered the following evidence filed in the Bureau of Pensions afterwards, namely, the affidavit of P. A. Kemper, the family physician of the deceased. It was sworn to February 25, 1887. It states that said "from June 1872 to 1883 was his family physician; saw him often and was consulted by him from 1872 to June 1883, at various times for chronic diarrhea and at times a severe pain in the head; this last was so severe at times that he became nearly crazy from it; that I prescribed the usual remedies for his sickness, camphor, opium, bismuth, etc. He always desired morphine for his head troubles from me, saying that was what they gave him in the Army for it, and that it gave him more ease than anything else. I nearly always gave it to him, and often talked with him about taking it, and about the dose, etc.; remember once showing him about the quantity to take for a safe dose."

Other evidence, not deemed necessary to be here set out, was also submitted after the rejection of the claim, but was not deemed by the Pension Bureau sufficient to warrant reopening the case.

We append the act, the report, and the message, and recommend the passage of the act, the objections of the President to the contrary notwithstanding.

Mr. TURPIE, from the Committee on Pensions, submitted the following report, to accompany bill S. 1237:

The Committee on Pensions, to whom was referred the bill (S. 1237) granting a pension to Anna Mertz, widow, and the minor children of Charles A. Mertz, have examined the same, and report:

The claimant is the widow of Charles A. Mertz, deceased, who was a captain in Company K, of Sixty-second Regiment of Illinois Volunteer Infantry, in the war of the rebellion. The husband was mustered into the service as captain, April 10, 1862, and resigned June 7, 1863. It appears from certificate of Dr. John W. Cameron, surgeon of the regiment, dated Jackson, Tenn., 6th day of January, 1863, that he was suffering from disease in such manner as to require a furlough of thirty days, and furlough was recommended for that time. He returned, however, to the regiment at Jackson, Tenn., but on the 17th of May, 1863, the surgeon of the regiment again certified that he was wholly unfit for duty, and that there would be no probability of his recovery in less than six months, if at all. Upon this he tendered his resignation and the same was accepted. He returned home but never recovered. It appears from the testimony of his comrades and neighbors on file that he was a sound, healthy man when he entered the Army. It is shown that he was attacked while in the service, from the labor and exposure incident thereto, with chronic intermittent fever, followed by acute dysentery, which debilitated him to the extent that he was wholly unfit for duty.

Upon his return home, as appears from the evidence of his neighbors, and Dr. Kenepner and others, he was continuously affected with chronic diarrhea, catarrh, and intense pains in the head. To ease his suffering he frequently took laudanum and morphine under the advice of physicians. This relief was, however, temporary. He never applied for a pension, although he constantly attributed his complaints to his Army service. He worked occasionally at his trade, but was subject at any time to attacks of very severe diarrhea, accompanied with acute catarrhal pains in the head and face. On the 1st of December, 1884, he died from the effects of an overdose of morphine taken to alleviate his suffering. The evidence does not show that he had a prescription from a physician upon the occasion of the fatal dose. It shows that he had, under medical advice several times given him, taken the same medicine, and was in the habit of taking it when attacked by his disease. We think the death clearly traceable to the disease as its primary cause.

The widow is very poor; has two children of this soldier, offspring of her marriage with him, depending upon her support.

We recommend passage of the bill, amended by inserting "captain" in seventh line, in place of "private," which is a misdescription of the deceased.

#### To the Senate:

I return without approval Senate bill No. 1237, entitled "An act granting a pension to Anna Mertz."

The beneficiary named in this bill is the widow of Charles A. Mertz, who served in the Army as a captain from April, 1862, to June, 1863, when he resigned on account of impaired health. It is stated in the committee's report that after his return from the Army he worked occasionally at his trade, though subject to attacks of very severe diarrhea, accompanied with acute catarrhal pains in the head and face, which he constantly attributed to his Army service.

It is alleged that he had several times taken morphine under medical advice to allay pain caused by these attacks.



He did not apply for a pension.

On the 1st day of December, 1884, more than twenty-one years after his discharge from the Army, he died from an overdose of morphine self-administered, for the purpose, it is claimed, of alleviating his suffering.

I do not think that in this case the death of the soldier was so related to his military service as to entitle his widow to a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 28, 1888.

[Fiftieth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 5th day of December, 1887.]

An act granting a pension to Anna Mertz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 Anna Mertz, the widow, and the minor children of Charles A. Mertz, late a captain of Company K, Sixty-second Illinois Volunteers.

JOHN G. CARLISLE,  
Speaker of the House of Representatives.  
JOHN J. INGALLS,  
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. MCCOOK,  
Secretary.  
By CHAS. W. JOHNSON,  
Chief Clerk.

#### BETSEY MANNSFIELD.

The papers in this case are voluminous and the testimony is in some particulars contradictory.

The committee remain of the opinion that, upon a fair construction, the preponderance is in favor of the claimant.

To a mind prepossessed with reluctance to allow any claim for a pension unless proved beyond a doubt, and habituated to resolve all doubts against the soldier or his child or widow, material for controversy upon the facts exists in this case.

Your committee do not deem this to be the proper method of considering such cases, and they therefore repeat their recommendation that the bill be passed, the objections of the President to the contrary notwithstanding.

The report, message, and bill are appended.

Mr. SAWYER, from the Committee on Pensions, submitted the following report to accompany bill (S. 809):

The Committee on Pensions, to whom was referred the bill (S. 809) granting a pension to Betsey Mannsfield, have examined the same and report:

The claimant is Betsey Mannsfield, mother of Franklin Mannsfield, a private in Company I, Fifth Wisconsin Infantry, who died at Fairfax, Va., November 14, 1861.

From the evidence it appears that the soldier was a mere youth at the time of his enlistment; that he enlisted contrary to the father's wishes; that his death affected his father very seriously, and that he became and remained dissipated and reckless. It is also shown by the evidence that soon after his son's death he was seriously injured by a fall; that his mind was affected, wholly unfitting him for business or manual labor.

The claim is rejected on the ground that he was the owner of considerable land, which was purchased at an early period, but it does not appear that it was productive, or that much of it was improved. Immediately after his son's death he sold a horse belonging to the soldier, and which he had left at home. The price obtained was \$50, and the money was used for their support. While felling timber, prior to 1861, he was struck on the head, and in addition to his other peculiarities he became deranged on the subject of religion and persisted in exciting discussions. It is affirmed by reputable witnesses that the net income, in 1861, from his farm and shop did not exceed \$150, and some years it was less.

It is in evidence that prior to the son's enlistment the father was subject to temporary mental incapacity; that the claimant has earned her own living by toil and management. In 1883 their possessions were reduced to 40 acres, mortgaged to affiant, O. D. Bishop, for \$600, two cows, and a pig. The father, years back, owned more land, but it had been sold from time to time to pay debts incurred in a reckless way, and from which there was no escape. There is no contradictory evidence that is of any value, and it is apparent that the mother is very old, very needy; that she has bravely struggled to maintain herself, and that it is time she had relief.

The bill is reported favorably with a recommendation that it do pass.

#### To the Senate:

I return herewith without approval Senate bill No. 809, entitled "An act granting a pension to Betsey Mannsfield."

It is proposed to grant a pension to the beneficiary named in this bill as the mother of Franklin J. Mannsfield, who enlisted as a private April 27, 1861, and died in camp of disease on the 14th day of November in the same year. His mother filed an application for pension in June, 1882.

The testimony filed in the Pension Bureau discloses the following facts:

At the time of the death of the soldier the family, beside himself, consisted of three persons—his father and mother and an unmarried sister. They owned and resided upon a homestead in Wisconsin comprising 293 acres, 20 of which were cleared, the balance being in timber, all unincumbered. The assessed valuation was \$1,170; the real value being considerably more. The father was a farmer and blacksmith, healthy and able bodied, and furnishing a comfortable support; but shortly after the soldier's death he began to drink and his health began to fail. Upon the marriage of the daughter he deeded her 50 acres of the land. He became indebted, and from time to time sold portions of his homestead to pay debts; but in 1882, at the time the mother's application for pension was filed, there still remained 110 acres of land, valued at about \$3,300, 40 acres of which was mortgaged in 1880 for \$600. Since 1879 the farm had been rented, except 8 or 10 acres reserved for a residence for the family. They owned two cows, and the rent averaged about \$125 a year.

This was the condition of affairs as late as 1886, when the claim of the mother for a pension was, after investigation, rejected by the Pension Bureau, and it is supposed to be substantially the same now.

It also appears that a son, born since the soldier's death, and upwards of eighteen years of age, resides with his parents and furnishes them some assistance.

The claimant certainly was not dependent in the least degree upon the soldier at the time of his death, and she did not file her claim for pension until nearly twenty-one years thereafter.

Though the lack of dependence at the date of the soldier's death is sufficient to defeat a parent's claim for pension under our laws, I believe that in proper cases a relaxation of rules and a charitable liberality should be shown to parents old and in absolute need, through default of the help which, it may be pre-

sumed, a son would have furnished if his life had not been sacrificed in his country's service.

But it seems to me the case presented here can not be reached by any theory of pensions which has yet been suggested.

GROVER CLEVELAND.

EXECUTIVE MANSION, April 16, 1888.

[Fiftieth Congress of the United States of America, at the first session, begun and held at the city of Washington, on Monday, the 5th day of December, 1887.]

An act granting a pension to Betsey Mannsfield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 Betsey Mannsfield, mother of Franklin J. Mannsfield, late a private in Company I, of the Fifth Regiment of Wisconsin Volunteers.

JOHN G. CARLISLE,  
Speaker of the House of Representatives.  
JOHN J. INGALLS,  
President of the Senate pro tempore.

I certify that this act originated in the Senate.

ANSON G. MCCOOK, Secretary.

#### MARY SULLIVAN.

The fact that a special statute exists for this claimant's relief makes the act under consideration merely superfluous.

Bills granting pensions to individuals are presented in great numbers to Congress. Nearly all of these are cases which have been adversely determined by the Bureau of Pensions. The testimony in each of such cases is invariably transmitted by that bureau to the committee, by whom it is carefully investigated. The record is generally voluminous. It presents questions of law and fact which are not infrequently hard to solve. The duty of deciding these is as clearly legislative as the office of President has been said to be "essentially executive."

In undertaking to reconsider hundreds of such investigations, to review the mass of testimony in each case, to detect into what errors of fact, if any, Congress has fallen, the President, even when aided by the "examination and report" or by "the objections to their approval" of the Pension Bureau, has become involved in repeated inconsistencies from which injustice has resulted. He has approved many bills substantially identical with those with which this report is concerned. By such contradictory action many claimants have become pensioners, while many others have been denied relief by his adverse action upon facts of substantial identity.

It has not been difficult to select the following examples of inconsistent Executive action.

A brief statement of these cases and also the reports are appended hereto:

[Catherine Collins, dependent mother. Report No. 336, Forty-ninth Congress, first session.]

Claim rejected on ground that while death occurred in service, it resulted from being run over by cars and was not incurred in line of duty. Became a law without approval. Received by the President April 27, 1886.

[Elise Burki, widow. Report No. 332, Forty-ninth Congress, first session.]

Soldier pensioned for gunshot wound in left leg. Widow's claim rejected on ground that soldier died of cerebral meningitis. Approved May 22, 1886.

[Margaret Smith, widow. Report No. 601, Forty-ninth Congress, first session.]

Soldier pensioned for injuries to veins of right leg incurred in marches in Mexico. Served two years in rebellion, during which time he was dropped, after which he was restored to and retained on rolls till death, which occurred from "old age and disease of liver." Approved June 22, 1886.

[Maria Hollands, widow. Report No. 603, Forty-ninth Congress, first session.]

Soldier pensioned for wound in wrist. Died of neuralgia of heart. Rejected for want of pathological connection. Became a law without approval. Received by the President April 27, 1886.

[Mary S. Webster, dependent mother. Report No. 725, Forty-ninth Congress, first session.]

Soldier lost arm in 1864; drew pension until enlistment in regular Army in 1867. In 1869, at Madison Barracks, New York, he took an overdose of laudanum, from which he died. Claim of mother rejected on ground of suicide. Became a law without approval. Received by the President April 27, 1886.

[Elizabeth B. Bell, widow. Report No. 757, Forty-ninth Congress, first session.]

Soldier enlisted and served till close of war, when he was honorably discharged. Received three gunshot wounds, one of which "struck the outer corner of the right eye, making an indentation in the skull, glancing around the head and coming out about an inch back of the left ear." He shot himself January 16, 1880, while suffering intense pain. Soldier never pensioned. Approved June 1, 1886.

[Eugenia A. Smalley, widow. Report No. 763, Forty-ninth Congress, first session.]

Soldier received a gunshot wound through left arm above elbow into chest, fracturing two ribs. Died February 21, 1880, by falling from an elevator on which he was working. Widow's claim rejected on ground that death was not attributable to military service. Approved July 3, 1886.

[Bridget Sherlock, dependent mother. Report No. 764, Forty-ninth Congress, first session.]

Soldier was discharged on certificate of disability as result of severe injury received during siege of Corinth, resulting in scrotal hernia and numbness in lower extremities. He did not apply for pension. While in employ of railroad company he fell under the wheels of a train and was injured so that his left foot was amputated. Erysipelas of the blood set in and he died as a result. Approved July 2, 1886.

[Catherine Johnson, widow. Report No. 857, Forty-ninth Congress, first session.]

Soldier reported on muster-roll of company as having drowned himself July 2, 1862. Widow's claim rejected on ground that death was not due to military service. Approved June 24, 1886.

[Forty-ninth Congress, first session. Report No. 306, to accompany bill H. R. 613.]

The Committee on Pensions, to whom was referred the bill (H. R. 613) for the relief of Catherine Collins, have examined the same, and report:

The facts are set forth in the annexed report of the Committee on Invalid Pensions of the House of Representatives (House Report No. 69) during the



present session. Upon a careful consideration of them your committee recommend the passage of the bill.

Mrs. Catherine Collins, dependent mother of John Collins, deceased, filed her application for pension June 7, 1880, which was "rejected on the ground that the death cause, namely, injury from being run over by the cars, was not incurred in line of duty."

The proof shows that John Collins enlisted in Company G, Twenty-sixth Iowa Volunteers, August 9, 1862; was seriously wounded at Arkansas Post, January 11, 1863, in consequence of which he was honorably discharged May 30, 1863. He was placed on the pension-roll December 18, 1863; rate, \$8 per month; disability, total—Dr. A. H. Ames, examining surgeon, making the following certificate:

"This applicant was wounded in the left shoulder, the ball entering above the acromion process of the scapula, passing downwards and inwards along the spine of the shoulder-blade, emerging near the spine. The wound has always been open at its exit. Great pain has existed along the course of the ball, and now a fistula extends from the point of exit into the substance of the lungs. His lungs are much diseased in consequence, and he apparently, from the coughing, the pain, and the emaciation consequent upon the suppuration of his wound, will not live long."

On September 8, 1864, he enlisted in the Fourth Independent Company, Veteran Reserve Corps, and, as shown by the records in the War Department, died February 23, 1866, at Camp Butler, Illinois; run over by cars."

Amasa M. Gregory, agent of the Wabash, St. Louis and Pacific Railway, swears to the following as a correct transcript of accident report made by conductor, February 26, 1866:

"My train, No. 8, of February 21, 1866, leaving Springfield at 5.30 p. m., arrived at — hours — minutes late, delayed from causes as follows:

"When about 2 miles east from Springfield, ran over a man, severing the left leg at the knee. When first seen he was lying on the track, and so covered with mud that the engineer failed to see him until we came so close on him it was impossible to stop. I asked him his name and place of residence; said he belonged to the Invalid Corps, and his name was John Collins. Was not injured in any other place, as I could see.

"C. F. PIERCE, Conductor."

[Forty-ninth Congress, first session. Report No. 332, to accompany bill S. 843.]

The Committee on Pensions, to whom was referred the bill (S. 843) granting a pension to Elise Burki, have examined the same, and report:

The claimant is the widow of Christian Johann Burki, late captain Company E, Fifteenth Missouri Volunteers. She made application at the Pension Office, but the claim was rejected on the ground that the disease of which the soldier died, cerebral meningitis, was not due to his military service.

It appears that the soldier was pensioned for a gunshot wound in the left leg at \$8.50 per month; that he returned to his native country, Switzerland, and died there, April 13, 1873. The widow afterward came to this country, and is now a resident of Washington, D. C. She has called upon members of your committee and made personal statements of her condition. She is in abject poverty, with several small children solely dependent upon her for support. A comrade writes as follows in support of her claim:

"I was well acquainted with said Captain Burki. The last time I saw him was in Berne, Switzerland. He was then complaining about his wound, and said to me, 'Dear friend, this ball in my leg will make me die, sooner or later, and so it came. He was a good, courageous soldier, and warm patriot for the American Union, a good husband and father. The poor wife and children are utterly in poverty and distress, without work or hope to get some. Shall the wife and children of a glorious defender of our Union be left in such a precarious position?'"

The committee answer that by recommending the passage of this bill, believing that, although the evidence of the cause of death is not technical, still it is satisfactory to a reasonable mind, and that the pension should be granted.

[Forty-ninth Congress, first session. Report No. 601, to accompany bill S. 1467.]

The Committee on Pensions, to whom was referred the bill (S. 1467) granting a pension to Mrs. Margaret Smith, have examined the same, and report:

That the claimant is the widow of Sergt. Joseph Smith, late of Company H, Fourth United States Infantry; Company H, Sixth United States Infantry, and Company B, Tenth Regiment Kansas Volunteers. She made application to the Commissioner of Pensions, but the claim was rejected on the ground "that the soldier's death was not a result of any disease contracted in the United States service."

Sergeant Smith was pensioned October 9, 1850, for injuries of veins of right leg, from long and continuous marches during the war with Mexico. During the rebellion he served from July 26, 1861, to August 8, 1863, when he was discharged for disability. Was restored to the pension-rolls February 18, 1867, to date from his discharge from the volunteer service August 9, 1863, and was a pensioner at date of his death, which occurred August 10, 1881, the cause of death being stated as "old age and chronic disease of liver."

Joseph Smith served in the armies of the United States, volunteer and regular, a period of thirty-two years. He participated in the Florida war, the war with Mexico, and in the war of the rebellion. During his last illness, covering a period of two years and eleven months, he was confined to his bed, and at times not able to move without assistance. The claimant attended him constantly, and as a result is completely broken in health, aged, and unable to earn a living. Her home had to be sold at great loss to enable her to purchase food, medicine, and medical attendance for the soldier.

A number of leading citizens of the city of Leavenworth certify to the respectability of the claimant, and petition Congress to grant her a pension, believing that the soldier's death was indirectly caused by his long and faithful service in the armies of the United States.

Your committee, being of the same opinion, recommend the passage of the bill.

[Forty-ninth Congress, first session. Report No. 603, to accompany bill S. 1586.]

The Committee on Pensions, to whom was referred the bill (S. 1586) granting a pension to Maria Hollands, have examined the same and report:

Joshua Hollands, the husband of the petitioner, was, at the time of his death, receiving a pension of \$8 a month for a wound in the wrist received while on detached duty. By the widow it is claimed that this injury was the cause of his death, and in proof she furnishes the affidavit of H. E. Desmond, of Atchison County, Kansas, who testifies that he treated the husband of the applicant continuously for five years previous to his death—

"For nervous prostration, palpitation of the heart, and severe, acute pain in his wounded hand; the effect of which upon his nervous system, through grief, anxiety, and fear, and the functional disturbance of the heart, producing neuralgia of the heart, which was the cause of the soldier's death. The patient being compelled to labor for his support and that of his family, the exertion on his part had a tendency to produce frequent attacks, from one of which he died August 13, 1884."

The medical reviewer of the Pension Office briefly expresses the opinion that there is no connection between the wound and the heart affection.

The difference in the two reports is that the first is careful, candid, and specific, while the second is simply a negative statement.

In the opinion of your committee it is reasonable to infer that the intense suffering of the man by reason of his wound, aggravated by the necessity for using it in his daily toil, may have produced effects which ultimately resulted in his death.

The bill is reported favorably, with the recommendation that it do pass.

[Forty-ninth Congress, first session. Report No. 725, to accompany bill H. R. 4960.]

The Committee on Pensions, to whom was referred the bill (H. R. 4960) granting a pension to Mary S. Webster, have examined the same and report:

Your committee adopt the report of the Committee on Invalid Pensions of the House of Representatives (House Report No. 773), hereto appended, and recommend that the bill do pass.

The bill was favorably reported to the Forty-fifth Congress by the Committee on Invalid Pensions. After a reinvestigation of the case, your committee decide to adopt that report as its own, which is as follows:

"That the said Charles T. Webster enlisted into the military service of the United States in June, 1861. At the battle of Spottsylvania Court-House, in 1864, he lost an arm. For this wound he was discharged and granted a pension, which he continued to draw until he enlisted into the Regular Army, in the Forty-second Regiment United States Army, on the 14th of June, 1867.

"The evidence shows that the claimant was poor, and depended upon the soldier for support.

"After the amputation of his arm he suffered great pain at times, for the relief of which he was accustomed to take opiates.

"On the 9th of January, 1869, his command was stationed at Madison Barracks, New York. On that day he, while suffering the most intense pain from his wound, took a large dose of laudanum, from the effects of which he died.

"The Pension Bureau rejected the claim of his mother for a pension on the ground that the soldier committed suicide.

"The Surgeon-General says, in substance, that it is his opinion that death resulted from his wound which he received in the service and in the line of his duty. He also says that it is well known that in very many cases mutilations received during the war have led to the habitual use of opiates, and death from an overdose taken to relieve pain consequent upon wounds is held as an accidental consequence of such wound.

"The committee are fully satisfied from the evidence that the death of the soldier was not suicidal, and therefore recommend the passage of the bill with amendments, as follows: Strike out, in the fourth line of the bill, all after the word 'pension-roll' to the word 'subject,' in the fifth line; also, all after the word 'infantry,' in the ninth line of the bill."

[Forty-ninth Congress, first session. Report No. 757, to accompany bill H. R. 5555.]

The Committee on Pensions, to whom was referred the bill (H. R. 5555) granting a pension to Elizabeth B. Bell, have examined the same and report:

That after careful examination they have adopted the report of the House Committee on Invalid Pensions, hereto annexed, and recommend the passage of the bill.

That Elizabeth B. Bell is the widow of V. Bradford Bell, late lieutenant Company K, Nineteenth Regiment Illinois Volunteers, who enlisted in 1861, first call for three-months men, and re-enlisted and served till the close of the war, a period of service extending over five years, and was honorably discharged. He died January 16, 1880, in the city of Detroit, by shooting himself in the head while temporarily insane. His widow now appeals to Congress for relief, for the reason that owing to the manner of her husband's death it can only be granted by special act. She sets forth in her petition that while serving as lieutenant her husband received three gunshot wounds, one in the left foot, one in his right leg, and a third in the head, this latter the most serious, and from the effects of which she attributes his aberration of mind and consequent death.

This wound was received at the battle of Stone River December 31, 1862, the bullet striking him at the outer corner of the right eye, making an indentation in the skull, glancing around the head, and coming out about an inch back of the left ear. This wound partially obscured the vision of the right eye and seriously affected his brain, especially bringing on at times the most intense pains in the head, with aberration of mind and deep melancholy with suicidal tendencies. While in one of these periods of intense pain, from which he could get no relief, he put an end to his sufferings, as stated above.

Maj. James V. Guthrie testifies:

"I was major of the Nineteenth Illinois Infantry, and was with my regiment at the battle of Stone River, December 31, 1862. Vincent B. Bell was second lieutenant Company K, and commanded his company in the action. Lieutenant Bell received a severe wound in the head and fell insensible. He was hit over the eye, the bullet passing around under the skin, coming out at the back of the neck. I saw him hit, and supposed him instantly killed. We lost the position, and Lieutenant Bell was left as killed in the hands of the enemy. This was about noon. Toward evening he was found by a Confederate officer and taken to a log hut, with other wounded officers, his parole demanded, which others gave, but which he refused, saying he would not give his parole on the field. That night he came into our lines and was brought to his regiment and ordered to hospital. Lieutenant Bell was one of the bravest men I ever knew, and a very capable and efficient officer. Several times he was noticed for his courage and judgment."

R. G. Bogue, M. D., testifies:

"He was a surgeon of Nineteenth Illinois Volunteers; knew Lieutenant Bell to have been a well man while in the regiment up to the time of the battle of Murfreesborough or Stone River, at which time he received a gunshot wound of the head, in one temple; he does not remember which. He apparently recovered from said wound, as he served with him afterwards."

Sarah B. Cushing testifies as follows:

"I am the sister of Lieut. V. Bradford Bell, and was in Nashville, Tenn., when he was brought in from the battle-field of Stone River wounded in the head, from which I know he always suffered, and I believe caused his death."

From an article published in Every Saturday, January 24, 1880, we make the following extract:

"Lieutenant Bell won high fame as a fighter. He refused higher rank, even a colonelcy, in other regiments, preferring to remain with the men with whom he had gone out, and many of whom he had induced to enlist. On one occasion, in October, 1862, while serving in Tennessee with a handful of 35 men, he defended a stockade protecting a railroad bridge against a whole regiment of rebel cavalry under command of Colonel Bickwell. In answer to a summons to surrender Lieutenant Bell said his duty and intention were to defend the stockade, and he kept his word. His gallantry on this occasion was rewarded by mention in general orders, and the New York press declared his bravery entitled him to promotion to a brigadier-generalship. Severely wounded at Stone River and Murfreesborough, he was once left for dead upon the field."



Mr. Bell was a man of fine character, great ability, and correct habits. He had a bright and active mind, and was always able to command first-class positions and salary with which to support his wife and child in comfort, for which reason he made no application for pension. His widow further sets forth in her petition that Dr. S. S. Brown, of Detroit, Mich., was their family physician, who attended her husband during the periods of insanity mentioned next preceding his death. Dr. Brown died at Detroit about the year 1882, so that she is unable to get further medical testimony. She further states that she is now poor; is possessed of no property whatever; is dependent upon her own efforts for support of herself and child, a daughter aged fourteen years. It would seem to your committee that in this case of Lieutenant Bell there is an utter lack of any assignable cause other than this wound why he should be subject to these constantly recurring periods of intense pain in the head and resulting melancholy. His health was good before enlisting; his habits good after discharge; his home happy; his occupation pleasant and profitable; his relations, public, private, and social, satisfactory. Judged by all these his life was worth the living. It is, therefore, not unreasonable to suppose that so severe a wound in such a place may have wrecked his life. In consideration of the loss to his wife of so gallant a husband, we recommend that the bill do pass.

[Report No. 763, to accompany bill H. R. 1252.]

The Committee on Pensions, to whom was referred the bill (H. R. 1252) granting a pension to Eugenia A. Smalley, have examined the same, and report that after careful examination they have adopted the report of the Committee on Invalid Pensions, House of Representatives, hereto annexed, and recommend the passage of the bill.

The applicant, Eugenia A. Smalley, is the widow of Robert Smalley, late a private of Company A, Second Regiment Minnesota Volunteers, who enlisted on the 26th day of June, 1861, and was discharged June 25, 1864.

Soldier received a gunshot wound, passing through the left arm above the elbow into the chest, fracturing two ribs, at the battle of Chickamauga, Ga., on the 20th of September, 1863, and was rated by the Pension Office as totally disabled from manual labor, and pensioned accordingly, which pension he received up to the date of his death, February 21, 1880, caused by a fall from an elevator, where he was engaged at work.

Widow's claim for a pension was rejected on the ground that the cause of soldier's death was the result of a fall from an elevator, on which he was working at the time, and is not attributable to his military service.

Edward Goodboos testifies under oath that he was present at soldier's death, which took place at Rothsay, Wilkin County, Minnesota, February 21, 1880, and that it is his belief that the accident would not have occurred had he not been suffering from the effects of his wounds, which were in his arms and lungs, and which caused soldier great pain, causing him to complain greatly, and he believes that the pain from the wounds caused him to be crazy at times, and thinks that his fall must have been the result of one of these crazy spells getting the best of him, so as to lose all control of himself. He further states that the wound in his arm was at the time of soldier's death a running sore, and that soldier died in about one minute after he struck the ground.

Frank G. Willsey, in his testimony, corroborates the former witness, and adds that he was surprised that said Smalley was able to do any work, he being so badly wounded, and he verily believes that soldier's wounds were the cause of his fall, as it would be impossible for a man shot as he was to have complete use of his arms and shoulder. Soldier did not have full use of his arms on account of said wounds.

The widow is quite poor, with two small children dependent upon her for support.

Your committee are of the opinion that while soldier did not die directly from the wounds received in battle, they are, however, satisfied that said wounds contributed greatly to the fall which caused his death, and therefore recommend that the bill do pass.

[Forty-ninth Congress, first session. Report No. 764, to accompany bill H. R. 556.]

The Committee on Pensions, to whom was referred the bill (H. R. 556) granting a pension to Bridget Sherlock, have examined the same, and report that after careful examination they have adopted the report of the Committee on Invalid Pensions, House report hereto annexed, and recommend the passage of the bill.

Stephen Sherlock enlisted as a private soldier in Company F, Fifteenth Indiana Volunteers, on the 14th day of June, 1861, and served as such until the 23d day of November, 1862, when he was honorably discharged by the order of General Rosecrans upon a certificate of disability given to him as the result of a severe injury received during the siege of Corinth, "resulting in scrotal hernia, and numbness and difficulty in using the lower extremities." His case is one of very bad scrotal hernia, caused by a fall over a log, May 10, 1862, in front of Corinth, while carrying a heavy load of rails upon his shoulder for the purpose of building a road over which to pass the artillery and wagons during that memorable siege.

The above is the language of the certificate. He was the son of Patrick and Bridget Sherlock, who were at the time of his enlistment quite old and feeble, and depended largely upon said Stephen for a support. After his discharge he returned to the home of his parents, at Bedford, Ind., and within a few months took employment on the Louisville, New Albany and Chicago Railroad as the conductor of a freight train. It is clearly shown by the testimony of the family physician that his disability continued until his death, and that it had approached a condition of paralysis that would probably have rendered him totally helpless.

While in the employ of the railroad company, as aforesaid, in leaving the train, and because of his disability contracted in the Army, he fell under the wheels of the train and was so injured that his left foot was amputated. By reason of the weak and enfeebled condition of his blood erysipelas resulted, and he died of that disease.

Because he did not die of the injury which he received in the Army his mother's claim for pension was rejected. His father is dead, and his mother is now nearly eighty years of age and has no property. The evidence of her dependence at the time of his death is clear and convincing.

This committee think that, under all the circumstances, she should be pensioned. If the son had not met his death he would have been pensioned long ago upon the record made by the Government as to his injury in the service. He did not get any pension; his mother should, and the committee therefore recommend the passage of the accompanying bill.

[Forty-ninth Congress, first session. Report No. 857, to accompany bill H. R. 3906.]

The Committee on Pensions, to whom was referred the bill (H. R. 3906) granting a pension to Catherine Johnson, have examined the same, and report that after careful examination they have adopted the report of the Committee on

Invalid Pensions, House of Representatives, hereto annexed, and recommend the passage of the bill.

The claimant is the widow of Zachariah Johnson, who enlisted in Company C, Sixtieth Regiment Indiana Volunteers, at Evansville, Ind., December 3, 1861. The Adjutant-General reports that upon special muster-roll of August 18, 1862, the soldier is reported as having drowned himself in Green River, Kentucky, July 2, 1862, while insane.

The widow's claim, filed June 6, 1863, has been rejected by the Pension Office on the ground that the evidence fails to show that the soldier's death is chargeable to his military service.

Captain Nash, of the company, testifies that in April, 1862, the soldier was granted a sick furlough to return to his home in Posey County, Indiana, and that while returning to his command from said furlough was drowned in Green River, Kentucky; remembers distinctly the granting of this furlough, and knows it was in April, 1862, but can not now fix definitely the date of the month. He further states that on several occasions during the latter part of his service in the company soldier exhibited signs of insanity, and had on one occasion attempted to take his life by cutting his throat, and believes that he drowned himself in a fit of delirium.

William Ouman testifies that he was with the soldier on his return to the regiment, and that on July 2, 1862, near Ashbysburgh, Ky., on Green River, Kentucky, the latter was ordered by the affiant, acting as sergeant, in command of the squad, down said river in a skiff to ascertain the location of certain of the enemy's forces reported in that vicinity. The skiff was afterwards found containing the soldier's blouse, but soldier did not turn up, and it was the general belief that he was then and there drowned. Being compelled to move on next morning, no search was made for the body. Affiant also corroborates the statement of Captain Nash as to Johnson's mental condition a short time previous to the supposed drowning.

Col. Richard Owen and twelve other officers and enlisted men of the soldier's command testify that they were well acquainted with him prior to his enlistment; that he was a good citizen, and a good and faithful soldier while with his command, and of amiable disposition, strongly attached to his family and home; that they have every reason to believe that he was drowned while in a boat on Green River, Kentucky, in July, 1862, and that had he been alive subsequent to that date he would have returned to his family.

Sixty-five other citizens of Posey County, Indiana, testify to the high character of the soldier and of his widow, and asked that a pension be granted to her, she being old and in need of assistance from the Government.

Your committee have given the evidence above referred to careful consideration, and have become fully convinced that the soldier came to his death while returning to his command from sick leave, and while actually obeying the order of his superior officer. Whether the drowning was accidental or of his own act must necessarily remain in doubt, although the evidence points toward the latter.

The claimant is evidently worthy of the relief asked for, and having lost the support of a kind and affectionate husband while in the service of his country, your committee believe that she is entitled to the benefit of whatever doubts may exist in the case, and therefore report favorably on the bill and ask that it do pass.

#### ARMY APPROPRIATION BILL.

Mr. ALLISON. I report from the Committee on Appropriations with amendments the bill (H. R. 10234) making appropriations for the support of the Army for the fiscal year ending June 30, 1889, and for other purposes. As it is important that this bill should pass finally before the 1st of July, I shall ask the Senator from Maine [Mr. FRYE], about 4 o'clock to-day, to give way that I may endeavor to secure its passage this afternoon. In the mean time it will be printed with the amendments.

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

#### THE FISHERIES TREATY.

Mr. HOAR. I should like, in connection with the request of the Senator from Iowa, as the Senator from Ohio [Mr. SHERMAN] and the Senator from Maine [Mr. FRYE] are both present, to ask an indication of the desire of the Senate as to the time of proceeding with the fisheries treaty. I have the floor on that question and propose to address the Senate when it is taken up. I do not wish to interfere with other public business or with the desire of other Senators, but I should like very well to know the purpose of the Senate. I am prepared to proceed this morning, but if I should do so it would displace the river and harbor bill and would interfere with the request of the Senator from Iowa.

Mr. SHERMAN. What time would best suit the Senator's convenience?

Mr. HOAR. Any time that will be convenient to the Senate.

Mr. SHERMAN. Suppose we put it off until next Monday?

Mr. HOAR. That would be entirely satisfactory to me.

Mr. ALLISON. I think, if the Senator from Massachusetts desires to proceed uninterruptedly, it would be better to postpone until Monday the subject on which he wishes to speak, because during the remainder of this week there will undoubtedly be intervals of conference reports, appropriations bills, and so on.

Mr. HOAR. Suppose the river and harbor bill should not be finished by next Monday, would it be convenient to the Senator from Maine to have me proceed then?

Mr. FRYE. I shall be obliged to ask the Senate to proceed with the river and harbor bill to its completion this week at any rate, as I have an imperative engagement that will take me away nearly all of next week.

Mr. HOAR. Then, if it will be agreeable to the Senate, I will ask that the fisheries treaty be set down for consideration next Monday at the conclusion of the routine morning business.

The PRESIDENT *pro tempore*. The resolutions offered by the Senator from Alabama [Mr. MORGAN] and the treaty having been assigned for Monday last, were informally laid aside to wait the convenience of



the Senator from Massachusetts [Mr. HOAR]. He now asks unanimous consent that the consideration may be resumed on Monday next at 2 o'clock. Is there objection?

Mr. HOAR. The suggestion was that it be resumed at the conclusion of the routine business.

The PRESIDENT *pro tempore*. At the conclusion of the routine business on Monday next.

Mr. MORGAN. That would place the consideration of the treaty ahead of my resolutions, and I can not consent to that.

Mr. SHERMAN. No, put them both together.

Mr. HOAR. Both together.

The PRESIDENT *pro tempore*. The agreement was that the precedence in point of time of the assignment should continue undisturbed.

Mr. MORGAN. The resolutions coming up at the conclusion of the routine business of the morning hour would naturally have precedence over the treaty for consideration.

Mr. SHERMAN. Both will be considered together and both will be disposed of together. I do not think the Senator need be technical about it.

Mr. HOAR. I do not wish to disturb any desire of the Senator from Alabama. Of course it makes no difference which I shall speak on.

Mr. MORGAN. Well let them stand.

Mr. HOAR. Let them stand together as they do now.

Mr. MORGAN. Just as they now stand until next Monday.

The PRESIDENT *pro tempore*. The understanding, then, is, by unanimous consent, that the consideration of the resolutions of the Senator from Alabama and the fisheries treaty will be resumed at the conclusion of the routine morning business on Monday. Reports of committees are still in order.

#### REPORTS OF COMMITTEES.

Mr. HAWLEY. I report, by instruction of the Committee on Military Affairs, an amendment intended to be proposed to the Army appropriation bill. I understand that the bill has been reported this morning.

The PRESIDENT *pro tempore*. The Army appropriation bill was reported this morning, and the Senator from Iowa gave notice that he would call it up for consideration at 4 o'clock to-day.

Mr. HAWLEY. Let the proposed amendment be referred to the Committee on Appropriations without printing.

The PRESIDENT *pro tempore*. That order will be made.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### BILLS INTRODUCED.

Mr. MITCHELL introduced a bill (S. 3237) making an appropriation for the establishment of a light-ship, to be provided with fog-signal apparatus, outside of the bar of the Columbia River on the Pacific coast; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GRAY introduced a bill (S. 3238) granting a pension to Sarah Vantine; which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO BILLS.

Mr. FAULKNER and Mr. GORMAN submitted amendments intended to be proposed by them, respectively, to the bill (H. R. 2952) 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, 1885, known as the Bowman act; which were referred to the Committee on Claims, and ordered to be printed.

Mr. DOLPH and Mr. PADDOCK submitted amendments intended to be proposed by them, respectively, to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

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

Mr. DOLPH and Mr. MITCHELL submitted amendments intended to be proposed by them, respectively, to the sundry civil appropriation bill; which were referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. COLQUITT and Mr. GORMAN submitted amendments intended to be proposed by them, respectively, to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. PADDOCK, from the Committee on the Improvement of the Mississippi River, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had elected Hon. JAMES H. BLOUNT,

a Representative from the State of Georgia, as Speaker *pro tempore* during the temporary absence of the Speaker.

The message also announced that the House had receded from its amendments numbered 2 to the following bills:

A bill (S. 1524) to authorize the construction of a bridge over the Tennessee River between Bridgeport and Sheffield, Ala.; and

A bill (S. 1526) to authorize the construction of a bridge over the Caney Fork River, between Rock Island and Carthage, in Tennessee.

The message also announced that the House had passed the bill (H. R. 7901) to secure to actual settlers the public lands adapted to agriculture, to protect the forests on the public domain, and for other purposes; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

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

A bill (S. 23) to authorize Dalles City to construct a bridge across the Columbia River, in the State of Oregon and Territory of Washington;

A bill (S. 802) granting an increase of pension to Sarah A. Wilcox, now Roberts;

A bill (S. 808) granting a pension to Julius C. Monson;

A bill (S. 1004) granting a pension to Ann Verneuil;

A bill (S. 1192) granting a pension to Judson Knight;

A bill (S. 1193) granting a pension to John R. Wheelock;

A bill (S. 1484) to fix the status in the Navy of certain cadet engineers;

A bill (S. 1525) to authorize the construction of a bridge over the Cumberland River, between Burnside, Ky., and Carthage, in Tennessee, or the south fork of said river, between Burnside and Tateville, Ky.;

A bill (S. 1827) granting a pension to Philomelia L. Dartt;

A bill (S. 1844) granting an increase of pension to Ann Atkinson;

A bill (S. 1851) providing for an international marine conference to secure greater safety for life and property at sea;

A bill (S. 1906) granting a pension to Matilda Bleumner;

A bill (S. 1997) granting a pension to Peter Thompson;

A bill (S. 2100) granting a pension to Charles Tidmarsh;

A bill (S. 2151) granting a pension to Mrs. Aurelia Hillyer;

A bill (S. 2168) granting a pension to Francis Marion Walker;

A bill (S. 2183) granting a pension to Rachel Plummer;

A bill (S. 2255) granting a pension to Amanda W. Beach;

A bill (S. 2331) granting a pension to Mary J. McGregor;

A bill (S. 2601) authorizing the construction of railroad bridges across the Snake River and across the Clearwater River by the Oregon Railway and Navigation Company;

A bill (H. R. 478) to place the name of Rev. Stephen M. Collis on the muster-roll of the Thirtieth Tennessee Cavalry as chaplain thereof;

A bill (H. R. 860) for the relief of Alfred Head;

A bill (H. R. 956) for the relief of the heirs of Christopher Cott;

A bill (H. R. 1361) to incorporate the Reform School for Girls of the District of Columbia;

A bill (H. R. 1451) for the completion of a public building at Wichita, Kansas;

A bill (H. R. 1514) relating to the record of wills in the District of Columbia;

A bill (H. R. 2805) granting a pension to Martha F. Woodrum, widow of James Woodrum, deceased;

A bill (H. R. 3290) to amend section 685 of the Revised Statutes relating to the District of Columbia;

A bill (H. R. 3839) granting a pension to Mrs. Hettie K. Painter;

Joint resolution (H. Res. 178) granting leave of absence to certain persons employed in the service of the United States; and

Joint resolution (S. R. 26) to arbitrate and settle the questions at issue between the District of Columbia and Samuel Strong.

#### RIVER AND HARBOR BILL.

The PRESIDENT *pro tempore*. If there be no further morning business, that order is closed, and the Calendar, under Rule VIII, is in order.

Mr. FRYE. I move that the Senate proceed to the consideration of what is known as the river and harbor bill.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the Senate resume the consideration of the bill (H. R. 9859) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

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

The CHIEF CLERK. In section 1, after line 834, the Committee on Commerce report to insert:

Improving Yadkin River, North Carolina, \$12,000.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered on agreeing to the amendment, the roll-call will proceed.

The Secretary proceeded to call the roll.



Mr. BERRY (when his name was called). I am paired with the Senator from Michigan [Mr. STOCKBRIDGE]. If he were present, I should vote "yea."

Mr. GRAY (when his name was called). I am paired generally with the Senator from Illinois [Mr. CULLOM], but I understood yesterday from the chairman of the Committee on Commerce that the Senator from Illinois, who is a member of that committee, would vote "yea" on this amendment. I therefore vote "yea."

The PRESIDENT *pro tempore*. The Senator from Delaware will be recorded in the affirmative.

Mr. HARRIS (when his name was called). I am paired with the Senator from New York [Mr. HISCOCK], and therefore shall not vote.

Mr. MANDERSON (when his name was called). I understand that the Senator from Kentucky [Mr. BLACKBURN], with whom I am paired, would vote "yea" on this proposition. I therefore vote "yea."

Mr. MORRILL (when his name was called). I was paired with the Senator from Virginia [Mr. DANIEL] the last time he was here, and I suppose he may consider that I am so paired now. I therefore withhold my vote.

Mr. PASCO (when his name was called). I am paired with the Senator from Illinois [Mr. FARWELL].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. BERRY. I am assured by friends that the Senator from Michigan [Mr. STOCKBRIDGE] would vote "yea" if he were here. I therefore vote "yea."

The result was announced—yeas 37, nays 8; as follows:

## YEAS—37.

Beck,	Evarts,	Ingalls,	Saulsbury,
Berry,	Faulkner,	Jones of Arkansas,	Sawyer,
Blair,	Frye,	Kenna,	Stewart,
Bowen,	Gibson,	Manderson,	Teller,
Brown,	Gorman,	Mitchell,	Turpie,
Butler,	Gray,	Morgan,	Vance,
Call,	Hale,	Paddock,	Vest.
Chace,	Hampton,	Payne,	
Coke,	Hawley,	Pugh,	
Dolph,	Hoar,	Ransom,	

## NAYS—8.

Allison,	Chandler,	Edmunds,	Platt,
Bate,	Davis,	George,	Reagan.

## ABSENT—31.

Aldrich,	Dawes,	Morrill,	Spooner,
Blackburn,	Eustis,	Palmer,	Stanford,
Blodgett,	Farwell,	Pasco,	Stockbridge,
Cameron,	Harris,	Plumb,	Voorhees,
Cockrell,	Hearst,	Quay,	Walthall,
Colquitt,	Hiscock,	Riddleberger,	Wilson of Iowa,
Cullom,	Jones of Nevada,	Sabin,	Wilson of Md.
Daniel,	McPherson,	Sherman,	

So the amendment was agreed to.

Mr. RANSOM. I designed to submit a statement in reference to the amendment just passed, but the commencement of the roll-call anticipated me. I beg leave to have put in the RECORD the local engineer's report on this improvement and the recommendation and estimates of the Chief Engineer of the United States, as taken from the report of the Secretary of War for 1887. I will also put in the RECORD the preliminary survey of the Yadkin River "from the South Carolina line to the Narrows," made by the local engineer upon a part of the river entirely distinct and separate from that part which is under improvement, so that there may be no confusion in reference to the two subjects, and that the impression produced by the preliminary survey of one section of the river may not prejudice the improvement which has been going on for nine years upon another part of the river, and for which the local and Chief Engineers have made their recommendation and estimates.

The PRESIDENT *pro tempore*. The Senator will indicate in the volume the portion he desires to have incorporated, and it will be done. The extracts referred to are as follows:

11. Yadkin River, North Carolina (in charge of Capt. F. A. Hinman, Corps of Engineers, until August 11, 1886): This river has a total length of about 200 miles and a drainage area of 4,320 square miles. Its middle third, extending from the railroad bridge near Salisbury, 64½ miles upward to the foot of Bean Shoal, is the only portion so far under improvement by the General Government. In this portion of the Yadkin River, prior to improvement in 1880, navigation was completely obstructed by rock ledges, fish and mill dams, and numerous shoals, with a greatest depth of 1 foot at ordinary low water on some of its shoals and ledges.

The original project of 1879 proposed for \$82,000 to secure a 2.5 to 3 foot steamboat navigation during the entire year over the 64½ miles above the Salisbury railroad bridge. For various reasons, as detailed by the officer in charge, the estimates for the final cost of the work necessary to give the desired depth over the entire 64½ miles and during only mean winter stages of water (two-thirds of the year) are now placed by him at \$400,000.

During the fiscal year ending June 30, 1887, no work was done before October, 1886, on account of lack of funds. After that time \$8,650, including outstanding liabilities, was spent in thoroughly repairing the plant, in removing the rock and sand from the channel, in building jetties, in carefully surveying various ledges and dams, in caring for the property, and in office work. All work of clearing the river channel was prevented before June, 1887, by high water.

Up to June 30, 1887, a total of \$77,255.90 has been spent in all upon this improvement in securing a good channel for flat-boats (and only an indifferent

channel for steam-boats) of 40 to 70 feet width and from 2 to 2½ feet depth during mean winter stages of water (eight months of the year) from the Salisbury Railroad bridge 21 miles upwards to above Swicegood's mill. No river commerce has yet been created, and none is expected until the improvement reaches Bailey's Ferry, 35 miles above the Salisbury Railroad bridge.

July 1, 1885, amount available.....	\$8,384.10
Amount appropriated by act approved August 5, 1886.....	10,000.00
	18,384.10

July 1, 1887, amount expended during fiscal year, exclusive	
of liabilities outstanding July 1, 1886.....	\$7,338.83
July 1, 1887, outstanding liabilities.....	1,311.17
	8,650.00

July 1, 1887, amount available.....	9,784.10
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Amount (estimated) required for completion of existing project.....	313,000.00
Amount that can be profitably expended in fiscal year ending June	
30, 1889.....	10,000.00

Submitted in compliance with requirements of section 2 of river and harbor acts of 1866 and 1867.  
(See Appendix M 11, Volume II, part 1, page 133, Report of Chief of Engineers United States Army for 1887.)

[House Executive Document No. 58, Fiftieth Congress, first session, page 82.]

EXAMINATION OF YADKIN RIVER, FROM SOUTH CAROLINA LINE TO THE NARROWS, NORTH CAROLINA.

WILMINGTON, N. C., December 15, 1887.

SIR: I have the honor to submit herewith a final report upon the examination of the Yadkin River, North Carolina, from the South Carolina line to the Narrows, assigned to me by river and harbor act of August 5, 1886, and letters from your office dated September 27, October 4, and October 23, 1886.

Upon the 4th February, 1887, I submitted a preliminary report upon this examination, in which I stated the general features of the river, the estimated cost of its improvement, and the necessities of neighboring communities, and my opinion as to the probable advantages of the improvement of the river, as based upon previous reports and upon information obtained from persons living along the river.

Since the date of this preliminary report I have examined the river in person, in a small row-boat, over the entire length above specified, and at a time when the water was at nearly its lowest stage. The middle portion of this river, from the Grassy Island Shoals upward 16 miles, was found to be comparatively level, and in itself could be easily made navigable at low water for boats drawing 4 feet; but there would be no way of connecting this navigation to other navigable parts of the river below, or even to nearest railroad, except at a cost to-day out of proportion to the resulting benefits. The rest of this river, the general features of the whole river, the cost of its improvement, and the statistics of commerce were found to be practically as already described in the preliminary report, to which you are referred for fuller details.

In my opinion this river basin is one of considerable water-power and of great agricultural wealth, but at the same time one which is at present best adapted to development by the construction of a railroad up its valley, instead of by the improvement of its water ways. Moreover, the people along the river appear anxious to have an open passage cut through the existing fish-dams, more to allow fish to ascend the river than to facilitate the river commerce.

Since making the above-described examination, I have visited other rivers of similar nature, upon which there already exists a more or less successful pole-boat navigation.

As a result of all these examinations, I am now of the opinion that the steep descent of the Yadkin River, its comparatively small volume of water at ordinary stages, and its large extent of rocky bottom render any extended navigation of this river impracticable except by the aid of locks and dams and the extensive removal of rocks between these dams; that the cost of any such improved navigation (even for rafts and barges) is here altogether too great (see preliminary report), in comparison with the advantages to be derived therefrom, until the mineral resources of the river basin are much more fully developed than at present; and that under these circumstances this river, within the limits of the prescribed examination, is not to-day worthy of improvement by the General Government.

Very respectfully, your obedient servant,

WM. H. BIXBY,  
Captain of Engineers.

The CHIEF OF ENGINEERS, U. S. A.

## CONDITION OF APPROPRIATION BILLS.

Mr. MORGAN. I wish to ask the indulgence of the Senator from Maine [Mr. FRYE] for just a moment. I have requested the chairman of the Committee on Appropriations [Mr. ALLISON] to make a statement to the Senate in regard to the present condition of the appropriation bills, and it will occupy I suppose only a very few moments. I should like it to go into the RECORD for the information of the Senate and the country. If the Senator from Maine will indulge me just for one moment I will ask the Senator from Iowa to make a statement in regard to the present condition of the appropriation bills.

Mr. ALLISON. I can state in a moment the exact condition of these bills. The West Point appropriation bill, the Indian appropriation bill, and the pension appropriation bill have passed both Houses, and I believe have been signed by the President, making three of the regular bills which are completed. The agricultural appropriation bill passed the Senate on the 14th of June, and since that time has not been heard from. I think it is in the Committee on Agriculture of the House of Representatives. The diplomatic and consular appropriation bill is in conference. The District of Columbia appropriation bill is also in conference. The legislative, executive, and judicial appropriation bill passed the Senate the day before yesterday; it will be reported back to the House of Representatives to-day, and I presume can be passed finally within the next two or three days. The Post-Office appropriation bill passed the Senate on the 14th of June, and has not since been heard from. The Army appropriation bill was reported this morning, and I hope to have it passed during the day. The sundry civil bill came to the Senate day before yesterday. Of



course it will be impossible to consider and pass that bill before the 30th of June. So of the Naval appropriation bill, which came to the Senate on Monday last; it will be impossible to complete that bill before the 1st of July. The fortification bill has not yet been reported in the House of Representatives, nor has the general deficiency bill; so that it will be necessary to pass a joint resolution either on Friday or Saturday to extend the appropriations for the current year a certain number of days.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to some and disagreed to other amendments of the Senate to 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.

#### OHIO CENTENNIAL EXPOSITION.

The PRESIDENT *pro tempore* appointed Mr. SHERMAN, Mr. ALLISON, Mr. MANDERSON, Mr. COLQUITT, and Mr. BERRY members on the part of the Senate of the committee of Congress authorized by the act approved May 23, 1888, to attend the Centennial Exposition of the Ohio Valley and Central States to be held at Cincinnati, Ohio.

#### HOUSE BILL REFERRED.

The bill (H. R. 7901) to secure to actual settlers the public lands adapted to agriculture, to protect the forests on the public domain, and for other purposes, was read twice by its title, and referred to the Committee on Public Lands.

#### RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9859) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

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

Mr. BUTLER. Before proceeding with the reading of the bill, I beg to call the attention of the chairman of the committee to a mistake in the amendment which was adopted yesterday in regard to Winyaw Bay. The amendment refers to the report of Captain Bixby of October 26, 1884. I am informed this morning from the War Department that the date should have been January 31, 1885. It is a mere mistake of date.

Mr. FRYE. I ask unanimous consent that that amendment may be made.

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

The SECRETARY. In line 375, strike out "October 26, 1884," and insert "January 31, 1885;" so as to read:

The Secretary of War is authorized and directed to appoint a board of three engineer officers of the United States Army, whose duty it shall be to examine into the expediency of improving Winyaw Bay, South Carolina, upon the plan submitted by Capt. William H. Bixby, United States Army Engineers, under date of January 31, 1885.

The PRESIDENT *pro tempore*. The amendment will be made, if there be no objection.

The Chief Clerk resumed the reading of the bill. The next amendment of the Committee on Commerce was, in section 1, line 841, after "South Carolina," to strike out "Continuing" and insert "To complete;" and in line 842, before the word "thousand," to strike out "three" and insert "eight;" so as to make the clause read:

Improving Salkehatchee River, South Carolina: To complete improvement, \$8,000.

The amendment was agreed to.

The next amendment was, in section 1, line 845, after the word "dollars," to strike out:

Of which as much as may be necessary is hereby authorized to be expended in acquiring, by purchase or condemnation, the right of way for cut-offs along said river, pursuant to the plan and recommendation of the engineer in charge.

So as to make the clause read:

Improving Santee River, South Carolina: Continuing improvement, \$24,000.

The amendment was agreed to.

The next amendment was, in section 1, after "South Carolina," at the end of line 850, to insert "to Waccamaw Lake, North Carolina;" and in line 852, before the word "thousand," to strike out "fifteen" and insert "ten;" so as to make the clause read:

Improving Waccamaw River, North and South Carolina, to Waccamaw Lake, North Carolina: Continuing improvement, \$10,000.

Mr. BUTLER. I should be very glad if the chairman of the committee would favor me with some explanation of the reason of the committee in striking out \$15,000 and inserting \$10,000. In the estimate made for this work, as I now remember, it was stated that \$48,000 could be advantageously expended during the fiscal year. The amount appropriated has been cut down by the committee from \$15,000 to \$10,000. In the absence of any explanation, I shall move to non-concur in the amendment. In fact, I may as well make a motion that the Senate disagree to the amendment.

The PRESIDENT *pro tempore*. The question properly to be submitted is upon agreeing to the amendment of the committee, and a negative vote will leave the appropriation to stand as it came from the House of Representatives.

Mr. BUTLER. I trust that will be done and that the amendment of the committee will be rejected.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the committee.

The question being put, there were on a division—ayes 9, noes 12; no quorum voting.

Mr. FRYE. I think I must ask for a yeas-and-nays vote on the amendment.

Mr. BUTLER. I wanted the Senator to explain why that was done. I am quite willing to acquiesce if there is sufficient reason for it.

Mr. FRYE. We increased two or three items in South Carolina.

The PRESIDENT *pro tempore*. The Chair can not entertain debate when the absence of a quorum has been disclosed. There were but 21 votes on a division of the Senate. It is the duty of the Chair to have the roll called; but the Senator from Maine can ask for the yeas and nays.

Mr. SHERMAN. I do not ask for a further count, and I do not suppose anybody else will.

Mr. VOORHEES. Will the Senator from Maine allow me to introduce a bill for reference?

The PRESIDENT *pro tempore*. The Chair can not receive it while no quorum is present. The Secretary will call the roll.

Mr. FRYE. I shall not demand the yeas and nays on the amendment. I can not afford to stop the bill for this little item.

The PRESIDENT *pro tempore*. A division has resulted in the disclosure of a want of a quorum.

Mr. RANSOM. There is evidently a quorum in the Chamber.

Mr. SHERMAN. Let the vote be taken over again.

Mr. BUTLER. I ask unanimous consent that the chairman of the committee may make some explanation of the amendment. I am not disposed to be factious about it, and yet I can not understand why that particular river should have been selected for a reduction when the appropriations made by the House for others were increased. If there is any reasonable explanation about it, I am quite willing to acquiesce in the report of the committee. I ask unanimous consent that the Senator from Maine may be allowed to explain the amendment.

The PRESIDENT *pro tempore*. Less than a quorum of the Senate can not give unanimous consent.

Mr. BUTLER. I understand that the demand for a division has been withdrawn. I think we had better have a quorum, anyhow. Let us have the yeas and nays on agreeing to the amendment.

The PRESIDENT *pro tempore*. The Senator from South Carolina asks that the yeas and nays may be entered on the Journal upon the question of agreeing to the amendment.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. Now the Senator from Maine will be in order.

Mr. FRYE. The rule adopted generally by the House committee was to appropriate to rivers that were entitled to improvement, in their judgment, from 44 to 50 per cent. of the amount which the Chief Engineer determined could be profitably expended for the year. Of course the committee were compelled to vary that in important cases. But the amount in this case which it was determined by the Chief Engineer could be profitably expended was only \$18,000. One-half of that is \$9,000. The Senate committee could see no earthly reason why the House committee dropped their rule in the case of this river and made the appropriation \$15,000 instead of \$9,000, and therefore, coming nearer to the rule than the other House, it appropriated \$10,000, which is a little more than one-half the amount recommended by the Chief of Engineers.

Mr. BUTLER. The explanation of the chairman of the committee is entirely satisfactory to me. I was not informed as to those facts. The information that I had was that the amount which could be profitably expended was \$48,000, and I was not aware of it until this morning from the last report of the War Department I ascertained that \$18,000 was the amount specified. I think the committee have provided amply for the river, and I withdraw the demand for the yeas and nays.

The PRESIDENT *pro tempore*. The Senator from South Carolina withdraws the demand for the yeas and nays, and, the Chair having ascertained that a quorum is present, the question recurs on the amendment proposed by the Committee on Commerce.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 854, before the word "thousand," to strike out "three" and insert "five;" so as to make the clause read:

Improving Wappoo Cut, South Carolina: Continuing improvement, \$5,000.

The amendment was agreed to.

The next amendment was, in section 1, line 856, to add to the clause



appropriating \$12,000 for "improving Wateree River, South Carolina: Continuing improvement," the following proviso:

*Provided*, That no part of said appropriation shall be expended until the Wilmington, Columbia and Augusta Railroad Company, and the Camden branch of the South Carolina Railroad Company shall have built suitable draw-spans in their bridges over said river, to be approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 1, line 863, to add to the clause appropriating \$7,500 for "improving Congaree River, South Carolina: Continuing improvement," the following proviso:

*Provided*, That no part of said appropriation shall be expended until the South Carolina Railroad Company shall have built a suitable draw-span in its bridge over said river, to be approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 1, line 885, before the word "thousand," to strike out "fifteen" and insert "seven;" and after the word "thousand" to insert "five hundred;" so as to make the clause read:

Improving Ocmulgee River, Georgia: Continuing improvement, \$7,500.

Mr. BROWN. I hope that amendment will not be adopted. I simply want to submit a short statement of facts to the committee. I do not want to make any issue with them, but there were important facts that they did not have before them I am quite sure, when the House appropriation of \$15,000 was cut down.

The Ocmulgee River is one branch of the Altamaha. The Oconee is the other branch. They form a junction near Lumber City, in Georgia, forming the Altamaha. The Ocmulgee is the southern branch of the stream. There is a railroad, which has been constructed within the last two years, and completed to the Ocmulgee River within the last two or three months, 110 miles along through the Southwest Georgia pine and cotton country, that now has its depot upon the bank of the Ocmulgee at the town of Abbeville.

This opens a regular line of railroad and water communication from the southwestern part of Georgia to Brunswick, which is much shorter than any other one of the lines. The line is now established and has prorating rates with the other railroads.

At the time the engineer made the estimate of \$15,000 for the Ocmulgee that road was not completed to Abbeville. It has only reached there within the last six weeks or two months, as I am informed.

The river has been an important river, and was so regarded by the State of Georgia prior to the war. The State, as will be seen by the report of the committee, has expended out of her own treasury \$60,000 for the improvement of this river. The United States Government took charge of the matter after the war, and has made considerable expenditure. I am informed by Judge CRISP, who represents this measure in the House of Representatives, as it is in his district, that the amount which is now estimated for would be entirely inadequate, that there are five river steamers being now constructed to run upon that line, and that two have been wrecked on account of the bad condition of the river in the last year. It is therefore no sham line, and it is no very small river. The completion of the railroad to the river connecting Southwestern Georgia, as I have already stated, makes it really one of the most important connections in Georgia. The amount of \$15,000 which was put in the bill by the House of Representatives was put there with an understanding of these facts, and I think in all candor it ought to be permitted to remain.

To cut it down \$7,500 now, leaving only \$7,500 of the \$15,000, would leave the appropriation entirely inadequate to do what is very necessary to be done to encourage a rapidly growing line, and one that is going to be very important to commerce. I appeal to the committee to make no objection to voting down the amendment proposed by them.

In case of the other river I mentioned, the Oconee, the committee also make a reduction, but I make no point on that.

Mr. FRYE. I stated when I was up before that the committee had generally a rule which was 50 per cent. of the amount recommended for expenditure, but that they violated the rule in exceptional cases, and in the State of Georgia they have violated it by giving at least \$110,000 additional to Savannah. Therefore it is but fair that the State of Georgia shall be held to the rule so far as the other rivers are concerned, and this is just one-half of the amount which the Chief Engineer said could be profitably expended.

Mr. BROWN. In that connection I will say that the estimate on the old project for Savannah Harbor was \$180,000, and the estimate on the new was \$200,000. So I do not think it can be said that there was a great addition to Savannah. Savannah certainly does not get as much in proportion to her commercial importance as some other cities. Still I have no complaint of the committee on that account. I only make the appeal to the Senate in view of the facts I have stated in regard to the Ocmulgee.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Committee on Commerce.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 887, before the word

"thousand," to strike out "twelve" and insert "ten;" after the word "thousand" to strike out "five hundred;" and in line 889, before the word "railroad," to insert "Georgia;" so as to make the clause read:

Improving Oconee River, Georgia: Continuing improvement, \$10,000; a portion of which may be expended on said river between Skull Shoals and the Georgia Railroad bridge.

The amendment was agreed to.

The next amendment was, in section 1, after line 895, to insert:

That the sum of \$4,633.77 is hereby appropriated for completing the existing project at Romerly Marsh, in the State of Georgia, to be paid to the contractors for completing the job.

The amendment was agreed to.

The next amendment was, in section 1, line 903, after the word "Florida," to strike out "Continuing" and insert "To complete;" in line 904, after the word "improvement," to insert "of upper river," and in the same line, before the word "thousand," to strike out "four" and insert "ten;" so as to make the clause read:

Improving Caloosahatchie River, Florida: To complete improvement of upper river, \$10,000.

The amendment was agreed to.

Mr. CALL. I would like to insert after the word "river," in line 904, the words "including the lower river bar, in the discretion of the Secretary of War." This does not vary the amount allowed, but allows the Engineer Department to have a discretion in expending a part of the \$10,000 on the lower river. There has been an estimate and a survey, and it may be important that some portion of the money should be expended there.

Mr. FRYE. The committee examined that with some little care, and thought it was a great deal better to complete the improvement of the upper river.

Mr. CALL. I suggest to the Senator that it would be better to allow the Secretary of War and the Engineer Department who expend the money to have some discretion in its use.

Mr. FRYE. The Senator from Florida ought to be satisfied with the item. The appropriation came from the House \$4,000 for that whole river. The committee examined the matter and found that a portion of the river could be completed for \$10,000, and they increased the appropriation to \$10,000 to complete it; and the Senator from Florida ought to be content.

Mr. CALL. I do not quarrel with the amendment as to the amount; but I think I am right in suggesting that the discretion of the Secretary of War and the Engineer Bureau in expending the money should not be interfered with.

The PRESIDENT *pro tempore*. The amendment has been agreed to.

Mr. FRYE. I wish to go back to line 896. I ask the Senator from Georgia if "Romerly Marsh" is the correct name?

Mr. BROWN. It is correct.

Mr. FRYE. At the end of the clause the phrase "for completing the job" occurs. I do not exactly like that language. I ask unanimous consent to strike out the word "job" and insert "improvement."

The PRESIDENT *pro tempore*. That will be agreed to, if there be no objection.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 914, after the word "improving," to strike out "channel over the bar at the mouth of;" in line 915, after the word "Florida," to insert "from Jacksonville to the ocean," and in the same line to strike out "continuing improvement;" so as to make the clause read:

Improving St. John's River, Florida, from Jacksonville to the ocean, \$150,000.

The amendment was agreed to.

Mr. CALL. I ask the Senator from Maine to allow an amendment of the clause, beginning in line 910, by adding at the end of the clause the words:

Including Holmes River to the town of Vernon.

So that it will read:

Improving La Grange Bayou, Florida: To complete, \$3,000; including Holmes River to the town of Vernon.

Steamers bring the produce of that section of country to La Grange, and this money should be left in the discretion of the Secretary of War to improve the continuation of the bayou.

Mr. FRYE. Will the Senator inform me whether or not the \$3,000 will complete the work as provided for here?

Mr. CALL. I can not say in regard to that. You might strike out the words "to complete." The appropriation has been made in small sums for several years, and a very good purpose has been served.

Mr. FRYE. I have no objection to the amendment allowing the words "To complete" to stand.

The PRESIDENT *pro tempore*. Will the Senator from Florida send his proposed amendment to the desk, or repeat it so that it may be heard at the desk and taken down?

Mr. CALL. I will send the amendment to the desk.

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



The CHIEF CLERK. The proposed amendment is to add, at the end of line 911, the words:

Including Holmes River to the town of Vernon.

So as to make the clause read:

Improving La Grange Bayou, Florida: To complete, \$3,000; including Holmes River to the town of Vernon.

Mr. VEST. Is that connected with La Grange Bayou?

Mr. FRYE. The item stands "To complete," the Senator from Missouri will notice.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 931, before the word "thousand," to strike out "one hundred" and insert "fifty," so as to make the clause read:

Improving Black Warrior River, Alabama, from Tuscaloosa to Daniel's Creek: Continuing improvement, \$30,000.

The amendment was agreed to.

The next amendment was to strike out lines 936 and 937 of section 1, as follows:

Improving Tombigbee River, Alabama, from Walker's Bridge to Fulton, \$4,000.

The amendment was agreed to.

The next amendment was, in section 1, line 939, after the word "Vienna," to strike out "Continuing" and insert "To complete;" before the word "thousand," in line 940, to strike out "six" and insert "twelve;" and after "thousand" to strike out "five hundred;" so as to make the clause read:

Improving Tombigbee River, Alabama, from Fulton to Vienna: To complete improvement, \$12,000.

The amendment was agreed to.

The next amendment was, in section 1, line 942, before the word "improvement," to strike out "Continuing" and insert "To complete;" so as to make the clause read:

Improving Tombigbee River, Alabama, below Vienna: To complete improvement, \$6,000.

The amendment was agreed to.

The next amendment was to strike out lines 967 and 968 of section 1, as follows:

Improving Yallahusha River, Mississippi: Continuing improvement, \$3,000.

The amendment was agreed to.

The next amendment was to strike out lines 973 and 974 of section 1, as follows:

Improving Cassidy Bayou, Mississippi, \$2,500.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause from line 975 to line 977, inclusive, as follows:

Improving Amite River, Louisiana: Continuing improvement, \$5,000, of which \$2,500 may be used in improving Bayou Manchac.

The amendment was agreed to.

The next amendment was to strike out lines 980 and 981 of section 1, as follows:

Improving Bayou Bartholomew, Louisiana and Arkansas: Continuing improvement, \$5,000.

Mr. GIBSON. In this item only \$5,000 is asked for Bayou Bartholomew. I find, on examination of the report of the engineer, that—

This stream is a tributary of Ouachita River. It rises in Southeastern Arkansas, within a few miles of Pine Bluff, on the Arkansas River, and following an exceedingly tortuous course, flows at first nearly parallel to the Arkansas River, at a distance varying from 15 to 30 miles, then parallel to the Mississippi at about the same average distance, and after entering Louisiana diverges to the southwest and flows into the Ouachita River opposite Ouachita City.

The improvement was begun in 1881 and consisted in the removal of wrecks, snags, overhanging timber, etc., obstructing navigation between Baxter, Ark., and the mouth, a distance estimated at 213 miles. In all \$23,000 have been appropriated, and up to June 30, \$21,116.55 had been expended. It is estimated that \$6,500 will complete the projected work. The expenditure already made has resulted in putting the bayou in good navigable condition during high and medium stages of water from its mouth up to Point Pleasant, La., a distance of 50 miles.

During the past year three steam-boats, drawing from 3 to 5 feet, were running regularly upon the river for five months, and the commerce was valued at \$1,075,000.

I think a good case is made for the retention of this item.

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

Mr. FRYE. The last report says:

The estimated cost was given at \$26,562, but this estimate was based upon a plan of operations for twelve months, or two consecutive seasons' work, whereas, owing to the small amounts appropriated, operations have now extended over six years. For this reason the cost of the work will be increased, as new obstructions are continually forming, and after the work is thoroughly completed these will require removal from time to time; hence no estimate for permanent improvement is given.

This is one of those places—there are several of these bayous in Louisiana—where the engineers report that it is impossible to make any permanent improvement.

Mr. GIBSON. An improvement can be made with a very small expenditure and kept in running order. I have read from the report of the chairman of the committee himself. The engineer says here:

It is estimated that \$6,500 will complete the projected work.

The work has been going on for some time, and it ought to be continued.

Mr. JONES, of Arkansas. I hope that the suggestion of the Senator from Louisiana will be adopted. I know something from personal observation of Bayou Bartholomew. It drains a very rich country, but the current is exceedingly sluggish in the spring. It has a deep, narrow channel, and in a narrow stream there is considerable difficulty in navigation on account of overhanging timber. Much of the improvement has been in clearing the overhanging timber away and getting out snags and timber that has fallen into the current.

The character of the work done must necessarily, with the limited appropriations, be merely getting timber out of the channel and getting the overhanging timber off the banks of the stream. The work that has been done has improved the navigation of that stream very much, and I hope it will be continued. I regard the money expended there as of as much value as on many others.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the committee, to strike out lines 980 and 981.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was to strike out lines 982 and 983 of section 1, as follows:

Improving Bayou Courtableau, Louisiana: Continuing improvement, \$5,000.

The amendment was agreed to.

The next amendment was to strike out lines 986 and 987 of section 1, as follows:

Improving Bayou Terre Bonne, Louisiana: To complete, \$3,000.

The amendment was agreed to.

The next amendment was, in section 1, before the word "thousand," in line 996, to strike out "sixty-five" and insert "fifty-five;" and in the same line, after the word "dollars," to strike out:

Of which \$5,000, or so much thereof as may be necessary, to be used upon Cypress Bayou and the lakes between Shreveport, La., and Jefferson, Tex.; and \$5,000, or so much thereof as may be necessary, upon Bayou Dorcheat.

So as to make the clause read:

Improving Red River, Louisiana and Arkansas: Continuing improvement from Fulton, Ark., to Atchafalaya River, including completing the work at Alexandria, \$55,000.

The amendment was agreed to.

The reading of the bill was continued to the end of the item on page 42, ending in line 1005, "for improving Ouachita and Black Rivers, Louisiana."

Mr. JONES, of Arkansas. I suggest to the chairman that if the report of the committee is right the words "Arkansas and" should be inserted before "Louisiana," for the reason that the Ouachita and Black Rivers proposed to be improved in this clause begin in Arkansas, and 60 or 70 miles of the length of river proposed to be treated, as I understand, are in the State of Arkansas. I think, to carry out the purpose, these words should be inserted.

Mr. FRYE. If the Senator knows that to be the fact, I have no objection to the amendment he suggests.

The PRESIDENT *pro tempore*. The amendment proposed is in line 1001, after the word "rivers," to insert "Arkansas and;" so as to read:

Improving Ouachita and Black Rivers, Arkansas and Louisiana, etc.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was to strike out lines 1006 and 1007 of section 1, as follows:

Improving Tickfaw River and its navigable tributaries, Louisiana: Continuing improvement, \$1,000.

The amendment was agreed to.

The next amendment was to strike out lines 1008 and 1009 of section 1, as follows:

Improving Little River, Louisiana, \$2,500.

The amendment was agreed to.

The next amendment was to strike out the clause from line 1012 to line 1014 of section 1, inclusive, as follows:

Improving Calcasieu River and passes, Louisiana: Continuing improvement at the entrance to said river and pass, \$10,000.

The amendment was agreed to.

The next amendment was to strike out from line 1021 to line 1025 of section 1, inclusive, as follows:

Improving Bayou Lafourche, Louisiana, pursuant to the project of Lieut. O. T. Crosby, Corps of Engineers, dated June 11, 1886, \$50,000, including immediate dredging to secure low-water navigation.

Mr. GIBSON. I move to amend the clause proposed to be stricken out by making it read:

Improving Bayou Lafourche, Louisiana: For dredge-boats and dredging to secure low-water navigation, \$25,000.

I think the chairman of the committee will accept that.

The PRESIDENT *pro tempore*. The Senator will please send the proposed amendment to the desk.

Mr. GIBSON. I send the amendment to the desk.

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



The CHIEF CLERK. It is proposed to strike out lines 1021 to 1025, inclusive, and insert in lieu thereof:

Improving Bayou Lafourche, Louisiana: For dredge-boats and dredging to secure low-water navigation, \$25,000.

Mr. FRYE. I am instructed by the committee to accept that amendment.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The question is on the amendment of the committee to strike out the clause as amended.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 1030, after the words "improving Arkansas River, Arkansas," to strike out "continuing improvement" and insert "for the removal of obstructions, bars, and shoals, operating snag-boat, repairing snag-boat Wichita, and general improvements to the navigation of the river, to be expended in the discretion of the Secretary of War."

Mr. JONES, of Arkansas. I hope that the committee will not insist on striking out the words in lines 1030 and 1031, "Continuing improvement," nor on striking out the words from line 1043 down to line 1063.

The amendment of the committee, beginning on line 1031 and down to line 1043, I think, is exactly right; but I believe that the words already in the clause limiting the appropriation and the purpose the committee had in view in making the appropriation will be more definite and certain by the clause remaining in that shape.

The members of the committee well know the various reports recommending the improvement of the Arkansas River and that the one they propose to follow provides for locks and dams in certain places. The other general plan is one providing for dikes and dams in the narrower channels. The language stricken out by the committee limits the appropriation to exactly the purpose the committee have in view in the language they propose to insert. I think the clause would be in better shape with the language that they have inserted in it than it would be if the House clause was taken as it came to the Senate.

Mr. FRYE. Will the Senator kindly repeat his proposed amendment?

Mr. JONES, of Arkansas. I propose to leave the clause standing, not striking out any part of the item as it came from the other House, but adopting the proposed amendment of the committee so far as the insertion of words is concerned. I think we should insert the words the committee recommend to be inserted, and not strike out the language coming from the House, as they propose in their motion to strike out. For instance, I think the clause should read, in regard to the Arkansas River:

Continuing improvement: For the removal of obstructions, bars, and shoals, etc.

And then should proceed:

*Provided*, That the Secretary of War shall expend the appropriation under this head with reference to the final improvement of this river as contemplated in the report of the Chief of Engineers for the year ending July 1, 1885, and as authorized in the act for the improvement of rivers and harbors approved August 5, 1886, and in House Executive Document No. 90, Forty-ninth Congress, first session; said methods to be applied, as the Secretary of War may direct, at such points between Wichita, Kans., and the navigable mouth of the Arkansas River, at its junction with the Mississippi River, as he may deem for the best interest of commerce.

The only objection I can see to that language is that it allows the Secretary of War the discretion, if he chooses to do so, to permit a portion of this money to be used on the part of the river from Arkansas City down. The report of the engineer is that the river from Wichita, Kans., to Arkansas City is not feasible of improvement; that in the present requirements of commerce there is no necessity for any expenditure being made on that part of the river, because it is not worthy of improvement at present; but he does recommend an improvement from Arkansas City to the mouth of the river; and in the old report, under which this very plan of improvement has been suggested, the method of narrowing the channel in certain places, the manner of building up dams in a cheap and efficient way, is proposed, which has been tried on the river a number of times. It seems to me to be the part of wisdom that the present appropriation shall be limited to the old plan, and that it shall be followed out, and that there shall be no doubt left as to the intention of Congress in making this appropriation. The engineer earnestly recommends that there shall be a uniform purpose, and that the appropriation as made in the last bill shall be carried out under this.

As the motion to strike out and insert is not divisible by the rules of the Senate, I understand the difficulty I have to deal with, and I appeal to the chairman of the committee to agree that this clause shall be put in this shape. There may be no great harm done in allowing the recommendation of the committee to be carried out exactly as it is made; but it would be safer and this appropriation would be more clearly and distinctly limited to the purpose the committee have in view if the language proposed to be inserted by the committee be inserted and the language recommended by the House committee be allowed to remain in the clause.

The PRESIDENT *pro tempore*. The motion to strike out and insert may be considered divisible by unanimous consent.

Mr. FRYE. I do not feel at liberty to give assent to any change in this item. The committee spent a great deal of time over this item;

they devoted a good deal of attention to the provisions of it, and the Senator from Arkansas was present and discussed with the committee its provisions, and they finally settled upon the language contained here. I believe it carries out fully and completely the intention of the committee and prevents any adoption of a plan which in the opinion of the committee is altogether too extravagant for this river. The river is an important one. The committee recognize that fact. Its commerce is large. But there is one plan proposed which is excessive and extravagant, and the committee determined that under no circumstances could it be committed to it. It seems to me that the language used here, that was adopted after long discussion and with great care, carries out completely the purpose the committee had in view. Therefore I shall be obliged to object to the Senator's suggestion.

Mr. COKE. When this matter was under consideration the Senator from Arkansas was freely consulted, as I understood, and the provision as placed in the bill by the committee he agreed was right. I know he was there, and my understanding was that he consented to the amendment agreed to by the committee as a reasonable and satisfactory conclusion.

Mr. JONES, of Arkansas. The Senator from Maine and the Senator from Texas do not seem to understand the point I made. I was before the Committee on Commerce and stated to them what my views were about this clause as they originally framed it in the first draught of the bill the committee brought into the Senate. I called their attention to the fact that they were compelling the improvement of the Arkansas River, under a report of the Board of Engineers, from Wichita, Kans., to its mouth, of March 16, 1888; that they did not intend that purpose, and that the reference to the report by its date had committed the committee to a plan of improvement which they did not intend. After I had made my statement the chairman of the committee said, and the members of the committee who were present agreed, that they were satisfied with my purpose, and I heard no more from the committee. I was not present at any of the committee conferences; I heard no discussion among the members of the committee about the effect of this clause.

Now the purpose I have in view is this: I agree with the Senator from Maine that this clause as it is framed prevents the taking up of the plan to which I have just referred and which is in terms excluded by the language of the committee's report; but it does not go quite far enough. I think that the committee ought to be prepared to follow the plan which has been heretofore recommended, which has been heretofore adopted, and upon which the appropriations that have been made prior to this time have been expended.

There is a declaration in the clause, if it shall be passed as the committee recommend it, that it will not follow the recommendation made by the board of the date mentioned, which would be enormously expensive; but it does not at the same time say that it will adhere to the old plan and continue the improvement on the plan that has been adopted heretofore. Of course I take it for granted the Secretary of War will in all probability take this view of it, that Congress having declared it will not accept the new plan he should follow the old plan; but I submit to the chairman of the committee that it would be well to say in exact words that you expect this appropriation to be expended in the line that appropriations made heretofore have been expended and there shall be no change from the plan as recommended by the Engineer Department and adopted by the House committee.

Mr. BERRY. I was before the committee and had a conversation with the chairman and other members, and I agree with my colleague that the object to be accomplished will be best attained by keeping in the language reported and also retaining the House language.

I understand the purpose of the committee was to prevent the Government being committed to the new plan. The amendment proposed by the committee does exclude that plan; but my colleague thinks it goes further than that, and might possibly be construed to exclude another plan and one which we all agreed, as I thought, the committee as well as all the rest, should be adopted. My colleague, who had something to do with preparing the words of the bill as it came from the other House, said that the purpose was to exclude the plan to which the Senator from Maine has alluded, and simply give force to the other plan which has been already pursued.

Mr. FRYE. I am entirely willing to restore the words "continuing improvement," in lines 1030 and 1031, but I can not see why the clause as reported does not do everything that the two Senators desire:

For the removal of obstructions, bars, and shoals, operating snag-boat, repairing snag-boat Wichita, and general improvements to the navigation of the river, to be expended in the discretion of the Secretary of War.

I do not see the least difficulty in this language allowing the Secretary of War to continue the improvement that he has been making heretofore.

Mr. JONES, of Arkansas. Restoring the words "continuing improvement," I think, will go very far to indicate to the Secretary of War that the old plan shall be pursued.

Mr. FRYE. I am willing that those words shall remain.

Mr. JONES, of Arkansas. That almost meets my idea, but I believe a direct declaration that the old plan shall be pursued would be still better.



Mr. VEST. My construction of this amendment is that the matter shall be left entirely to the discretion of the Engineer Bureau. It is not proposed to commit them to any plan. The distinct understanding, as I recollect, was that the Engineer Bureau should go on with the improvement of the river according to the plan that they might see fit to adopt. The language here can admit of no other construction; it is for continuing the improvement of the river, and we did not propose to commit ourselves to the old plan or the new.

The PRESIDENT *pro tempore*. The Chair understands that by unanimous consent the words, "Continuing improvement," in lines 1030 and 1031 are to remain in the bill. The question then recurs upon agreeing to the further amendment proposed by the committee, to insert the words printed in italics from line 1031 to line 1035, which will be read.

The CHIEF CLERK. After the words "Continuing improvement," in line 1031, on page 43, the Committee on Commerce propose to insert:

For the removal of obstructions, bars, and shoals, operating snag-boat, repairing snag-boat Wichita, and general improvements to the navigation of the river, to be expended in the discretion of the Secretary of War.

The amendment was agreed to.

The next amendment of the Committee on Commerce was, in the same clause, line 1035, before the word "thousand," to strike out "fifty" and insert "seventy-five;" so as to read:

To be expended in the discretion of the Secretary of War, \$175,000.

The amendment was agreed to.

The next amendment was, in the same clause, after the word "dollars," at the end of line 1035, to insert the following proviso:

*Provided*, That nothing herein contained shall authorize the Secretary of War to enter upon the project of improvement of said river as set forth in the report of the Board of Engineers on improvement of the Arkansas River from Wichita, Kans., to its mouth, dated New York City, March 16, 1888, and contained in House Executive Document No. 234, first session, Fiftieth Congress.

The amendment was agreed to.

The next amendment was, in the same clause, after the word "Congress," in line 1043, to strike out:

*Provided*, That the Secretary of War shall expend the appropriation under this head with reference to the final improvement of this river as contemplated in the report of the Chief of Engineers for the year ending July 1, 1885, and as authorized in the act for the improvement of rivers and harbors, approved August 5, 1886, and in House Executive Document No. 90, Forty-ninth Congress, first session; said methods to be applied, as the Secretary of War may direct, at such points between Wichita, Kans., and the navigable mouth of the Arkansas River, at its junction with the Mississippi River, as he may deem for the best interest of commerce. And all moneys now to the credit of different sections of the Arkansas River, other than appropriations for the operating of snag-boats, shall be available for use under this head; and in future the engineer in charge of this work and the Secretary of War shall make report upon the progress and needs of this work under this head, instead of reporting upon disconnected projects, as heretofore.

The amendment was agreed to.

The next amendment was, in section 1, to strike out the clause from line 1073 to line 1078, inclusive, as follows:

Improving Arkansas River, Arkansas: For removing obstructions, \$25,000, of which \$10,000 is authorized to be used in constructing a new hull for the snag-boat Wichita, including capstans and the transfer of the upper works, and \$375 in completing survey and maps.

The amendment was agreed to.

The next amendment was, in section 1, line 1079, after the word "Arkansas," to insert "To complete improvement;" so as to make the clause read:

Improving Red River, Arkansas: To complete improvement above Fulton, \$3,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1087, after the word "Arkansas," to strike out "Continuing" and insert "To complete;" so as to make the clause read:

Improving Petit Jean River, Arkansas: To complete improvement below the iron bridge at the Rocky Crossing, \$2,500.

The amendment was agreed to.

The next amendment was, in section 1, line 1092, after the word "Camden," to insert "To complete;" and in line 1093, before the word "thousand," to strike out "five" and insert "nine;" so as to make the clause read:

Improving Ouachita River, Arkansas, above Camden: To complete, \$9,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1095, at the end of the clause appropriating \$7,000 for "improving Cache River, Arkansas," to add the words:

Three thousand dollars of which shall be expended for the building and equipping of a small hand-propelled snag-boat, and \$4,000 for running expenses of the same, in accordance with the recommendation of the engineer in charge.

The amendment was agreed to.

The next amendment was, in section 1, to strike out lines 1132 and 1133, as follows:

Improving South Fork of Cumberland River, Kentucky: Continuing improvement, \$5,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1138, after the word "Kentucky," to strike out "continuing" and insert "to complete;" and in

line 1139, before the word "thousand," to strike out "three" and insert "six;" so as to read:

Improving Tradewater River, Kentucky: To complete improvement, \$6,000.

The amendment was agreed to.

\* The next amendment was, in section 1, line 1144, after the word "river," to insert "also \$20,000, or so much thereof as may be necessary, shall be expended for the construction of a drift-gap at Davis Island Dam, with the necessary bear-trap gates and masonry walls;" so as to read:

Improving the Ohio River: Continuing improvement, \$380,000; of which sum \$25,000, or so much thereof as may be necessary, shall be expended in removing the rock obstruction at the mouth of Licking River; also \$20,000, or so much thereof as may be necessary, shall be expended for the construction of a drift-gap at Davis Island Dam, with the necessary bear-trap gates and masonry walls; also \$7,500 in constructing an ice-pier pursuant to the present or prospective plan of the Chief of Engineers, at or near Portsmouth, Ohio.

The amendment was agreed to.

The next amendment was, at the end of the same clause, after the word "harbor," in line 1179, to insert:

And \$30,000 of said sum of \$380,000, or so much thereof as may be necessary, may be expended, in the discretion of the Secretary of War, in repairing the dam at the head of Cumberland Island and building a dam from the head of Dog Island to the Illinois shore; and \$30,000 of said sum of \$380,000 may be expended in protecting the harbor at Cairo, Ill., in the discretion of the Secretary of War.

Mr. FRYE. I have received a letter from the engineer in charge, William E. Merrill, which letter has been submitted to the Committee on Commerce, and it makes it clear to them that this amendment ought not to be adopted, and I am instructed to ask the Senate to non-concur in the amendment.

Mr. EDMUNDS. I should like to hear the letter read.

Mr. FRYE. The Senator from Vermont asks that the letter be read. I send it to the desk.

The PRESIDING OFFICER (Mr. PLATT in the chair). The letter will be read by the Secretary.

The Secretary read as follows:

UNITED STATES ENGINEER OFFICE, CUSTOM-HOUSE,

Cincinnati, June 7, 1888.

SIR: I desire to call your attention to a few points in connection with the pending river and harbor bill.

Lines 1180-1188, Ohio River.

The reconstruction of the Cumberland dam is bitterly opposed by the commerce of the Ohio River. I rebuilt this dam once and removed it afterwards for reasons that you will see in the report of the Chief of Engineers for 1876, part 2, page 22.

The other item is for "protecting the harbor at Cairo." The harbor at Cairo, if this means the steam-boat landing, needs no protection. There is some wash of a piece of shore about a mile and a half above the steam-boat landing which belongs to private parties, and I was ordered a couple of months ago to examine and report on this shore, but I was unable to do so on account of high water. According to the general rule this matter should lie over until an engineer's report has been made. If every washing bank on the Ohio River is to be protected by the United States, the river and harbor bill will be swamped by projects that have no connection with navigation.

In this connection I would add that the Great Miami levee at Lawrenceburg is for the protection of the town from inundation, as is also the levee at Shawneetown. Neither has the slightest connection with navigation. The levee at Lawrenceburg is the track of the Cincinnati, St. Louis and Indianapolis Railroad, and I am now raising this track, or paying the company for raising it, out of an allotment made in the last river and harbor bill from the appropriation for improving the Ohio River.

I have no desire to oppose the will of Congress in the distribution of appropriations, but as Congress often acts on erroneous information and seems to desire that the United States engineers shall give them facts for their use in making appropriations, I have thought it my duty to call your attention to these points.

Respectfully, your obedient servant,

WM. E. MERRILL,  
Lieutenant-Colonel Engineers.

Hon. W. P. FRYE,  
United States Senate, Washington, D. C.

Mr. BECK. When this amendment came to my notice I looked at it somewhat, and after the committee's action on it, believing that the matter was left in the discretion of the Secretary of War to do it or not as he pleased, and if it was not considered proper after a thorough examination it would do no harm, I am a little astonished to find a letter from Colonel Merrill now giving his individual opinion in regard to what he thinks ought to be done and asking that the amendment be stricken out. I was not expecting a letter of this sort, and am not prepared for it. I thought the Secretary of War ought to have a right to do what is here proposed if he thought proper after examining the head of the Cumberland River. There was a voluminous statement showing the importance and the necessity of it, and the Committee on Commerce was satisfied in regard to it. It being a matter of discretion, I know of no reason why the amendment should not be made. Colonel Merrill is a very good officer in some regards. In others I am not prepared to vouch for him. I do not think the action of the committee ought to be overthrown by a letter like this.

The PRESIDING OFFICER. The question is on the adoption of the amendment. [Putting the question.] The yeas appear to have it.

Mr. BECK. Let us have the yeas and nays on that.

The PRESIDING OFFICER. The Senator from Kentucky calls for the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. Let the amendment be read.



The PRESIDING OFFICER. The amendment will be read.  
The Secretary read the amendment proposed by the Committee on Commerce.

Mr. FRYE. I desire to repeat what I said a moment ago, that after a hearing before the Committee on Commerce the committee unanimously determined that the chairman should request the Senate to non-concur in this amendment.

Mr. BECK. On what authority?

Mr. FRYE. On the letter which has been read and the report to which Colonel Merrill refers.

Mr. BECK. Colonel Merrill alone?

Mr. FRYE. Yes.

Mr. BECK. I do not want to delay the Senate, as a call of the yeas and nays might embarrass the bill. I will offer the amendment again in the Senate, if on examination I find it proper.

The PRESIDING OFFICER. The Chair understands the demand for the yeas and nays to be withdrawn.

Mr. BECK. Yes, sir.

The PRESIDING OFFICER. In the opinion of the Chair the yeas have it, and the amendment is disagreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 1201, after the word "Zanesville," to insert "and other necessary repairs to locks and dams on said river;" so as to make the clause read:

Improving Muskingum River, Ohio: For the construction of a lock at Taylorsville and the reconstruction of the lock at Zanesville, and other necessary repairs to locks and dams on said river, pursuant to the report of the engineers, \$102,000; and the Secretary of War is hereby authorized and empowered to grant leases or licenses for the use of the water-powers on the Muskingum River at such rate and on such conditions and for such periods of time as may seem to him just, equitable, and expedient: *Provided*, That the leases or licenses shall be limited to the use of the surplus water not required for navigation. And he is also empowered to grant leases or licenses for the occupation of such lands belonging to the United States on said Muskingum River as may be required for mill-sites or for other purposes not inconsistent with the requirements of navigation; and all moneys received under such leases or licenses shall be turned into the Treasury of the United States, and the itemized statement thereof shall accompany the annual report of the Chief of Engineers.

Mr. EDMUNDS. I should like to hear that amendment explained, Mr. President. Are there any other locks and dams on that river besides those of the United States?

Mr. FRYE. No; no locks and dams that do not belong to the United States. The United States had the misfortune, in my judgment, to purchase this improvement from the State of Ohio, but it was understood that there were very few repairs needed, and it was so stated on the floor of the Senate, I think. It turns out on examination that there is hardly anything of the whole improvement that does not require repairs, and these words "and other necessary repairs to locks and dams on said river" were put in because the committee believed from the statement of the engineers that other repairs were as absolutely necessary as the construction of this lock as provided for. The Senator from Ohio [Mr. SHERMAN] has a letter on the subject.

Mr. SHERMAN. I have a letter from Colonel Merrill in which he speaks of the amendment proposed by the committee as not at all necessary. I therefore suggest that it be dropped out.

As a matter of course when work constructed many years ago by civil engineers under State authority was placed under the control of military engineers, men who are experts, as Colonel Merrill and others, they are not satisfied with the kind of work the State was satisfied with in the construction of internal improvements, and therefore they no doubt recommend a greater amount of improvements and a greater amount of repairs than would be deemed necessary by the authorities of any State. I understand that their mode of conducting improvements is on a different scale from that adopted by State authorities. Therefore it is that what might be considered very reasonable and right by a board of public works such as we have in Ohio would be considered very inefficient by a board of engineers of the United States Army. When a work is done under the charge of military engineers of the United States, they expect good work at a good cost. You can not have one without the other. I think, therefore, the amendment had better be omitted so as to avoid any ambiguity, and apply this sum to the particular works recommended.

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Commerce.

Mr. EDMUNDS. I notice from the remarks of the distinguished chairman of the Committee on Commerce respecting this Muskingum River in Ohio that it was a very great mistake, in his opinion, on the part of Congress to take that, as I believe, worthless river for any purpose of navigation, and the worthless works that the State of Ohio had built there by the aid, I believe, of land grants of the United States—

Mr. SHERMAN. Not a dollar.

Mr. EDMUNDS. The United States took those works off the hands of the State of Ohio, and paid her a large sum of money for them.

Mr. SHERMAN. May I correct the Senator in regard to that matter? It was before the era of land grants at all. The work was constructed in 1837, and there was no land grant, nor did the Government of the United States ever contribute a cent to it.

Mr. EDMUNDS. My friend from Ohio, who certainly ought to be more familiar with the land grants to that State than I am, says I am

mistaken in saying that there was a land grant applicable to this particular stream. I hope I am mistaken, though I very much doubt it, although the stream probably was not named in the land grant with precision; for the river, according to my examination when the matter was up on the subject of our taking the works off the hands of the State, was not one that the interests of national commerce or State commerce required should be made navigable in the present stage of the world.

Now, recurring to the remarks of my friend from Maine, I opposed and tried to get the Senate to refuse to take this thing off the hands of the State of Ohio; but of course (as is usual in all such cases) without any considerable success; that is to say, a majority of the Senate thought that the national interests required that it should be taken. I have forgotten how many thousand or hundred thousand dollars were paid to the State of Ohio for it.

I find that this bill illustrates what sort of an elephant we have on our hands. The Secretary of War is to grant leases and licenses for the use of the water-power on such terms as he considers just and expedient; but they are not to hinder navigation. He is to grant leases or licenses for the occupation of lands belonging to the United States on the Muskingum River, that is those we got from the State of Ohio, for mill-sites and other purposes. We took out from the hands of the State of Ohio a failing, costly, losing, worthless enterprise that she waited to get rid of, because if she kept it up at all it was a tax upon her treasury, and naturally enough—and I do not blame the State of Ohio for it, for it was done openly—if she could persuade the representatives of all the other States to take it off her hands and tax the whole people of the United States for keeping it up, for whatever use it might be, it was a good thing for the State of Ohio that we did it.

Now we have got a lot of useless and worthless property which we are to lease out and peddle out by licenses and leases for mill and whatever other sites there may be to whatever customer we can find.

This illustrates my own course in particular and enables me—because this amendment is of no particular account—to explain why I have given up as one Senator following this bill in detail, after the test on a small appropriation for a river in North Carolina which had no business to be improved—I have given up the idea of persuading a majority of the Senate (who undoubtedly are wiser and more patriotic than I am) that anything can be proposed on a bill of this kind and supported earnestly by a Senator from the locality where it is, which can be rejected; and my respect for the Senate is such that I do not wish to fight against "manifest destiny" and the judgment of a majority of my fellows. And so I keep silent in respect of these matters in the main, not because there are not a great many similar improvident and unjust expenditures provided for in this bill, as there have been in all its predecessors, but, as I say, it is useless and perhaps unjust for any one Senator to undertake to resist the judgment of a majority of the Senate in respect of this long enumeration which contains so large a per cent. of things that ought not to be done.

The appropriation of liberal sums of money, all that is necessary, for the improvement of the navigation of rivers in which the people of the States at large or of the States in their localities have a just commercial interest, and which in the sense of the Constitution belong to the commerce of the United States, as rivers that are in their nature navigable and only require to be improved—not rivers that have to be made—I have not the slightest objection to, but I am for. But when a bill of this kind is interlarded in so many instances with mere local pride, with selfish considerations or neighborhood convenience, where the people of the States concerned, if they wanted the improvement proposed, ought to tax themselves for it, as a matter of mere local concern, it makes it difficult for me to vote for a whole bill of this kind when it is completed.

I have said this once for all, Mr. President.

Mr. SHERMAN. Mr. President, the Senator from Vermont does not apprehend, I imagine, the reasons why the State of Ohio surrendered this improvement and why the Government of the United States finally assumed it. They are these: At the time the Muskingum River improvement was made it was a navigable stream, and a series of locks and dams were built to make very good slack-water navigation. That was in 1836-'37. At that time the Government of the United States refused to make any works of internal improvement whatever, and they were attended to by the States. Most of the States, North and South, assumed to construct their own works of internal improvement. Ohio, among other things, constructed the Ohio Canal, the Miami Canal, and the Muskingum River improvement. The State became embarrassed so that in 1841 or 1842 Ohio bonds sold at one time at 50 cents on the dollar, and the State even failed to pay the interest for a time. Nearly all the systems of public works then conducted by the States fell to the ground, and some of the Southern States were thereby so embarrassed in their financial affairs that they have never yet recovered.

The Government of the United States subsequently, under the lead of both political parties, adopted the idea that works of internal improvement should be made on navigable streams, and to improve harbors of a national character. Under that system the river just opposite the mouth of the Muskingum, which comes into the Ohio at Marietta, was constantly improved and excellently improved by the Government of the United States by locks and dams of similar character to those in



the Muskingum. The Tennessee River, the Cumberland River, and many other branches of the Ohio and Mississippi have been thus improved by the Government of the United States.

Under these circumstances, the State of Ohio having only this single work of internal improvement by locks and dams, it fell rather into decay. It was kept up and always paid expenses, but that was about all. Meanwhile the State of Ohio, seeing that it had this improvement on its hands while all its sister States about it had their rivers improved by the General Government, rivers of the same character and degree, felt it but right to turn this improvement over to the General Government.

The Senator says he does not know how much the Government paid for it. It never paid a cent. There was simply a surrender of the improvement as it stood, in a somewhat dilapidated state, it is true, but its precise condition was known and reported by the official papers. Ohio proposed to surrender the improvement by an act of the State Legislature to the General Government. The General Government finally agreed to accept it, and it was recommended by the Secretary of War, and also by the officers of the Engineer Corps, and it was finally adopted by Congress.

Mr. TELLER. When was that done?

Mr. SHERMAN. Two years ago, I think. That is all there is about it. It is true that when this work was taken possession of by the General Government it was said some of the locks were insufficient, some were not wide enough, in some cases the scales were out of order and had to be rebuilt. I have no doubt that under the management of Ohio they would have been continued without rebuilding; but now Colonel Merrill recommends that one of the locks be rebuilt and the other largely repaired. I think if we had the management of it in Ohio we would not do anything of the kind, but would bear it and get along; but the Engineer Corps, having charge of it, naturally want good work instead of poor work.

Here is an appropriation of \$102,000 to fix the locks. Suppose it should cost \$200,000 to give the people of that beautiful valley, where they are now celebrating their one hundred years of national birth, a complete improvement of this river, is there any injustice in that when the very rivers all around and about, the Wabash and the Illinois and the Kanawha and the Kentucky and the Tennessee and every river in every State all around, are being improved by the National Government? Is it unreasonable that the Government should assume the management and care of this improvement, which cost the people of the State of Ohio \$2,000,000?

I do not think there is any ground of complaint on the part of the Senator from Vermont as to the particular amendment in view. I think myself that amendment ought to be disagreed to, because, as the engineers recommend the improvement of these two locks alone, leaving the general repairs to be managed as heretofore out of a general fund for that purpose, I think it is better to take their report just as they had it.

I am told that one of my colleagues in the other House, probably on representations made to the committee, had this amendment put on. If that is so, I am perfectly willing to let it remain on and let the matter go to a conference, or let it be stricken off, whichever is deemed proper.

Mr. VEST. That is the fact.

Mr. SHERMAN. He thinks there is no provision made for repairs. There is, however, provision made for repairs generally. Colonel Merrill in a letter which I handed to the Senator from Maine, and it is on his desk, I suppose, says expressly that it is necessary to have the amendment made for that purpose, and he thought it had better be made.

Mr. VEST. The amendment can not do any harm.

Mr. SHERMAN. I say I have no objection to its being on or off, as the Senate please.

Mr. VEST. I want to say a word in regard to this item in the river and harbor bill.

No one in the Senate has any right to complain of this appropriation after the action of the Senate two years ago. We proposed then if the State of Ohio would transfer her improvement of the Muskingum River to the Government of the United States to keep it in repair. The House bill came to us with that provision in it, and the Committee on Commerce of the Senate reported against it, and the Senator from Ohio moved to disagree to the action of the committee of the Senate, and succeeded by one vote in reversing our action. The whole matter was debated here, and if I am not mistaken the Senator from Vermont voted with the Senator from Ohio.

Mr. EDMUNDS. Not much. I resisted it all in my power.

Mr. VEST. I beg the Senator's pardon. I know that the committee was beaten by one majority. I objected to it in committee and in the Senate. I did not think the great State of Ohio ought to place this improvement on the General Government after it had allowed this work to go into a condition of ruin for want of repairs; but it was done by the Senate and this is the logical result, and no man has a right to complain of it. I told the Senate then, and other Senators told the Senate, what would be the result; that the next thing the State of Ohio would come here, or rather, the Engineer Bureau in charge of the

work, would come and say, "We require now several hundred thousand dollars to put this work in a fit condition;" and it has come to pass.

Then the State of Kentucky, that does not owe a dollar in the world, whose credit is as good as that of any other State or the United States, put one of her internal improvements on the General Government, and now I understand there is a proposition to take the Licking River and the Green River improvements. I have objected to the whole thing.

Mr. EDMUNDS. The Licking is not here.

Mr. VEST. But Green River is in the bill. After the Senate determined deliberately that they would take this work off the hands of the State of Ohio they can make no discrimination against any other State. I was opposed to the system; I am opposed to it now. I fought it from 1877, but was beaten in the Senate; and I simply rise now to say that we are plucking the fruit from the tree we planted two years ago.

Mr. REAGAN. Mr. President, I have not examined the report of the engineers on this matter, for it is not before me. There seems to be an instruction in the report of the committee on the provisions of the bill. The report of the committee is in favor of an appropriation of \$60,000 "for ice harbor at the mouth of the Muskingum River, Ohio," for the completion of that work. The provision is—

Improving Muskingum River, Ohio: For the construction of a lock at Taylorsville and the reconstruction of a lock at Zanesville, and other necessary repairs to locks and dams on said river, pursuant to the report of the engineers, \$102,000.

I suppose this is questionable, of course, but it is not apparent on looking at the report of the committee and the provisions of the bill. I suppose some member of the committee will tell us why the report is one thing and the provision of the bill another. But that is not the main question to which I rise now.

Mr. COKE. Perhaps my colleague will allow me to call his attention to page 147 of the report of the committee, where this item appears:

Muskingum River.—Improving Muskingum River, Ohio: For the construction of a lock at Taylorsville and the reconstruction of the lock at Zanesville, and other necessary repairs to locks and dams on said river, pursuant to the report of the engineers, \$102,000.

Mr. DOLPH. The Senator from Texas [Mr. REAGAN] will find that there are two items. He has referred to the report relating to one while he is looking at the provision of the bill in regard to the other.

Mr. REAGAN. I saw it in the report in the first place, but the index does not indicate a reference to the report to which my attention is now called.

But, Mr. President, if we intend to pursue the policy of improving the navigable waters of the United States, it seems to me that it is essential for the present that until we can improve the open navigation of the country we should not be expending the public revenues on very costly works on small and unimportant streams.

The canal at Des Moines Rapids was one connecting the waters of the Upper and Lower Mississippi, connecting the open water way of a great stream. The canal at the Mussel Shoals, on the Tennessee River, was of a like character. So the locks and dams at Sault Ste. Marie connected the lakes, connected great bodies of navigable water where there were large amounts of commerce. There could be no objection to works of that kind, because of the great amount of commerce which they facilitated and aided.

But if we go on making slack-water navigation on the small and unimportant streams of the country, our river and harbor improvement system must break down, for the revenues of the country will not permit of providing slack-water navigation on all the unimportant streams of the United States. When I say "unimportant" I do not mean those without commerce and wholly unimportant, but I mean those comparatively unimportant, because they are small streams and because of the large amounts of money required to improve them.

I have resisted from year to year for twelve or more years the effort to take local streams and expend large sums of money in building slack-water navigation upon them, and I have done it because I am a friend to the river and harbor bill, and a friend to the improvement of the water navigation of the country as one of the great aids of commerce, and to the development of the wealth and resources of the country.

We had as well consider the point. I do not know but that we have gone too fast and too far, and that the work of improving the water ways of the country is to be wrecked upon this idea of improving small streams at very great expense. We commenced on the Kanawha River and improved that for 96 miles at an expense of some \$4,000,000, I think. We have got the Kentucky River on our hands, and we have got a number of other rivers on our hands, and we are spending hundreds of thousands of dollars to improve streams with small commerce. I do not mean to say that the Kanawha River is a stream with very small commerce, because its peculiar situation gives it a very considerable commerce. But going over the list we find that we are providing for slack-water navigation at great cost to the Government on streams that have but little commerce. We are expending money on streams and communities the expenditures on which may benefit the localities and the people residing about them much more than they benefit the general commerce of the country.

I recognize the right of Congress, the power and the duty of Con-



gress to improve the navigable waters of the country that are under the jurisdiction of the Federal Government; that is, those streams on which commerce is borne that goes by continuous navigation by water to other States and to foreign countries, but I do not recognize the right of Congress to make merely local improvements.

I am not so much disposed now to discuss the question of power as to discuss the question of the policy of breaking down the river and harbor bill by putting upon it slack-water navigation, taking money away from improving the great water ways of the country, the open navigation of the country, in order to make local improvements by slack-water navigation. Senators might as well understand that if we go on with slack-water navigation the country will call a halt, and it will be the defeat of river and harbor bills for the improvement of the open navigation of the country.

I simply rose to renew here the protest I have made from year to year for twelve or fourteen years against slack-water navigation and local improvements merely at the expense of the great system of the improvement of the water ways of the country.

The PRESIDING OFFICER. The question is on the amendment of the Committee on Commerce in lines 1201 and 1202.

The amendment was rejected.

Mr. DOLPH. I ask unanimous consent to return to page 9, line 196. The last word there "1881" should be "1871," as appears from a letter in my possession from the chairman of the House Committee on Rivers and Harbors. The bill adopts the later plan of improvement, which it was not the intention to adopt.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent to return to line 196, on page 9, and proposes the amendment which will be stated.

The CHIEF CLERK. On page 9, line 196, before the word "one," it is proposed to strike out "eighty" and insert "seventy;" so as to read:

Improving harbor at New Rochelle, N. Y.: Continuing improvement, the balance remaining on hand from former appropriations to be expended in pursuance of the project adopted in 1871.

Mr. EDMUNDS. Saving objection, I ask the Senator to explain how much is "the balance remaining on hand from former appropriations" which is here authorized "to be expended."

Mr. DOLPH. I suppose it is \$3,000. There are two surveys, one of 1871 and one of 1881. It was not the intention of the committee to adopt the latter and more expensive one, but to compel the application of the money to the former one.

Mr. EDMUNDS. The phraseology is such as to cover every unexpended balance of any former appropriation made at any time, and it would be interesting to know how much, taking all of those for twenty years past, they would all foot up. It is not confined to the balance remaining under the last appropriation bill, but the balance of all former appropriations.

Mr. DOLPH. But the final balance of all previous appropriations is shown by the manner in which these accounts are made up by local engineers.

Mr. EDMUNDS. Do not river and harbor appropriations ever lapse?

Mr. DOLPH. They do not lapse. They are continuing appropriations. Therefore the balance in the report this year is the balance of all time.

The PRESIDING OFFICER. Is there objection to considering this amendment? If there be none, the question is on the adoption of the amendment proposed by the Senator from Oregon [Mr. DOLPH].

The amendment was agreed to.

The reading of the bill was resumed, and continued to the end of the following clause, from line 1219 to line 1221 of section 1:

But nothing in this act shall be construed to affect any vested right, if such there be, of any lessee of water-power on said river.

Mr. REAGAN. I had looked at the clause, but had not at first noticed the fact that we are undertaking to make water-power and peddle it out to private parties in the name of improving the navigable waters of this country. We propose to create water-power by the Federal Government and peddle it out to those who may need it for private purposes. Surely the Senate will not go into such a measure as that.

Not only is this a local improvement, but we abandon the idea that it is purely for the purpose of accommodating the commerce of the country and make the Government a corporation to provide and peddle out water-power for private millers and manufacturers! I trust the Senate will vote this clause out. Surely we do not mean to go on with this. I have on a former occasion referred to a case where the Government paid about \$2,000,000 to make water-power for private purposes, and I hope we shall stop now.

Mr. DOLPH. The United States are not proposing to create any water-power. The State of Ohio by the improvement of the Muskingum River did create water-power which is incidental to navigation. When that was turned over by the State the river with its improvements was turned over. There is a water-power which now belongs to the United States, and ought to be utilized. There is no improvement being made for the purpose of creating water-power, but the water-power was created by the State in the improvement of the river,

and this simply authorizes the Secretary of War to do what was previously done by the State of Ohio.

Mr. REAGAN. I understand that; but this clause provides an appropriation for the improvement of the Muskingum River. It appropriates money for that purpose. It creates water-power by that appropriation, and then the Secretary of War, if I can understand it, is authorized to peddle out that water-power to private parties.

Mr. VEST. But we do not create the water-power. It is there and must be used by somebody. I submit to my friend from Texas that if we do not do this, what are we to do? The State of Ohio has been leasing out this water power. We have obtained the whole system from beginning to end. We have not created it. We found it there, and having got it, I want to save what we can out of it.

Mr. REAGAN. I confess I am surprised that the Senator from Missouri should undertake to defend a measure like this. What power have we to peddle out water? We claim the power and we have the power to improve the navigable water ways of the United States in order to benefit commerce, but where we derive the power here asserted, whether by the direct assertion of the fact or as trustee of the State of Ohio, to peddle water for private purposes, I do not know, and I think any gentleman will find it very difficult to derive that power from the Constitution of the United States.

Mr. VEST. Where do you find the power in Congress to dispose of any public property?

Mr. REAGAN. That is incident to the control of the property that the Constitution authorizes the Government to acquire. There are kinds of property that we have the right to acquire, public buildings, etc., and when we have that property which we have a lawful right to acquire, and find that we have no further use for it, we may dispose of it as a matter of necessity. Indeed, in that case it is a necessity that it shall be disposed of for the public good. But that is a very different question from the one of creating property for the purpose of peddling it out to private parties.

Mr. VEST. We did not create this water-power; we found it.

Mr. REAGAN. I understand there were locks and dams there erected by the State of Ohio at an expenditure of hundreds of thousands of dollars, and when the work was turned over to the General Government the water-power went to the Federal Government. The property was taken on the idea of providing slack-water navigation to benefit the commerce that passes over the Muskingum River, and now we are asked to sanction a proposition to grant leases and licenses of the water-power on that river. I protest, sir, that it has no constitutional warrant, that it is wrong in principle, that it is an assumption of power that in the better days of this Republic no one would have dreamed of assuming.

Mr. DOLPH. This item has been passed by the Senate and the Senate has proceeded to consider another item of appropriation. If it were not for suggestions made in regard to this improvement which I think ought to be answered, I would not say a word.

I consider the Muskingum River quite as important to navigation as many of the other rivers the improvement of which has been provided for by Congress and which are provided for in this bill. I consider it quite as important as some of the appropriations for the works which are appropriated for in the Senator's own State. I find by reference to the report that—

The Muskingum flows through a rich valley, furnishing a large amount of commerce. Along and accessible to the river are important deposits of coal, salt, natural gas, oil, and cement. The total extent accessible for mining is about 60 miles in length, with an average width of 5 miles on each side of the river. With improved navigation a large increase of business would undoubtedly be developed.

Here is a river 60 miles in length going into the Ohio and tributary to the Mississippi River, and the commerce of which is tributary to the great bulk of commerce that flows through the Mississippi River. The presumption is in favor of the importance of the improvement, because the State of Ohio undertook out of the State treasury to make the improvement at a time when, as has been stated, the United States was not making appropriations for such improvements, and that State expended a large amount of money on it. Having done that, and the General Government having improved other rivers of a similar character throughout the country, the State of Ohio turned over the Muskingum to the United States without payment for what had been expended by the State.

It is true that there are some locks upon the river, but similar improvements are made on other rivers where there are rapids or other obstructions to navigation which require locks to make the navigation continuous. The United States found these locks with a surplus of water, and that is all there is of the case. The improvement was made for the purpose of improving navigation. The locks were constructed for that purpose. We found the navigation improved, the locks there, the surplus water there, which must either run to waste or be appropriated by some individuals, as is suggested by the Senator from Missouri, without payment. The United States simply uses this property, which now is its own by virtue of the act of Congress and the act of the Ohio Legislature, as it uses any other public property.

I can not see that there is any constitutional question involved, nor

can I see that the suggestions of the Senator from Texas concerning the character of this improvement are really supported by the facts of the case.

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives concurring in some and non-concurring in other amendments of the Senate to 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.

Mr. ALLISON. I move, that the Senate insist on its amendments disagreed to by the House of Representatives.

Mr. EDMUNDS. I should like to hear the amendments that the House disagreed to read, so that we may know what they are.

The PRESIDING OFFICER. The amendments to which the House disagreed to will be read.

The Chief Clerk read from the message of the House of Representatives as follows:

The House of Representatives non-concur in the amendments of the Senate: No. 1, page 1, line 12, strike out all after "and," where it occurs the first time, down to and including "eighty," line 13, and insert "\$22,027.30."

Mr. EDMUNDS. Will the Senator please explain what that means?

Mr. ALLISON. Is there a copy of the printed bill at the desk?

Mr. EDMUNDS. I withdraw the request. It is impossible to understand what all these numbers mean.

Mr. ALLISON. Does the Senator withdraw his request?

Mr. EDMUNDS. I withdraw my request to have the amendments read.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate insist on its amendments disagreed to by the House of Representatives.

The motion was agreed to.

#### MARTHA F. WOODRUM.

Mr. DAVIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2805) granting a pension to Martha F. Woodrum, widow of James Woodrum, deceased, having met, after a full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendment, and agree to the same.

C. K. DAVIS,  
JOHN H. MITCHELL,  
D. TURPIE,  
*Managers on the part of the Senate.*  
THOS. L. THOMPSON,  
J. LOGAN CHIPMAN,  
W. GODFREY HUNTER,  
*Managers on the part of the House.*

The PRESIDING OFFICER. The Chair does not see that any action is required by the Senate on this conference report. It will be placed on file.

#### RIVER AND HARBOR BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9859) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FRYE. One word of explanation as to the Muskingum River leases. I have a letter from Colonel Merrill, the engineer in charge, in which he says:

The Secretary of War doubts his authority to grant leases of water-power on the Muskingum River, notwithstanding the fact that such leases were always granted by the State of Ohio, and that when the United States took charge of the river it was generally understood that no change would be made in the time-honored policy of permitting the surplus water to be used for manufacturing purposes.

It therefore seems necessary that Congress should distinctly authorize the Secretary of War to grant leases for water-power and the necessary land for mill sites; and to this effect I would suggest that the following clause be added to the river and harbor bill now pending:

And that is the clause which was added.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 1236, before the word "thousand," to strike out "fifty" and insert "seventy-five;" and in the same line, after the word "dollars," to strike out "a" and insert "all or any;" so as to make the clause read:

Improving St. Clair Flats Ship-Canal, Michigan: Continuing improvement, \$75,000; all or any portion of which may, in the discretion of the engineer, be expended in dredging Grosse Pointe Channel.

The amendment was agreed to.

Mr. REAGAN. I desire to give notice that when the bill comes into the Senate I shall ask a vote of the Senate—I do not care to call for a division now, as we may not have a quorum—on the clause from line 1199 to line 1218, inclusive, relative to leases, etc., on the Muskingum River.

The PRESIDING OFFICER. The bill is now being read for the consideration of amendments proposed by the Committee on Commerce. It will be in order, after those amendments have been acted on, to move to further amend the bill in Committee of the Whole.

The reading of the bill was resumed, and continued to the clause on line 1239 to line 1241, as follows:

Improving St. Mary's River, at the Falls, Michigan: Continuing improvement on new lock, dam, and approaches, \$1,000,000.

Mr. EDMUNDS. I should like a little explanation of that item in connection with the item at the top of the same page. This appropriates a million dollars for "improving St. Mary's River, at the Falls, Michigan." In lines 1224 to 1229, inclusive, is this paragraph:

Improving Hay Lake Channel, Michigan: Continuing improvement, \$500,000: *Provided*, That any portion or all of this sum may, in the discretion of the Secretary of War, be used in the work at the falls of the St. Mary's River, in addition to the specific appropriations herein made for the latter.

I see in looking at the engineer's report that the Hay Lake Channel, as it is called, was an invention of the former river and harbor bill for building a new line there to shorten the distance and get out of the St. Mary's River proper, and to thus improve the commercial facilities there, and a great deal of money has been appropriated and expended for that purpose. Now, it would appear from this bill as it came from the House that it has not been thought important to appropriate any money definitely and positively to go on with the Hay Lake Channel business, which apparently is to be thrown up if the Secretary of War chooses to take all the money, leaving none for Hay Lake Channel, and apply it at the Falls, which is entirely a different work. I should like to have an explanation about that; whether it has been found that Hay Lake Channel is so unimportant or so impracticable in the way of building a ship route that way that we are going to gradually edge out of that business by this double appropriation for St. Mary's Falls; or what it does mean?

Mr. SAWYER. I do not think that the engineers have abandoned the Hay Lake Channel by any means, because it is very important, but the canal at the end of Lake Superior is locked by some of the best locks in the world probably, and they are not sufficient to do the business of the outlet of Lake Superior. The object is to allow the engineers, if they do not need the money for Hay Lake Channel, to go on and get out the stone and get ready for the new lock at the Falls. That lock will cost four or five million dollars. It would be a great deal cheaper to the Government to make the whole appropriation for that lock at once.

Mr. EDMUNDS. I understand that. I am not criticising or condemning whatever is thought necessary and the doing of it as fast as it can possibly be done, to enlarge the locks at St. Mary's Falls. That is one thing; but here I find that in former appropriation bills we have gone into a project, as this bill is so fond of calling it, of making the Hay Lake Channel, which is an entirely different thing, which is said to shorten the distance 11 miles and be a great thing when it is done, and we have made appropriations and money has been expended *ad libitum*, and, as I see by the report, they are substantially out of money now at the Hay Lake Channel. This bill appears to give the Hay Lake Channel the go-by entirely by allowing the Secretary of War to stop entirely on that channel and to devote that \$500,000 to the locks. Why not, if a million and a half is needed to go on with the locks this year, give it in this item and either leave out Hay Lake Channel entirely as a useful performance any more, as one which has been found to be impracticable, or appropriate the money which the report of the engineers seems to show ought to be appropriated to carry it on? Why is Hay Lake Channel made the scapegoat to carry \$500,000 to St. Mary's Falls—it never yet carried anything else to be sure—and left dry and desolate without any appropriation?

Mr. SAWYER. I think the Senator is mistaken about Hay Lake Channel not demanding money or not being of importance, because the other channel is a very crooked one. It may save more than 11 miles. The lock is of main importance, and that ought to go on. If they do not want to use all of the appropriation for Hay Lake Channel, they can use part of it to get stone out for the new lock. I think myself it is as well to have that provision in.

Mr. DOLPH. This is a very important improvement. I am told that the commerce passing through this lock at St. Mary's River is very large.

Mr. EDMUNDS. It certainly is.

Mr. DOLPH. It is larger than the commerce of the Suez Canal and larger than the foreign commerce of the city of New York.

Mr. EDMUNDS. It is undoubtedly very large.

Mr. DOLPH. In 1886 Congress determined that the capacity of the present locks was not sufficient to accommodate the commerce, or will not be long before another lock can be completed. Besides that, if anything should happen to the present lock so that it could not be operated for a time the whole commerce would be obstructed at this point. The engineer says in regard to the necessary appropriation for the lock:

The aggregate, then, of the funds which should be made available as soon as practicable is \$2,235,875. Whilst any reduction of this amount would be a cause of great regret, yet, if it should be deemed necessary to make a reduction, the best way to do so would be to omit the \$1,225,000 for masonry of lock-walls. On no account should the remainder (\$1,010,875) be reduced, nor should the appropriation in that case be trammelled with any condition requiring more than the excavation of the lock-pit and building the culverts and lock-floor.

I understand the dredging of the Hay Lake Channel, which is to shorten the distance and straighten the channel and make it navigable



at night, is really a part of this general improvement, but as dredging can be made from year to year, and if not done this year possibly can be done next year before the completion of this lock, and as the local engineer and the Chief of Engineers—because the committee had several communications on this subject from the Engineer Department—recommend this appropriation as it is made, it was thought advisable that there should be some fund appropriated by which in case of accident repairs could be made at this lock by which cut stone could be provided for proceeding with the work another year. The other House sent it to us in this shape, an appropriation for the improvement of Hay Lake Channel, dredging in Hay Lake Channel, and providing that any part of the amount might be used, if found necessary in the judgment of the Chief of Engineers, upon this lock or cutting stone for the new lock.

Mr. EDMUNDS. I understand the Senator to say that there is a letter from the engineer or engineers recommending that this appropriation for the Hay Lake Channel be applicable to the St. Mary's Canal. I should like to hear that letter, so as to understand the ground on which the engineer puts it. Perhaps he will tell us something about the Hay Lake affair.

Mr. DOLPH. I ask that this item be passed over, and we can return to it.

Mr. EDMUNDS. It is in the text of the bill, so that the reading can go on.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, after the word "Montello," at the end of line 1261, to insert "except as hereinafter provided;" and in line 1263, after the word "dollars," to insert:

Of this sum \$5,000, or so much thereof as may be necessary, shall be used for deepening the south outlet of Lake Winnebago, at Neenah, Wis., so as to make navigation practicable during low-water season; \$6,000, or so much thereof as may be necessary, shall be expended in constructing a levee at Portage, Wis., to prevent the overflow of the Wisconsin River into the Upper Fox River.

So as to make the clause read:

Improving Fox River, Wisconsin, below Montello, except as hereinafter provided: Continuing improvement, \$100,000; of this sum \$5,000, or so much thereof as may be necessary, shall be used for deepening the south outlet of Lake Winnebago, at Neenah, Wis., so as to make navigation practicable during low-water season; \$6,000, or so much thereof as may be necessary, shall be expended in constructing a levee at Portage, Wis., to prevent the overflow of the Wisconsin River into the Upper Fox River.

Mr. EDMUNDS. I should like to hear explained this matter of overflow. We have had some items in a previous part of the bill where the river seemed to be destitute of water. Here we have a case where apparently the river has too much water and we are going to keep it from overflowing. I should like to understand what that really is, for information.

Mr. SAWYER. Does the Senator wish me to explain it now?

Mr. EDMUNDS. Yes.

Mr. SAWYER. The Wisconsin River rises very high. The Government has improved directly opposite the portage, where there are some islands, and blocked up the other side of the islands years ago to make the river navigable. If it was not for that I suppose the river would still be liable to overflow. The ground is low there for 2 miles. They had to get out one hundred men there last spring in the time of high water. If the river overflows there, it overflows the whole country. The Wisconsin River is a very large and powerful stream. This appropriation is intended to prevent it from destroying the works below.

Mr. EDMUNDS. How far on the river is that?

Mr. SAWYER. About 2 miles, and the Fox River is some 8 feet below the Wisconsin.

Mr. EDMUNDS. And the United States are to prevent the Wisconsin River from flowing across these 2 miles of flat country, I suppose?

Mr. SAWYER. Yes; it is a low country.

Mr. EDMUNDS. Going across from there to the other river?

Mr. SAWYER. It flowed on the other side of the islands. You have blocked up the other side of the islands, turning in a heavy volume of water on this bank. I think it is no more than just that we should prevent the consequences of that.

Mr. EDMUNDS. I do not see anything in the report of the engineers—very likely I have overlooked it—on the subject of improving this river by preventing it, when there is a flood, from running over these 2 miles of the beautiful lowlands of Wisconsin.

Mr. SAWYER. We have a report on the subject, but it is not here now.

Mr. EDMUNDS. I should very much like to have that report read.

Mr. SAWYER. I will look it up.

Mr. EDMUNDS. It is not in the official reports submitted to Congress by the Secretary of War, so far as I find, and there is no allusion to it. However, as I said, it is, of course, useless to attempt to resist any of these amendments, but I have felt it my duty to call attention to them.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, after line 1271, to insert:

The sum of \$6,000, appropriated by the river and harbor act of August 5, 1886, for a levee at Portage, Wis., shall be available for that purpose; the sum of \$10,000, appropriated by the river and harbor act of July 5, 1884, "to be used in main-

taining a channel between De Pere and Green Bay, Wis." shall be used, as soon as practicable, on the Lower Fox River, in buoying, straightening, and deepening the channel of said river, between said cities, to a depth of not less than 12 feet at low-water mark, the measurement for such depth to be based upon the lowest recorded stages of water heretofore found by United States governmental surveys to have existed in Lake Michigan.

Mr. EDMUNDS. I should like to ask the chairman of the committee if he will kindly tell us what has become of the channel between De Pere and Green Bay, Wis., from which we are to take this money which was appropriated four years ago and put it down on to the Lower Fox River?

Mr. SAWYER. No, we do not take that. We only make it available for this purpose.

Mr. EDMUNDS. The way it reads is:

The sum of \$10,000, appropriated by the river and harbor act of July 5, 1884, "to be used in maintaining a channel between De Pere and Green Bay, Wis.," shall be used, as soon as practicable, on the Lower Fox River.

Mr. SAWYER. That is the same thing exactly.

Mr. EDMUNDS. What is the use of the reappropriation?

Mr. SAWYER. Because the other appropriation provided that it should be used to maintain a channel of 12 feet. The engineer said there was a channel of 12 feet during a certain period of the year, and consequently it could not be used. This is to have it used in boring.

Mr. EDMUNDS. They found that the appropriation for maintaining the channel was unnecessary, then, as I understand.

Mr. SAWYER. Before they were to use it to maintain a channel of 12 feet, and they construed it to mean 12 feet at high water. Now we want a channel of 12 feet at low water.

Mr. EDMUNDS. Is that recommended by the engineers?

Mr. SAWYER. I do not think it is in this report, but the local engineer has stated that he would like to put it in that shape.

Mr. EDMUNDS. I should like to have his letter read.

Mr. SAWYER. I have not got it here now, but I can get it.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Committee on Commerce.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 1286, before the word "thousand," to strike out "seven" and insert "ten;" and after "thousand" to strike out "five hundred;" so as to make the clause read:

Improving St. Croix River, Wisconsin and Minnesota: Continuing improvement, \$10,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1298, after the word "Vincennes," to strike out "Continuing improvement, including the work at or near Grayville, \$60,000" and insert "Continuing the work on lock and dam at Grand Rapids, near Mount Carmel, Ill., \$50,000, and for continuing improvements, including the work at or near Grayville, \$10,000;" so as to make the clause read:

Improving Wabash River, Indiana and Illinois, below Vincennes: Continuing the work on lock and dam at Grand Rapids, near Mount Carmel, Ill., \$50,000; and for continuing improvements, including the work at or near Grayville, \$10,000.

The amendment was agreed to.

The next amendment was, in section 1, line 1311, before the word "one-half," to insert "two and;" and after "one-half," to strike out "mile" and insert "miles;" so as to make the clause read:

Improving Calumet River, Illinois and Indiana: Continuing improvement, \$50,000, of which \$15,000 is to be used in improving the river above the Forks to 2½ miles east of Hammond, and \$35,000 for the improvement of the river between its mouth and One hundred and eighth street.

The amendment was agreed to.

The next amendment was, in section 1, line 1322, at the end of the clause appropriating \$200,000 for "Improving Illinois River, Illinois: Continuing improvement," to add:

And for the purpose of securing a continuous navigable water way between Lake Michigan and the Mississippi River, having capacity and facilities adequate for the passage of the largest Mississippi River steam-boats, and of naval vessels suitable for defense in time of war, the Secretary of War is authorized and directed to cause to be made the proper surveys, plans, and estimates for a channel improvement and locks and dams in the beds of the Illinois and Desplaines Rivers from La Salle to Lockport, so as to provide a navigable water way, not less than 160 feet wide and not less than 14 feet deep, and to have surveyed and located a channel from Lockport to Lake Michigan, at or near the city of Chicago, such channel to be suitable for the purposes aforesaid, and capable of carrying not less than 600,000 cubic feet of water per minute, flowing at the rate of 2 miles per hour; the necessary expenses of such surveys, estimates, plans, and location to be paid out of the sum herein appropriated for the improvement of the Illinois River.

Mr. SHERMAN. That amendment ought to be considered in connection with the next paragraph. It is a part of the same thing.

Mr. FRYE. It is hardly a part of the same thing. The people who are in favor of this project are antagonistic somewhat to the other provision. There was a hearing before the committee touching this question. They do not embrace in their scheme at all what is known as the Hennepin scheme.

Mr. SHERMAN. I think that in the absence of the Senators from Illinois this amendment ought not to be considered. It involves the great question of the making of a canal from Lake Michigan to the head waters of the Illinois River. We ought to understand before en-

tering upon that work the magnitude of it. I think myself the matter had better go over until the Senators from Illinois are here. I am disposed to be opposed to this proposition, but I do not like to oppose it in the absence of those Senators.

Mr. FRYE. I am entirely willing to pass over these two items until to-morrow; but I should not wish the river and harbor bill to go into next week in order to await the return of the Senators from Illinois, and I should hardly consent to any postponement if I was not also myself opposed to both items. The two items may be passed over for the present.

The PRESIDENT *pro tempore*. The proposed amendments between lines 1322 and 1357 will be passed over informally until the remainder of the amendments of the Committee on Commerce have been acted upon.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, line 1381, before the word "thousand," to strike out "twenty-five" and insert "fifteen;" so as to make the clause read:

For operating snag-boats and dredge-boats on Upper Mississippi River, \$15,000.

Mr. DAVIS. I trust that amendment of the committee will not be concurred in, and that the original amount as proposed by the House may be restored. The report of the engineers on this subject, on page 1617, states:

By the act of August 5, 1886, \$22,500 was appropriated for this special work.

It appears to be generally admitted that the preservation of the navigation of the Upper Mississippi is a necessity in the interest of cheap freight rates and for the benefit of the general public; and, in considering the importance of such work and the amount of good resulting therefrom, it seems proper to consider all freight affected by river competition rather than the amount of freight actually carried on the river.

It is also stated that the amount of miscellaneous freight moved by boats during the year 1886 was 337,713 tons. The report also states:

The work of the snag and dredge boats is an important one, furnishing immediate results and benefiting especially present interests of navigation.

"I believe that permanent provision should be made for this work of snagging, wrecking, tree cutting and pulling, clearing banks, finding and marking new channels, making surveys, soundings, and examinations; assisting boats in distress, watching and repairing existing improvements, investigating and supervising work on bridges, collecting physical data and statistics of commerce and navigation, and, in general, facilitating and reducing expenses of navigation."

To carry on this work properly, including the operation of a dredge, would cost approximately \$30,000 per year.

That I take to be the recommendation of the Board of Engineers upon the subject. The House of Representatives proposed to give \$25,000 for that purpose. The Senate committee purposes to give but \$15,000. I am not advised upon what ground, except a very general one, the reduction has been attempted. The work is of exceeding importance, covering the whole reach of river, I think, from Des Moines Rapids to St. Paul.

Mr. FRYE. My recollection is that there was an appropriation of a less sum than that made about three years ago, and that it was not all used. The Government owns the snag-boats there, and there was a balance left; and there is to-day a balance left of a former appropriation. It was found by the committee on investigating the matter that \$15,000 is all that will be required for the use of snag-boats on that reach.

Mr. DAVIS. I have here the letter of the Secretary of War and the table. I shall be very much surprised if the Senator is correct in his recollection.

Mr. FRYE. I must be correct in the recollection.

Mr. DAVIS. See if you can find any excess of appropriation stated in this report. I do not think there is any.

Mr. FRYE. There was a balance left on every appropriation for the Upper Mississippi last year.

Mr. DAVIS. I have it here. On the 1st of July, 1887, the amount available from the appropriation of August 5, 1886, was \$4,588.

Mr. FRYE. The other appropriation went over two years, and it was a smaller appropriation than \$25,000 considerably. The committee found that \$15,000 would do everything that was required.

Mr. DAVIS. I can not deduce that from the official figures before us. The balance available is \$4,588. The Board of Engineers recommends \$30,000 for this work. The House of Representatives proposed to give \$25,000, manifestly carrying the \$4,588 to the credit of the fund and taking it into allowance. The Senate committee now proposes to reduce it to \$15,000.

Mr. FRYE. The Senator must remember that the bill does not pretend to appropriate anywhere near the sum which the engineers report. We could not do it. It would make a bill of \$50,000,000. Unless in exceptional cases we have appropriated only half the amount which the engineers report could be properly expended this year. The engineers recommend that \$30,000 be expended on this reach. One-half of that is proposed to be appropriated by the committee, and there is a balance of \$4,000 and more left over from the last appropriation.

Mr. DAVIS. I understand perfectly well that it is not proposed to appropriate all that the Board of Engineers recommend, but if by the act of August 5, 1886, \$22,500 was appropriated, and only \$4,000 was

left, I can not see why the amount given by the House should be reduced.

Mr. FRYE. That appropriation lasted over two years.

Mr. DAVIS. This appropriation is to run two years, is it not?

Mr. FRYE. That appropriation has lasted to the present time, nearly three years.

Mr. DAVIS. Is not this appropriation to run two years?

Mr. FRYE. Undoubtedly; but that appropriation of \$22,500 has run nearly three years, with \$4,000 left over.

Mr. DAVIS. It seems to me that this proposed reduction is entirely arbitrary. I hope the amendment will not be agreed to.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Committee on Commerce.

The amendment was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 187) to provide temporarily for the expenditures of the Government; in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1508) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, asked a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOUTELLE, Mr. WISE, and Mr. HERBERT managers at the conference on this part.

#### DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6833) "making appropriations for the diplomatic and consular service of the United States for the fiscal year 1889," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 22, 23, 24, 25, and 31. That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 19, 20, 21, 26, 27, 28, 29, and 30, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out from said amendment the words "and consul-general;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Strike out the sum named in said amendment and insert in lieu thereof "\$378,500," and the Senate agree to the same.

As to amendment numbered 16, the committee of conference has been unable to agree.

EUGENE HALE,  
W. B. ALLISON,  
JAS. B. BECK,  
*Managers on the part of the Senate.*  
PERRY BELMONT,  
JAMES B. MCCREARY,  
WM. W. MORROW,  
*Managers on the part of the House.*

Mr. HALE. The single point on which the conferees failed to agree is amendment 16, which was reported, not upon the appropriation bill from the Committee on Appropriations, but by the Committee on Foreign Relations, and adopted on its motion by the Senate. I send that amendment to the desk to be read, that the Senate may see what is involved in it.

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

The Secretary read as follows:

For salaries and expenses of a scientific commission of three persons, to consist of one officer of the Army or Navy competent for such service, a geologist and mineralogist, and a naturalist, to visit and report upon the commercial resources of the Upper Congo Basin, its products, its minerals, its vegetable wealth, the openings for American trade, and to collect such information on the subject of that country as shall be thought of interest to the United States, \$25,000; and the President may fix the salaries and compensation of the members of this commission at such sum, not exceeding \$6,000, as he may deem proper; and said commission shall expire on the 30th day of June, 1889.

Mr. HALE. The conference committee came to a dead-lock on this proposition. The House conferees very strongly opposed it and declared that from intimations which had been given when the bill was last before the House of Representatives it would be impossible for the House to agree to the proposition. They would not consent to its remaining in the bill, and insisted upon its going out.

The Senate conferees did not feel like yielding and receding and letting the proposition go out, all the more because it had not been put on originally by the Committee on Appropriations on examination and investigation, but had been moved by the Committee on Foreign Relations, which had given it its examination and consideration. The Senate had adopted the views of the Committee on Foreign Relations, and therefore to a degree the Committee on Appropriations had not the responsibility of examining and deciding upon the measure.

So the Senate conferees did not feel like receding and letting this proposition go out, but thought it wiser to report it to the Senate, where the Committee on Foreign Relations, which had considered the subject, could be heard upon the proposition, and then the Senate could decide whether it would insist further upon the amendment and have another conference appointed, or whether it would recede and let it go out and allow the bill to go through without it.



I will take no more of the time of the Senate, because I know my colleague is anxious to go on with his bill, and this perhaps, so far as the Committee on Foreign Relations is concerned, is a sufficient explanation. The chairman of the Committee on Foreign Relations [Mr. SHERMAN] is present, and also the Senator from Vermont [Mr. EDMUNDS], who took an interest in the subject.

Mr. SHERMAN. The amendment proposed to establish and put on foot a scientific expedition to the Congo country. It was agreed to unanimously by the Committee on Foreign Relations, so far as I now remember, without dissent. The importance of it was felt by every member of that committee.

The Congo country is the most interesting country now open for the exploration and occupation of civilized nations. It is a country of vast extent, of untold wealth, and of greater undeveloped resources than any other portion of the world.

The Senator from Alabama [Mr. MORGAN] took a good deal of interest in this subject, and I think first suggested this proposition. We have had several bills before us in regard to the Congo country, one in regard to the prohibition of the sale of intoxicating liquors in that country, and there are various other propositions affecting the settlement of the country. We have had treaty relations, and have become a member of a community of nations, I may say, which have substantial control of that country, headed by Belgium. It was deemed of vital importance that we should take our share in the development and occupation of that country by our commerce and our trade.

There is no doubt that if that country should be opened to civilized nations the United States could send a great variety of raw material there, its oils, its petroleum, and largely agricultural implements and coarse cotton goods. Being in a warm climate cotton goods would be introduced probably in the first elements of their civilization, and they would be largely manufactured in this country; and agricultural implements, shovels, spades, hoes, and the like, and a great variety of articles might be sent there if trade was opened.

At present we have no such relations there, and no such information as will enable Congress to decide what ought to be done. It was thought that the cheapest and best way would be to send a highly intelligent body of officers to explore the country, to report upon its resources, upon the prospects of trade there, and then we should have information upon which we could legislate.

I can see no reason in the world why, if the House of Representatives were as well informed upon the subject as the Senate has been compelled to be informed by engaging in treaty negotiations, the members of the House would not readily agree to the amendment if they examined the question.

I do not wish to say anything further about the matter. Although I had no connection with the introduction of the original proposition in regard to the Congo country, I have no doubt that this expenditure would be a very important one, yielding very valuable results.

I should like to have the Senator from Alabama [Mr. MORGAN], who is more familiar with the subject, and to whom have been committed various bills in relation to the Congo country, state his view of the question.

Mr. MORGAN. Mr. President, the Government of the United States was the first Government to take cognizance of the existence in the Congo Basin of a form of government which, it is true, was very crude and inefficient at first, by the recognition of the flag of that country as one of the flags entitled to respect among the nations of the earth. I think that many persons at the time supposed that that was rather a vain essay in the direction of trying to build up a state out of some benevolent enterprise on the part of scientific men and explorers; but very soon the nations of Europe, I think twenty or twenty-one of them, including the United States plenipotentiary at Brussels, called a congress, and they did in regard to the Congo country, which had been explored by Mr. Stanley under American auspices, what had never before been done with reference to any wild, savage country in the world. They agreed upon a certain series of principles, I may call them, which ranked with the principles of international law as applied to the Congo Basin, under which these different governments engaged with each other that there should spring up and be developed within that country whatever of civilization may take place there under mutual agreements for the preservation of the peace and for the security of explorers and persons engaged in traffic of every kind, and also under agreements between themselves in regard to the tariff revenue, the taxation which may be imposed upon the commerce of the world.

Our Government, falling back upon the ancient idea of keeping out of entangling alliances with foreign powers, declined to become a party; at least the President declined to recommend that the United States should become a party to that convention, very much to my regret. I think the convention was not properly understood, because at first we had a mistranslation of it, which the honorable Mr. Kasson kindly consented, under a resolution of the Senate, to correct. In my opinion we ought to have become a party to that convention.

I think that the Government of the United States, without reference to any other fact in connection with the proper development of the Congo country, owes a very peculiar duty to that country. We have here a large mass of population, brought to us in slavery, who have become

comparatively a very enlightened people, certainly the most enlightened large body of negro population which ever existed in the world anywhere. They are progressive; they are industrious; they are intelligent. They have ideas of government the same that we have; they have a very good understanding of it, and they participate with us in the administration of the affairs of this Government.

Many of those people have grown up to wealth in the Southern States; they command large amounts of capital which they have treasured up. Many of them have enterprise; they have sagacity; but we do not find them taking hold of American institutions. I do not suppose there is a negro bank president in the United States. There is no negro president of a railroad company in the United States. There is no negro president of any large corporation unless it may be some benevolent or eleemosynary establishment of their own. They do not catch hold of those enterprises which are calculated to develop wealth, and to develop genius and talent and to increase and improve the experience of men in this country, and I do not think they will in a great many years to come do these things.

In the basin of the Congo there is unquestionably, from Stanley Pool away out to the eastern lakes which supply the waters of the Congo River, a very vast expanse of country that even in its native condition furnishes an immense treasure to commerce. They have native productions there which have only to be encouraged by the negroes who inhabit those wilds, as I call them, to be very useful in commerce; among others, India rubber and the palm-nut, which yields a very valuable oil, sugar-cane, bananas, and a great many products, and ivory of course, which is collected from the herds of elephants that have heretofore been found in that region of the world; and the capacity for the improvement of agriculture and for the development of mines in that country is something that is said by travelers to be very extraordinary.

Following up this very rapid and peculiar and wonderful development of research and of political organization in that country, this Government at the very outset sent out a gentleman, Mr. Tisdell, who failed in his health there, as a great many people do who go out there, and who came back with a report which, while it was to some extent satisfactory, did not really go beyond Stanley Pool. He confined his operations to the Lower Congo River and to that intermediate belt of country which is occupied by rapids between Vivi and Stanley Pool, so that his explorations were not of very much consequence. Then the Navy Department sent out Lieutenant Taunt. He made a report, which was printed by order of the Senate during the last Congress, that is very interesting indeed. It gives an idea, it is true not a very particular idea, but at the same time one that is reliable, I have no doubt, which provokes the imagination in respect to that country in a very extraordinary degree. I do not know that I ever read a synopsis or skeleton description of a country that seemed to contain more of interest than is disclosed in the little brief report of Lieutenant Taunt.

Now I thought, and the Committee on Foreign Relations thought, that it was a proper thing for us to do to send out a scientific mission there. For what purpose? Not merely for the purpose of writing books or gaining information that might be merely for the moment interesting to read, but to lay down the foundation facts upon which commerce can be established between this country and that.

It occurs to me that if there is a country in the world that is open to the enterprise of the negro race, it must be the great valley of the Congo. We ought not to shut the doors to such an enterprise as that. We ought to encourage it. If these people can not attain to the highest reach and power and civil capacity of every kind in our midst, do we not owe them the duty, having brought them as slaves from that country, to open the gates of Africa to them, so that they may go back and traffic with their own people and promote commerce in the midst of the African population? Have they not a better natural right to reap the wealth of Africa than any other race of people in the world?

I should be delighted to see a line of steamers between Charleston and New Orleans and the mouth of the Congo River. I think it ought to engage the attention and interest of every American citizen, and especially of gentlemen from the South. I feel like throwing open every door of opportunity to these people, and as we know that the customs and usages of society and the prejudices of race close the avenues to these people in this country, if they are closed here I want them opened for them abroad. It seems to me that that is a most inviting field.

This may all turn out to be a mere romance, a mere effort of the imagination to grasp something beneficial for the negro race, but it does not seem so to me. I think there are great, substantial, material advantages in that Congo country which the African population of this country, encouraged by us, can lay their hands upon, and I would give them by the legislation of Congress peculiar privileges in the organization of commerce and in the running of their ships for the purpose of engaging in that commerce.

We may say what we like about it, but after all, "blood is thicker than water," according to the celebrated axiom; and I would say that if a Congo negro who wanted to furnish traffic of any kind found the money and the capacity for trade in the hands of an American negro, he would prefer him to a white man to trade with. I should think

so. I believe that these people would enter the Congo country with a masterful advantage, growing out of race prejudice and race affiliation, over any other race of men who might trade there.

There is more than that in it, Mr. President. Slavery has been abolished in Brazil; it has been abolished practically in Cuba and various other countries; but still we know, according to the report of Mr. Taunt and the report of all others who visit that coast, that the Portuguese and a great many other people in the world to-day carry on a slave-trade upon the coast of Africa. It is not as high a class of trade as the old cooly trade from China. They make some little promise that the negro himself does not understand when he finds himself in the hands of the slave-catcher in the interior, that they will carry him off to some island or to some coast and keep him for so many years and return him to his native land with a certain amount of calico or cotton or the like of that; but the man never gets back.

I think that the United States Government owes it to itself, it owes it to its traditions, it owes it to its treaties, it owes it to its own character in every respect, that it should be looking into that country and seeing what is going on there. So I thought it was right for us to send out this commission, and I can not understand what it is that prevents it from being carried into effect after the Senate has voted it, unless it may be an impression on the part of the House of Representatives that it is a matter of no consequence. But the slightest study of this question ought to convince gentlemen, it seems to me, that this is a matter of very serious consequence, of real importance, and that it involves on our part the performance of a duty which is of a very high and a very delicate character.

Mr. HALE. I am entirely willing to take the sense of the Senate as to what course shall be pursued by the conferees. Unless some other Senator desires to discuss the subject, without trenching upon the time of my colleague, who is in charge of the river and harbor bill, I move that the Senate further insist upon its sixteenth amendment.

Mr. EDMUNDS. Mr. President, I should like to say a word. I can not help feeling very great regret that the House conferees have had any hesitation whatever upon this subject. This Congo country, now so recently opened to the gaze of white men and to some understanding of what it contains, is, so far as we know, one of the most fertile countries that exist on the face of the globe. It abounds in every species of tropical production, palm-oil and the oil of the other trees that go into commerce—I have forgotten the names of them—ivory, spices, India rubber, and so on. To make it very brief, the whole resources of tropical nature are in the fullest exertion there in producing the things that are convenient for the welfare of man. The population is very numerous, of course of uncultivated and comparatively wild and savage black men.

Under the auspices of the United States as the real aider of the Belgians in the enterprise (the United States being the first to recognize the national existence of the independent state of Congo, which has been formed there by the leading chiefs) Congo has got an attitude among the European nations and really with us, although we were not a party to the convention which regulated how the European nations should act in their trade there. But it has become opened to the operations of civilized commerce, and Germany, Great Britain, France, Italy, and other nations are looking to that country and are now engaged in facilitating commercial intercourse there for the benefit of their own people in the way of trade, to get rid of the surplus products of the industry of their nations, which I think is a very good thing for them to do.

It is proposed by the House of Representatives that we shall really stand idly by, or stand back, unwilling to afford our citizens, by an examination and investigation of that country, information about it as to what objects and subjects of our industry can best find a market there, and what products we can get in return, and to make our people familiar with the resources of the country and opportunities for trade there. It is proposed that we shall stand idly by and see our European rivals, with the friendly antagonisms of commerce and production, absorb the whole of that new field which is opened to commerce and the productions of men. I do not like it.

The United States has too long occupied the attitude of standing silently and idly by and seeing our rivals, in what I think I have properly characterized as the commercial antagonisms and competitions of the world, cover the globe. Wherever the morning birds sing to the rising sun, those nations, Germany, Great Britain, and France, have been pushing their enterprises to every continent and to every island for the purpose not of gaining the political control of the world but of gaining the control of its trade, to find outlets for their productions, and thus increase the wealth of their people, while we stand dumb and silent, incapable of managing to consume our own products (as of course we can not, our people are so industrious and our resources are so great), and wonder why it is that our farm products do not bring more, that our manufacturing products do not bring more, and that there is always a surplus, like the boy at the brook waiting until it shall have run out so that he may pass over.

I think we ought to adopt a different and a better policy, and this is one of the first steps toward it in this direction. I hope that the Senate will insist upon the amendment, and insist unanimously.

Mr. HALE. The Senate conferees endeavored to impress upon the House conferees the considerations which have been presented here, not of course with the force and vigor and eloquence and imagination to which we have listened to-day; but the conferees on the part of this body did the best they could, suggesting these views and suggesting to the representatives of the other body a broader and wider policy for the American people to pursue when that fertile land opens to our trade and commerce, as it does now, a land widely populated, needing our products. However, we failed to strike any fire into the minds or hearts of the House conferees. They remained stolidly immovable to all of these considerations, and declared that under no conditions, unless instructed by the House that they represented, could they consent to this proposition remaining in the appropriation bill.

Mr. BUTLER. Will the Senator be kind enough to inform the Senate, if he can, what action the House of Representatives has taken upon the report of the conference committee?

Mr. HALE. The report is now first presented under the rules in the Senate. I am for one glad that the discussion has taken place, so that the House of Representatives may have the benefit of this discussion when it first considers the subject on the report of the conference committee.

Mr. BUTLER. Then I understand that the House of Representatives has taken no action whatever.

Mr. HALE. The House of Representatives has not yet acted upon the conference report.

Mr. EDMUNDS. But it disagreed to the Senate amendment.

Mr. BUTLER. I understand that.

Mr. HALE. Under the rules the report is made here first; but the House of Representatives, by voting to disagree to the Senate's amendment, has planted itself in opposition to the amendment, and in that position it has been sustained by the conferees appointed by the House. I should like the Senate to feel that the Senate conferees in this case are met by a hitherto firm and immovable body on the other side.

I move that the Senate further insist upon the sixteenth amendment, in order that this matter may go into further conference.

The PRESIDENT *pro tempore*. If there be no objection, the report of the conference committee will be agreed to, and the Senate will still further insist upon amendment numbered 16, and ask for a further conference with the House of Representatives.

Mr. HALE. I do not know—the Chair is better informed on the rules than I am—whether at this stage, as the House has not acted upon the report, the Senate should ask for a further conference or do anything more than insist upon its sixteenth amendment; and then when the House has considered the conference report further action may be taken.

The PRESIDENT *pro tempore*. It will be left then in that way. The Senate agrees to the report and still further insists upon its sixteenth amendment.

#### BILL INTRODUCED.

Mr. VOORHEES introduced a bill (S. 3239) granting a pension to Frederick Wunoch, late of Company H, Twentieth Regiment Indiana Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO BILLS.

Mr. JONES, of Arkansas, and Mr. CALL submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### ALLEGED NAVAL DESERTIONS.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 1508) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. CHANDLER, it was

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

By unanimous consent, it was

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

The PRESIDENT *pro tempore* appointed Mr. HALE, Mr. CHANDLER, and Mr. GRAY.

#### EXTENSION OF APPROPRIATIONS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a joint resolution from the House of Representatives for reference.

The joint resolution (H. Res. 187) to provide temporarily for the expenditures of the Government was read the first time by its title.

Mr. PLATT. I wish to have the joint resolution read for the information of the Senate.

The PRESIDENT *pro tempore*. The joint resolution will be read the second time at length.

The joint resolution was read the second time at length, as follows:

*Resolved*, etc., That all appropriations for the necessary operations of the Government under existing laws which shall remain unprovided for on the 30th day



of June, 1888, be, and they are hereby, continued and made available for a period of thirty days from and after that date, unless the regular appropriations therefor provided for in bills now pending in Congress shall have been previously made for the service of the fiscal year ending June 30, 1889; and in case the appropriations, or any of them, hereby continued are or is insufficient to carry on the said necessary operations, a sufficient amount is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry on the same: *Provided*, That no greater amount shall be expended therefor than will be in the same proportion to the appropriations of the fiscal year 1888 as thirty days' time bears to the whole of said fiscal year: *Provided further*, That authority is also granted for continuing during the same period the necessary work required for public printing and binding, and for all other miscellaneous objects embodied in the sundry civil, Army, District of Columbia, legislative, executive, and judicial, and naval appropriation acts, in advance of appropriations to be hereafter made for said objects: *And provided further*, All sums expended under this act shall be charged to and be deducted from the appropriations for like service for the fiscal year ending June 30, 1889.

Mr. PLATT. I do not wish to object to the reference of the joint resolution to the Committee on Appropriations, but I merely wish to remark now that it is very extraordinary, and, as it seems to me, a very sad thing that after Congress has been in session for seven months it should be necessary to present at the end of seven months a joint resolution of this kind. I hope the Committee on Appropriations will carefully consider the question whether any such resolution should be reported favorably or passed, and whether it would not be better, for the future at least, to leave the Departments to get along as best they can until the appropriation bills are regularly passed.

Mr. SHERMAN. I hope the Committee on Appropriations will not report the joint resolution until the middle of next week, at the earliest, if they shall be compelled to report it then. As a matter of course, the Government can not be conducted without appropriations, but the enormous expense and labor imposed on the different Departments of Government by such a measure can not be estimated or appreciated by members of the Senate. I happened to be in a position where I saw that labor performed twice under circumstances of great difficulty. I know how much expense is incurred, what additional accounts are opened, and how difficult it is to keep the accounts, and how embarrassing it is. It runs clear through the year. I hope the joint resolution will not be reported back before the middle of next week.

Mr. HALE. What method does the Senator suggest shall take the place of this resolution in view of the fact that it will be literally impossible to pass the appropriation bills before the commencement of the next fiscal year?

Mr. SHERMAN. I imagine that several of the appropriation bills referred to in the joint resolution can be passed before the middle of next week.

Mr. HALE. None except the legislative, executive, and judicial appropriation bill.

Mr. SHERMAN. That is the most difficult of all to extend in this way.

Mr. HALE. But the question is raised by other appropriation bills which it is impossible to pass in that time.

Mr. SHERMAN. All I ask is that the Committee on Appropriations will hold the joint resolution back as long as it can so as to get as many of the bills as possible out of the way, because the expense involved and the discouragement and trouble in keeping accounts under a resolution of this kind are very great indeed.

Mr. ALLISON. I quite agree with the Senator from Ohio that the joint resolution ought not to be passed until the last moment. I think it ought to be passed late on Saturday, in order that it may take effect on the 2d certainly, if not on the 1st of July.

Mr. SHERMAN. A few days would make no difference.

Mr. ALLISON. Perhaps two or three days might not make any difference.

I wish to say to the Senator from Connecticut [Mr. PLATT] that I can not conceive that it is the fault of the Senate that the appropriation bills have not been passed so as to take effect on the 1st day of July. The naval appropriation bill came to the Senate last Monday. Of course our committee has not had time to mature that bill and present it to the Senate. The sundry civil bill, which is the most important perhaps of all the appropriation bills, did not reach this body until Tuesday last, the day before yesterday, and it was only printed yesterday. It is of course absolutely impossible for the Senate to consider with any care a bill of that magnitude between now and the 1st day of July, so that whatever happens the bill appropriating money for the Navy and the sundry civil bill must go over beyond the 1st of July before they can become laws.

There are other bills which are hanging between the two Houses. The agricultural appropriation bill is an important bill. It passed this body on the 14th day of June, I think, after having reached the Senate about the 1st day of June. Yet that bill has not been heard of since that time. The House of Representatives has asked no conference, it has not agreed to our amendments, and the bill remains in that body. The conferees on the part of the two Houses have been in session on the District of Columbia appropriation bill for two days, occupying most of the time. I hope, and I believe they hope, that before Saturday evening they will be able to agree upon the disagreeing votes with respect to the District of Columbia appropriation bill, but I think whatever happens it may be taken for granted that the naval

appropriation bill and the sundry civil bill can not be passed before the 1st of July.

Mr. EDMUNDS. I think this might be as good a time as any to ascertain whether there is competence enough in Congress to keep the Government going by regular and proper appropriations that both Houses have had time enough to consider carefully in detail. If the Senate is really to have any place in the administration of the Government, or if the case were reversed, the House of Representatives is, we might as well begin to say now to the House of Representatives, with the utmost kindness, that if they are unable to send appropriation bills to the Senate (and they insist upon the right to originate them) in time to have them fairly and deliberately considered before the Government is stranded for want of money, the responsibility is theirs, and whatever evil happens must fall where it belongs; and that we ought not to be compelled, year after year, as we are, or two years after two years (for this is not the first occasion), to resort to this most embarrassing and improper expedient of bridging over indefinitely after the 1st of July by these universal provisions to carry on the last year's appropriations and give money enough to do it for an indefinite period of time until some other law can go into effect. Nothing will justify such legislation except some extreme emergency, which may sometimes arise, but in the peaceful and regular order of business in carrying on this Government there is no excuse for it whatever.

The occasion to which the Senator from Ohio refers, I think, or the most of it, arose from the fact that the two Houses of Congress, both of them, were determined that there should be no appropriations to carry on certain branches of the Government until the President of the United States would, against his judgment, consent to the repeal of certain legislative provisions that existed in the statutes of the United States which a majority of the two Houses thought, or professed to think, ought to be repealed. He did not think so, and they put these repealing and modifying provisions into appropriation bills. He could not conscientiously approve them, and the two Houses said on that occasion by their action and as a result that they would not have any appropriations at all for the Army, for instance—I remember that was one of them—unless the President of the United States would consent to the repeal of general provisions of the statutory law having no relations to appropriations at all. That was one affair.

But this instance relates purely to matters of appropriation. There has been no contest between the two Houses, or between either House and the President, on any subject of the general laws of the land. It relates purely to the ordinary operations of carrying on the Government, and I confess I am unable to see how, after more than a half a year, at the very last month of the time, these appropriation bills, some of them, are coming along now, and we are asked to grant this universal and widespread and inscrutable authority to the administrative departments of the Government to go on upon the basis named in this provision. It is not good legislation, but until the Senate has sufficient firmness to say that it can not consent to carry on the Government in that way it will of course continue.

Mr. ALLISON. I ought to say that the statutes provide now that no person in the employ of the Government shall receive pay for any service until that service has been appropriated for by law.

Mr. SHERMAN. And it must be paid out of appropriations made for the year. The unexpended appropriations of a former year lapse into the Treasury and can not be used.

Mr. ALLISON. There is no doubt of that. Therefore, unless this joint resolution shall pass, the Government, so far as its conduct relates to these several appropriation bills, must stop. That is the situation.

Mr. EDMUNDS. That is, the pay must stop.

Mr. TELLER. I should like to ask the chairman of the Committee on Appropriations if there is not a provision in the statutes which declares that the executive officers of the Government shall not receive the gratuitous labor of employés?

Mr. ALLISON. Yes, there is.

Mr. HALE. This form of legislation, objectionable as it is, has been resorted to not in fugitive cases as suggested by the Senator from Vermont. It is not a good way of legislation, undoubtedly, but it has been done time and again. We have got into the way of doing it at every long session that runs over the 1st of July, and there are few Senators here who remember any long session of Congress which has not exceeded that time. We have fallen into the fashion of passing such a resolution, and it comes up in this way now. I see no other way except to pass it.

Mr. SHERMAN. Let the joint resolution be referred to the Committee on Appropriations.

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

#### ARMY APPROPRIATION BILL.

Mr. ALLISON. I think it important, in view of what has been said, that action should be taken this afternoon upon the Army appropriation bill. If the Senator from Maine [Mr. FRYE] will give way, I will ask the Senate to proceed to the consideration of that bill.

Mr. FRYE. It was understood yesterday that I should yield for the consideration of the Army appropriation bill to-day.

The PRESIDENT *pro tempore*. The Senator from Iowa asks that the pending order be informally laid aside that he may move to proceed to the consideration of the bill (H. R. 10234) making appropriations for the support of the Army for the fiscal year ending June 30, 1889, and for other purposes.

Mr. HAWLEY. Has unanimous consent been given to proceed to the consideration of the Army appropriation bill?

Mr. ALLISON. Not yet.

Mr. HAWLEY. I wish to say to the Senator from Iowa that I was instructed by the Committee on Military Affairs this morning to propose an important amendment. If the chairman of the Committee on Appropriations will kindly waive any technical objection he might make against that amendment when the time comes, I shall not be disposed to object to the consideration of the bill to-day. I do not feel like losing my opportunity to present the amendment.

Mr. ALLISON. I will say to the Senator from Connecticut that I shall make no objection to-day to the amendment suggested by the Committee on Military Affairs that I would not make to-morrow; that is to say, I shall waive any objection because of time.

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

The bill was reported from the Committee on Appropriations with amendments.

The PRESIDENT *pro tempore*. The bill will be read at length, and, if there be no objection, the amendments of the Committee on Appropriations will be acted upon as they are reached in the reading.

The Chief Clerk proceeded to read the bill. The first amendment of the Committee on Appropriations was, in line 103, after the words "expenses of," to insert "not exceeding fifty;" in line 104, after the words "contract-surgeons," to insert "not exceeding one hundred and sixty;" in line 105, before the word "veterinary," to insert "not exceeding fourteen;" and in line 106, before the word "thousand," to strike out "one hundred" and insert "eighty-five;" so as to make the clause read:

For pay and traveling expenses of not exceeding fifty contract-surgeons, not exceeding one hundred and sixty hospital matrons, and not exceeding fourteen veterinary surgeons; in all, \$85,000.

The amendment was agreed to.

The next amendment was, in line 108, after the word "each," to insert "not exceeding thirty;" so as to read:

For pay of not exceeding forty-two paymasters' clerks, at \$1,400 each, not exceeding thirty paymasters' messengers, and traveling expenses of paymasters' clerks, in all \$80,000.

The amendment was agreed to.

The next amendment was, to strike out the clause from line 123 to line 128, inclusive, as follows:

For the pay of a clerk attendant on the collection and classification of military information from abroad, \$1,500; and the officers detailed to obtain the same shall be entitled to mileage and transportation and also commutation of quarters while on this duty, as provided when on other duty.

The amendment was agreed to.

The next amendment was, in line 136, after the word "troops," to insert "when authorized by law;" and in line 137, after the words "one hundred," to insert "and fifty;" so as to read:

For mileage to officers when traveling on duty without troops, when authorized by law, not to exceed \$150,000.

The amendment was agreed to.

The next amendment was, in the first proviso to the same clause, in line 140, before the word "usually," to insert "shortest;" and in line 141, after the word "thereto," to strike out "when transportation from the Quartermaster's Department can not be furnished;" so as to make the proviso read:

Provided, That in disbursing this amount the maximum sum to be allowed and paid to an officer shall be 4 cents per mile, distance to be computed over the shortest usually traveled routes, and, in addition thereto, the cost of the transportation actually paid by the officer over said route or routes, exclusive of sleeping or parlor car fare and transfers.

Mr. SHERMAN. I call the attention of the Senator from Iowa to the use of the word "shortest." It seems to me to be a very serious interference with the convenience of officers, and I do not see any object in inserting it. For instance, the shortest route from here to Chicago is by the Baltimore and Ohio road, while the usually traveled route is by way of the Pennsylvania Central. Now, is it right for us to legislate so as to require an officer to travel by one road rather than another? To say "by the usually traveled route" gives the officer at least some reasonable facility about choosing the road. I do not see any reason for the insertion of the word "shortest."

Mr. ALLISON. I should like to ask the Senator from Ohio if he thinks an officer who in going to Chicago travels over the Pennsylvania road rather than the Baltimore and Ohio would violate this provision.

Mr. SHERMAN. I think he would.

Mr. ALLISON. They are both "usually traveled routes."

Mr. SHERMAN. I know, but under this provision he must take the shortest route. Otherwise how would he get his allowance with the word "shortest" in the bill? In many cases it would cause great inconvenience. Senators will see that it is sometimes necessary to have

a choice of routes. I would leave the officers to take the usually traveled route, and not compel them to go over a particular road.

Mr. ALLISON. They take any route they choose with this provision. Of course the paymasters have a table of routes. The officer takes the route he chooses. His mileage, then, is fixed by the shortest route, just as we are paid our mileage.

Mr. SHERMAN. Our mileage is on the usually traveled route, but we take our choice. If we should take any other than the usually traveled route, if we should attempt to go around by Cape Horn, or New York, or anything of that kind, we should only get mileage for the usually traveled route.

Mr. ALLISON. The committee heard no complaint respecting this language. It is the existing law.

Mr. SHERMAN. It is not in the bill as it came from the House of Representatives.

Mr. ALLISON. I know.

Mr. SHERMAN. However, I do not want to interfere in a matter of that kind.

Mr. ALLISON. I will say to the Senator that if we find any difficulty about it, it will be considered in conference.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, at the end of the second proviso to the clause making appropriations for mileage of officers, to add:

And provided further, That the Quartermaster's Department shall not furnish transportation to officers traveling without troops otherwise than by conveyance belonging to said Department.

The amendment was agreed to.

The next amendment was, in line 155, after the word "pay," to strike out "and general expenses;" so as to make the clause read:

Making in all, for pay of the Army, \$12,676,000.

The amendment was agreed to.

The next amendment was, in the clause making appropriations for the subsistence of the Army, in line 195, after the words "traveling to," to insert "and," in the same line, after the word "from," to strike out "and at;" and in line 199, before the word "thousand," to strike out "twenty" and insert "ten;" so as to read:

For the payment of the regulation allowances for commutation in lieu of rations to enlisted men on furlough, to ordnance-sergeants on duty at ungarrisoned posts, to enlisted men stationed at places where rations in kind can not be economically issued, to enlisted men traveling on detached duty when it is impracticable to carry rations of any kind, to enlisted men selected to contest for places or prizes in the department, division, and Army rifle competitions, while traveling to and from places of contest; in all, \$1,745,000, to be expended under the direction of the Secretary of War; and not more than \$110,000 thereof shall be applied to the payment of civilian employees of the Subsistence Department.

The amendment was agreed to.

The next amendment was, in the clause making appropriations for incidental expenses of the Quartermaster's Department, in line 255, after the word "surgeons," to strike out "and of a riding and training master for the more thorough instruction of officers and cadets, a sum not exceeding \$1,500;" and in line 264, after the words "six hundred and," to strike out "seventy-six thousand five hundred" and insert "seventy-five thousand;" so as to read:

And for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, and for the trains, to wit: Hire of veterinary surgeons, purchase of medicine for horses and mules, picket-ropes, blacksmiths' tools and materials, horseshoes and blacksmiths' tools for the cavalry service, and for the shoeing of horses and mules, and such additional expenditures as are necessary and authorized by law in the movement and operations of the Army, and not expressly assigned to any other Department, \$675,000.

The amendment was agreed to.

The next amendment was, in the clause making appropriations for "Army transportation," in line 288, after the word "water," to strike out "of the necessary agents and employes;" so as to read:

Army transportation: For transportation of the Army, including baggage of the troops, when moving either by land or water; of clothing, camp and garrison equipage and other quartermaster's stores from Army depots or places of purchase or delivery to the several posts and Army depots, and from those depots to the troops in the field.

The amendment was agreed to.

The next amendment was, in the same clause, line 304, after the words "hire of teamsters," to strike out "and other employes."

The amendment was agreed to.

The next amendment was, in line 326, to reduce the total appropriation for Army transportation from \$2,800,000 to \$2,700,000.

The amendment was agreed to.

The next amendment was, in line 331, to strike out the additional proviso at the end of the clause making appropriations for "Army transportation," as follows:

And provided further, That no expenditure authorized by this act from the appropriations made herein for the Quartermaster's Department of the Army, including the transportation of troops and their supplies, and the expenses incident thereto, shall be made except by the Quartermaster-General, under the direction of the Secretary of War, unless an emergency exists that demands immediate action; and in such case the expenditure necessary to meet the emergency may be made upon the order in writing of the general commanding the Army, or upon the order in writing of division or department commander in whose jurisdiction the emergency arises; but every such order from a division or department commander shall certify that an emergency exists requiring immediate expenditure, stating the emergency necessary to be met.

The amendment was agreed to.



The next amendment was, in the clause making appropriations for the "Medical and Hospital Department," in line 407, after the word "general," to insert "post;" in line 412, after the word "diseases," to insert "and the supply of the Army and Naval Hospital at Hot Springs, Ark.;" in line 415, to insert "and five" after "two hundred;" and in line 416, after the word "over," to strike out "thirty-eight" and insert "forty-three;" so as to make the clause read:

Medical and Hospital Department: For the purchase of medical and hospital supplies, including disinfectants for general post sanitation, expenses of medical purveying depots, pay of employes, medical care and treatment of officers and enlisted men of the Army on duty at posts and stations for which no other provision is made, for the proper care and treatment of cases in the Army suffering from contagious or epidemic diseases, and the supply of the Army and Navy Hospital at Hot Springs, Ark., advertising, and other miscellaneous expenses of the Medical Department; in all, \$205,000; and not over \$43,000 of the money appropriated by this paragraph shall be applied to the payment of civilian employes of the Medical Department.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Engineer Department," after line 444, to insert:

For repairs to sea-wall and wharf at Willets Point, New York, \$2,500.

The amendment was agreed to.

The next amendment was, in the appropriations "for Ordnance Department," in line 466, after the word "cavalry," to insert "and artillery;" so as to make the clause read:

For infantry, cavalry, and artillery equipments, including horse equipments for cavalry and artillery, \$100,000.

The amendment was agreed to.

The next amendment was, in line 469, after the word "national," to strike out "armory" and insert "armories;" so as to make the clause read:

For manufacture, repair, and issue of arms at the national armories, \$400,000: *Provided*, That not more than \$60,000 of the money appropriated for the Ordnance Department in all its branches shall be applied to the payment of civilian clerks in said department.

The amendment was agreed to.

The next amendment was, in line 473, at the end of the clause making appropriation "for manufacture, repair, and issue of arms at national armories," to add the following proviso:

*Provided further*, That the cost to the Ordnance Department of all ordnance and ordnance stores issued to the States, Territories, and District of Columbia, under the act of February 12, 1887, shall be credited to the appropriation for "manufacture of arms at national armories," which appropriation for 1889 and thereafter shall be available until exhausted.

The amendment was agreed to.

The next amendment was, in line 484, after the word "same," to strike out "for armaments" and insert "all complete and mounted in place ready for;" so as to make the clause read:

For the purchase by the Secretary of War of pneumatic dynamite guns of different calibers, and the necessary machinery to fire and handle the same, ammunition, and carriages for the same, all complete and mounted in place ready for military use, \$400,000, or so much thereof as he may deem proper.

The amendment was agreed to.

The next amendment was, in line 488, after the word "gun-carriages," to strike out "and plants for the same and" and insert "aerial torpedoes;" so as to make the clause read:

For examining, testing, and experimenting with pneumatic or other dynamite guns, gun-carriages, aerial torpedoes, dynamite shells and ammunition, and batteries for coast defense, whether sunken, counterpoise, or otherwise, brought to the notice of the Secretary of War, \$100,000, or so much thereof as he may deem proper.

The amendment was agreed to.

The next amendment was, after line 493, to insert:

For the manufacture, or purchase, and test of cannon and carriages, including two 10-inch carriages maneuvered by power, one of which shall be a disappearing carriage, and also including those for the field and siege services; for the alteration of carriages on hand to adapt them to improved service guns; for projectiles, powders, fuzes, and implements, their trial and proof; for experiments in the means of protecting torpedo lines; for compensation of draughtsmen while employed in the Army Ordnance Bureau on ordnance construction, and for the necessary expenses of ordnance officers while temporarily employed at the proving ground and absent from their proper stations, at the rate of \$2.50 per diem while so employed, \$600,000: *Provided*, That all purchases of materials under this provision shall be of American manufacture.

Mr. GORMAN. I did not agree in committee to this provision proposed to be inserted. I think it properly belongs on another bill.

Mr. DOLPH. To what provision does the Senator refer?

Mr. GORMAN. The provision on page 21, commencing with line 494. It is an appropriation of \$600,000. I simply desire to say that it ought to be considered at another time.

Mr. HAWLEY. It is very difficult to hear the Senator. May I ask on what bill this could more properly be placed?

Mr. GORMAN. I think it belongs to the deficiency bill or the fortification bill.

Mr. HAWLEY. But a large part of this is for the general uses of the Army. I wish to move an amendment to the proposed amendment of the committee. I move to insert in line 499, after the word "projectiles," the words:

And increased facilities for their manufacture.

The amendment as it stands provides for the manufacture or purchase and test of cannon and carriages, etc., but the Ordnance Department

desires to spend a small fraction of this \$600,000 in improving some of the machine tools. It is a matter of plain, straightforward business and in perfect harmony with the rest of the amendment. I make the proposition at the request of an officer of the department.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Connecticut to the amendment of the Committee on Appropriations.

Mr. HAWLEY. I do not ask a change of the total.

Mr. ALLISON. The Senator from Connecticut handed this amendment to me in the early part of the day, and now states that it is proposed to use a small sum for the purpose of increasing the facilities for manufacturing projectiles. This is a lump appropriation of \$600,000 for these various purposes. I do not know that I should object to having a small sum designated for the purpose suggested by the Senator's amendment, but if it is only necessary to use a small sum for that purpose I prefer that he should modify his amendment so as to add a proviso saying, "provided that a certain sum (whatever may be necessary) may be used for increasing the facilities for the manufacture of projectiles."

I have here a statement in answer to a request addressed to the Secretary of War, to furnish a *projet* of the methods of expenditure of this appropriation. The Secretary of War is very anxious that this appropriation should be inserted in this bill, differing somewhat from my friend from Maryland [Mr. GORMAN] on that subject, and in his statement I find nothing for increased facilities for manufacturing projectiles. So it seems to me the provision, if inserted at all, should be inserted in the nature of a proviso and specifying a specific sum.

Mr. HAWLEY. The same authority that suggested the whole amendment here made this suggestion, and spoke of it as a desirable thing. If the chairman of the committee makes no objection, let this lie over a few moments. I expect one of the officers here, and I will ask him what is necessary for the purpose.

The PRESIDENT *pro tempore*. The paragraph proposed to be inserted, with the amendment of the Senator from Connecticut, will be passed over informally, and the reading of the bill will be resumed at line 510.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "Signal Service," in line 529, before the word "thousand," to strike out "three" and insert "five;" so as to read:

Signal Service:

For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs; signal equipments and stores; binocular glasses, telescopes, heliostats, and other necessary instruments, including absolutely necessary meteorological instruments for use on target-ranges; telephone apparatus and maintenance of same; in all, \$5,000.

The amendment was agreed to.

The next amendment was to insert as a new section the following:

SEC. 2. That the Secretary of War be authorized to enter into negotiations for the purchase of the 225 acres of land on the Hudson River, directly south of the military reservation at West Point, belonging to the estate of Edward V. Kinsley, or so much thereof as he may deem necessary for the purposes of the Military Academy, and to receive offers for the sale of their interest in such land from such of the heirs of said Kinsley as are competent and willing to sell such interests; and the Secretary of War is authorized to submit all offers so made and the question of the value of said 225 acres to a board to consist of three Army officers and three competent civilians, who shall make due investigation and report concerning said value; and the Secretary of War shall submit said offers and the report of said board, with his opinion, to Congress, at its next session. The expenses of said board and compensation at the rate of \$10 a day for not more than ten days for each of the civilian members shall be paid from the appropriation or contingencies of the War Department.

The amendment was agreed to.

Mr. ALLISON. In line 20 of section 2, before the word "contingencies," the word "or" should be "for;" so as to read:

Be paid from the appropriation for contingencies of the War Department.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the committee on page 21, line 494. The question is on the amendment of the Senator from Connecticut to the amendment, to insert, after the word "projectiles," "and increased facilities for their manufacture."

Mr. HAWLEY. That may wait a moment longer. I move now to add to the bill the amendment I was directed to report from the Committee on Military Affairs, which is printed and on the desks.

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

The Chief Clerk read the amendment, as follows:

SEC. 3. For the erection, purchase, or manufacture of the necessary buildings and other structures, machinery, tools, and fixtures for an army gun factory for finishing and assembling heavy ordnance, to be erected at the Watervliet Arsenal, West Troy, N. Y., in accordance with the recommendation of the Gun Foundry Board of February 16, 1884, \$750,000.

SEC. 4. For the purchase of rough-finished, oil-tempered, and annealed steel for high-power coast-defense guns of 8, 10, and 12 inch caliber, in quality and dimensions conforming to specifications, subject to inspection at each stage of the manufacture, and including all the parts of each caliber, \$5,000,000: *Provided*, That no money shall be expended except for steel accepted and delivered.

SEC. 5. The material for the guns provided for in section 4 shall be purchased in accordance with section 3709, Revised Statutes, for which purpose the Secretary of War is authorized to make contracts with responsible steel manufacturers, after proper advertisement, continuing not less than thirty days in the newspapers most likely to reach the said manufacturers: *Provided*, That each

bidder with whom such contracts shall be made shall agree to erect in the United States a suitable plant, including the best modern appliances, capable of making all the steel required, and of finishing it in accordance with the contracts, and shall further agree to deliver yearly a specified quantity of each caliber, the time of the delivery of the steel for the smaller calibers of heavy guns to commence at the expiration of not more than eighteen months, and that for the largest calibers specified in the advertisement at the expiration of not more than three years from the date of the acceptance of the contracts; and that all the material for said guns shall be manufactured in the United States.

Sec. 6. For the purchase of submarine mines, for needful casemates, cable galleries, and appliances to operate submarine mines; for continuing torpedo experiments and for practical instruction of engineer troops in the details of torpedo service, \$500,000.

Sec. 7. For the purchase of submarine controllable torpedoes or torpedoes and torpedo-boats controllable from shore and adapted to coast defense, \$100,000.

Sec. 8. The appropriations provided for in sections 3, 4, 6, and 7 shall be available until expended.

The PRESIDENT *pro tempore*. Is there any objection to treating these various paragraphs as one amendment? The Chair hears none.

Mr. GORMAN. Mr. President, I rise to a point of order. I submit that the amendment is out of order.

The PRESIDENT *pro tempore*. The Senator from Maryland will state his point of order.

Mr. GORMAN. First, the amendment is not germane to this bill; second, it is not estimated for; and next, it has not been submitted to the Committee on Appropriations one day before being offered in the Senate.

Mr. HAWLEY. First, the Senator says it is not germane to the bill; but the whole purpose of the bill appears to be to organize, arm, pay, and equip an army; and as this can not go very well upon the naval bill, and as it did not necessarily go upon the fortifications bill, because the building of fortifications does not necessarily imply their armament, I see no possible objection to its being put upon the Army appropriation bill. Certainly on page 20 we find an appropriation provided for "for the purchase of \* \* \* pneumatic dynamite guns of different calibers, and the necessary machinery to fire and handle the same, ammunition, and carriages for the same, all complete and mounted in place ready for military use, \$400,000."

Now the point is fine if we may spend \$400,000 to buy dynamite guns, which are in a large sense still in the stage of experimentation, and we may not provide for the manufacture of some forged, built-up steel cannon of modern steel whose value is unquestionably established by the science of the world and by the usages and practice of all military nations.

The PRESIDENT *pro tempore*. The question of relevancy is not debatable.

Mr. HAWLEY. As I have said all I need to say on that point, I will not contest the matter with the Chair.

The PRESIDENT *pro tempore*. The contest is with the Senate, not the Chair. The rules say it shall be decided without debate.

Mr. HAWLEY. I have forgotten now what the other point was.

Mr. GORMAN. The point was that it has not been estimated for, and has not been offered and referred to the Committee on Appropriations one day.

Mr. HAWLEY. As to the point that it is not estimated for, I do not know how much of technical truth there is in that objection, for I have not the Book of Estimates by me at this moment; but I beg leave to say that the substance of it has been demanded by the annual report of every Secretary of War for ten or fifteen years, and by every annual report of the Bureau of Ordnance.

The general proposition, the essence of this measure, has been reported favorably by four or five of the best and most elaborately constituted boards we have ever had on the subject of the armament of the country, the Getty board, the Armament Board, the Fortifications Board, composed of eminent officers of the Army and Navy and eminent civilians; the Gun Foundry Board, composed of the very best men in the Army and Navy for that purpose, and who made an elaborate examination of gun-making machinery and plant in this country and in Europe.

The Select Committee on Ordnance and War Ships of the Senate devoted a year and a half to visiting the leading steel establishments of this country and the leading gun and ship building establishments of Europe, and to an examination of many prominent skilled experts in all this business, an examination of literature of Europe generally upon it, and they came to the conclusion that these things were needed. Whether the War Department sanctions every word of this amendment and has asked for it I can not say. Of course we do not expect them to submit elaborate estimates every year for the cost of fifty or seventy-five or one hundred guns, for they confine themselves to showing that guns are absolutely necessary, and that we have not got any, leaving it to Congress in its discretion to prescribe the manner of purchasing or building them.

The Senator from Maryland is mistaken in another respect. This amendment comes from the Military Committee, which, to be sure, met only this morning, not having met for a week before, and it was not expected that the Army appropriation bill would be reported so soon from the Appropriations Committee. But as soon as possible after the organization of the Senate to-day I reported this amendment, which came fresh from the Committee on Military Affairs, and had it referred to the Committee on Appropriations.

I do not think the points of the Senator from Maryland are good;

but I wish he might waive them, so that we might have the merits considered. I do not feel like going into the merits until the point of order is decided.

I asked the chairman of the Committee on Appropriations when he reported the bill to-day to waive any points of order he had, and he knows very well the conversation between us. I rose when he asked unanimous consent to take up this bill to intimate that I possibly, unwillingly might, if my vote would do so, postpone its consideration unless he would intimate to me that he would not raise a point of order on the admission of my amendment.

Mr. MORGAN. The Senator from Connecticut stated that \$400,000 was appropriated, as I understood, for four pneumatic dynamite guns.

Mr. HAWLEY. The price of these new guns is not quoted in the market; but the sum here appropriated by this bill would answer for ten fine guns and the necessary steam-engines or condensers for condensed air. I believe the idea is that they will cost \$40,000 apiece.

Mr. ALLISON. These pneumatic dynamite guns are to cost \$40,000 each.

The PRESIDENT *pro tempore*. Does the Senator from Maryland insist on the question of relevancy?

Mr. GORMAN. I do.

Mr. HAWLEY. I wish the Senator would waive it until I can make some statements on the propriety of this amendment.

Mr. ALLISON. One moment, before that point is made. I wish to say in response to the suggestion made by the Senator from Connecticut that when I asked unanimous consent to take up this bill to-day the Senator from Connecticut intimated that he might not consent unless the amendment which he offered this morning from the Committee on Military Affairs and sent to the Committee on Appropriations should also be considered, and in response to that suggestion I stated that I would make no objection to the introduction of the amendment to-day that could not be made to-morrow. In other words, I should not make the point to-day that the amendment had not been sent to the Committee on Appropriations for a sufficient length of time, and I hope in any suggestion of points of order the Senator from Maryland will help me keep that agreement.

Mr. GORMAN. With great pleasure I withdraw that part of the point of order.

Mr. ALLISON. The Senator was not in at the time.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Maryland to insist on the question of the relevancy of this amendment. The rules require that the question of relevancy when raised shall be submitted to the Senate and decided without debate. The question, therefore, recurs, Is this amendment germane or relevant to the bill?

Mr. MANDERSON. I ask, for the information of the Senate on that question, that the clause from line 487 to 493, inclusive, of this bill shall be read.

The PRESIDENT *pro tempore*. That would be debate, but the clause can be read by unanimous consent.

Mr. MANDERSON. Perhaps there will be no objection to it.

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

The Chief Clerk read as follows:

For examining, testing, and experimenting with pneumatic or other dynamite guns, gun-carriages, aerial torpedoes, dynamite shells and ammunition, and batteries for coast defense, whether sunken, counterpoise, or otherwise, brought to the notice of the Secretary of War, \$100,000, or so much thereof as he may deem proper.

The PRESIDENT *pro tempore*. Senators in the affirmative will say "ay."

Mr. HAWLEY. What is the question precisely?

The PRESIDENT *pro tempore*. The Secretary will read the third clause of Rule XVI, or so much thereof as applies to this point.

The Chief Clerk read as follows:

3. No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate.

The PRESIDENT *pro tempore*. The question therefore recurs, Is the amendment proposed by the Senator from Connecticut germane or relevant to this bill?

The question was determined in the affirmative.

The PRESIDENT *pro tempore*. The question of relevancy is decided in the affirmative. The question then recurs on agreeing to the amendment.

Mr. GORMAN. I make the second point, that there is no estimate for this.

The PRESIDENT *pro tempore*. Even if that were so, if the amendment had been reported by order of a standing or select committee, it would still be in order, and it has been reported, the Chair understands, from the Committee on Military Affairs.

Mr. HAWLEY. I think there is an estimate.

The PRESIDENT *pro tempore*. It is immaterial whether it has been estimated for or not. It has been reported by a committee.

Mr. DOLPH. There is an estimate of \$8,239,000 for this very year.

Mr. TELLER. Let the estimate be read.



Mr. DOLPH. Let the Secretary read the item on the top of page 177 of the Book of Estimates.

The Chief Clerk read as follows:

	Estimated amount required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.
Gun and mortar batteries— For construction of gun and mortar batteries for defense of our chief seaports: For Portland Harbor, \$290,000; Boston Harbor, \$280,000; Narragansett Bay, \$290,000; New York, \$690,000; Philadelphia, \$210,000; Baltimore, \$80,000; Washington, D. C., \$80,000; Hampton Roads, \$250,000; New Orleans, \$210,000; and San Francisco, \$460,000. (Submitted).....		\$2,840,000.00
Torpedoes for harbor defenses: For closing channels leading to our principal seaports. (Submitted).....	\$300,000.00	
Preparing mining casemates and cable-shafts and galleries to render it possible to operate submarine mines at Portland Head, 3; Boston, 5; Narragansett Bay, 2; New York, 5; Philadelphia, 2; Baltimore, 1; Washington, 1; Hampton Roads, 2; and San Francisco, 5. (Submitted).....	1,560,000.00	

Mr. HAWLEY. I submit that it is not necessary to read further. What has already been read shows clearly that the estimates are made. The PRESIDENT *pro tempore*. The question recurs on agreeing to the amendment proposed by the Senator from Connecticut.

Mr. HAWLEY. May I trespass on the Senate a few moments to say why I press this particular proposition?

I do not wish to argue the whole case as to whether it is necessary to arm our coasts or not, but I make the broad statement that a nation of more than sixty millions of people, with their almost incalculable wealth, can not resist a first-class ship of China, Japan, Chili, or any one of the nations of Europe.

I make the broad statement that every one of our great ports is open to complete capture by a fraction of the navies of any one of the great powers of Europe; that ships can go past any of our forts with their guns and levy upon the cities; that there is not in the possession of the Army on the coast of the country a single modern gun. The whole Army has not a single modern built-up steel gun. It has only the old-fashioned heavy cast-iron smooth-bores, and the Parrotts, which kill more friends than enemies.

I ask by this amendment that there may be a beginning of the manufacture of the proper guns for the fortification of our coasts. The experience of Europe is in favor of the plan proposed here—joint work between private manufacturers and the Government. The experiment has been tried to satisfaction of conducting these large establishments wholly by Government; it has been tried to satisfaction conducting them wholly by individuals; and the latter, I must confess, so far as my recollection goes, answers better than to conduct them by the Government entirely. But the plant required to enter upon the manufacture of the proper modern built-up rifle is very large indeed, and differs in many respects from the plant required for ordinary commercial purposes; and no wise manufacturer of steel will make a contract with the Government unless it be large enough to justify him in putting in new machinery.

Take one single element of it as an example—the steam-hammer. An appropriation, I will not dare to say of how much, would be required for the old steam-hammer; but that is substituted now by a vastly improved machine, an extraordinary machine, too, known as the hydraulic forging machine, which will take a mass of thirty, forty, or fifty thousand pounds of steel, a cubic ingot of it, and work it as the cook works the dough in the kitchen, thereby making a homogeneous mass of steel of approximately equal tenacity and strength all the way through.

It will cost hundreds of thousands of dollars to put up that forge alone. I have seen one of them working upon a trifle of 16 tons of steel at once, and capable of working 40 or 50. One is already being put up in this country now by the concern which successfully bid for the making of the armor and the parts of heavy guns for the Navy. The Navy has got ahead of the Army in this, far ahead of it. The country could not resist the demand for a regeneration of the Navy. Successive bills passed Congress ordering the building of ships, not of the first class, not of the most offensive class, but cruisers, the sea police, the beginning of a navy, the light horse of the Navy, and some partially protected cruisers.

After Secretary Whitney found that adding together such armor as

he was required to have for a number of these ships, and adding together the number of guns that he was directed to get, he would be able to offer to some manufacturer a contract for six or seven thousand tons of forged armor and forged parts of heavy guns, anticipating the necessity, anticipating the absolute necessity that the Government would sooner or later begin the manufacture of these things, one of the great steel works began in advance to make the appropriate plant at a cost of anywhere from \$800,000 to \$2,000,000 and upwards, so that it was able to take beyond all competitors immediately that contract offered by the Secretary of the Navy.

Now the Navy has thirty-four steel cannon of the modern style, very good indeed, of moderate sizes, nearly done, and it is authorized to contract for one hundred and eight more steel pieces, running up to something like a 10-inch gun, a very effective and heavy gun. In the mean time the Army has not one single gun of that description unless you may count an experimental steel gun, I believe, nor has the first step been taken towards their creation.

Without waiting to furnish the details, I lay down the proposition that the way to do this is to ask private manufacturers to forge, anneal, temper, and even shape the parts of the big guns, and then bring them to a finishing and assembling shop. One for the Navy is well under way here. You are going to have an admirable establishment at the navy-yard in this city. It is admirable now so far as it has gone. There should be another for the Army, which it is settled should be at Watervliet. There these pieces are finally turned to the thousandth or the fraction of a thousandth of an inch. The jacket is slipped on to a central tube on the gun, other jackets are put on it, and bands of steel, very much as we remember the tires of the wheels in the old way of putting them on. There a gun is built up which is as nearly as possible—it depends on the skill shown—what the gun would be if it could all be made in one piece.

The way is now, I say, to get private establishments to forge these large parts and bring them to the Government concerns that will put the last touches and the assembling upon them. That is what the Navy are doing. The Bessemer Steel Works are building a part of the guns for it, and the Navy people are assembling and getting them together at the navy-yard here. That we want done for the Army. The Navy is one hundred and forty-two guns ahead of the Army, thirty-four built and one hundred and eight to be built; but we have not one upon our whole coast, not one that can check the first, and second, or third class ships of the navies of the world.

We must begin. It takes time. This \$5,000,000 looks like a large item, but it can not be paid out under three or four years, and the last section of the amendment provides that it shall be a continuing appropriation and shall not be turned into the Treasury in the usual way at the end of two years. We do not expect anything to be delivered within that time unless it become parts of the light and trifling 6-inch gun—we call it trifling nowadays though it carries a projectile that will go through six of our ships of the Navy side by side.

We do not expect much from these forging establishments for some considerable time—a year or a year and a half, I think. If one is started to-day, it will probably be eighteen months before it can be forged, and we do not require the pieces of the large gun to be delivered under three years.

I hope this contract will not go to the Bethlehem Steel Works simply because I want another establishment set up, and I would not care if there were three of them in the country who, while answering such stray commercial demand as might come along for steel shafting, would be ready all the while to enter into the manufacture of heavy guns for us, for a considerable number of them we must absolutely have.

This simply makes a beginning. It is the first step towards wiping out that shame which rests upon us of being an absolutely defenseless people.

I do not argue that question. I will not insult the Senate by arguing the question whether it is right for a people to be in a condition of defense. You can not argue, Mr. President, with a foreign nation with nothing behind you. Your argument is not worth a farthing when the high temper of controversy arises and the war spirit begins. They look at you with a tremendous argument in your fist, but a bubble behind you, and what do they care?

Mr. MORGAN. Mr. President, the experience which I have gained on the committee that the Senator from Connecticut spoke of will not permit me to allow anything to pass this body silently when I shall have an opportunity of voting for a proposition to put our people and our Government in a condition adequate for coast defense. That committee made a very exhaustive examination of all these subjects, with the assistance of some of the very best scientific ability in the United States, and we came to a gratifying conclusion, on which, I think, everybody is now united, that we have all the material in the United States necessary for the manufacture of ordnance of the heaviest and best description. We have the talent and genius amongst our mechanics, we have the enterprise amongst our manufacturing capitalists, and we have everything but the encouragement of the United States to some person or persons to engage in this very heavy enterprise.

There is but one customer in this country for heavy guns, and that is the Government of the United States. Unless we step forward and

make a beginning in this direction there is nobody that is competent to do it. No private company or man is going to invest his money in a gun factory on the mere idea that he may be able to sell guns to some foreign country. There must of necessity be some home encouragement to these enterprises before they can be started. We must start at some time. We have really started later than we ought to have done.

We started two or three years ago in the same direction where the Secretary of the Navy found himself able to start by congregating certain appropriations made in one bill and another so as to purchase the steel. If we had started in the same direction and had the same opportunities for the establishment of a gun factory and the machinery for the production of heavy guns in this country three years ago, we should now have had an establishment that we could rely upon.

Things go pretty fast in the world just at this time. Steam propels ships with great rapidity, and electricity carries messages in the twinkling of an eye across the sea, so that nations that have any expectation that they will be allowed to pursue any other than a certain settled policy ought to be prepared, in a certain degree at least, with the means of defense. We need establishments in the United States, we need foundations for these heavy compressors, these heavy hammers, whatever may be the best, to weld and to prepare by hammering and otherwise the large billets of steel that are now requisite for making steel guns.

I notice a \$400,000 appropriation in this bill for mere experimental purposes in regard to dynamite guns. In regard to steel guns the experiment, I think, has been made. I think the world has probably attained to as high state of perfection in the manufacture of steel guns as will be attained at all, unless we can find some means by which we can make a cast-steel gun cheaper and stronger than a built-up gun. I think that after having waited so many years for the purpose of gaining the enlightenment that comes from the experience and scientific efforts of the different nations of the earth on this subject, we can now afford to say to ourselves that we can make as good a gun in the United States as can be made in any other part of the world, and that perhaps it is not necessary to wait any longer for the scientific genius of the world to develop a better gun than can now be made out of steel.

The science of gun-making having reached this very high plane, it seems to me now that we ought to enter upon it with confidence, adopt what science has developed, and proceed to make our foundations with a view of putting our country in reach of all the necessary agencies to meet any emergency that may come upon us. If we had to-day in the United States such a gun factory as Krupp's establishment in Germany, it would add immensely to the moral power of the United States, and I think that there is scarcely a Senator here who has ever bestowed any attention upon the relations of the United States with foreign countries who has not felt that there was some necessity for more moral power in this Government than we possess. The moral power of this Government is not at all equivalent to its sixty-five millions of population, its vast wealth, its great ocean boundaries, and its enormous resources of every kind and character.

This Government in its power of command and control over the nations of the earth, in the moral sense of which I speak, is not up to the realization of its actual facilities, its actual inherent power. What do we need? Nothing at all but some action on the part of the Government to show the nations of the earth that we are prepared to use these great facilities and these extraordinary resources immediately whenever occasion may demand, and that if an emergency should arise we shall not go and have to waste three or four or five hundred million dollars in making the preparation that experience and attention and care and scientific endeavor and effort ought to have developed slowly and completely.

I agree with the Senator from Connecticut that the best thing we can do is to give Government support to private effort in making guns. The experience of Germany has established that proposition. Why was Krupp a better gun-maker than any other man in the world, and why is his steel reckoned among the very best in the world? It was because that faithful and common-sense old man worked from his early manhood all along with experience and preparation in the best methods of manufacture, and then with the best pattern of gun that could be put together, and every gun was examined with critical and scrupulous care before it was put in.

Krupp's steel was what made Krupp's guns. Krupp's patience and care, his individual effort devoted to the building up of his establishment, that made it a success. What was it that animated Krupp? Not merely ambition or glory. He had not any office under the German Government the duties of which he was performing under a salary. He was a private man, but he had the Government for a patron; and he had a German's pride in the glory of his country, and then he had a personal fondness for money-making to stimulate him to build up these great guns. It was through these simple agencies that that man got such power over the gun market of the world as that all the nations, nearly without exception I believe, more or less, patronized his great establishment.

Now, if we start in the United States a gun factory, or if you will enable our people by contributing as we ought to do to the manufact-

ure of guns to build the machinery that is requisite for the manufacture of these great guns, it will not be very long, not a great while, until you will find that San Francisco will be making guns out of that unparalleled steel ore that they have there and sending them across the Pacific Ocean to China and Japan, and down the South American coast, and on this coast we shall be manufacturing guns for the eastern market of South America and Central America, and for the old countries as well, because if you give our men the advantage they have the genius and the enterprise to do anything that ingenuity and capacity can accomplish.

So I am in favor of the proposition. I want us to start, and we had just as well start now, and commence with this appropriation of \$5,000,000, as to start later, and a great deal better start now than start later. We ought to have this establishment started; this steel ought to be in process of manufacture, and all of the experience of our mechanics, the better parts of it, ought to be gathered into establishments of this kind.

Now, in regard to the dynamite gun, that is a very different thing. There is very little known about dynamite projectiles or dynamite guns. I understand that we have to have steam-engines for the purpose of making compressed air in order to get a powerful expanding element to project the projectile out of the gun without exploding the dynamite before it reaches the target at which it is aimed. That is experimental. We are willing to bestow \$400,000 in this bill on making that experiment. It is very doubtful whether after all we shall provide a dynamite gun that will take the place of a steel gun in the navies of the world or that will enable us to arm a ship with dynamite to go out and fight the enemies of this country on the high seas.

I confess that I should dislike very much to see the best man-of-war that we could build sent out for the purpose of engaging a man-of-war of equal power with steel guns on board his ship and nothing but dynamite on board of ours. I think that would be a very hazardous experiment.

It has been but two days since I read that a patent had been issued here with thirty-three claims allowed by the Patent Office in favor of an Alabamian for a dynamite gun by which he proposes to throw the dynamite, not with a great steam-engine, but with 40 or 50 or 100 pounds of powder, and do it with absolute security. If that man's invention is what it appears to be, and what I really believe it to be, we shall not have spent \$400,000 under this bill until that man will come in with a dynamite gun that will dispense with the engine entirely, and he will fire it like an ordinary steel gun.

That is experimental; and I think when the Congress of the United States is willing to bestow \$400,000 upon a project that is peculiarly and entirely experimental, after the investigations that have been made by a committee of this body and a report that has received the sanction of the War and Navy Departments both, and a report that is incontrovertible on its facts and conclusions, we should not be unwilling to expend what the Senator from Connecticut proposes to expend in his amendment in building guns about which there is no longer any experiment at all, but the mere putting into actual physical use the result of those experiences which have been collected by this committee and by the scientific men of this country, and which are absolutely controlling in regard to the manufacture of these guns. I shall therefore vote for the amendment.

MR. GORMAN. Mr. President, I regret to see the Senate about to commit itself apparently to an appropriation for the manufacture of steel guns.

MR. BECK. Mr. President—

THE PRESIDENT *pro tempore*. Does the Senator from Maryland yield to the Senator from Kentucky?

MR. BECK. The Senator from Maryland has the floor, and being advised that there are a number of Senators who desire to speak, I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 29, 1888, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

THURSDAY, June 28, 1888.

### ELECTION OF SPEAKER PRO TEMPORE.

The House was called to order at 11 o'clock a. m. by Hon. JOHN B. CLARK, its Clerk, who said:

The Clerk of the House has received the following communication from the presiding officer:

WASHINGTON, D. C., June 28, 1888.

SIR: As I am compelled to be absent from the city for two days, you will please request the House to elect a Speaker *pro tempore* to serve during my absence.

JOHN G. CARLISLE.

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

Clause 7 of Rule I provides that in the absence of the Speaker, or his omission to make an appointment of a Speaker to preside during his absence, it is for the House to proceed to elect a Speaker *pro tempore*.



Nominations are now in order.

Mr. MILLS. I offer the resolution I send to the desk.

The Clerk read as follows:

*Resolved*, That Hon. JAMES H. BLOUNT, a Representative from the State of Georgia, be and he is hereby, elected Speaker *pro tempore* during the temporary absence of the Speaker.

The resolution was adopted.

Mr. BLOUNT accordingly took the chair as Speaker *pro tempore*.

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

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

#### NOTIFICATION TO THE SENATE.

Mr. MILLS submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Clerk be directed to inform the Senate that the House has elected Hon. JAMES H. BLOUNT, a Representative from the State of Georgia, as Speaker *pro tempore* during the temporary absence of the Speaker.

#### FOG-SIGNAL, ETC., STONINGTON HARBOR, CONNECTICUT.

The SPEAKER *pro tempore* laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Light-House Board of appropriations for a light and fog-signal at the entrance of Stonington Harbor, Connecticut; which was referred to the Committee on Commerce, and ordered to be printed.

#### HENRY H. LANSDALE VS. THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copy of findings of fact in the case of Henry H. Lansdale vs. The United States; which was referred to the Committee on War Claims, and ordered to be printed.

#### ST. CECILIA'S ACADEMY VS. THE UNITED STATES.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copy of findings of fact in the case of St. Cecilia's Academy vs. The United States; which was referred to the Committee on War Claims, and ordered to be printed.

#### BRIDGE OVER THE CANEY FORK RIVER, TENNESSEE.

The SPEAKER *pro tempore* also laid before the House the bill (S. 1526) to authorize the construction of a bridge over the Caney Fork River, between Rock Island and Carthage, in Tennessee, with House amendment disagreed to by the Senate.

Mr. CRISP. Mr. Speaker, the Senate non-concur in the amendment proposed by the House to this bill, and have asked a conference thereon.

I have examined the amendment and find it is only formal in its character, and I therefore ask unanimous consent that the House recede from its amendment.

Mr. SPRINGER. What is the amendment?

Mr. CRISP. I ask that it be reported.

The Clerk read as follows:

Page 2, after line 23, add:

"And if said bridge shall not be finished within two years from the passage of this act the rights and privileges hereby granted shall be null and void."

Mr. CRISP. I will state that by mistake that clause is put twice into the bill. This is a Senate bill amended by the House, which amendment was disagreed to by the Senate, and I ask the House to recede.

There was no objection, and it was so ordered.

#### BRIDGE ACROSS TENNESSEE BETWEEN BRIDGEPORT AND SHEFFIELD.

The SPEAKER *pro tempore* also laid before the House the bill (S. 1524) to authorize the construction of a bridge over the Tennessee River between Bridgeport and Sheffield, Ala.

Mr. CRISP. This is a Senate bill to which the House attached two amendments, one of which the Senate agrees to; and the other, which is identical with the amendment just stricken from the former bill, they reject. I ask that the House recede from its insistence upon that amendment.

There was no objection, and it was so ordered.

#### IMPROVEMENT OF BRAZOS RIVER.

The SPEAKER *pro tempore* also laid before the House the bill (S. 2831) for improving the mouth of the Brazos River, in Texas; which was read twice and referred to the Committee on Rivers and Harbors.

#### LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

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

To Mr. LYNCH, for two weeks, on account of important business.

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

#### WITHDRAWAL OF PAPERS.

By unanimous consent leave was granted to Mr. FULLER to withdraw papers accompanying House bill 8680, for the relief of Fannie A. Boyd.

#### BRAZOS RIVER, TEXAS.

Mr. CRAIN. I ask unanimous consent to discharge the Committee of the Whole on the state of the Union from the further consideration of House bill 10165, and that the same be put upon its passage.

The Clerk read the bill, as follows:

*Be it enacted*, etc., That the Brazos River Channel and Dock Company, a corporation organized under and by virtue of the laws of the State of Texas, be, and are hereby, authorized, on the conditions hereinafter mentioned, to construct, own, and operate such permanent and sufficient jetties and such auxiliary works as are necessary to create and permanently maintain, as hereinafter set forth, a navigable channel at the mouth of the Brazos River, Texas, between said river and the Gulf of Mexico, and so far into the mainland and between the banks of the said Brazos River as may be necessary to reach a place that will afford security from storms, swells, cyclones, and tidal waves, for the purposes of furnishing the vessels and boats adapted to the purpose facilities for navigation in and along the entire length of said channel, charging and collecting such toll therefor as may be prescribed by the regulations that may be made by the Secretary of the Treasury of the United States in conformity with the laws of the United States; and for that purpose they may construct, in the river, and likewise in the Gulf of Mexico, such walls, jetties, dikes, levees, and other structures, and employ such boats, rafts, and appliances as they may, in the prosecution of said work, deem necessary: *Provided*, That no such structures or means employed shall hinder, delay, or materially interfere with the free navigation in said river or between said river and the Gulf of Mexico; and, to protect their said works, they may build and maintain such levees or embankments as may be necessary to secure their permanency along the banks of said Brazos River; and said Brazos River Channel and Dock Company shall hold the United States harmless from any damages that may accrue to any person or persons by overflow or otherwise caused by the construction of said walls, jetties, dikes, levees, and other works constructed by said company: *Provided further*, That unless the construction of the proposed work shall be substantially commenced within one year from date of the approval of this act, and prosecuted with due diligence, the provisions contained herein in relation to the said improvement shall be null and void; and unless the said Brazos River Channel and Dock Company shall secure a navigable depth of 12 feet of water from a point in the river so far as may be necessary to reach a place that will afford security from storms, swells, cyclones, and tidal waves, above its mouth and extending from said point to a depth of 12 feet in the Gulf of Mexico, outside of the present bar, within three years after the date of the approval of this act, Congress may revoke the privileges herein granted in relation to said improvement, unless the said Brazos River Channel and Dock Company shall, after securing 12 feet of water, secure an additional depth of not less than 2 feet during each succeeding year thereafter, until 18 feet shall have been secured; and in case said Brazos River Channel and Dock Company shall fail to comply with the foregoing conditions as to depth of water, and time, for any period of twelve months in excess of the time fixed as aforesaid, then the privileges herein granted, in relation to said improvements, shall absolutely become null and void without action by Congress.

SEC. 2. That the works of improvement in the said Brazos River, from the mouth of said river to the point described in section 1 of this act, shall consist of the construction of dikes, wing-dams, levees, embankments, and dredging or other means which may be considered by said Brazos River Channel and Dock Company necessary for obtaining a depth of 18 feet of water between the mouth of said river and said point described in section 1 of this act; and that the said Brazos River Channel and Dock Company may, if they shall decide it best for the interests of navigation, change the course of said river at the sharp bend in said river between the mouth of said river and the said point described in section 1 of this act, but in making such change the channel shall be made of sufficient depth and width to receive the volume of said river without disturbance of its regimen.

SEC. 3. That if at any time during the construction of said jetties and auxiliary works, or after said jetties and auxiliary works shall have been completed, and said channel of 18 feet in depth has been obtained, the United States shall have the right to pay the said Brazos River Channel and Dock Company the value of their jetties and other works constructed under and by the authority granted to said company by the State of Texas as well as by the authority of this act, and on such payments being made by the United States all right to said franchises and works on the part of said Brazos River Channel and Dock Company shall cease.

SEC. 4. That any person maliciously or intentionally injuring said works or interfering with the construction thereof shall be deemed guilty of a misdemeanor, and may be tried for such offense before the district court of the United States for the district wherein such offense may be committed, and if found guilty he shall be liable to a fine not exceeding \$1,000 or to imprisonment not more than two years, or both fine and imprisonment as aforesaid for each offense.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. CRAIN] asks unanimous consent for the consideration of the bill.

Mr. HOLMAN. In consequence of the confusion in the House the reading of the first portion of the bill was not very well understood. I would like to have the nature of the bill explained.

Mr. ROWELL. I do not think that bill ought to pass the House. It proposes to allow a private corporation to take charge of a navigable river. I think that is a bad principle.

Mr. CRAIN. Will the gentleman allow me two minutes to explain the bill?

Mr. ROWELL. Certainly.

The SPEAKER *pro tempore*. Does the gentleman withdraw his objection?

Mr. ROWELL. I withdraw the objection in order to permit the gentleman to explain, reserving the right to renew the objection.

Mr. CRAIN. The bill is almost exactly the same bill that was reported on the same subject from the Senate this morning. The only difference between the two bills is that the Senate bill omits the provision that this company shall hold the United States Government harmless for any damage done in the construction of the work. The bill before the House is a substitute unanimously reported by the Committee on Rivers and Harbors. It simply grants to a corporation the right to improve the mouth of the Brazos River, which work the Government engineers have given up as impracticable, and which has been abandoned by the Government. The charges to which the gentleman refers are to be regulated by the Secretary of the Treasury.

Mr. MILLS. I must insist on the regular order.

Mr. CRAIN. I only ask two minutes.

Whenever the Government of the United States deems it proper to do so, it has the right to purchase all these works and to deprive the company of its franchise. That is the whole bill.

Mr. ROWELL. I do not see any reason for passing a bill of that kind. If this improvement is practicable, the United States ought to make it.

Mr. MILLS. I now ask for the regular order.

#### ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills and a joint resolution of the House of the following titles; when the Speaker *pro tempore* signed the same:

Joint resolution (H. Res. 178) granting leave of absence to certain persons employed in the service of the United States;

A bill (H. R. 478) to place the name of Rev. Stephen M. Collis on the muster-roll of the Thirteenth Tennessee Cavalry as chaplain thereof;

A bill (H. R. 860) for the relief of Alfred Head;

A bill (H. R. 956) for the relief of the heirs of Christopher Cott;

A bill (H. R. 1361) to incorporate the Reform School for Girls of the District of Columbia;

A bill (H. R. 1457) for the erection of a public building at Wichita, Kans.;

A bill (H. R. 1514) relating to the record of wills in the District of Columbia;

A bill (H. R. 2805) granting a pension to Martha F. Woodrum, widow of James Woodrum, deceased;

A bill (H. R. 3290) to amend section 685 of the Revised Statutes relating to the District of Columbia;

A bill (H. R. 3839) granting a pension to Mrs. Hettie K. Painter;

Mr. KILGORE also, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the Senate of the following titles; when the Speaker *pro tempore* signed the same:

A bill (S. 1193) granting a pension to John R. Wheelock;

A bill (S. 1906) granting a pension to Matilda Bleumner;

A bill (S. 1827) granting a pension to Philomelia L. Dartt;

A bill (S. 1844) granting an increase of pension to Ann Atkinson;

A bill (S. 1997) granting a pension to Peter Thompson;

A bill (S. 2100) granting a pension to Charles Tidmarsh;

A bill (S. 2151) granting a pension to Mrs. Amelia Hillyer;

A bill (S. 2168) granting a pension to Francis Marion Walker;

A bill (S. 2183) granting a pension to Rachel Plummer;

A bill (S. 2255) granting a pension to Amanda W. Beach;

A bill (S. 2331) granting a pension to Mary McGregor;

A bill (S. 1484) to fix the status in the Navy of certain cadet engineers;

Joint resolution (S. R. 26) to arbitrate and settle the question at issue between the District of Columbia and Samuel Strong;

A bill (S. 23) to authorize Dalles City to construct a bridge across the Columbia River in the State of Oregon and Territory of Washington;

A bill (S. 1525) to authorize the construction of a bridge over the Cumberland River, between Burnside, Ky., and Carthage, in Tennessee, or the south fork of said river, between Burnside and Tateville, Ky.;

A bill (S. 2601) authorizing the construction of railroad bridges across the Snake River and across the Clear Water River by the Oregon Railway and Navigation Company;

A bill (S. 1851) providing for an international marine conference to secure greater safety for life and property at sea;

A bill (S. 808) granting a pension to Julius C. Monson;

A bill (S. 802) granting an increase of pension to Sarah A. Wilcox, now Roberts;

A bill (S. 1004) granting a pension to Ann Verneuil; and

A bill (S. 1192) granting a pension to Judson Knight.

#### ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

Mr. MILLS. I move to dispense with the morning hour.

Mr. SPINOLA. I ask the gentleman to give way for a moment to allow me to make a report from the Committee on Military Affairs.

Mr. MILLS. I will withdraw the motion to dispense with the morning hour and let the committees be called.

#### RUFUS LOWE AND C. M. LOFTIN.

Mr. HENDERSON, of North Carolina, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 10578) for the relief of Rufus Lowe and C. M. Loftin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

#### MAJ. GEN. W. W. AVERILL.

Mr. SPINOLA, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (S. 1650) for the relief of Maj. Gen. W. W. Averill; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. SPINOLA. Two weeks from this evening there is to be a session to consider several bills of like character with the bill I have just reported, and I ask that it be included among the bills to be considered at that evening session.

The SPEAKER *pro tempore*. That request is not in order at this time.

Mr. SPINOLA. Well, I will make it later in the day.

#### ROCK ISLAND DAM.

Mr. TOWNSHEND. Mr. Speaker, the Committee on Military Affairs have made a favorable report upon a resolution calling upon the Secretary of War for information as to the destruction of the dam at the Rock Island arsenal, but as I understand that the information called for has been fully furnished to the Committee on Appropriations, I suggest that it is not necessary for us to put the resolution upon the Calendar or upon its passage, and I therefore ask that it lie on the table. There was no objection, and it was so ordered.

#### BUILDINGS AT HIGHWOOD, NEAR CHICAGO.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported a bill (H. R. 10643) appropriating \$300,000 for the construction of buildings for the military post at Highwood, near Chicago, Ill.

Mr. TOWNSHEND. This bill was ordered to be reported favorably some weeks ago, and would have been reported to the House, but at the request of gentlemen in Chicago we concluded that we would hold the report until after the Army appropriation bill was disposed of, as it was expected that we would make an appropriation in that bill for this purpose. That appropriation has now been made in the Army bill, and I therefore suggest that for the present this bill and report lie on the table.

There was no objection, and it was so ordered.

#### LEAVE TO FILE REPORTS.

Mr. DORSEY. Mr. Speaker, there are two or three reports from the Committee on Private Land Claims that I desire to present this morning, but the gentleman who has them in his possession is not present at this moment, and I therefore ask unanimous consent that they may be filed with the Clerk.

There was no objection, and it was so ordered.

The SPEAKER *pro tempore*. The call of committees is now completed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate insists upon its amendments, non-concurred in by the House of Representatives, to 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.

The message further announced that the President *pro tempore* had appointed Senators SHERMAN, ALLISON, MANDERSON, COLQUITT, and BERRY members on the part of the Senate of the committee of Congress authorized by the act approved May 28, 1888, to attend the Centennial Exposition of the Ohio Valley and Central States, to be held at Cincinnati, Ohio.

The message further announced that the Senate insists upon its amendments to the bill (H. R. 1508) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, disagreed to by the House of Representatives, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Messrs. HALE, CHANDLER, and GRAY.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6833) making appropriations for the diplomatic and consular service of the United States for the fiscal year 1889, and still further insists upon its sixteenth amendment to said bill.

#### ORDER OF BUSINESS.

Mr. MILLS. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue. The pending amendment is to strike out lines 133 and 134:

Vegetables in their natural state or in salt or brine, not specially enumerated or provided for:

Debate on this amendment is exhausted, but the gentleman from New York [Mr. BAKER] is still entitled to two minutes in support of the amendment.

Mr. BAKER, of New York. In the two or three additional minutes allowed me I will withdraw the amendment which I offered yesterday, and move instead to amend by inserting after the words "vegetables" the words: "Such vegetables as are now specifically dutiable under existing law." Under the existing law vegetables in their natural state or in salt or brine, not specially enumerated or provided for, are subject to 10 per cent. ad valorem duty. The proposition is to make vegetables in their natural state or in salt or brine, not specifically enumerated or provided for, free. That provision, unless covered by some



amendment which the honorable chairman of the Committee on Ways and Means informs us is to be proposed, would put potatoes, and, by a subsequent provision in this bill, beans, pease, and split pease upon the free-list. It would strike down a large agricultural interest in my section of the country, and it meets with the most earnest protest of the agriculturists, especially along the border line, who do not desire that their products shall come in competition with those of Canada or other foreign countries.

In this connection, Mr. Chairman, I will have printed as part of my remarks a table which has been prepared by Colonel Switzler, of the Bureau of Statistics, comprising a statement showing the imports of wheat and other breadstuffs, provisions, vegetables, eggs, etc., into the United States from the British North American Provinces and all other foreign countries each year from 1868 to 1887. It is a special exhibit of the importations referred to, and I am sure will be of interest to both sides of the House. It shows the magnitude to which the business has grown of importing into this country breadstuffs and eggs (which are free both ways), and I think when the committee come to consider this table and to examine this exhibit of this business they will agree to make a more material modification of the provisions of the bill than that which is now proposed.

I shall also incorporate in my remarks an article from the New York Tribune of June 4, 1888, in relation to the importation of cheap potatoes from Europe.

The following is the article:

[From the New York Tribune, June 4, 1888.]

**CHEAP POTATOES FROM EUROPE—DANGER TO THE AMERICAN FARMER IF THE DUTY ON THEM IS REMOVED.**

The recent large arrivals of potatoes upon trans-Atlantic passenger steamers, which bring them over practically as ballast, has occasioned no little surprise in the shipping world as well as among dealers in farm produce. A steamer of the National Line arrived here a few days ago with 1,000 barrels of potatoes, and upon inquiry it was found that the freight paid upon them was hardly enough to cover the expense of putting them into the vessel, to say nothing of the transportation of them for 3,000 miles; and, too, they were landed here at a less price than potatoes brought from Newfoundland, which, after payment of the import duty of 15 cents a bushel, are cheaper than the home product. This new departure of bringing potatoes from Europe, together with the proposition in the Mills free-trade bill entirely to remove the duty from potatoes, is causing alarm to everybody excepting the foreign growers and the foreign ship-owners.

The receipts of potatoes from Great Britain since October 1 last up to Saturday, were 3,411,840 bushels, against 106,047 bushels for the same period a year ago. There also came 240,249 bushels from the continent, against 19,512 bushels a year ago. This means an attack upon the American farmer, and a more effective one upon his industry if the duty should be entirely removed, as he would then find it useless to cultivate his unprofitable lands; but the Democratic Congress is determined to foster the foreign producer and the foreign capitalist in preference to the American industries.

G. S. Palmer, a produce merchant, who has studied the question thoroughly, said on Saturday: "To remove the present duty of 15 cents per bushel would undoubtedly so flood the market with foreign potatoes that American producers could raise them only at a loss to themselves. The present duty was an equitable one, and it should not be made higher than it is at present, because in seasons when the home crop fails, or is not large enough to meet the home demands, a high tariff would be an injustice. When they are put up in sacks they are easily handled and occupy but little space, and consequently make excellent ballast. The farmers are much opposed to having the duty removed. Foreign potatoes, by being brought as ballast, can be sold cheaper than the home product, but once drive our own farmers out of the market, or remove the home competition, there will be a demand for potatoes that will send up the freight charges, and the potatoes will cost the consumer more than they do now."

Statement showing the imports of wheat and all other breadstuffs, provisions, vegetables, and eggs into the United States from the British North American Provinces and all other foreign countries during each year from 1868 to 1887.

[Under the title of "British North American Provinces" are included the Dominion of Canada, Newfoundland, and Labrador.]

**BRITISH NORTH AMERICAN PROVINCES.**

Year ending June 30—	Wheat.	All other breadstuffs.	Provisions (including meats).	Vegetables.	Eggs.
	Bushels.				Dozens.
1868.....	1,593,824	\$2,704,132	\$4,393,894	\$1,545,829	\$290,386
1869.....	1,537,227	1,673,629	5,423,570	1,429,349	(1)
1870.....	838,362	862,879	6,158,635	3,633,937	(1)
1871.....	688,264	894,984	4,249,213	2,374,604	(1)
1872.....	1,532,220	2,167,390	4,949,339	1,876,728	26,065
1873.....	1,453,204	2,021,211	3,722,235	1,226,704	4,812,647
1874.....	1,631,404	2,065,447	5,173,241	959,043	4,948,679
1875.....	230,617	236,588	6,707,047	488,567	54,471
1876.....	1,552,666	1,606,079	8,285,309	250,472	4,428,615
1877.....	319,945	361,691	5,269,266	113,791	4,748,473
1878.....	1,340,418	1,534,299	4,463,333	328,079	1,453,549
1879.....	2,003,633	1,784,140	5,380,308	157,028	154,013
1880.....	451,612	515,823	5,118,311	566,193	192,960
1881.....	191,362	190,742	7,142,396	249,550	795,940
1882.....	844,196	1,072,618	12,702,978	791,961	2,501,649
1883.....	1,073,156	1,063,426	9,406,481	433,511	1,009,333
1884.....	22,590	19,321	6,540,530	226,868	177,616
1885.....	203,996	165,973	6,779,547	177,737	197,881
1886.....	379,569	323,500	7,354,551	162,805	427,104
1887.....	277,510	218,551	6,312,461	163,115	430,708

<sup>1</sup> Not stated.

<sup>2</sup> Imports of eggs by countries not stated.

<sup>3</sup> Imports of vegetables by countries not stated.

<sup>4</sup> Includes tallow.

<sup>5</sup> Includes vegetables.

<sup>6</sup> Included in provisions.

Statement showing the imports of wheat and all other breadstuffs, etc.—Continued.

**ALL OTHER FOREIGN COUNTRIES.**

Year ending June 30—	Wheat.	All other breadstuffs.	Provisions (including meats).	Vegetables.	Eggs.
	Bushels.				Dozens.
1868.....	22,682	\$30,517	\$42,153	\$263,963	\$297,988
1869.....	33,266	44,777	1,585,047	562,864	(1)
1870.....	12,964	15,954	494,667	1,014,931	(1)
1871.....	28,935	38,269	492,756	1,275,883	(1)
1872.....	14,403	21,299	448,173	1,510,251	173,628
1873.....	23,390	31,783	306,228	1,148,621	411,757
1874.....	14,688	18,747	1,755,526	788,399	597,032
1875.....	12,430	15,876	993,261	743,376	557,579
1876.....	15,892	17,770	437,961	707,747	580,005
1877.....	8,061	11,002	338,516	610,461	730,022
1878.....	10,590	14,785	351,307	599,135	584,104
1879.....	7,658	10,422	656,615	662,198	508,063
1880.....	11,270	18,447	466,895	668,799	639,081
1881.....	9,258	13,766	522,938	1,029,238	810,782
1882.....	2,479	5,177	689,528	1,380,693	3,238,100
1883.....	2,569	6,880	415,091	1,522,270	991,871
1884.....	1,739	4,599	135,254	1,616,584	978,138
1885.....	2,560	4,317	144,215	1,652,810	1,080,829
1886.....	971	2,893	249,532	1,925,640	1,216,252
1887.....	332	316	108,900	1,643,124	924,613

**TOTAL FROM ALL COUNTRIES.**

Year ending June 30—	Wheat.	All other breadstuffs.	Provisions (including meats).	Vegetables.	Eggs.
	Bushels.				Dozens.
1868.....	1,616,508	\$2,734,649	\$4,436,047	\$1,809,792	\$588,374
1869.....	1,570,493	1,718,406	7,008,617	21,992,213	182,621
1870.....	851,326	878,833	6,653,302	4,648,868	61,283
1871.....	717,179	933,253	4,741,969	3,650,487	(1)
1872.....	1,546,623	2,188,689	5,397,512	3,386,979	199,693
1873.....	1,476,594	2,052,994	4,028,513	2,375,325	525,361
1874.....	1,646,092	2,114,194	6,928,767	1,747,442	836,246
1875.....	303,047	312,464	7,700,308	1,229,943	612,050
1876.....	1,568,558	1,623,849	8,723,270	958,219	592,349
1877.....	328,906	372,693	5,607,782	724,252	2,183,571
1878.....	1,351,008	1,549,084	4,814,640	927,264	738,117
1879.....	2,011,291	1,794,562	6,045,923	819,226	1,730,023
1880.....	462,882	534,475	5,585,206	1,234,992	831,650
1881.....	200,620	204,508	7,665,334	1,278,788	1,606,722
1882.....	846,675	1,077,795	13,392,506	2,172,654	5,739,749
1883.....	1,075,725	1,070,316	9,821,572	1,957,781	2,001,804
1884.....	24,329	23,920	6,675,784	1,843,452	1,155,754
1885.....	206,556	170,290	6,923,762	1,830,547	1,278,710
1886.....	380,540	331,393	7,604,083	2,088,445	1,643,556
1887.....	217,842	218,867	6,421,361	1,806,239	1,355,321

<sup>1</sup> Not stated.

<sup>2</sup> Includes tallow.

<sup>3</sup> Includes vegetables.

<sup>4</sup> Included in provisions.

WM. F. SWITZLER, Chief of Bureau.

TREASURY DEPARTMENT,  
Bureau of Statistics, May 26, 1888.

I now withdraw my former motion, and move to strike out the pending lines—lines 133, 134. I think the vote had better be taken directly upon this motion.

Mr. MILLS. Let us have a vote.

The CHAIRMAN. If there be no objection the amendment heretofore submitted by the gentleman from New York [Mr. BAKER] will be regarded as withdrawn, and the motion to strike out the paragraph will be treated as the pending motion. The Chair hears no objection.

Mr. MILLIKEN. Mr. Chairman, I hope that the motion submitted by the gentleman from New York [Mr. BAKER] will be adopted; and I say this in the interest of the farmers all along the northern border of Maine and New York and other States contiguous to Canada. If I had not known that a great deal of what is said by our friends on the other side is little if anything more than a specious argument to sustain their case, I should have been astonished to see proposed in the bill this attack upon the farmer; for if our friends on the other side are great in anything, they are great as weepers over the hard condition of the farmer. I have heard my friend from Missouri [Mr. DOCKERY] cry over the farmer so many times in this House that I have in sympathy with him almost shed tears myself. My friend from Iowa [Mr. WEAVER] joins in the chorus with such vigor that you would think he saw nothing but the farming interests of this country. And my friend from Texas [Mr. MILLS] presenting this bill to the House in his eloquent, and (considering the badness of his cause) able argument, gave as his principal reason, if I mistake not, for introducing this bill, that it would relieve the hardships of the farmers. Yet, gentlemen now come in here and in these two lines of the bill attack the farmers along the northern border of our country in the most vital particular; for, as we all know, it is upon vegetables rather than upon staple articles which can be transported across the ocean that the farmer makes the largest percentage of profit; from vegetables, more, perhaps, than from anything else, he gets the returns with which he purchases the supplies for himself and his family. Yet in respect to this important part of the farmer's production our friends upon the other side would put him in direct competition with the farmers of New Brunswick, who live in cheaper houses; who have but few of the comforts of life; in whose fields women can be seen working as you do not see them on this side of the border. Those farmers of New Brunswick can sell their

productions for a less price, because they need smaller returns. Why, sir, on the line between Maine and New Brunswick you will find the American producer getting 25 cents a bushel for his potatoes, which are taken in the field just as they come and sent to the starch factories, while the farmer on the other side of the line sells his potatoes for but half that price. And the same comparison applies through the whole list.

Allow me to say to my friend from Texas that his argument that the superior skill of the American laborer—skill and the use of machinery—gives to him the facility to labor with more effect, and therefore to get better pay because he produces more, does not apply in this case. It does not require skilled labor to produce the products of the farm on the other side of the line. I know that new machinery, new farming implements, have been introduced; but our progressive Yankees have carried their inventions and their machinery across the border, and you can find there, as well as on this side, your mowing machine, your reaping machine, and all your patented implements of husbandry.

[Here the hammer fell.]

Mr. MILLIKEN. I would like to occupy a few moments more.

Mr. MILLS. I now ask for a vote.

Mr. NELSON. I rise to move a *pro forma* amendment, and yield my five minutes to the gentleman from Maine [Mr. MILLIKEN].

Mr. MILLIKEN. I hope I shall be allowed five minutes more.

Mr. NELSON. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Minnesota [Mr. NELSON] asks unanimous consent that the gentleman from Maine [Mr. MILLIKEN] be permitted to continue his remarks for five minutes. Is there objection?

Mr. MILLS. I object.

Mr. BREWER. I move to amend *pro forma* by striking out the words "not specially enumerated or provided for."

Mr. MILLS. I move that the committee rise so that the House may limit debate on this proposition.

The question being taken on the motion of Mr. MILLS, there were—ayes 74, noes 64.

Mr. BAKER, of New York. I make the point that no quorum has voted. Let us have tellers.

Mr. BUCHANAN. That is right. The other side should not be allowed to go back on the farmers without telling them why.

Tellers were ordered; and Mr. BAKER, of New York, and Mr. MILLS were appointed.

Mr. BAKER, of New York (before the count by tellers was concluded). Mr. Speaker, we have agreed that the debate on this proposition be allowed to run for twenty minutes on each side.

The CHAIRMAN. Does the gentleman from Texas withdraw his motion that the committee rise?

Mr. MILLS. Yes, sir; the gentleman from New York and I have made an agreement, which I hope the Committee of the Whole will ratify, that twenty minutes be allowed on each side.

The CHAIRMAN. The motion that the committee rise is withdrawn. The gentleman from Texas asks unanimous consent that all debate upon the pending paragraph and amendments thereto be limited to forty minutes—twenty minutes on each side. Is there objection? The Chair hears none. Without the interposition of formal amendments the Chair will recognize gentlemen to speak on the motion to strike out. The gentleman from Michigan [Mr. BREWER] has been recognized.

Mr. BREWER. Mr. Chairman, I will only take about three minutes to say all I desire to say on this question. The committee who reported this bill and the gentlemen who framed it do not appreciate the enormous competition which arises between our farmers along the border of Canada and those who reside in Ontario, in the western portion of the province of Canada.

The district I have the honor to represent here lies within 12 miles of the city of Detroit. It is largely a rural district. The great market for the people residing in that district is in the city of Detroit. They take there their vegetables, they take there their grain, they take there all their farm products and exchange them for goods they find in that city. Immediately opposite the city of Detroit, across the river, about three-quarters of a mile, is the province of Ontario, an excellent farming country. There is nothing which prevents to-day the competition in vegetables between the people residing across the river and the farmers of my district except a small tariff duty on potatoes. Are we to remove this duty? If we do what compensation will the people of Detroit or the people of Michigan receive for that gift we are making to the people residing in the province of Ontario. If we are to receive our potatoes and other vegetables from the people of Ontario free, then ought not the people of Detroit and the border States be entitled to pass their products across the river into Ontario free of duty. Yet the Committee on Ways and Means propose to give, without any compensation whatever in return, to the people residing in Canada the right to have the markets naturally belonging to the people of Michigan without any compensation whatever.

I know, Mr. Chairman, it is useless for me, it is useless for any one residing near the border to protest against this act, because it has been decreed this bill is to pass and to pass as reported by the committee as ordered by the caucus. I rise, therefore, merely for the purpose of

protesting against it, and protesting in the interest of the farmers who live in my district and whose products are brought in direct competition with the like products from the province of Ontario, which come free into Detroit in opposition to the interest of those whom I have the honor to represent.

I now yield to the gentleman from Pennsylvania [Mr. YARDLEY].

Mr. YARDLEY. Mr. Chairman, a large percentage of the people whom I have the honor to represent on this floor are farmers, and in their behalf I have presented to this House petition after petition signed by farmers' granges, by farmers' clubs, and by individual farmers, asking the duty on farm products be increased. Gentlemen on the other side of the House who profess to be interested in the farmers have answered their prayers and petitions by placing the products of the farms upon the free-list.

I submit there should be protection to the American farmer against the importations from Canada and other foreign countries.

The distinguished chairman of the Committee on Ways and Means tells us that hereafter, some time in the future, a proviso will be brought in which will explain and interpret the provisions of this section. I submit until that proviso is offered this section must be construed as it is written, and as it is written, potatoes, together with other vegetables, are put upon the free-list.

Further along in the bill garden seeds are put upon the free-list. I have the honor of representing several of the largest industries in raising garden seeds in the whole United States. I represent here people who cultivate all kinds of garden seeds, and one gentleman in my own county who cultivates turnip seeds informs me that he has contracted with many farmers in his locality to pay 12 cents a pound for their entire crop of turnip seeds, and yet English growers of turnip seeds offer to deliver (all costs paid) in Philadelphia turnip seeds at 8 cents per pound. While that contract may be a good one for the farmers this year, they will find that after the passage of this bill they will have to compete with foreign importations and can not sell their turnip seeds for more than 8 cents a pound.

Mr. Chairman, we have been told again and again by the gentlemen upon the other side that their hearts are overflowing with love for the farmer, and their chief desire in presenting this bill is to relieve the farmer from excessive taxation, and yet they propose to relieve them by placing garden seeds, beans, pease, and other vegetables upon the free-list.

During the fiscal year ended June 30, 1887, \$149,876.07 worth of garden seeds and \$519,312.36 worth of vegetables were imported into this country in direct competition with the products of the farms of our own country. Mr. Chairman, if the gentlemen upon the other side of the House are sincere in their repeated expressions of sympathy for the farmers they will unanimously join with us now in this effort to strike the enumerated vegetables and garden seeds from the free-list, and thus aid us to fairly and honestly protect the products of the farm. [Applause.]

[Mr. THOMAS H. B. BROWNE withholds his remarks for revision. See APPENDIX.]

Mr. BURROWS. Mr. Chairman, it will be impossible to know the effect of putting this provision upon the free-list without understanding beforehand just what is now admitted under the language "vegetables in their natural state, etc." Of the imports entered for consumption during the year 1887 of this class of farm products other than beans and pease, the total value was \$519,312, upon which a duty of about \$51,000 was collected. But what the items are, composing these importations, "vegetables in their natural state, etc.," the committee have not given us any information. In this condition I have taken occasion to ascertain from the Secretary of the Treasury the importations for the last nine months under the clause "vegetables other than beans, pease, and potatoes, imported in their natural state or in salt or brine," and I find that at the ports of Bangor, Boston, New York, Philadelphia, Baltimore, Buffalo, Niagara, and Detroit, there were imported under this provision during that period, beets, cabbages, cauliflower, corn, cucumbers, onions, pease, radishes, squash, turnips, tomatoes, and various other vegetables amounting to an aggregate value of \$265,904; and I shall insert at this point a table giving the exact amount of each.

The table is as follows:

Values of the several kinds of vegetables (other than beans, pease, and potatoes) imported in their natural state, or in salt or brine, and entered for consumption at the below-named ports during the nine months ending March 31, 1888.

Ports at which entered for consumption.	Beets.	Cabbages.	Cauliflower.	Corn.	Cucumbers.	Garlic.	Lentils.	Onions.
Bangor.....		\$22	\$3					\$7,681
Boston.....		372	51					109,525
New York.....	\$18,254							213
Philadelphia.....		12	65		\$233	\$21	1,939	240
Baltimore.....								184
Buffalo.....		1,170		\$184				340
Niagara.....	184							
Detroit.....								
Total.....	18,438	1,760	119	184	233	21	2,813	118,183



Values of the several kinds of vegetables, etc.—Continued.

Ports at which entered for consumption.	Pease, green.	Radishes.	Squash.	Turnips.	Tomatoes.	All other.	Total.
Bangor.....				\$19,474	\$2		\$19,501
Boston.....				3,338			11,442
New York.....					9,127	\$45,635	182,542
Philadelphia.....				5		12	1,137
Baltimore.....					260		2,737
Buffalo.....				22,231			23,401
Niagara.....	\$184		\$183	21,143			22,251
Detroit.....		\$1,250		598		705	2,893
Total.....	184	1,250	183	66,794	9,389	46,353	265,904

NOTE.—The transactions at the above ports represent 84 per cent. of the total of like transactions in the United States.

WM. F. SWITZLER,  
Chief of Bureau.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, May 31, 1888.

I have inserted this table, Mr. Chairman, for the purpose of giving the committee that information which they require in taking action upon a provision of this character, and so that the committee will know just what will be admitted free of duty if this provision, as proposed in the bill, shall stand.

We protect to a large extent the products of the farm, and why the majority of the Committee on Ways and Means should strike down these products of the soil and allow them to be imported in competition with our own products I do not understand.

The Chief of the Bureau of Statistics, in giving information upon this subject showing the imports entered for consumption during the year 1887, furnishes the Committee on Ways and Means the following:

TREASURY DEPARTMENT, BUREAU OF STATISTICS,  
Washington, D. C., May 25, 1888.

DEAR SIR: Of the imports entered for consumption during the fiscal year 1887 of vegetables (other than beans and peas) in their natural state, or in salt and brine, dutiable at 10 per cent., \$519,312 in value, the value imported into the port of New York was \$228,152.

The collector at that port informs me that during the quarter ending March 31 last the imports under this head comprised the following: Onions, 60 per cent.; beets, 10 per cent.; and tomatoes, 5 per cent.; unknown, 25 per cent.

It is probable that this would approximate the percentages of the articles classed under this head imported into the whole country.

Respectfully,

WM. F. SWITZLER, Chief of Bureau.

HENRY TALBOT, Esq.,  
Clerk to Committee on Ways and Means, House of Representatives.

I desire to submit this in order that the Committee of the Whole may know what is being stricken down by this provision of the bill.

Mr. PLUMB. Can the gentleman state whether or not Canada imposes any duty upon vegetables?

Mr. BURROWS. I am not positive as to that.

Mr. FARQUHAR addressed the Chair.

Mr. MILLS. How much time is remaining on that side?

The CHAIRMAN (Mr. DOCKERY in the chair). Five minutes.

The Chair understands that the gentleman from Maine [Mr. MILLIKEN] was to be allowed five minutes in this discussion; but as he is not in his seat, the Chair will recognize the gentleman from New York.

Mr. FARQUHAR. Mr. Chairman, as representing one of the border districts of this country, and a large one, I can not but admire the generosity of this Committee on Ways and Means in opening the doors of our Northern markets to the Canadians. I want simply to say here, sir, that the Canadian pays no taxes in our country; he furnishes no roadways for our people; he pays no school rates, and pays nothing whatever towards the support of the Government only through indirect taxation, nor has he any interest in the land, but simply to get American money wrung from the tillers of the soil and take it home with him.

The county in which Buffalo is situated is largely interested in the products of the farm; and the land is divided into small plots, devoted to a considerable extent to vegetable and fruit raising, which employs thousands and thousands of men who get their whole living from that character of occupation in that county. Opposite to us is a good Canadian agricultural district; and all that is necessary, when the bill is passed, is simply to open the market for the Canadians to step across the Niagara River and drive out of business the Erie County farmer. If that is good American policy, let the committee go on and pursue it to its legitimate consequences; but I can assure gentlemen that in that region along the Canadian line you will find intelligent farmers who will give their opinion of this character of legislation when November comes around. [Applause on the Republican side.]

Mr. MILLS. Mr. Chairman, opposition is made to the insertion of this provision in the bill on two grounds; one is, it is charged on the other side that it puts potatoes on the free-list. Now, by existing law, as stated here often during this discussion, potatoes are dutiable, being named specifically in existing law.

This clause provides—

Vegetables in their natural state, or in salt or brine, not specially enumerated or provided for.

Potatoes are specially enumerated and provided for; hence they do not come within the provision of the clause. Certainly, therefore, it seems to me that no one can justly claim that there is any sufficient reason whatever to allege that potatoes are included or intended to be included in that provision.

But, as I stated before, in order to satisfy the views of gentlemen who might have any honest doubts upon the subject, we have prepared carefully a provision to come in at the close of the bill, which is to dissipate all doubts on the subject.

Now, then, on the merits of this proposition; the gentleman from New York who represents the Buffalo district [Mr. FARQUHAR] says that this provision of the law is in the interest of Canada. It is as much in the interest of the people of the city of Buffalo as any other part of the country in proportion to the amount of imports brought into that country from Canada or elsewhere. The reports show that turnips are largely imported into Buffalo to feed the poor laboring people whose Representative here on this floor is demanding that the duty upon the necessities of life, upon their food, shall be made higher by striking out this clause while we are trying to reduce the price, so that they may have the necessities of life cheaper than they are getting them now.

Another large item in the bill is onions. A great many onions are imported from Cuba into the port of New York to feed the working people, the poor laboring people of New York who live on onions among other articles of food. [Derisive laughter on the Republican side.]

Gentlemen are trying constantly to keep up the prices of the necessities of life. They will not even let the workingmen in New York have onions to eat. Onions are among the most healthful vegetables we have. And yet our friends on the other side of the House demand that we shall keep up the price of everything that is necessary to human existence, everything necessary for the working people of this country, for the advantage of those who are interested in producing these things; and only a few of them at that. I want to know, Mr. Chairman, at what point in this bill gentlemen will agree to reduce the taxation? This question constantly confronts us. The taxes must be reduced.

Mr. BRUMM. We will begin with the internal revenue; right there.

Mr. MILLS. You want free whisky. You say so in your platform. We will meet that proposition.

Mr. BRUMM. We want free sugar.

Mr. MILLS. You do not say sugar. You say internal revenue.

Mr. BRUMM. We want free sugar and rice.

Mr. MILLS. You do not say in your platform at Chicago that you want to reduce the duty on sugar nor on rice. The Republican party have overruled what you have heretofore contended for on that subject. Your party commands you here on this floor to ask for free whisky. We will go with you to the country on that question. We demand a reduction on those things that enter into consumption as necessary to human existence. We demand that the tax shall remain on whisky as it is to-day.

Mr. BRUMM. I know you do.

Mr. CONGER. I would like to hear the amendment the gentleman proposes to offer.

Mr. MILLS. I do not propose to offer any amendment.

Mr. CONGER. You said you were going to propose one.

Mr. MILLS. The amendment I referred to is in the RECORD.

The CHAIRMAN. Two and a half minutes now remain on the other side of the House.

The Chair will recognize the gentleman from Maine [Mr. MILLIKEN].

Mr. MILLIKEN. I shall not endeavor in so short a time to answer the bold argument of the gentleman from Texas [Mr. MILLS], which he has made ever since this bill has been before the House, that on account of better machinery, better labor in this country we are able to contend against the cheap labor that comes in from abroad. His argument does not apply to the case of the farmer along the northern border line. The farmer has to contend with men who can labor as well as he can, and who have as good appliances to labor with.

I desire to call attention to one item in these two lines, cucumbers in salt or brine, that are put on the free-list. That is a large industry in the State of Maine, and directly affects the farmer, the man who raises the cucumbers these pickles are made from. They are shipped in salt and brine to Boston, New York, and to the markets along the Atlantic coast. Without this protection he will have to contend with the New Brunswick farmer, who can raise these cucumbers with cheaper labor and who can raise them with as good appliances as those of our farmer. I am somewhat astonished when my friend on the other side claims this bill is not a sectional measure. There is hardly a product of the farmer who lives along the northern border of this country that this bill does not put on the free-list. You attack him in every production. There are only a few staples produced by the farmer that this bill, framed by men who have stood up here to claim they were *par excellence* the friends of the farmer, does not put on the free-list.

[Here the hammer fell.]

Mr. BAKER, of New York. As a matter of fairness I think it well to have read from page 6147 of the RECORD the amendment now pending, so that the House may understand just what are its terms.

Mr. MILLS. Has the time for debate closed?

The CHAIRMAN. Yes.

Mr. MILLS. The amendment is already in the RECORD.

Mr. BAKER, of New York. Yes; but let it be read, so gentlemen may understand its provisions.

The Clerk read as follows:

This act is intended and shall be construed as an act supplementary and amendatory to existing laws, and the rates of duty and modification of clauses, provisions, and sections herein specifically made are intended and shall be construed as a repeal of all clauses, provisions, and sections in conflict herewith; but as to all clauses, provisions, and sections in existing laws not herein specifically changed, modified, or amended, the rates of duty now existing shall be and remain in full force and effect.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. BAKER].

The question was taken; and the amendment was rejected—ayes 59, noes 68.

Mr. BRUMM. I call for tellers.

Tellers were refused, only 28 members voting in favor thereof.

The Clerk read as follows:

Chicory root, ground or unground, burnt or prepared.

Mr. EZRA B. TAYLOR. I move to strike out the last word.

Mr. MILLS. I want to move that the committee rise, in order that the Committee on Appropriations may present some business.

Mr. EZRA B. TAYLOR. I will occupy only a few minutes.

Mr. MILLS. I yield to the gentleman.

Mr. EZRA B. TAYLOR. Mr. Chairman, during the discussion of the last amendment a remark was made by the chairman of the Committee on Ways and Means which I wish to challenge at this moment; that is, that the Republican party is in favor of free whisky. I think the gentleman did not coolly and carefully intend that statement. A large proportion of the Republican party is in favor of abolishing the internal taxes now existing in this country, not because they are levied upon whisky or tobacco, but because they believe that system of taxation to be unwise.

The assertion that the Republican party is in favor of free whisky is absurd. The Republican party is not in favor of that either in its convention or in its individual capacity, and I take the first opportunity to repudiate it so far as I am concerned. In fact, there is no truth, there is no meaning in the statement. It seems to me, sir, that the great question now before the people is whether protection to American industries shall be continued. The Republican party, I admit, is in favor of the general doctrine of protection, not to one industry but to all industries; and if internal taxation is in the way of that, the Republican party are in favor of repealing that internal taxation. The Democratic party, I think, are in favor of another course; and if the existing internal taxation can be made a means to strike down and destroy protection, they will encourage and sustain it for that purpose and that alone. Mr. Chairman, a man who under these circumstances, with his judgment in hand, would coolly say that the Republican party is in favor of free whisky is a man who might be developed according to the Darwinian theory for countless cycles of time without mounting intellectually to the position of a brevet ass. [Laughter.] I withdraw the formal amendment.

Mr. MILLS. I desire to ask the gentleman from Ohio [Mr. EZRA B. TAYLOR] whether he meant that last remark for me. I desire to have it read.

Mr. EZRA B. TAYLOR. I can repeat it, I think.

Mr. MILLS. Well, repeat it.

Mr. EZRA B. TAYLOR. After having stated that I did not believe that the gentleman from Texas [Mr. MILLS] had expressed that as his real opinion, I said that a man who under all the circumstances would, coolly and with his judgment in hand, assert that the Republican party was in favor of free whisky *per se*, was a man, etc.

Mr. MILLS. Now, Mr. Chairman, all I have to say is that the platform of the Republican party says that they are in favor of the repeal of the internal-revenue taxes. [Cries of "No!" "No!" on the Republican side.]

Mr. MILLS. Do not interrupt me.

Mr. MILLIKEN. Well, read the platform.

Mr. MILLS. It says that the Republican party is in favor of the repeal of the internal-revenue taxes. It says that it is first in favor of taking the duty off alcohol used in the arts, and if that does not reduce the revenue enough then it says it is in favor of taking off the internal-revenue taxes, and what does that mean but taking the tax off whisky? Now that is what is understood in the country as favoring free whisky. [Murmurs of dissent on the Republican side.]

Mr. Chairman, I am not at all astonished at the tenderness of gentlemen on this question. It is well known that a majority of the gentlemen on the other side, and a majority of the Republican party, have been opposed to the extreme position which was taken at Chicago. It is known that my friend from Pennsylvania [Mr. KELLEY] has represented a minority of his party on this floor, and when the convention at Chicago was lashed and scourged and driven into taking a position

for free whisky, no one sooner than the gentleman from Pennsylvania used the wings of the lightning to congratulate the convention for coming up to the heroic stand which he had taken in advance for his party.

Mr. KERR. I want to ask the gentleman—

Mr. MILLS. Oh, you sit down. [Laughter.]

You were then—

Mr. KERR. I want to ask you—

Mr. MILLS. Oh, you sit down. [Laughter.]

Mr. Chairman, it is well known that when we have hitherto asked gentlemen on the other side of the House to name the articles upon which they were willing to reduce taxation they spoke of rice and they spoke of sugar, but there was not a gentleman on that side of the House who said he was in favor of taking the taxation off whisky. For the first time at Chicago the Republican party came up boldly and defiantly and took the position before the American people in favor of retaining taxation on the necessities of life—on food, on clothing, on the implements of labor, on everything necessary to human existence—and demanded that the Treasury should be emptied of the surplus revenue by taking the tax off whisky. That is the language of their platform; that is the position they have to take before the intelligent judgment of the American people; no amount of disclaimer will be able to satisfy the American people that they do not mean, when they get into power, to reduce internal-revenue taxation, to take the tax off whisky, and, as they are constantly trying to do here during the consideration of this bill, leave the taxation where it is, upon the necessities of life, or increase it.

[Here the hammer fell.]

Mr. KELLEY. As my name has been freely used by the gentleman from Texas [Mr. MILLS], I ask to be heard for a few minutes.

The CHAIRMAN. Debate is exhausted on the pending amendment. If there be no objection, it will be regarded as withdrawn. The Chair hears no objection.

Mr. KELLEY. I renew the amendment. I desire to say, Mr. Chairman, that no man who has read or heard what I have said on the subject of internal-revenue taxation at any time since the close of the war is justified in charging me with being in favor of free whisky. I have never favored it. I have advocated the repeal of war taxes, such taxes as Jefferson denounced as "an infernal system," and which were then repealed at the end of eleven years. I have denounced that "infernal system" which Madison and Monroe hastened to repeal at the end of four years, when such taxes had been again resorted to as a war measure. I have demanded that the Democracy shall walk in the footsteps of the fathers of their party, shall maintain its holiest precedents, by relieving from the supervision of the National Government the fields, the factories, and the orchards of the South. I have demanded that they carry out their platform of 1884, which demanded and promised an abolition of the internal-revenue taxes. Gentlemen on the other side can not deny that it was the promise of the Democracy, in their convention of 1884, to the tobacco-growers, the fruit-growers, the distillers of the South that they should be relieved from national surveillance and supervision in their industry.

I have asked that these great sources of revenue be remitted to the people in the States, and under State law to the municipalities of the States, so that those governments which bear the burden of vice, crime, and insanity shall have whatever revenue may be justly derived from a source so fruitful of crime and misery as the whisky business.

I in favor of free whisky! It is a dire party necessity that prompts the leader of the Ways and Means Committee, with whom I have been so intimate, to make such a charge against me personally or as a representative of my party. A Democrat of old, I stand by the teachings of the founders of the party, of the framers and expounders of its doctrines; and I ask the Democracy to-day to keep faith with the people of the South, who were deluded into the support of that party four years ago by its lying promise to remit the internal taxes. [Applause on the Republican side.]

Mr. SPINOLA. Mr. Chairman, I have listened with a great deal of admiration to the remarks of the gentleman from Pennsylvania [Mr. KELLEY] in regard to the Democracy. So far as he has spoken in a complimentary manner of that ancient party, I of course appreciate his suggestions. But another gentleman sitting beyond him—I do not know exactly from what part of the country he comes—delivered a sort of temperance lecture to the House, and undertook to refute the suggestion that the Republicans of the country, as they have expressed themselves in their convention, are in favor of free whisky. I am of the opinion that the acts of the people—what they do—go a great way towards establishing their reputation and standing before the community. Now, I find in the papers of the day the statement that at the sittings of the convention at Chicago, held a day or two since, there were consumed 31,250 extra barrels of beer. [Applause and laughter on the Democratic side.]

A MEMBER. What Republican paper makes that statement?

Mr. SPINOLA. Now, this looks to me like a very strong piece of *prima facie* evidence that the Republican party is in favor of free rum, with a little honey, perhaps, mixed in, or a little maple-sugar, according to taste. I learn also that a thousand baskets of champagne were



taken to that convention to stimulate and fire it up, to give it the proper spirit, so that it might take the necessary action to present suitable candidates; and, speaking on behalf of this side of the House, I thank them for what they did. Thirty-one thousand two hundred and fifty extra barrels of beer for the benefit of the protectionists—I mean the prohibitionists—of the country is evidence enough to the American people where that party stands. [Laughter.] I wish to read it for the information of the gentleman over there who discovered the missing link. [Laughter.]

A MEMBER. What is the authority which you quote?

Mr. SPINOLA. I read from the Evening Wisconsin, Monday, June 25, 1888, and I will read all the items. [Laughter and applause.]

Several MEMBERS. Let the Clerk read it.

Mr. OWENS. They got it for the visiting Democrats. [Laughter.]

Mr. SPINOLA. Democrats do not visit places of that sort, my friend. [Laughter and applause.] I ask the Clerk to read from the Evening Wisconsin.

A MEMBER. What is the politics of the paper?

Mr. SPINOLA. Republican, of course.

The Clerk read as follows:

BARRELS TO A CAR-LOAD—A FREIGHT AGENT FURNISHES A LITTLE INTERESTING INFORMATION.

"Your convention beer figures were pretty correct," said a freight agent to a Wisconsin reporter to-day, "except that the number of barrels of beer in a car-load is only half as great as the Wisconsin stated. A barrel of beer weighs 350 pounds, while a barrel of flour weighs about 200 pounds. A car-load of flour is about 125 barrels, while a car-load of beer is in the neighborhood of 60 barrels. Figuring on this basis, the gross amount of extra beer sent to Chicago last week was 31,250 barrels."

[Laughter.]

Mr. REED. Mr. Chairman, these two speeches which have been made by the leading Democrats here seem to be on a par with each other, both as to fact and as to inference.

The gentleman from Texas [Mr. MILLS] does not mean to be believed when he says the Republican party is for free whisky, because he knows there would not be enough Democrats left to make up the electoral ticket in half the States of the Union if they had confidence in his statement. [Laughter and applause.]

If he had taken the trouble to read our platform he would have known that his statement is one of those asseverations that are worthy of the dignity of the stump, but not of the position of the chairman of the Committee on Ways and Means of the House of Representatives of this country. [Laughter and applause.]

He knows that the Republican party's position on this subject is too simple to be turned in this way, but he also knows that if the Democratic party should even commence a campaign without a false statement its own friends would not recognize it. [Great laughter and applause on the Republican side.] They have to disguise their own position; with that they have been familiar for years, and they are now trying to disguise ours. [Laughter.]

What we said to the country was that having removed all unsuitable taxation, after having tried every other method consistent with the maintenance of the system of protection, that if then it came to us to choose between the internal-revenue taxes and the protective system we should stand by the system of protection to American industry. [Applause.]

Now, if the gentleman from Texas [Mr. MILLS] means to say he will hang on to the whisky monopoly and give up protection, let him say so, and let him say so openly and manfully, and not get behind miscellaneous sentences which mean both sides—which mean nothing. [Laughter and applause.]

Why here, Mr. Chairman, is a declaration by the Legislature of the State of Virginia, two-thirds Democratic, declaring it is the duty of their representatives to "use their best efforts to secure the immediate repeal of the internal-revenue system, a relic of the war, and no longer necessary to meet the demands of the Government, and because it is oppressive, and fosters monopolies [laughter and applause on the Republican side], and is obnoxious to the interests of our people." [Applause.]

Is the Democratic Legislature of Virginia, two-thirds strong, in favor of free whisky? [Laughter and applause.] The gentleman from Tennessee [Mr. HOUK] will tell you that no Democrat has been elected in his State except upon the pledge to use his best efforts for the repeal of the internal-revenue taxes. Is the Democratic party in Tennessee in favor of free whisky?

Oh, the gentleman from Texas had better remember the position he occupies in this House, and disport himself with those things when he finds himself on the far off pampas of his own Texas. [Laughter and applause on the Republican side.]

Mr. WEAVER. In order that there may be no mistake as to the proper interpretation of the platform recently adopted by the Republican convention at Chicago concerning the internal-revenue taxes, I send forward to be read in my time an editorial article under the head of "A grave blunder in the platform," which I find in the Chicago Tribune of June 23.

[Cries of "Oh!" on the Republican side, and derisive laughter.]

Mr. MILLIKEN. That does not hurt us.

Mr. WEAVER. Well, it seems to hurt you, and will hurt you a good deal more during the campaign, so that you will cry out much louder than you are doing now. [Applause on the Democratic side.]

Mr. MILLIKEN. Why do you not quote from yourself? You may as well give us one of your own speeches.

Mr. WEAVER. Because I propose out of your own mouths to condemn you.

Mr. MILLIKEN. This is not our mouth; it is your own.

Mr. WEAVER. It is a leading Republican organ of the Northwest, and you can not get away from it.

Mr. MILLIKEN. Oh, no.

Mr. JACKSON. Send up the platform itself if you want authority.

Mr. WEAVER. Let it be read. It contains your plank on the subject under consideration.

The Clerk read as follows:

The Tribune does not propose at this time to enter into any discussion of the Republican tariff plank; but desires before it is too late to ask the attention of the delegates to the extraordinary demand for the repeal of the whisky tax. The platform first declares in favor of repealing the tax on alcohol used in the arts and for mechanical purposes—a policy which has always been met with the objection that it would be impossible of enforcement on account of frauds, and would amount virtually to free whisky. However that may be, the platform goes on to declare further:

"If there should still remain a larger revenue than is requisite for the wants of the Government, we favor the entire repeal of internal taxes [whisky and tobacco]."

Mr. FARQUHAR. I ask if those words are not in brackets, and if they are not interpolated into that clause of the platform?

Mr. WEAVER. Let the Clerk continue the reading.

Mr. FARQUHAR. I want it to be read properly. Let us know the facts. [Cries of "Regular order!" on the Democratic side.]

The Clerk continued the reading, as follows:

rather than the surrender of any part of our protective system at the joint behest of the whisky trust and the agents of foreign manufacturers."

Four years ago the Republican party pledged itself to correct the inequalities of the tariff and reduce the surplus. Now, it is made to demand the placing of whisky and tobacco on the free-list in order to prevent any reduction of the surplus by correcting any inequalities of the tariff or by reducing the sugar tax. The Republican tariff platform of 1884 in substance declared:

"The Democratic party has failed completely to relieve the people of the burden of unnecessary taxation by a wise reduction of the surplus. The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus."

Is putting whisky on the free-list an honest redemption of this pledge?

Mr. WEAVER. Now that certainly is entitled to great weight. In the first place it gives the platform word for word on that subject in connection with the internal-revenue taxes, and then follows the comment of the editor. I repeat, this is from one of the leading Republican newspapers of the Northwest. [Cries of "Oh, no!" on the Republican side.] It is not only correct in its interpretation, but it cites the language of the platform, so that there can be no disputing it.

What is the difference between the two sides of the House? The Republicans say they want imports "checked"—that is the language used—checked upon all articles that can be produced in this country. Not which are produced, but which can be produced. Then they want, rather than abandon the protective policy, such legislation as will repeal the internal-revenue taxes. If that does not include whisky and tobacco, what does it include? It also includes the repeal of the oleo-margarine tax which was enacted by the last Congress for the benefit of the farmers and dairymen of this country. Gentlemen, do not undertake to shirk the issue. Stand up like men. It is impossible to get away from the plain issue presented. You can not run away from it. We accept the issue on this subject, and will go to the people confident of the result. [Applause on the Democratic side.] There should be no shuffling—

Mr. WISE. Will the gentleman yield to me for a moment?

Mr. WEAVER. Yes, sir.

Mr. WISE. I am a Democrat, and I am in favor of the repeal of the tobacco tax. [Applause on the Republican side.]

Mr. TOWNSHEND. Well, this bill provides for that.

Mr. WISE. But the gentleman mentioned the tobacco tax as if it was a test.

Mr. WEAVER. Certainly; but this bill makes provision for that and takes off a part of that tax.

Mr. WISE. And if there is to be debate on that subject, I want to be heard myself.

Mr. WEAVER. I want to say to the gentleman from Virginia that his position in favor of the repeal of the internal-revenue taxes is not in harmony with this bill.

Mr. WISE. My position is in harmony with the national Democratic platform of 1884. [Applause and laughter on the Republican side.]

Mr. WEAVER. I want to ask the gentleman if he is not standing upon his platform of 1888?

Mr. WISE. But the platform of 1888 indorsed the platform of 1884.

Mr. WEAVER. Then of course you stand upon it?

Mr. WISE. I stand where I have always stood, in favor of the repeal of the tobacco tax.

Mr. WEAVER. Then you are all right. We do repeal a great part of it in this bill. It is one of the last taxes I would repeal, because

it is a voluntary burden. The tax-payer can exempt himself from the burden at any time by simply quitting the use of the weed.

[Here the hammer fell.]

Mr. FARQUHAR rose.

Mr. MILLS. I move that the committee now rise.

Mr. FARQUHAR. I want to make a correction before that motion is considered. When this editorial was read at the suggestion of the gentleman from Iowa I called attention to the fact there was an interpolation in that part of the platform which was quoted. I think it is entirely unfair to this House to have an article read in this manner when there is no possibility of making verbal correction, even where the error is so palpable.

But, sir, I want to call the attention of this House now to a piece of sophistry—I was about to say an exhibition of cowardice—manifested in the article which is quoted from the Tribune, a paper for which I have great respect, having been an employé on it for many years. When the gentleman from Iowa sent up one of the planks of the Republican platform to be read, and permitted it to be read without calling attention to the fact that there is an interjection of a private opinion incorporated or interpolated into the platform, I say it is unfair and should not be permitted to stand in the RECORD in that shape.

I now ask the attention of the House for one moment, with the permission of the gentleman from Texas [Mr. MILLS]. I simply desire to read the platform as it stands:

If there should still remain a larger revenue than is requisite for the wants of the Government, we favor the entire repeal of internal-revenue taxes rather than the surrender of any part of our protective system at the joint behests of the whisky trusts and foreign manufacturers.

The Tribune publishes that plank, but in publishing it the editor interjects in brackets, after the words "internal-revenue taxes," the words "whisky and tobacco," which are not named in the platform. That is merely the inference of an individual and a sophistry from beginning to end. I am astonished that the gentleman from Iowa [Mr. WEAVER], who is generally fair, should ever permit such an interpolation to be read from the desk of the American Congress. That is a question that belongs to the Republican party. It does not belong to Mr. Medill or to any man to say what is meant by the language. If the platform is to be read before this House, let it be read in a manly and fair way, and not in a catch-penny manner.

Mr. WEAVER. It was read as published, interpolations and all.

Mr. FARQUHAR. Most certainly; but no attention was called to the interpolation that an editor had put his views into the Republican platform.

Mr. WEAVER. Let me ask you a question to show that Mr. Medill is perfectly fair. Do not the internal-revenue taxes include whisky and tobacco?

Mr. FARQUHAR. Most certainly they do.

Mr. WEAVER. Was not the interpolation exactly in accordance with the meaning of the platform?

Mr. FARQUHAR. Not when you take the generic sense of the platform. Let me tell you I have helped to write too many platforms not to know how to construe them. I say it is not fair to take a secondary conclusion and interject your own opinion.

Mr. WEAVER. I will ask you if you are in favor of the repeal of the internal-revenue taxes?

Mr. FARQUHAR. I am.

Mr. WEAVER. I am not.

Mr. FARQUHAR. When I say that I do not come down to free whisky. There is no man on this side who takes that view. No man here looks for free whisky. But let me tell the gentleman from Iowa [Mr. WEAVER] if he ever does see a Republican House the whisky trusts will be taken care of.

Mr. WEAVER. I have no doubt that side of the House will try to give the people free whisky, and therefore relieve them from the whisky trusts. But why do you not come in and relieve them from the trusts on clothing and the necessities of life? [Applause on the Democratic side.]

Mr. FARQUHAR. Your want is cheap wages.

Mr. MILLIKEN. Why do you not relieve us from the sugar trusts? We would like to be relieved from those.

Mr. MILLS. I move the committee now rise.

The question was put, and there being doubt as to the result of the vote, a division was called for.

The committee divided; and there were—ayes 112, noes 2.

So the motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* (Mr. BLOUNT) having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, had come to no resolution thereon.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. FORNEY. I am directed by the Committee on Appropriations to report back the legislative, executive, and judicial appropriation bill with the Senate amendments, with various recommendations.

The Clerk read the report, as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 9377) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1889, and for other purposes, together with the amendments of the Senate thereto, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate numbered 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 39, 40, 41, 42, 43, 53, 54, 57, 63, 64, 65, 66, 70, 71, 89, 90, 101, 102, 107, 131, 132, 133, 141, 148, 161, 162, 163.

They recommend non-concurrence in the amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 28, 34, 35, 36, 37, 38, 44, 45, 46, 47, 48, 49, 50, 51, 52, 55, 56, 58, 59, 60, 61, 62, 67, 68, 69, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 164, 165, 166, 167, 168, 169, 170, and 171.

Mr. FORNEY. I move the adoption of the report, and ask the previous question on it.

Mr. BURROWS. Has the statement been read?

The SPEAKER *pro tempore*. This is not a conference report.

The motion of Mr. FORNEY was agreed to, and the report was adopted.

#### CONTINUING APPROPRIATIONS.

Mr. RANDALL, from the Committee on Appropriations, reported a joint resolution (H. Res. 187) to provide temporarily for the expenditures of the Government; which was read a first and second time, as follows:

*Resolved by the Senate and House of Representatives, That all appropriations for the necessary operations of the Government under existing laws which shall remain unprovided for on the 30th day of June, 1888, be, and they are hereby, continued and made available for a period of thirty days from and after that day, unless the regular appropriations therefor provided in bills now pending in Congress shall have been previously made for the service of the fiscal year ending June 30, 1889; and in case the appropriations, or any of them, hereby continued are or is sufficient to carry on the said necessary operations, a sufficient amount is hereby appropriated out of any money in the Treasury not otherwise appropriated to carry on the same: Provided, That no greater amount shall be expended therefor than will be in the same proportion to the appropriations for the fiscal year 1888 as thirty days' time bears to the whole of said fiscal year: Provided further, That authority is also granted for continuing during the same period the necessary work required for public printing and binding and for all other miscellaneous objects embodied in the sundry civil, army, District of Columbia, legislative, executive, and judicial, and naval appropriations acts in advance of appropriations to be hereafter made for said objects: And provided further, That all sums expended under this act shall be charged to and be deducted from the appropriations for like service for the fiscal year ending June 30, 1889.*

Mr. RANDALL. If there be no objection, I now demand the previous question on the engrossment and third reading of the joint resolution.

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

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

The latter motion was agreed to.

#### RELIEF FROM THE CHARGE OF DESERTION.

The SPEAKER *pro tempore*. The Chair will appoint as conferees on the part of the House on the disagreeing votes of the two Houses on the bill (H. R. 1508) to relieve certain appointed and enlisted men of the Navy and Marine Corps from the charge of desertion, Mr. BUTTELLE, Mr. WISE, and Mr. HERBERT.

#### TARIFF.

Mr. BRECKINRIDGE, of Arkansas. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of House bill 9051.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. Debate upon the pending amendment is exhausted. The Chair will assume that the formal amendment is withdrawn.

Mr. BUCHANAN. I renew the amendment. I renew it not *pro forma*, but because I desire to have this clause stricken out unless I can have information upon the subject different from what I now possess.

The CHAIRMAN. The Chair had intended to recognize first the gentleman from Illinois [Mr. CANNON], but will recognize the gentleman from New Jersey later.

Mr. CANNON. I move to strike out the last word. Mr. Chairman, every instrument, including platforms, must be taken together as a whole, and each section and provision must be construed in the light of every other section and provision, and must be read in the light of the loves, hopes, actions, and history of the party making the platform. By the platform adopted at Chicago I am willing to stand, or by it fall; but I am not willing that a sentence here or there shall be picked out and separated from other sentences and a false construction placed upon it by the gentleman from Texas [Mr. MILLS] or any other enemy, and that we be compelled to accept such construction. So when the gentleman from Texas says that the platform commits the Republican party to "free whisky," I deny it.

The Secretary of the Treasury estimates that after the ordinary



expenses of the Government are paid for the year 1888 under existing law and appropriation for that year there will still remain in the Treasury of the revenues collected for that year \$66,000,000. Now what does the Republican platform pledge the Republican party to do if it comes into power? Amongst other things, it demands appropriations. For what? "For the rebuilding of our Navy." It means such a navy that will command respect at home and abroad, sufficient to strengthen our diplomacy, sufficient to enforce all just demands, either touching the person or property of the citizen. Such a navy, when completed, would cost at least \$50,000,000. It also demands appropriations "for the construction of coast fortifications and modern ordnance, and other approved modern means of defense for the protection of our defenseless harbors and cities." Such fortifications, ordnance, and means of defense, when completed, would cost at least \$50,000,000 more.

The platform also demands appropriations "for the payment of just pensions to our soldiers." Such appropriation includes not only pensions to all honorably discharged soldiers of the late war who are disabled and dependent upon their labor for a support, but such pledge will not be satisfied until every worthy soldier of the late war is at least placed upon as good a footing as the soldier of the Mexican war; that is, by law placed upon the pension-roll at the age of sixty-two, whether disabled or not, for at least \$8 per month. The keeping of this pledge will at least add to the annual expenditure \$25,000,000 per annum, and may exceed it. Now, in light of these pledges of appropriation and legislation contained in the Republican platform, listen to the reading of the section touching the reduction of internal and tariff taxation, as follows:

The Republican party would effect all needed reduction of the national revenue by repealing the taxes on tobacco, which are an annoyance and burden to agriculture, and the tax upon spirits used in the arts and for mechanical purposes; and by such revision of the tariff laws as will tend to check imports of such articles as are produced by our people, the production of which gives employment to our labor, and release from import duties those articles of foreign production (except luxuries) the like of which can not be produced at home. If there shall still remain a larger revenue than is requisite for the wants of the Government, we favor the entire repeal of internal taxes rather than the surrender of any part of our protective system at the joint behest of the whisky trusts and the agents of foreign manufacturers.

It says when we can safely reduce taxes. First, take the tax off tobacco, which amounts to \$30,000,000 per annum. That is contrary to the President's message, but you Democrats, while you indorsed his message at St. Louis, repeal the tobacco tax by the Mills bill and then indorsed the Mills bill also at St. Louis in your platform. There is consistency for you!

Next, the Republican platform says that if further reduction is necessary the tax shall be taken off "spirits used in the arts and for mechanical purposes;" this would reduce the revenues at least \$6,000,000 more per annum. Next, the Republican platform says in substance that the tax shall be taken off articles imported that can not be produced in this country (except luxuries). A fair construction of this provision in the platform will give you over \$1 per capita by the removal of the tariff upon sugar, amounting to a decrease of \$60,000,000 per annum on that article alone, and this, too, before you touch the internal tax upon spirits.

Now, when all these things are accomplished, amounting to a very large sum of money, if there is still need of further reduction, and we are obliged to choose between attacking the protective system, the wages of labor and the prosperity of the country on the one side, and a reduction of internal-revenue taxation on the other, then, and not till then, after all these things have been accomplished, the Republican party places itself upon record as favoring the further removal of internal taxation rather than to interfere with the wages of labor and the diversity of the industries of the country. That is the position of the platform plainly and truthfully stated. The country will pass judgment upon the platform, in view of all it says, and not upon a distorted representation of a part of what it says by the gentleman from Texas.

Mr. MILLS. We have given gentlemen on the other side "the last word;" and I think we should now close this debate. I ask for a vote.

Mr. BUCHANAN. I move to strike out these two lines.

Mr. MILLS. I move that the committee rise for the purpose of closing debate.

Mr. BUCHANAN. I do not offer this amendment with the view of engaging in any general discussion. I desire to get back to the bill.

Mr. MILLS. All right.

Mr. BUCHANAN. The gentleman must have observed that in all I have said I have always kept to the text of the bill. I deprecate these side excursions as much as the gentleman from Texas can.

Mr. MILLS. Go ahead.

Mr. BUCHANAN. I move to strike out these two lines; and I do so because, according to my information, chicory root is used for the purpose of adulterating the cheaper kinds of coffee. I would like to ask the chairman of the Committee on Ways and Means whether it is used for any other purpose.

Mr. MILLS. I do not know of my own knowledge whether it is used for any purpose except to make a drink something like coffee.

Mr. BUCHANAN. Chicory root contains no nutriment; it is a fraud; it is used, as I have said, for the purpose of adulterating the

cheaper kinds of coffee, which are sold to our laboring classes. This article, instead of being admitted free, should be prohibited. In the very next paragraph I find the bill proposes to put upon the free-list—Acorns and dandelion root, raw and prepared, and all other articles used or intended to be used as coffee or substitutes therefor, not specially enumerated or provided for.

If members of this House will take the pains to read the proceedings of the different conventions held in Washington from year to year, assembled with the view of securing measures to protect our people against adulterations of their foods and their drink, they would see the necessity of raising the bars higher against this class of frauds rather than lowering them. If chicory is used for any other purpose than I have stated, if it is used for any useful purpose, let that class of chicory be excepted and put upon the free-list; but let us not admit free this article which comes in as a fraud, which as chicory root sells for 6 or 7 cents a pound, but which, after being mixed with coffee, is sold at coffee prices to persons who think they are buying coffee. Let us do what we can to prohibit such business. For the reasons I have stated I move to strike out the paragraph.

Mr. MILLS. Chicory root is used as a coffee substitute now, when there is a duty upon it; it will still be used as a coffee substitute after the duty is taken off—but the poorer class of people, who can not afford to pay the higher prices for pure coffee, will, when this duty is removed, get the substitute a little cheaper than now.

Mr. BUCHANAN. But the substitute is worthless to them, and they are cheated in buying it. They think they are buying coffee.

Mr. MILLS. That is their business, not mine.

Mr. BUCHANAN. This article of adulteration is sold as coffee at coffee prices; it is not a substitute; chicory is a cheat, a fraud, a delusion, a snare—an incarnate lie.

[Here the hammer fell.]

The CHAIRMAN. Debate is exhausted.

Mr. KELLEY. I renew the amendment.

Mr. MILLS. I move that the committee rise. I gave notice of this motion a short time ago.

Mr. KELLEY. I desire to say a word on the merits of this amendment.

Mr. MILLS. Well, I yield to the gentleman. When he has concluded I will ask for a vote.

Mr. KELLEY. Mr. Chairman, I have for many years endeavored to ascertain any other use to which chicory is applied than as a substitute for coffee; I have never been able to learn one.

Mr. BUCHANAN. It is not a substitute; it is a fraud.

Mr. KELLEY. It is not sold raw; it is sold burned or browned and ground. In every package which the poor people buy of what they believe to be browned coffee chicory is a chief ingredient. It has not the qualities of coffee. Among epicures, I believe, it is supposed to soften the harsh flavor of very green coffee; but the use of this article, so far as concerns the mass of the people, has the effect of depriving them of that which they suppose they are buying for use at the morning meal to invigorate them for their work. This article, as the gentleman from New Jersey has suggested, is a sheer fraud; there is no pretense that it is anything else. You require oleomargarine to be sold by its name, and such a requirement is proper; yet you propose now to offer a bonus for fraudulently adulterating all the coffee consumed by the poor, by means of an article which is not at all kindred to coffee.

The question being taken on the amendment of Mr. BUCHANAN, it was not agreed to, there being—ayes 60, noes 80.

Mr. BAYNE. I ask that we now recur to the amendment which was passed informally in regard to German looking-glass plates.

The CHAIRMAN. The gentleman from Pennsylvania calls up the amendment submitted by the gentleman from Texas [Mr. MILLS], which will be read.

The Clerk read as follows:

After line 132, insert:

"German looking-glass plates, made of blown glass, silvered."

Mr. BAYNE. Mr. Chairman, I wish to submit a remark or two on this subject. In the first place, I have here a letter from a glass manufacturing establishment in my district, not only protesting against the reduction of the duty on this article, but asking for an increased duty. These gentlemen say:

We ask an increase on silvered glass, because enormous quantities of silvered German plate are annually imported at such a figure that they can not be manufactured here on account of the low duty placed upon them. Besides, they also keep out of the market a similar quantity of silvered plate-glass of home manufacture.

As admitted by the gentleman from Michigan [Mr. FORD], the blown glass polished, which when 24 by 60 inches square, is to pay a duty of 15 cents a square foot, and all above that 25 cents a square foot, is a very high order of glass—a quality next to plate-glass—the difference between it and plate-glass being that the plate-glass is somewhat thicker; but for looking-glass purposes this blown glass polished is as good as, if not better than, plate-glass, because it is much lighter. It answers every purpose of plate-glass for looking-glass purposes.

I am told in Germany this glass is blown, and after having been blown and made flat is handed over to poor women who take it to their



homes and polish it and silver it; and these women work for from 20 to 30 cents a day.

I am told, moreover, that the expense of silvering is trifling compared with the value of the glass, and if this proposition goes into the bill a large quantity would be imported for looking-glass purposes. When imported the silver could be easily removed and the glass could then be used for ordinary purposes.

Mr. Chairman, the bill provides that polished cylinder and plate-glass of certain dimensions shall pay certain duties, and when the dimensions are greater the duty is increased.

If this proposition be admitted into the bill silvered glass of all sizes and thicknesses can be imported into the United States free of duty, and if such glass be desirable for looking-glass purposes the silver can be left on; but if it may be desired for other uses the silver can be removed.

The CHAIRMAN. The gentleman's time has expired.

Mr. BAYNE. I ask for five minutes more to explain this.

The CHAIRMAN. Is there objection?

There was no objection, and it was so ordered.

Mr. BAYNE. Now, Mr. Chairman, it must be perfectly evident to everybody if the silver can be removed and their glass can be used as a substitute for plate-glass, it will drive out to a very great extent the home product, and to how great an extent no man can tell. It will supplant, in all probability, both the plate-glass and ordinary window-glass.

That must be plain to everybody. If the cost of polishing and silvering be trifling, such inevitably must be the result.

Are the gentlemen who prepared this bill willing a proposition shall be inserted which is susceptible of such an abuse? Are they willing the plate-glass establishment in Missouri, the plate-glass establishment in Indiana, the plate-glass establishments in Pennsylvania, and the ordinary establishments in all these States and in New Jersey, Ohio, and elsewhere shall have their business cut off by the introduction into this bill of a proposition susceptible of such abuse?

Is any gentleman on that side of the House prepared to say it is not a practicable matter? Is any gentleman prepared to say that glass silvered and polished when brought into the country can not be used for other than looking-glass purposes? If you are not prepared to say that, you ought not to embrace in this bill such a proposition. It should not be done in reference to any glass. When you make other descriptions of glass pay a graded duty, why should you incorporate into the bill a feature which would drive out of use both the higher and the lower grades of glass to an extent which no man can foresee?

Gentlemen, I consider this is a proposition fraught with serious peril to the glass industries of the country. I trust it will be voted down. If it is not voted down it should be amended to make it clear.

In addition to that, there is not a single thing which the American manufacturer of glass can not supply. He can make all the glass needed for the furniture men in Chicago and elsewhere. I understand we are able to produce any quantity or quality required.

It seems because there is a large furniture establishment in a Democratic district represented by the gentleman from Michigan, and because that establishment wants this glass to come in free for its uses, there is to be a discrimination, while every man else throughout the country, the man who builds a house through whose windows God's sunlight streams upon a humble repast—

A MEMBER. What is that?

Mr. BAYNE. I use the language of J. Randolph Tucker. I say every man, however poor, is obliged to pay a duty of 15 cents a square foot if he imports the glass for such a house, and if he imports larger panes for his parlor, 25 cents a square foot. But the big furniture establishments are to get theirs in free.

[Here the hammer fell.]

Mr. FORD. Mr. Chairman, I move to strike out the last word.

I am somewhat surprised to find from the remarks of the gentleman from Pennsylvania that he seems to be laboring under a singular misapprehension with regard to this whole question, and particularly so as he comes from a State which manufactures annually in the neighborhood of from two and a half to three million dollars' worth of glass.

The object sought to be attained by the amendment now pending is to put a certain class of looking-glass plates upon the free-list. And if this amendment prevails it will not interfere with a single glass manufacturer in the United States, and I believe I can demonstrate that proposition to the satisfaction of the gentleman from Pennsylvania before I conclude.

This amendment has been solicited by the furniture manufacturers of the United States, not, as the gentleman from Pennsylvania seems to suppose, the manufacturers from a Democratic district or any other district of the State of Michigan; and if I mistake not—I will not be positive on this point, but I have an impression that there is a concern engaged in the manufacture of furniture in the city of Pittsburgh whose name appears appended to the memorial presented to this House asking the adoption of the amendment now before the committee.

These manufacturers are not all of one political faith. Many of them are Republicans and believe in the system of taxation advocated by gentlemen on the other side of the House.

For about fifteen years we have had a duty on German looking-glass

plates, the object being, as we have been informed, to encourage this branch of manufacture in the United States. But the effort has not met with success, for during that whole period not one foot of this glass has been manufactured here, and it must be remembered that it is not the price of the glass which interferes, but because nature has not specially fitted our country for this industry, and there are natural conditions which prevail to such an extent that this character of glass can not be manufactured here. It is not the price of labor that prohibits it. It is prevented from entirely different causes. And I do not believe any amount of tariff would have the effect to establish the manufacture of these plates here.

Mr. Chairman, the German looking-glass plates to which the amendment refers are highly polished glass plates, utterly unfit for ordinary use. They are only used in mirrors. In order to produce a fine mirror a cheap plate of glass can not be used, and for the reason that the moment you put the quicksilver upon the back of the glass every defect in the glass is at once developed.

Now, the gentleman from Pennsylvania seems to fear that if German looking-glass plates were put upon the free-list the silver on the back might be scraped off and the glass used for domestic purposes as ordinary window-glass, coming in competition with window-glass manufactured in the United States. Why, Mr. Chairman, that idea will scarcely be pressed, I imagine. It is not worthy of consideration. The amount of silver is exceedingly small on a plate of glass. Take, for instance, an ordinary German looking glass plate of the average size, say 30 by 24 inches. The price paid in the city of New York, including the duty, is \$3.02; deducting the tariff, which would be about 50 cents, it would leave the price of the glass plate a little over \$2.50 each if there were no tariff on them. Now, let us assume that the silver is scraped off. That will add an expense of from 15 to 25 cents, probably. Put it at 25 cents, and it would leave the cost of the glass plate \$2.25. What is the market value of an American window-glass of that size to-day? It is exactly 47 cents. It is manifest, therefore, that there can be no competition in this respect.

[Here the hammer fell.]

Mr. HIRES. Mr. Chairman, I understand the object of this amendment, although I was not present when it was read, is to permit the introduction of German silver looking-glass plates free of duty. I would like to call attention to the fact that under the operation of the present law all cylinder and ground glass, polished, not exceeding 10 by 15 inches square, pays a duty of 2½ cents per square foot, and all glass above that, and not exceeding 16 by 24 inches, pays 4 cents a square foot.

This is the identical glass which is termed looking-glass plates; and if I am correctly informed the moment you remove the duty from this kind of glass it will be imported free of duty and will be the substitute for the American plate-glass which is now being largely made in this country; and also of the American manufacture of blown glass. I will admit there is a great difference in the price, as my friend from Michigan [Mr. FORD] says; but notwithstanding the price, the superior quality of this glass, which, when it is polished, is the finest glass made, would cause it to be largely substituted for our own American glass.

Mr. FORD. Does the gentleman mean window glass?

Mr. HIRES. Yes.

Mr. FORD. Do you suppose a man who could buy window glass for 47 cents would discard it and pay \$2.50?

Mr. HIRES. I will only say as a dealer in this article that oftentimes people will get quotations, and where the difference is no greater than it would be here they would take this polished cylinder glass in preference to American double-thick. Not but what the price is greater, but that the difference in quality would be an inducement to use that kind of glass.

I think, Mr. Chairman, this amendment if passed would be very detrimental to the manufacturer and also to the honest importer. I sincerely hope it will not pass.

The Chair put the question on the amendment, and was in doubt as to the result.

Mr. BAYNE. I call for a division.

The committee divided, and there were—ayes 62, noes 31.

So the amendment was adopted.

Mr. JOSEPH D. TAYLOR. I rise to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOSEPH D. TAYLOR. I have received a couple of telegrams calling my attention to certain articles, which I wish to add at this point—pressed and ornamental brick. I wish to know if I can offer an amendment at this time? There was a similar amendment made yesterday to embrace several kinds of brick. I now want to move an amendment at the end of line 132 to that effect, in the same place where the present amendment occurs.

Mr. MILLS. We have passed that point.

The CHAIRMAN. The line has been passed.

Mr. JOSEPH D. TAYLOR. Then I ask unanimous consent to return to that line.

Mr. MILLS. I object.



The Clerk read as follows:

Acorns and dandelion root, raw or prepared, and all other articles used, or intended to be used, as coffee or substitutes therefor, not specially enumerated or provided for.

Mr. BUCHANAN. Mr. Chairman, I move to strike out that paragraph. I do it for the reasons which I stated as applying to the preceding paragraph. I will only say in addition to what I said then that here the fraud becomes still more apparent. I would ask any member of this House if he ever knew a person to go to a grocery store and ask for a pound of acorns. I would ask any member of this House if any groceryman ever sold acorns as acorns; if he ever sold dandelion root mixed with coffee as anything but pure coffee. These things are not substitutes for coffee; they are frauds on coffee and frauds on the coffee buyers. The amendment by which I attempted to strike out the other fraud was rejected by a unanimous vote upon the other side against striking it out and a unanimous vote on this side in favor of striking it out.

Now, I want to know whether the gentlemen upon the other side can afford to stand up here with united front and say to the buyers of coffee in this country: "Sirs, we will allow these gentlemen who adulterate the article which you buy as coffee and at coffee prices the free run of the American market." Instead of putting these adulterations on the free-list they should be prohibited or put at such a high rate of duty as would be practical prohibition. If this has not been done in the past it ought to be done now. Talk about these being substitutes for coffee; they are never sold for anything but coffee. It may be the bill is consistent in putting these things upon the free-list. It may be that the operation of this bill if it became a law would be such as to reduce the American laborer to the dire alternative of drinking a decoction of acorns and dandelions or living upon acorn-juice instead of taking healthful and nutritious coffee.

But I want to say to the gentlemen on the other side that this bill in the shape it stands will not become a law. Thank God, if American industries can not be protected in one end of this Capitol they will receive protection at the other end. The American workman asks for coffee; you offer him acorn-juice and dandelion-root soup; but, sirs, he spurns your offer and will insist upon having his coffee.

To return to the exact proposition before us, here is a proposition to favor the introduction into this country of substitutes for coffee which are never sold as substitutes, but are sold as coffee and at coffee rates. It ought to be struck out.

Mr. MILLS. I call for a vote.

Mr. JOSEPH D. TAYLOR rose.

The CHAIRMAN. If no one desires to oppose the amendment the Chair will have to recognize the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

Mr. JOSEPH D. TAYLOR. Mr. Chairman, since the line concerning brick was passed—

The CHAIRMAN. Will the gentleman offer a *pro forma* amendment?

Mr. JOSEPH D. TAYLOR. Yes, I move to strike out the last word.

Since the line concerning brick was passed I have received two telegrams from the city of Zanesville, Ohio, 25 miles from where I reside, calling my attention to the fact that there are in that city two firms—and I know both of them very well, and have dealt with both of them—who are engaged in manufacturing and shipping brick.

They ship largely to the North and Northwest, where they would come in competition with Canada brick in case brick are placed on the free-list. They manufacture the best quality of pressed, ornamental, and front brick, and are entitled to some consideration at your hands. They manufacture 30,000,000 brick a year, worth at the place where they are manufactured \$200,000.

These two firms, T. B. Townsend & Co. and W. B. Harris & Bro., have built up this large industry, which now yields an annual product of \$200,000 a year, at great expense, and should not be subjected to a foreign competition which may destroy some of their best markets, especially those bordering on Canada, where cheaper labor can be had.

This \$200,000 is substantially all labor. As the gentleman from New Jersey [Mr. BUCHANAN] stated last evening, the manufacture of brick is mainly done by hand labor. Very little machinery is used. The only material of any considerable value is pure clay. Hence this \$200,000 is substantially all labor, and you can estimate for yourselves how many persons are probably employed in a business like this which amounts to \$200,000 a year. They make pressed and ornamental brick, and sell them at Cleveland, Toledo, Chicago, and other Northwestern cities. I remember very well that when this business was first started they negotiated with the Baltimore and Ohio Railroad Company for cheap freights.

They said it was a new business, a mere experiment; there was no considerable demand for this kind of brick in Zanesville, and hence when they entered into the business they expected to ship their brick to distant cities, and they secured an arrangement by which they got very cheap freights for the first year or two. They have in this way built up an immense business, and are now making thirty million brick

a year, and of course they have a large amount of money invested in their business. They manufacture the very best quality of expensive brick, and many of the largest and best blocks in Toledo, Chicago, St. Louis, Cincinnati, and other cities are built of Zanesville brick.

These brick are widely known in the market as being of good quality; but if this bill should become a law the industry would be stricken down, because they could not make and sell their brick on the Canadian border in competition with brick made on the other side of the line, where labor costs not more than one-half or two-thirds as much as it does in Ohio. And, in this connection, I wish to say a word in reply to a remark made last evening, to the effect that the Western brick-yards do not pay as much wages as are paid for other kinds of labor.

In my town, in my county, in my district, and wherever I have known brick to be made in Ohio, the brick-yards pay the same wages that are paid in other like kinds of work. I can not understand why a man would consent to go into a brick-yard and work for one-half or two-thirds of the compensation that he would get in some other similar kind of work, and I think the gentleman who made the statement was mistaken. Let me add, that where I live machines are not employed in this business to any considerable extent. The work is done by hand, and there are thousands of men in Ohio engaged in making brick, and I can not understand why they are not as much entitled to protection as any other class of men; but they will not be protected in case this bill becomes a law.

The manufacture of the best quality of pressed, ornamental, and other front brick which has grown up in this country to such large proportions, should not be imperiled by opening the doors of importation as is done by this bill. It means to destroy this industry in some localities, and to endanger it in others; it means to turn thousands of men out of employment, to send large sums of money out of the country for no other purpose than to let foreigners import into this country free of duty. This amendment has already been voted down as is every amendment made by this side, but I desired to present these facts.

Mr. Chairman, I withdraw my *pro forma* amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from New Jersey [Mr. BUCHANAN].

Mr. MILLS. Does the gentleman withdraw that amendment?

Mr. BUCHANAN. No, I do not. Of course I do not withdraw it. The amendment was rejected—ayes 47, noes 63.

The Clerk read as follows:

Cocoa prepared or manufactured

Mr. KERR. Mr. Chairman, I desired a while ago to obtain the floor to answer the gentleman from Texas, and I now move to strike out the line which the Clerk has just read. The gentleman from Texas [Mr. MILLS] accused this side of the House of being in favor of free whisky.

Mr. MILLS rose.

Mr. KERR (to Mr. MILLS). Do you wish to say anything?

Mr. MILLS. I simply wish to remark that what I said was that your party was in favor of freeing whisky of the internal-revenue tax.

Mr. KERR. That is a different proposition.

Mr. MILLS. That is what I said at the time.

Mr. KERR. Oh, no. I am very glad that you have made the modification.

Mr. MILLS. That is what I said all the time, and I referred to your platform.

Mr. KERR. If that is the gentleman's position, I am willing to concede that his statement is true in so far as I am concerned. [Applause on the Republican side.] I do not believe that this Government can safely pursue a policy that was repudiated by the great fathers of the Republican party and by the early Democratic party of this country. I believe that all the taxes necessary to carry on our Government economically administered can be raised by a revenue tariff so adjusted as to afford protection to every American industry. That was the position of the Republican party in 1860, and that is the position of the Republican party to-day. The Democratic party held that position until this Congress, and in 1884 they declared that sufficient revenue to carry on the Government economically administered, including pensions and interest and principal of the public debt, could be raised by such a tariff. The gentleman from Michigan [Mr. TARNSEY], who was on that platform committee in 1884, made the statement in this House on the 24th of last April that that proposition adopted at Chicago was understood to leave no room for the internal system of taxation in this Government, and the gentleman from Virginia [Mr. WISE] upon this floor has emphasized that position.

That is the position of the Democratic party of North Carolina as repeated in all of its State platforms for years, and it is the position of every Democrat who stands by the early teachers of his party. Now, Mr. Chairman, the first divergence from that theory was by the present President of the United States, who was elected upon that platform, and who declared at the opening of this session that no one was in favor of repealing any portion of the internal-revenue taxes.

That position has been indorsed by the Democratic party. The Mills bill, which repudiates that position and takes the tax off tobacco, has

been indorsed. In addition to that, they indorse the position of the party in 1884, which repudiates both positions, and embodies what I now assert to be the true position.

[Here the hammer fell.]

Mr. KERR. I would like two or three minutes more.

Mr. MILLS. I hope we shall adjourn this political discussion.

Mr. KERR. If I can be allowed two or three minutes more I shall be done with it.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to occupy two minutes.

Mr. MILLS. I take the floor and yield two minutes to the gentleman.

Mr. KERR. Mr. Chairman, the gentleman from Iowa [Mr. WEAVER] was the leading exponent of the prohibition sentiment of our State ten years ago, and as a man in favor of that sentiment I sympathized with that gentleman when he was at that time a leading candidate for governor. Unfortunately for the party—possibly unfortunately for the gentleman, though I do not know as to that—the majority of the people of my State did not agree with that portion of the people who wanted to make him governor, and since that time he has not been with us upon that question. [Laughter on the Republican side.] He stands up here to-day against the unanimous sentiment of the Prohibitionists of this country, repudiating the doctrine that they have asserted North and South, in favor of divorcing the Government from this system of taxation which seeks to make permanent in our Government a policy which puts the main portion of the tax upon the poor people, who are least able to pay it.

[Here the hammer fell.]

Mr. WEAVER. If my colleague [Mr. KERR] will give me his attention, I want to ask him a question or two.

Mr. KERR. Yes, sir.

Mr. WEAVER. Do you stand on the Republican platform of 1888 or the Prohibition platform of 1888?

Mr. KERR. I stand on the Prohibition platform and the Republican platform, both. [Laughter and applause.] They are identical.

Mr. WEAVER. Behold the Colossus of Rhodes! [Renewed laughter.]

Mr. MILLS. I now ask for a vote. I must appeal to gentlemen to stop making party speeches.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. VANDEVER. Mr. Chairman, I move to amend by striking out lines 141 and 142, which read as follows:

Cocoa, prepared or manufactured.

Dates, plums, and prunes.

The CHAIRMAN. Line 142 has not yet been reached.

Mr. VANDEVER. Then I move to strike out line 141.

The CHAIRMAN. That motion is now pending.

Mr. VANDEVER. I move, then, *pro forma*, to strike out the last word.

Mr. Chairman, the cocoa bean is, as I understand, a product of South America. The present duty upon it is 2 cents a pound. When imported it is the basis of a growing manufacture. In the part of the country from which I come the cocoa bean is coming into very considerable use in the manufacture of chocolate. I do not understand, therefore, the propriety of putting the manufactured products of cocoa upon the free-list. If this proposition be persisted in, the manufacture of such products in this country—an industry which, as I have said, is of growing importance on the Pacific coast, and I think especially in the district of my colleague in front of me—will be entirely and irreparably broken down.

This branch of industry now gives employment to a considerable amount of capital and a large number of persons on the Pacific coast. The rates of freight, as a matter of course, enter into this question. The raw product being manufactured upon the Pacific side, the heavy railroad freights are escaped, and thus great advantage is enjoyed in the supply of that product to our portion of the country. I suggest to the chairman of the Ways and Means Committee and to the Committee of the Whole whether under existing circumstances it would not be just to except the manufactured article from the operation of this clause of the free-list.

The value of the import of cocoa bean into this country is put down at \$126,543; the duty collected is \$9,020. Here is a feeble industry just coming into importance, struggling for life. It may employ ultimately a large amount of American capital and American labor. It will be no detriment to the revenue to admit the crude cocoa free, and no detriment to the public interest to continue the duty upon the manufactured article.

On the Pacific coast, as everywhere else, people are affected very much by their private interests. Touch a man's pocket and you are very apt to touch his judgment. I think our friends on the other side have had recently a practical illustration of this matter in the election in Oregon. The pending bill struck a blow at some of the most important industries of that State. The people of Oregon recognized this measure as affecting injuriously their interests. What was the result? A verdict against the Democratic party, which may have carried some little consternation into their camp. I would remark to the chairman

of the committee in connection with this item, and other items which affect in a very material degree the interests of California, that if they be persisted in California will follow in the same direction in the approaching November election.

[Here the hammer fell.]

Mr. MILLS. Let us have a vote on this question.

The CHAIRMAN. The gentleman from Iowa [Mr. KERR] has moved to strike out line 141. Does the gentleman from California [Mr. VANDEVER] desire to submit a substantial amendment?

Mr. VANDEVER. I move to amend by striking out in line 141 the words "prepared or manufactured."

The question being taken on the amendment of Mr. VANDEVER, it was rejected, there being—ayes 47, noes 55.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Iowa [Mr. KERR] to strike out the whole line.

Mr. KERR. I withdraw that motion.

The Clerk read the next line, as follows:

Dates, plums, and prunes.

Mr. MILLS. I move to strike out the words "plums and prunes." The motion was agreed to.

The Clerk read as follows:

Currants, Zante or other.

Figs.

Mr. MCKENNA. I move to strike out the line just read, "figs." Mr. Chairman, I would not have much hope of carrying this amendment if the distinguished chairman of the Committee on Ways and Means had not voluntarily moved a moment ago to strike out "plums and prunes." I do not see any legislative or economic distinction between plums and prunes on the one hand and figs on the other. The gentleman's action has "set me up in hope."

Mr. BUCHANAN. Whose district do the figs grow in?

Mr. MCKENNA. The isothermal line mentioned by the gentleman from Maine [Mr. REED], in its various course touching a Republican and Democratic district and discriminating products by politics, ought not to apply to this case. I am left in confusion and puzzled to know how discrimination against figs can be justified. I am inclined to think the chairman of the Committee on Ways and Means will urge the Democratic members of the House to vote for this amendment.

There is no reason under the sun, and no Democrat and nobody else, be he from California or be he from Texas, can explain why prunes and plums should be struck from the free-list and figs retained upon the free-list. They are all three California industries; three young California industries. Figs to-day are so cheap it is clear that their price is little affected by the tariff. It scarcely pays now in the State of California to dry the black figs. We are resorting, with great success, to the white Smyrna fig. If Congress will stop meddling, if it will keep off its hands for a little while, we will develop the industry to a great success. I hope the gentleman will recommend to his side of the House to vote for this amendment.

Mr. FELTON. Mr. Chairman, I indorse what has been said by my colleague who has just taken his seat. I desire to congratulate the chairman of the Committee on Ways and Means and the constituency I represent for putting prunes and plums where they ought to be—on the tariff-list. I can assure him it is a wise measure. It will not be many years when what is now a luxury will be produced in such quantities as to supply everybody at a reasonable rate, and will no longer need any protection.

But I did not rise for the purpose of discussing this matter, but for another purpose. I have attempted on two or three occasions to submit resolutions passed by the State board of horticulture of California, and requesting their being printed in the RECORD, but I have invariably run against some one of the rules and miserably failed. I now submit them as a part of my remarks, as they are germane to the item under discussion, and I understand I have the right.

The CHAIRMAN. That is the gentleman's right.

Mr. FELTON. I submit these resolutions, and ask for them the attention of the House.

The Clerk read as follows:

Resolutions of State Board of Horticulture of California.

Whereas there are \$20,000,000 invested in fruit culture in this State; and Whereas this may indefinitely increase if given the proper conditions; and Whereas the white scale bug (*Aspidiotus perniciosus*) threatens the very existence of the citrus fruits in this State, as well as numbers of other fruit trees; and Whereas it stands to reason that there are parasites for these different scale bugs in the places of their nativity; Therefore,

Be it resolved by the Fruit Growers of California in convention assembled, That the United States Congress be petitioned for an appropriation of not less than \$50,000, to be used by the Department of Agriculture for the purpose of sending experts to those countries where the baneful insects are known to have originated, to discover if possible their natural enemies, the parasites, and introduce them to this country; also, that the Department of Agriculture be enabled to make actual experiments here in the field to, if possible, overcome these injurious insects, etc.

Mr. STONE, of Missouri. I do not know whether there is a trust controlling the fruit market or not, but I ask the Clerk to read this morceau which I have clipped from the Critic of this city.

The Clerk read as follows:

Twelve thousand crates of the choicest Southern fruits were dumped into the Atlantic outside of Sandy Hook last week to prevent breaking down prices in



the New York markets. With as many people going hungry as there are in New York, this sort of thing should be permitted to occur only once.

[Laughter.]

The question recurred on Mr. McKenna's amendment.

The committee divided; and there were—ayes 57, noes 53.

So the amendment was rejected.

The Clerk read as follows:

Meats, game, and poultry.

Mr. WEBER. I move to strike out that line 145. Now, Mr. Chairman, I do not know the amount of revenue put into the Treasury on the importation of the items embraced in line 145.

A MEMBER. One hundred and ten thousand dollars.

Mr. WEBER. Whatever the amount may be it is purely a tribute paid by the Canadians for trading in our markets. It will not affect the price of meat in our market a particle. It will fall into that category of articles some of which we have passed in this bill whose importation into this country is so insignificant compared with the amounts consumed that the price is not affected. The fact of placing this item on the free-list will be simply to enhance the prosperity of our Canadian friends without benefiting the consumers in any degree whatever on our side.

I hope, Mr. Chairman, that before this is voted upon, and I have no desire to occupy any of the time of the committee, that some reasons will be given by the other side for the action the committee have taken in placing this item upon the free-list; and I will not occupy the floor at present for the time allotted to me under the rule, but ask that a reason be given as to the propriety of the action sought to be taken here by the committee.

Mr. MILLS. I will give the gentleman a reason that I think will be satisfactory. In the first place it is admitted on all hands that we have got to reduce taxation to some extent; and in the second place, acting in that view, we thought it better to reduce that taxation upon meats, upon the absolute necessities of life, and things of that character, rather than upon other articles which are to a certain extent not so necessary; and consequently we put meat, game, and poultry upon the free-list in order to cheapen the food of the people of this country.

Now I ask a vote.

The question being taken on the amendment of Mr. WEBER, it was rejected.

The Clerk read as follows:

146. Milk, fresh.

Mr. LYMAN. I move to strike out that line.

Mr. Chairman, I have thus far taken no part in the debate upon the pending bill. The manufacturing industries of the district which I represent are yet in their youngest infancy, and I do not assume to be as well informed upon the details of what is a just protective tariff on articles the product of the various manufactories which our people (and by that I mean the people of the United States) are endeavoring to build up; and hence, I have left the discussion of those details to gentlemen upon this floor who represent districts where these manufactories are situated, and who are better, much better, qualified than I to cast light upon those items of the bill now pending.

The district I have the honor to represent on this floor is largely, and, indeed, almost exclusively agricultural, and a large majority of my constituents are farmers. In my course upon the tariff I endeavor to divest myself of all purely local prejudices and interests, and to act in a way to best promote the material interests of our entire country and enhance the prosperity and happiness of all the people of the United States, whether they live upon the Atlantic seaboard, in the new South, in the great Mississippi Valley, among the Rocky Mountains, or upon the golden Pacific coast. I am in favor of the protection of American industries and American labor from principle, and not for the purpose of aiding the local interests of my own district alone. But by so doing I believe I am, in the best and strongest manner possible, advocating and advancing the interests of the farmers of my section. What my people want is the best market for the products of the soil they can possibly get, and, too, they want that market at the very shortest possible distance from their own doors. I shall be rejoiced if it shall be vouchsafed to me to live long enough to see a manufacturing establishment planted in every township in the fertile Ninth district of Iowa, as well as in every township of that great agricultural State, of which its sons are all proud.

I would like to see these hives of industry planted and flourishing, with their dozens, scores, and hundreds of happy, well-paid, prosperous operatives, there to buy and eat the product of the fertile acres around them, and not subject to the free competition of Canada and other foreign countries. I want to see a market at the very doors of the farmers of Iowa, in order that they may save the immense cost of transportation to which they are now subjected, the waste and loss of transportation, the commissions of middlemen, and all annoyances and cost of reaching the "markets of the world." Hence, I say, I believe that if I were not a protectionist for protection's sake, my present position on this bill would best represent the local interests of my immediate constituents. I say, all hail to the day when these things shall be. But I am bound to say that if Democratic principles and methods are to continue to pre-

vail in this country, neither I nor the youngest gentleman on this floor can hope to live to see it.

But we are now considering a portion of the bill which makes a direct attack upon the farmers of my section and upon the farmers of this entire country. It is proposed by the Mills bill now under consideration to retain a tariff upon, and to protect sugar, rice, and other products of the soil of limited and local production only, and which can never be produced in our country in sufficient quantity to meet the demands of our people, they being articles of universal consumption by the masses of our country, and to place upon the free-list those articles the product of agricultural industry of almost universal production, and of which we may produce a surplus and be in great want of a market for.

In 1884 the people of this country made a lamentable mistake when they put the Democratic party in power. They are fast waking up to that error. The awakening began to manifest itself in Oregon a few days ago, out on the Pacific, and it will roll on and on, until in November next it will reach the Atlantic and the Gulf, and the real and true friends of the people, of free, independent government will be again at the helm.

It is claimed that one of the objects of this bill is to reduce the surplus in the Treasury. It will not do it. It provides for a tariff for revenue, and our revenues thereunder will be increased. However, the surplus does not worry me greatly. When we pay our just debts, and provide for our dependent veteran soldiers as humanity, honor, and justice demand we shall have no surplus.

During the delivery of the foregoing remarks the hammer fell.

Mr. McKenna was recognized and yielded his time to Mr. LYMAN, who resumed and concluded his remarks as above.

The amendment was rejected.

The Clerk read as follows:

Egg yolks.

Beans, pease, and split pease.

Mr. JACKSON. Mr. Chairman, on this side of the House we have repeatedly charged that this bill is framed in the interest of foreign nations, and that it would work great injury to our own people. We have asked, as we have passed over article by article and section by section of this bill, that gentlemen upon the other side would give us some reason why the various articles were placed upon the free-list. Our inquiries have as a rule met with no satisfactory response, and in most cases no reason has been attempted to be given, and the other side have acted as if none can be given. I think myself that no good reason can be given.

But, Mr. Chairman, I think there is a reason for the introduction of this bill not avowed by its advocates. I avail myself of this opportunity to tell you what seems to me to be one of the reasons why the passage of this bill is urged in its present form, and so far as I have noticed it is one to which the attention of the country and the House has not been as yet directed. I do not claim any originality in the discovery; but it has not been called to the attention of the committee, and possibly not to the people of the country for a reason which I will try to make manifest. We had some time since a distinguished body sitting in this city engaged in negotiating a fishery treaty between this country and our neighbors governing the country on our Northern boundary.

I have here before me the official report made by one of the members of that commission, Hon. Sir Charles Tupper, who represented Canada and Her Britannic Majesty on that conference. The report was made in the House of Commons of the Canadian Parliament, and will be found in the House of Commons debates, second session Sixth Parliament, 51 Vic., of 10th of April, 1888. Sir Charles is evidently undertaking to explain to the Canadian people that whilst he had given the United States something in the treaty that was negotiated with our country, he wanted to call their attention to the much more valuable things which they had secured in return for it. And whilst, Mr. Chairman, we do not think he gave away anything that properly belonged to Canada and Great Britain, and that on the face of the treaty it is unjust to the United States, and concedes little or nothing that is not ours by right, yet I want to call the attention of the House and the country to what is now apparent, that this treaty was agreed to because the representatives of the British Government had had some private understanding with the Democratic majority in this House in regard to legislation to be hereafter had in Congress in the interest of Canada; that the small concessions made to the rights of our people in that treaty were obtained through promises from Americans that something that would be of great advantage to the Dominion of Canada on our north should be done by the Congress of the United States. This is at least one of the reasons why the industries of our country are being attacked by the Mills bill. As an argument for this free-trade bill we have been often told in this debate that tariff duties are a tax on the people of the country laying the tariff; that our tariff duties are paid by the people of this country exclusively. Sir Charles Tupper does not so understand it, and I propose to have read now from his official report made in Parliament on the 10th day of April, 1888, and the House can then judge for itself as to the meaning of his re-



marks, and also whether the Democratic Administration has not been promising Canada free trade.

After he had stated to the House of Commons that his arguments would no doubt be used against the treaty and quoted against him in the Senate of the United States, he goes on to say:

The only way we Canadians can obtain any benefits from the reciprocal relations with the United States is by legislation.

I read from pages 11, 21, and 22. Speaking of the non-intercourse act of our Congress, he says:

That expressed the sentiments and the feeling in the United States of America, and our friends the plenipotentiaries representing the United States, said: "If we make a treaty with you affecting the tariff, however small the inducement you might be willing to accept, it is certain of absolute rejection by the Senate, because the Congress of the United States have stated their position firmly, and they will not permit any interference on the part of the Administration of the United States by treaty with anything that involves a change in fiscal laws of the United States."

It will be observed that Sir Charles is very cautious in making public the promises he had received, but he continues:

Now, sir, I am in somewhat a similar position in explaining this treaty, which I have now reached, to that in which I was in 1871 when defending the treaty of my right honorable friend under somewhat different circumstances. Then he said: "Every word that you force us to say in support of this treaty will be used against us at Halifax in diminution of the payment that we are entitled to for the greater value of our fisheries." To-day I am in a somewhat similar position. For every word that I say in defense of the treaty to which I have put my hand and to which I ask the sanction of this House with the utmost confidence, every word that I say in support of it may be used to-morrow in the Senate of the United States, where support to the treaty may be more difficult to obtain than it is in the House of Commons of Canada.

The House will therefore understand that on this occasion it can not be expected from me that I shall point out very elaborately the advantages accruing to Canada under the treaty to which we have placed our hands. What I say is this: I say, sir, that the course that has been adopted in reference to this treaty has been adopted with a view to secure in the only way that was found practicable the best interests of Canada.

As I have already informed the House, the plenipotentiaries of the United States stated they were quite unable to put anything in the treaty that would necessarily touch the fiscal policy of their country. They said that to do so would be simply to invite rejection of the treaty on the ground that they had infringed the jurisdiction which Congress possessed, the United States Congress having, as I have shown the House, adopted, in the most emphatic form, the policy not to allow any changes in their tariff except by the act of Congress itself.

We therefore put this in the contingent clause. We provide absolutely for the concessions that have been made with reference to delimitation, and with reference to the treatment of United States fishing vessels, when compelled to resort to our ports in distress or in need of casual supplies or for a homeward voyage. All these were made absolute by the treaty; but when it came to that which is of great value to the United States fishermen, when it came to that which enables the United States fishermen to make Canada a basis of supplies for the purpose of better competing with our own fishermen, we then felt that we had a right to take our stand, and if Her Majesty's plenipotentiaries have not been able to support the extreme contention of the Canadian Government, honorable gentlemen will find that, on the other hand, the plenipotentiaries of the United States, who had, as a matter of diplomatic intercourse, taken a very strong ground as to the indefeasible rights of American fishing vessels to obtain in our ports as commercial vessels whatever supplies they required for carrying on their fishing—to be able to purchase bait, to be able to purchase supplies of every kind, and to be able to transship their fish—they will find that our friends on the other side had, in the same way, to concede a great deal as compared with the extreme contention that they had made.

Here it is provided, as a just and proper security to the interests of the fishermen of Canada, who have the right, while excluded by heavy duties from the markets of the United States, to such protection as the treaty of 1818 has provided for them, that whenever a question arises as to Canada being made the basis of supply for the American deep-sea fishing vessels—because the question of fishing is not in controversy at all, the Americans having given up the right to catch fish in the inshore waters of Canada—that only can be done for a sufficient *quid pro quo*. We have, therefore, provided in article 15:

"When the United States shall remove the duty from fish-oil, whale-oil, seal-oil, and fish of all kinds (except fish preserved in oil), being the produce of fisheries carried on by the fishermen of Canada and of Newfoundland, including Labrador, as well as from the usual and necessary casks, barrels, kegs, cans, and other usual necessary coverings containing the products above mentioned, the like products, being the produce of fisheries carried on by the fishermen of the United States, as well as the usual and necessary coverings of the same, as above described, shall be admitted free of duty into the Dominion of Canada and Newfoundland."

And upon such removal of duties, and while the aforesaid articles are allowed to be brought into the United States by British subjects, without duty being imposed thereon, the privilege of entering the ports, bays, and harbors of the aforesaid coasts of Canada and of Newfoundland shall be accorded to United States fishing vessels by annual licenses, free of charge, for the following purposes, namely:

"1. The purchase of provisions, bait, ice, seines, lines, and all other supplies and outfits.

"2. Transshipment of catch, for transport by any means of conveyance.

"3. Shipping of crews.

"Supplies shall not be obtained by barter, but bait may be so obtained.

"The like privileges shall be continued or given to fishing vessels of Canada and of Newfoundland on the Atlantic coasts of the United States."

I think that is a measure which will meet with the hearty approval of the House. I think that will be regarded as a fair and reasonable proposition, that if fishing vessels of the United States are allowed to make Canada a base for obtaining their supplies and furnishing all the materials necessary for the outfit of a fishing voyage, for the transshipment of their catch, and making our harbors and ports the means of carrying on their industry, the fishermen of Canada, with whom they are in that case better able to compete than they could otherwise, are entitled to have their fish entered free in the ports of the United States.

While the plenipotentiaries of the United States were not able to make this an absolute provision, I do not hesitate to say that I look confidently to the period in the not remote future when fish will be made free and the fishermen of the United States will be able to obtain all the advantages in our ports which are here given to them. I hold we have accomplished that without injuring in the slightest degree the fisheries of Canada, without injuring Canadian interests to any extent whatever. We have made concessions, as I have said, but we have made them with the avowed object of placing all our people, not only the

fishermen, but the agriculturist, the lumberman, every man in this country, in a better relation with the United States than he was before. What is the result?

As I have said, Mr. Bayard told us, the American plenipotentiaries told us that there was but one way of obtaining what we wished. "You want greater freedom of commercial intercourse. You want relaxation in our tariff arrangements with respect to natural products in which you are so rich and abundant. There is but one way to obtain it. Let us by common concession be able to meet on common ground and remove this irritating cause of difficulty between the two countries out of the way, and you will find that the policy of this Government, the policy of the President and of the House of Representatives, the policy of the great Democratic party of the United States, will at once take an onward march in the direction you propose, and accomplish steadily that which you would desire, is the only way by which it can ever be attained."

Those were not empty words, those were the sober utterances of distinguished statesmen who pointed to the avowed policy of the Government of the United States as the best evidence of the sincerity of what they said. What has happened already? Already we have action by the financial exponent of the Administration of the United States, I mean Mr. MILLS—the gentleman who in the United States Congress represents the Government of the day, and stands in the position most analogous in the United States to the finance minister in this house, the chairman of the Committee on Ways and Means, who propounds the policy of the Administration in the House.

How is he selected? The Democratic party sustaining the Government selects a man as Speaker of the House of Representatives who is in accord with the policy of the Administration for the time being, and Mr. CARLISLE, the Speaker of the House of Representatives, nominates the chairman of the Committee on Ways and Means and all the members of the committee, and therefore the chairman of that committee occupies the position of representing the Government in bringing forward such bills as will represent the views and sentiments of the Democratic party in the United States supporting the Administration.

What have we seen? The ink is barely dry upon this treaty before he, as the representative of the Government and chairman of the Committee of Ways and Means, brings forward a measure to do what? Why, to make free articles that Canada sends into the United States, and upon which last year \$1,800,000 of duty was paid.

Some Hon. MEMBERS. We paid?

Sir CHARLES TUPPER. I ask, sir, if that is nothing?

Some Hon. MEMBERS. Who paid?

Sir CHARLES TUPPER. I do not intend to insult both the great political parties of this country who have since 1854 and long before, maintained that the interests of Canada, the interests of British North America, were intimately bound up in obtaining free intercourse with the United States for our natural products; I do not intend to insult the two great parties of this country by telling them that they were fools; that they did not know what they were doing.

Down to the present hour we have adopted the policy on both sides of the House, and we have pledged ourselves to the people to do everything that lay in our power to obtain a free market for the natural products of our country with the United States, and I say you must answer me the question as to whether that was an act of supreme folly or whether it was wise statesmanship on the part of both parties in this country to adopt that policy, before you ask me such a question as "Who pays the duty?"

I say that under this bill which has been introduced and which, I believe, will pass, for it does not require two-thirds of the Senate where the Republican majority is only one in the whole House to pass this bill, it requires a majority of one only, and I am very sanguine that this bill will pass during the present session. Modified it may be, but I am inclined to think the amendments will be still more in the interests of Canada than as the bill stands to-day.

If this is the case I think we may congratulate ourselves upon securing the free admission of our lumber, upon which was paid during the last year no less than \$1,315,450. On copper ore, made free by the Mills bill, we paid, or there was paid—to make it meet the views of the honorable gentlemen opposite more correctly—\$96,945.

On salt \$21,992 duty was paid. This is rendered free by the Mills bill. I am sorry to find, as I hoped would be the case from the first copy of the bill that came to me, that potatoes were not included in vegetables. I am sorry to find there is a doubt as to whether the term "vegetables" not specially enumerated will not exclude potatoes. In grappling with this policy of making the natural products of the two countries free, you do not expect any person who wants to carry a bill to put a heavier load upon his shoulders than he is able to carry, lest he may break down and do nothing. You expect him to take it in detail, and, as I believe, you will find the policy contained in this bill of making those natural products of Canada free carried out until you have perfect freedom of intercourse between the natural products of Canada and the United States. Of wool we sent last year 1,319,309 pounds of one kind and a variety of other kinds, upon which a duty was paid to the extent of \$183,852. Now, as I say, on articles of prime importance and interest to Canada the removal of duty by the Mills bill amounts to no less than \$1,800,193.

In the measure I submit I believe will be found a bill of vital importance to Canada to pass.

I believe, sir, that we owe it to the Empire as well as to ourselves steadily to keep in view every measure that will conduce to the rapid progress of Canada, the development of our inexhaustible resources, and the building up of a great and powerful British Dominion on this side of the Atlantic. I say, sir, that in the discharge of my duty I have steadily kept that conviction in view, and I believe the course which has been pursued will not only commend itself to the judgment and the support of the great majority in this House, but that the great majority of the people in this country will feel that in the adoption of this treaty we are taking a step that is calculated to conduce to the progress and greatness and best interests of Canada.

And, Mr. Chairman, we have the very best assurance of the fact that Canada was promised free trade in the legislation which is now proposed for the adoption of this House. Well might Sir Charles say that—

The ink is barely dry upon the treaty before the chairman of the Committee on Ways and Means brings forward a measure to that effect.

To do what? Why,

To make free articles that Canada sends into the United States, and upon which last year \$1,800,000 of duty was paid.

Yes, that is how much gain the Canadians obtain by this legislation. That is why the honorable gentleman introduced this bill. We need have no misunderstanding about it. It is not in the interest of the United States. It is the bonus they propose to give Canada and Great Britain for having yielded up something in the matter of the fisheries. This Administration can not negotiate treaties upon a fair level with Great Britain. Our country has fallen so low that it has to buy any rights it obtains by throwing up and giving away what we ourselves are entitled to.



Let it be known, then, that this bill is not for our advantage or for the advantage of the people of the United States, that the charge is true that it is in the interest of foreigners. It is to give to Canada \$1,800,000 annually and far more. That it is to be given by an attack on our own industries. That our own laborers are to be thrown out of employment and our factories closed that Canada may thrive. The Canadians have no doubt but that our tariff duties are paid by them. They know very well they do not come off the people of the United States.

They know very well who pays the duty, and Sir Charles, in getting a promise that it shall be repealed, has a good reason why Canada might yield a little something upon the fisheries question. And in return for this confidence on the part of the representative of the British Government we see the chairman of the Committee on Ways and Means introducing this bill and doing all he can to return the Canadians something not in kind, but of much more value. He says further:

You will observe that on salt \$21,992 duty was paid last year. This is rendered free by the Mills bill.

Twenty-one thousand dollars bonus to Canada.

Sir Charles grows pathetic and can not conceal his disappointment when he adds—

I am sorry to find, as I hoped would be the case from the first copy of the bill that came to me, that potatoes were not included amongst vegetables.

Hence gentlemen on the other side have the Canadian authority for it that potatoes will not come in under that clause. I can now understand why the honorable chairman was so certain this morning that potatoes would not be free. The parties most interested admit it. He says that in grappling with this policy of making the natural products of the two countries free, which is the English for free trade, he does not expect any person who wants to carry a bill through the United States Congress to put a heavier load upon his shoulders than he is able to carry. How considerate he is of our free-trade friends. Alas, I fear they have already shouldered more than they will be able to carry far.

This gives a new meaning to the expression often repeated here by the friends of this bill, that it is only a step in the right direction; that we are to go further and carry bigger loads for our Canadian brethren hereafter.

One provision of the treaty is only to go into effect, it says on its face, when we give Canada free trade in certain enumerated articles. I would ask the chairman of the Ways and Means to explain to Congress and the country whether Sir Charles had authority for the use he makes of alleged assurances of free-trade legislation. If we get valuable concessions from Canada for free trade, I would also like to know whether anything is promised us from other countries that will gain by the passage of the Mills bill. If our own people must suffer by this legislation, let us know whether we are even promised anything from the countries of Europe and Asia. Gentlemen of the majority, explain yourselves. Are you working in the interest of American or of foreign countries?

[Here the hammer fell.]

Mr. Chairman, I will print the extract I have quoted in connection with my remarks.

Mr. BRECKINRIDGE, of Arkansas. I would like to ask the gentleman a question, to come out of my time, if the gentleman will kindly give me his attention. The gentleman referred to a tax on salt that Sir Charles Tupper said would be released. He referred to it in connection with a question as to who pays the tax. Does not that tax relate to American salt imported into Canada?

Mr. JACKSON. I do not quite catch the gentleman's question. Will he please repeat it?

Mr. BRECKINRIDGE, of Arkansas. Sir Charles Tupper was referring to a tax paid by the Canadians on American salt imported into Canada.

Mr. JACKSON. Oh, no; he was referring to the duty paid by the Canadians to bring their salt into our market. He enumerates a number of other things, and goes right on. He comes to the wool after awhile, and to the ores and a great number of things, and shows just how much is to be given to them by this bill.

Mr. GROUT. Seven or eight millions.

Mr. JACKSON. In the aggregate, yes.

Mr. BRECKINRIDGE, of Arkansas. I understood the gentleman to say this: That Sir Charles Tupper takes the position that the Canadians will be relieved of some \$23,000 tax that they pay for Canadian salt coming into America.

Mr. JACKSON. To bring it into our market. They have been paying that much for the liberty of coming into our market and selling on equality with our own people. This they will be relieved of if the Mills bill passes, for then they can come in free.

Mr. BRECKINRIDGE, of Arkansas. I am only asking for the fact.

Mr. JACKSON. That is the way I understand the argument. In fact it can not be understood any other way. It is plainly so stated.

Mr. BRECKINRIDGE, of Arkansas. Sir Charles Tupper takes the position that it is a release of so much tax to the Canadians.

Mr. JACKSON. Yes.

Mr. BRECKINRIDGE, of Arkansas. I only wanted to know what the fact was.

Mr. PARKER. Mr. Chairman, a New York house (Messrs. Miles

& Holman) handling pearl barley, oat-meal, and pease and split pease, makes the following statement:

In reference to split pease, we can not compete with Canada. The duty on split pease is only 20 per cent., and the barrel they are packed in comes in free. The duty should be taken off the round or whole pea and the duty left on the split pease, thus giving manufacturers here an opportunity to make split pease, and thus reduce the revenue, and our people would have their pea soup just as cheap, with the satisfaction of eating their own manufacture and not encouraging our Canadian neighbors. You will see that the importation of split pease can thus be stopped and revenue reduced without increasing the cost to our people, and building up their manufactures to the detriment of our own.

Yet, as to garden seeds, and beans, pease, and split pease, this bill offers Canadians free the markets of 62,000,000 people, while they, raising far more than they can consume, have no reciprocal market to offer us.

Now, Mr. Chairman, I do not quite understand the attitude occupied by the members of the committee who are responsible for this bill. It would seem that a committee proposing to make great changes affecting manufacturers and dealers and producers throughout the country would be willing to tell us what was the theory upon which they had acted. Men upon this side of the House rise and show how their localities will be injured, how their constituents will be harmed, how great interests will be damaged or destroyed, but the gentlemen upon the other side sit still without making any response as to why they seek to make these changes, and when the time comes stolidly—I do not use the word in an offensive sense—but in effect, I say, they stolidly vote us down. I would like to have gentlemen tell us, for example, why it is that they propose to make fresh and salted vegetables free of duty while they require protection on their own rice.

I would like to have them tell us upon this item under consideration why it is that they make beans, pease, and split pease free, while they provide for protection upon items that benefit themselves? I would like to have the attention of the chairman of the committee while I ask him to inform the House how it is that split pease, which every one who knows anything about the subject knows are a manufactured article, should be put in the same free-trade class with whole pease and beans. I would like some explanation of that. It is well known that split pease are a manufactured article, and that there are houses with large capital employed in the business of gathering pease, splitting them by machinery, and selling them for culinary purposes, and yet these gentlemen put them in the same free-trade category with beans and whole pease. I wish also to protest, in the interest and upon the judgment and complaint of a farming community, against this proposition which comes to us from the other side of the House that the products of the farm are raw materials.

The granges, the farmers' societies, the husbandmen's newspapers, the rural organizations everywhere are denouncing that assertion upon which this legislation is based as an assertion utterly false, and, to them, ruinously false; and yet gentlemen on the other side go on acting upon the theory that pease and beans and vegetables, fresh, or in salt or brine, and tallow, and fresh milk, and wool, and meat, and poultry, and all such products are "raw material." Although they contain in their amount and volume the results of much of the labor of the greatest body of workers upon the American continent, yet these Democratic legislators have the effrontery to face the farmers and tell them that the products which take their inception under their care, and become articles of commerce under their supervision, are raw materials, like the ore in the earth and the unquarried rock, etc., and, therefore, for the benefit of workmen whose work is protected, and of manufacturers whose output is protected, these products of the farmer's toil shall be made free. I think the farmers will make an answer to this proposition which the gentlemen in charge of this bill will, by and by, understand.

Mr. MILLS. I hope we shall now have a vote on this line.

The question was taken on the motion to strike out the line, and it was rejected—ayes 45, noes 59.

Mr. VANDEVER. I move to strike out the last word.

Mr. MILLS. Mr. Chairman, is that in order?

The CHAIRMAN. It is in order.

Mr. VANDEVER. I move to strike out the last word, and in that connection I desire to say that one of the chief staple products of my country is beans. The probability is that we raise beans enough in that section to feed two or three States. We load vessel after vessel with them in the fall of the year, and send them away; and although there is but 10 per cent. duty upon beans under existing law, yet the proposition to put them upon the free-list comes directly in conflict with the interests of that portion of the country.

It does seem to me, Mr. Chairman, following up the items of this bill one after another, as though the blows were rained more directly and frequently than anywhere else upon the interests of the Pacific side of the country, and especially against California. I am very willing, however, to accord some credit to the chairman of the Committee on Ways and Means for the concession he has made to-day in consenting to strike from the free-list plums and prunes, which also are products of very great value in that part of the country. Another product of the California coast is raisins. I have already referred to other products of that Southern California country, which has been called the Italy of America, and whose products come directly in com-



petition with those of old Italy, and I can not but recur to the fact that immediately preceding the assembling of this Congress, when it was given out by the leaders of the Democratic party that one of the chief measures of policy in this Congress would be the modification of the tariff law, there were poured in appeals to members of Congress from these foreign interests to put raisins and plums and other products of that kind upon the free-list; and in deference to such appeals various provisions have been put into this bill at the expense of our own interests in America, especially the interests of the southern part of California, that favored land to which so many people are now turning their faces, as they did in the early history of the settlement of that country. These things are making their impression; and although there has been accorded to us to-day by the chairman of the Committee on Ways and Means a small crumb of comfort, it will not turn aside the people of that country in their condemnation of a policy which lends a willing ear to appeals from abroad and at the same time sacrifices our home interests. [Applause.]

[Here the hammer fell.]

I withdraw the *pro forma* amendment.

Mr. SAWYER. Mr. Chairman, I move to strike out the last word. In what I have to say upon this line, 148, I do not wish to speak of politics at all. The district which I represent is very largely interested in the growth of beans, some of our farmers raising as much as 2,000 bushels of this one article. In reading this bill, I have been at a loss to understand upon what principle this product is selected for a place on the free-list. I asked this question of one member of the committee, and he could give me no reason. I really wish I could be enlightened as to the reason why this particular agricultural product should have been selected for a place on the free-list.

If the answer be made that the intention is to make food cheap for the laboring people, why is not every agricultural product suitable for food placed on the free-list? Why not flour, or meal, or rice, or wheat, or cheese, or butter? I can not imagine or conceive of any good reason. None has been given.

This bill should be based upon some consistent principle. No one article should be taken off or put on the free-list unless there be some good reason for it. Rice is necessary for the poor man and the invalid; beans are also necessary for the poor man; why should not these two articles be placed upon an equality? It seems to me that a sense of justice would dictate that the farmers in one locality should be treated with the same fairness as the farmers of another locality.

[Here the hammer fell.]

The CHAIRMAN. If there be no objection, the amendment of the gentleman from New York will be considered as withdrawn.

Mr. WHITE, of Indiana. Mr. Chairman, I move to amend by striking out the last word. This question of beans is one with which I am somewhat familiar; I have dealt in the article for a good many years.

Mr. MILLS. I appeal to gentlemen on the other side to let us make some progress with the bill. There have been three or four speeches over there on this question.

Mr. WHITE, of Indiana. I will not take more than a few minutes. I wish to state to the chairman of the Committee on Ways and Means, who is a warm advocate of the farmers and the protection of their interests, that he is making a great mistake in proposing to place beans on the free-list. Beans constitute one of the greatest articles of production of the farmers in some sections of our country, especially in New York State, and also, as has been said, in California. Even with the present tariff on beans, it should be remembered the Germans supply a great portion of our country with this product.

What, then, will be the effect of taking off the duty? Will it not simply result in the Germans furnishing the whole supply to our people? The effect will be to drive our American farmers into raising more extensively wheat and corn and those products for which, as the gentleman from Texas says, they are now underpaid. If they do not now get enough for these products, why should the gentleman from Texas drive them into raising still larger quantities of them, in consequence of beans being placed on the free-list? In spite of the duty, as I have already suggested, German beans are to a large extent supplanting those of American growth. If the duty be taken off, of course the importation will be increased. The farmers in Germany and other foreign countries are not paid so well as the farmers in this country; consequently our market will be deluged with their product, and our farmers, the very men whom the gentleman from Texas claims to be so desirous of protecting, will be injured.

The gentleman has remarked that the price of wheat is controlled to a great extent by the tariff, because, as he says, Europe, in consequence of the tariff, does not take wheat enough from us. He is greatly mistaken in that assertion. The truth is, Europe takes the surplus which we have to spare every year. The gentleman's other idea, that Europe regulates the price, is also a great mistake. Europe has no more to do with regulating the price of wheat in this country than with regulating the price of hickory-nuts. The price of wheat is not regulated in Europe, but in Chicago, and it is not regulated by supply and demand, but simply by the gambling—

[Here the hammer fell.]

Mr. MILLS. I now ask for a vote.

Mr. WHITE, of Indiana. I withdraw the *pro forma* amendment.

The Clerk read as follows:

Pulp, for paper-makers' use.

Mr. BYNUM. I move to amend by striking out the line just read.

Mr. REED. What is the objection to that line?

The motion of Mr. BYNUM was agreed to.

The Clerk read as follows:

Bibles, books, and pamphlets, printed in other languages than English, and books and pamphlets and all publications of foreign governments, and publications of foreign societies, historical or scientific, printed for gratuitous distribution.

Bristles.

Bulbs and bulbous roots, not medicinal.

During the reading of the lines Mr. FARQUHAR rose.

Mr. REED. Mr. Chairman—

Mr. BUCHANAN. I have an amendment to offer to line 155.

The Clerk read as follows:

Add to line 155 the words "not edible."

Mr. FARQUHAR. I move to strike out the last word.

I sought the recognition of the Chair while these lines were being read to call attention to the propriety of striking out the words "books and pamphlets," in line 150.

The CHAIRMAN. The Chair had recognized the gentleman from New Jersey.

Mr. FARQUHAR. But the amendment I wish to offer is first.

Mr. BUCHANAN. Very well. I will withdraw my amendment for the present.

The CHAIRMAN. The Chair will then recognize the gentleman from New York if there be no objection. But the Clerk had read down to line 155.

Mr. FARQUHAR. I sought the attention of the Chair and tried to get his recognition to offer an amendment to the line I have indicated.

The CHAIRMAN. The Chair will recognize the gentleman to offer an amendment if there be no objection.

Mr. FARQUHAR. I simply submit that while the House has on its Calendar an international copyright bill, which will probably meet the views of the House and become a law, it is unfair to the American publisher and the American printer and book-sellers and book-binders, and to all persons engaged in the manufacture of books, to have such a broad provision as is embraced in the words in line 150, "books and pamphlets," placed upon the free-list, whereby the country may be flooded with foreign-made books. In the admission of Bibles printed in foreign languages free there is manifest propriety, and no one can find fault with that. Nor can there be any objection to admitting books, pamphlets, and publications of foreign Governments and of foreign scientific associations. But the words I have quoted are highly objectionable as opening the door to admit all classes of publications, or all kinds of books made by foreign publishers and foreign printers.

Mr. MILLS. Mr. Chairman, I make the point of order that the gentleman is not discussing the line before the House.

The CHAIRMAN. But the Chair entertained the amendment of the gentleman from New York. There was some confusion at the time the lines were read—

Mr. MILLS. I do not want to be going back all the time; we will never get on with this bill. I object to it.

Mr. REED. The trouble seems to be that the Chairman of the committee and the Clerk failed to catch the voice of the gentleman from New York, who addressed the Chair while that paragraph was being read.

Mr. MILLS. I was listening to the reading of every word of the bill, and I know that line 155 was read.

Mr. REED. That may be very true; but I also know that I heard the gentleman from New York call the attention of the Chair to the paragraph to which he has been addressing his remarks.

Mr. MILLS. And line 155 had been read.

Mr. REED. I do not deny that; but these lines are so short that when the Clerk puts on steam enough of course he can run considerably ahead of any member who desires to attract the attention of the Chair. The fact is, the Chairman did not hear the gentleman from New York.

Mr. MILLS. I was paying attention to my business here; and I know that we had passed beyond that paragraph.

Mr. REED. Well, I am very glad to hear that the gentleman has been paying attention to his business here, for it is more than he has been doing for the business of the country.

Mr. FARQUHAR. Mr. Chairman, I object to being taken off the floor by these personal allusions.

Mr. MILLS. How did the gentleman get the floor?

Mr. REED. By the recognition of the Chair.

The CHAIRMAN. The Chair stated that the lines down to 155 had been read; but as the gentleman sought recognition of the Chair, and so stated, when the preceding lines were being read, the Chair recognized him to offer an amendment.

Mr. MILLS. The gentleman from New York ought to deliver his lecture to his colleague on that side of the House, who owes an apology to the House—

Mr. REED. But the gentleman from Texas is the only one who did not seem to have heard the gentleman from New York.



Mr. WILSON, of West Virginia. Did not the gentleman from New Jersey offer an amendment to line 155?

The CHAIRMAN. The gentleman did offer an amendment, but the gentleman from New York stated that he was on the floor trying to get the attention of the Chair to offer an amendment to the preceding line, and the Chair recognized him, the gentleman from New Jersey withholding his amendment.

Mr. REED. Therefore, so far from owing an apology to the House, the Chairman of the committee has himself justified all that I said. But, Mr. Chairman, it is the rule of parliamentary law, that whenever a gentleman rises in his place and states that he has endeavored to attract the attention of the Chair when a line or a paragraph was being read, to receive that statement as absolutely true and to act upon it. It is well known to all—

Mr. MILLS. The gentleman from Maine did not say that when he commented upon my action a moment ago.

Mr. REED. The House so understood it.

Mr. MILLS. The gentleman said that the chairman of the Committee on Ways and Means had not been attending to his business.

Mr. REED. The gentleman from Texas having an apprehension in his own mind jumps at a conclusion and so interprets words that did not have that meaning. [Laughter.]

Mr. MILLS. That is what the gentleman said himself.

Mr. REED. What I said was that the Chairman of this Committee of the Whole, the gentleman from Illinois, and the Clerk perhaps had not caught the voice of the gentleman from New York. It was respectful to the Chairman of the committee, and had nothing to do with the chairman of the Committee on Ways and Means.

Mr. BRECKINRIDGE, of Kentucky. Does the gentleman from New York himself state that he sought recognition while this paragraph was being read?

Mr. REED. The gentleman from New York has already so stated.

Mr. BRECKINRIDGE, of Kentucky. Let the gentleman from New York speak for himself. He is of age.

Mr. FARQUHAR. Mr. Chairman, I made the interruption as quickly as possible and called attention to this paragraph of the bill. I waited and stood patiently until the paragraph was read and as soon as I could be recognized I called attention to it to make a motion.

Now, on this question—

Mr. KELLEY addressed the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from New York.

Mr. KELLEY. I wish to state in this connection that I have collected information on this very paragraph, and hastened to my seat for the purpose of taking exception to it.

Mr. FARQUHAR. I wish to say that this paragraph, this proposition to put Bibles printed in other languages than English, and books and pamphlets and all publications of foreign governments, and publications of foreign societies, historical or scientific, printed for gratuitous distribution, upon the free-list, is strictly in the line of enlightened public intelligence, and is proper and correct in all respects. I am very glad indeed that the committee has seen proper to put it in that shape. But what I do object most strenuously against is that part of line 150, "books and pamphlets," whereby you permit free trade in books and pamphlets that are exclusive of Bibles, as they appear in this paragraph, and I simply submit to the committee that with the international copyright bill on the Calendar we are going a little too hastily until we settle that matter.

There is no need of opening the door more than propriety might admit. Being an old member of the Printing Committee of this House, I know the existent comity between the American and European associations and the interchange the United States of America has made with European societies. Such favors, I think, are very proper indeed. But free trade in other books than Bibles and scientific publications I think radically wrong.

Mr. TOWNSHEND. I understand the amendment to take from the free-list will cover books printed in German and other foreign languages than the English. Is that the intention?

Mr. FARQUHAR. Yes.

Mr. TOWNSHEND. It is a well-known fact that no German educational books are published in this country; none whatever. School-books in the German language are not published in this country. By placing them upon the dutiable-list you are simply levying a tax upon education.

Mr. BRUMM. You are mistaken.

Mr. FARQUHAR. Totally mistaken.

Mr. BRUMM. There are publishing houses in Philadelphia that issue those books.

Mr. TOWNSHEND. I am informed by an eminent German scholar, who is very well informed on the subject, that there are no German text-books published in this country.

Mr. BUCHANAN. Will the gentleman permit a question?

Mr. TOWNSHEND. Certainly.

Mr. BUCHANAN. Does he not know there are such books published in New York to-day?

Mr. TOWNSHEND. I am told by a gentleman I have the highest confidence in—

Mr. BUCHANAN. I am told by a student who sits here and who studies them that they are published in New York.

Mr. FARQUHAR. Indeed they are.

Mr. TOWNSHEND. I do not speak from personal knowledge, but only from what I have been told by a very intelligent editor of one of the leading German newspapers published in this country.

Mr. FARQUHAR. I have printed French text-books myself.

Mr. TOWNSHEND. All I have to say, then, is, if you are correct, that by keeping these books upon the dutiable-list you are simply levying a tax upon education, which is wrong.

Mr. BRUMM. Oh, no.

Mr. BUCHANAN. That is a sample of their reasoning.

Mr. BRECKINRIDGE, of Kentucky. It does seem to me that this step which the Committee on Ways and Means propose to take is as short a step as the American Congress ought to be willing to take, and that instead of striking out books and pamphlets from this provision it would be better to add to the provision and make all literature free. I shall not now enter into any discussion about the copyright law, to which my friend from New York referred, because it does not touch this question at all.

This question stands upon an entirely different principle and is an entirely different question. I am a very strong friend of the international copyright law—not so much a friend of all the provisions of the proposed measure as of the principle which underlies it. I hope this House, before it adjourns, will pass the bill which has been passed by the Senate. We can all agree on that bill, however we differ on the principles of tariff legislation; and this can be easily demonstrated at the proper time.

But such discussion is not germane to this provision. This is simply a provision by which Bibles, books, and pamphlets printed in another language than our own may be brought in by the scholars of the country, by persons who are interested in larger research, in advancing the domain of knowledge, and in giving to us the benefit of the investigations made by learned men in all countries; that books may come in without having to pay unnecessary duty to a country whose Treasury is overflowing; that persons who immigrate to our country to make homes in our midst, speaking foreign languages, most generally poor persons seeking wider and better homes among us, may have an opportunity to import books printed in their own language at as low a cost as possible.

Therefore, in all the aspects of the case it seems to me to be one of those questions upon which both sides may agree without regard to our differences of opinion upon economic questions. Surely no one will go to the extent of saying that taxes and duties ought to be levied on learning simply for the purpose of protection. Protection ought not to go so far as to make the means of knowledge more expensive merely for the purpose of taxation, and that, too, at a time when there is no necessity for the tax and when we are removing taxation. In the effort to eliminate subjects of taxation, in trying to reduce the revenue by assorting the subjects upon which the taxes are laid, what better subject for release from duty can possibly be found than good books?

From what can we possibly take the burden better than from a tool for education? From what could we in this nineteenth century better take taxation off than knowledge?

Petitions from not less than sixteen States, from over a score of the leading universities and colleges of the Union, and from many private citizens have prayed that this change be made. Petitions from those making private gain by means of our tariff duties are reverently received, carefully obeyed, and jealously filed by gentlemen; but petitions from men who are only scholars, teachers, and thinkers carry no weight and are set aside carelessly.

I regret that we do not see our way clear to go further than we have in this provision. I wish that we thought we were able to make all books, all art, all productions of human genius, in print or picture or sculpture, free.

Milton plead for unlicensed printing; and in a freer and richer country literary and scholarly gentlemen, who would feel hurt if any one doubted their love for learning or friendship for culture, plead for taxed books—a demonstration of the tyranny of party discipline and of the cowardice which political ambition creates.

I do not believe America less worthy than England of Milton's compliment.

Lords and Commons of England! consider what nation it is whereof ye are and whereof ye are governors. A nation not slow and dull, but of a quick, ingenious, and piercing spirit; acute to invent, subtle and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to.

And it is scarcely less a crime to exclude from our people these books than it would be to murder them; and—

books are not absolutely dead things, but do contain a progeny of life in them to be as active as that soul whose progeny they are; nay, they do preserve as in a vial the purest efficacy and extraction of that living intellect that bred them. I know they are as lively and as vigorously productive as those fabulous dragon's teeth, and being sown up and down may chance to spring up armed men. And yet, on the other hand, unless wariness be used, as good almost kill a man as kill a good book.



Who kills a man kills a reasonable creature, God's image; but he who destroys a good book kills reason itself, kills the image of God, as it were, in the eye. Many a man lives a burden to the earth; but a good book is the precious life-blood of a master spirit, embalmed and treasured up on purpose to a life beyond life. It is true, no age can restore a life whereof, perhaps, there is no great loss; and revolutions of ages do not oft recover the loss of a rejected truth, for the want of which whole nations fare the worse.

We should be wary, therefore, what persecution we wage against the living labors of public men, how we spill that seasoned life of man preserved and stored up in books, since we see a kind of homicide may be thus committed, sometimes a martyrdom; and if it extends to the whole impression, a kind of massacre, whereof the execution ends not in the slaying of an elemental life, but strikes at the æthereal and fifth essence, the breath of reason itself; slays an immortality rather than a life.

The effort to strike out this provision is protection gone mad. It is of a piece with the effort to keep books from the slave or the Bible from the people. The demands of the system require this subserviency, and no appeal can break the stubborn array around every "protected" interest, so that all within the trenches shall be defended by the united power of all. But the defense will be fruitless.

As much has been said to-day concerning the platforms recently adopted by the two parties, I desire to say that the bill reported is in exact accordance with the platform adopted by the Democratic convention at Chicago, upon which the victory of 1884 was achieved.

"All taxation shall be limited to the requirements of economical government." "Unnecessary taxation is unjust taxation." "The Democracy pledges itself \* \* \* to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners." This was the declaration by the Democratic party of the true limitation on the power to levy and collect taxes of every sort, and its pledge, if given power, to reduce taxation to that limit. It recognized that "many industries have come to rely upon legislation for successful continuance," and therefore "that any change of law must be at every step regardful of the labor and capital involved;" that "the process of reform must be subject to this plain dictate of justice."

The reform must be accomplished, but "knowing full well, however, that legislation affecting the occupations of the people should be cautious and conservative in method, not in advance of public opinion but responsive to its demands," it pledged itself to "revise the tariff," cautiously and with conservatism, "in a spirit of fairness to all interests," and with frequent appeals to an enlightened public opinion. So, too, it pledged itself "to reduce taxation," "but in making reduction in taxes it is not proposed to injure any domestic industry, but rather to promote their healthy growth;" and it declared its belief and purpose that "the necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country."

The pledge was, therefore, "to reduce taxation to the lowest limit consistent" with our national obligations, and "to revise the tariff;" these are the objects to be accomplished, and the whole power intrusted to a party put in control of the Government was pledged to their "execution."

The mode of the revision of the tariff was with equal clearness pointed out. It is to obtain the revenues "from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity," and "by freeing American manufacturers from a hopeless competition with manufacturing nations" by removing taxes from off "raw materials."

The amount of revenue to be raised is to be so curtailed that not one dollar shall be raised except "exclusively for public purposes," and then not to exceed, even "for public purposes," "the needs of the Government economically administered." As this reduction, cautiously made, "in a spirit of fairness," will gradually render a smaller and smaller sum necessary to be raised, the revision of the tariff shall also, in "the process of reform, be subject in its execution to the same cautious spirit of fairness." But revision and reduction shall not cease, nor be delayed; both shall be at once commenced.

"The fewer imported articles" on which custom-house taxes are to remain can only be selected by elimination, by taking from the dutiable list those which are not to be taxed and placing them on the free-list. This elimination must be gradual; and in this selection two rules are laid down:

First. The American manufacturer must be given free raw materials. It will not do to say that there is no pledge to do this. We denounced the Republican party for not doing this; and no gentleman or honest man will consent to say that he denounced another for that which he approves, and if given power would continue. The declaration is eloquent and ringing.

It (the Republican party) professes the protection of American manufactures. It has subjected them to an increased flood of manufactured goods and a hopeless competition with manufacturing nations, not one of which taxes raw materials.

Second. By putting on the free-list "articles of necessity."

But this was not all the revision pledged; for "the inequalities of the tariff" were to be removed, and that with the object kept steadily in view that the revenues produced by tariff taxes should be "exclusively for public purposes;" and therefore every rate imposed for any

other purpose was gradually and cautiously to be changed until that purpose was accomplished.

Every limitation imposed in this platform, but one, on these pledges is as to the time of the execution of the "process of reform." "It shall be done wisely, gradually, regardful of the labor and capital involved."

There is one limitation imposed as to the nature of reform; it is that "the necessary reduction in taxation must be effected without depriving American labor of the ability to compete successfully with foreign labor;" so that the pledge was given that so much of "any increased cost of production" in those "fewer imported articles," which are "articles of luxury," and not "articles of necessity," or "raw materials" as is caused by "the higher rate of wages prevailing in this country" may be protected by the rates imposed. This is the only item to which protection can be given. As to all other items, we are pledged against protection. Let us recognize in good faith this limitation, but let us, like wise men, be honest in applying it.

It is not to be disregarded, nor is it to be used as a cover for every sort of inequality and favoritism; a preterse to be taken advantage of for improper ends and to excuse every form of class legislation and the prostitution of governmental power to private gain.

"Free raw materials," "custom-house taxes on fewer imported articles," "Federal taxation exclusively for public purposes," in order that American manufacturers may compete successfully with foreign manufacturers; that "all American industries," of which "the many have been impoverished to subsidize the few," may flourish; that American labor may find constant and profitable employment; that the products of American soil may find ready sale, and the husbandman receive fair return from his harvest—this was our solemn pledge. To reduce expenses and taxation so that the public debt may be paid; the pensioner receive the evidence of a nation's gratitude; and industry be followed by comfort and rewarded by competence—this is what we pledged our faith to accomplish.

But if there had been no pledge, no platform, that would have been our bounden duty. It is an august trust to be intrusted with the power to manage the affairs of this great Republic, and the acceptance of the trust imposes an obligation we can not avoid.

This platform meant only that the revision of the tariff should be fairly and cautiously carried on until a revenue system was substituted for the present unjust and iniquitous congeries of legislative exactions. The present bill was prepared in the precise spirit of that platform.

But two constructions had been placed upon its language, and the St. Louis convention has adjudicated as between those who placed these diverse constructions upon it, by declaring that "it indorses the views expressed by President Cleveland in his last annual message as the correct interpretation of that platform upon the issue of tariff reductions."

I quote from that message:

The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject, and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country.

Under our present laws more than four thousand articles are subject to duty. Many of these do not in any way compete with our own manufactures and many are hardly worth attention as subjects of revenue. A considerable reduction can be made in the aggregate, by adding them to the free-list. The taxation of luxuries presents no features of hardship; but the necessities of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessities; it would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened that part of the tariff now laid upon such product, as a compensation to our manufacturers for the present price of raw material, could be accordingly modified. Such reduction or free importation would serve beside to largely reduce the revenue.

It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption—saving them from the depression, interruption in business, and loss caused by a glutted domestic market, and affording their employes more certain and steady labor, with its resulting quiet and contentment.

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free-trade. This savors too much of bandying epithets. It is a condition which confronts us—not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant; and the persistent claim made in certain quarters, that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders, is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers.

It was, indeed, consistent to follow the indorsement of the message of the President with it "also indorses the efforts of our Democratic Representatives in Congress to secure a reduction in taxation," and to make a distinct approval of the pending bill. This bill, prepared to meet a condition and not to fit a theory, has met the approval of the Democratic party, because it is moderate, conservative, and compromising; avoiding extremes we have in good faith sought practical results,



that would be of good to every class of our citizens. It has gained strength every day since we reported it; it will more and more commend itself to the thoughtful as it is better understood and more discussed.

It is a partial remedy for our present condition; it is the only practicable remedy just now. Let our opponents fairly face this alternative—this bill in substance or no remedy, and they must take the responsibility of its defeat in the Senate, where they have the majority. A reduction of revenue will be never "needed" if the Republican party is given power, as more than the present income will be "needed" for the appropriations, "needed" "for the early rebuilding of our Navy, for the construction of coast fortifications and modern ordnance and other approved modern means of defense for the protection of our defenseless harbors and the channels of internal, coastwise, and foreign commerce; for the encouragement of the shipping interests of the Atlantic, Gulf, and Pacific States;" for "free schools" and "pensions."

In each of these schemes, to which unlimited governmental aid is promised, there are contingent "jobs" of huge proportions, and the American people might as well realize that Republican victory means no reduction of revenue; but the proposed remedy is, first, by the repeal of the tax on tobacco; second, tax on alcohol used in the arts and for mechanical purposes; third, such revision of the tariff as will tend to check imports—that is, an increase of duties on such articles as are produced by our people, the production of which gives employment to our labor; fourth, the release from import duties of articles of foreign production (except luxuries) the like of which can not be produced at home; fifth, the repeal, if necessary, of the internal taxes.

This is an impossible and wholly impracticable policy; it is a delusion and a snare, and can never be made permanent. It means perpetual agitation and instability. The present bundle of sections known as our tariff law can not be permanently maintained, and an attempt to enact higher duties will fail. The rival private interests will not be able to agree on another revision that will tend to check imports.

If it were possible, it is iniquitous. The proffer really made by the party at Chicago is large expenditures of public money to be raised by increased duties, so that the burdens of taxation shall be increased in both modes—by increased expenditures and increased cost of living. The tax-payer must pay tribute to those in whose interest the duties are increased and to those to whom these new expenditures shall be paid. This means that power shall be obtained by the contributions and exertions of those who are to receive pecuniary and private gain from the Government.

The issue is fairly made—strict economy, decreased expenditures, reduced taxation by removal of burdens from the necessities of life; against increased expenditures, larger appropriations, higher taxation, and continued legislation for those who can combine and control the party machinery.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FARQUHAR rose.

Mr. TOWNSHEND. I am very well satisfied that upon inquiry the gentleman from New York [Mr. FARQUHAR] will find that none of the school-books used in the teaching of German are published in this country. I hope, therefore, the gentleman will withdraw his amendment, or that it will be defeated and these books, etc., be placed on the free-list.

Mr. FARQUHAR. I wish to call the attention of the gentleman from Kentucky [Mr. BRECKINRIDGE] and the gentleman from Illinois [Mr. TOWNSHEND] to the fact that they have entirely missed the scope of this paragraph. All of these books are for gratuitous distribution. We are not discussing universal knowledge at all; all of these books are for gratuitous distribution.

[Cries of "Vote!" "Vote!" on the Democratic side.]

The amendment was rejected—ayes 53, noes 70.

Mr. KELLEY. Mr. Chairman, there seems to be a misunderstanding on the part of some of us here as to the true meaning of this paragraph.

The CHAIRMAN. Does the gentleman submit an amendment?

Mr. KELLEY. Yes; I move to strike out the last word. As I read this paragraph, Bibles and books or pamphlets printed in other languages than English are to come in free.

Mr. WILSON, of West Virginia. That is right.

Mr. KELLEY. That is your interpretation of it?

Mr. WILSON, of West Virginia. Yes, sir.

Mr. KELLEY. Then, in addition to that, "books, pamphlets, and all publications of foreign governments, and publications of foreign societies, historical or scientific, printed for gratuitous distribution." That would let in those valuable documents issued annually after a big dinner by the Cobden Club, which calls itself scientific. [Laughter.] But, Mr. Chairman, I want to speak seriously to the mistakes of fact of the gentlemen on the other side. Had the Ways and Means Committee been accessible to information, or had the five Republican members of that committee had extended to them in this connection the ordinary courtesies of that and other committees of the House, I would have had before them Mr. Ignatius Kohler, the head of one of the oldest publishing houses in Philadelphia, with the heads of large publish-

ing houses of foreign books in New York, Cincinnati, St. Louis, Milwaukee, and other cities in which there is a large population of the poor people spoken of by the gentleman from Kentucky [Mr. BRECKINRIDGE] who want reading in their own languages, and among whom are to be found printers, type-founders, paper-makers, book-binders, and workers in all the manifold industries which are involved in producing books.

There are in the United States large establishments engaged wholly in the production of books and pamphlets in foreign languages, and I can see no reason in the world why we shall not give the same protection to the American paper-maker, type-founder, press-builder, and book-binder, and to those engaged in all the various branches of the book-making industry, whether the books are printed in the English language or in any other.

Mr. TOWNSHEND. Can the gentleman tell us the name of any firm in the United States engaged in publishing German educational works?

Mr. KELLEY. Scribner & Co.

Mr. TOWNSHEND. Do they publish German educational works?

Mr. KELLEY. I think they do. There is in this country one very large firm, not that of Scribner & Co., which prints nothing but books in foreign languages. I made inquiry on the subject when I supposed the information would be useful before the Ways and Means Committee, and I had arranged with Mr. Kohler that he should have notice when the committee came to determine these questions; but I had to write to him that I had overestimated my influence with my colleagues on that committee, and could not get him or his associates, the other printers and publishers to whom I have referred, a hearing before the committee.

Mr. TOWNSHEND. I wish to ask my friend whether he is willing to put a tax upon knowledge just to benefit two or three large firms?

Mr. KELLEY. I stand by the American paper-maker, printer, type-founder, book-binder, whether he is engaged in printing and binding books in English or in a foreign language, and I tell the gentleman there are other large American establishments engaged exclusively in the production of books in foreign languages.

Mr. TOWNSHEND. At the expense of the dissemination of knowledge?

Mr. KELLEY. No; not at the expense of anybody.

Mr. HOPKINS, of New York. I will say to the gentleman from Illinois [Mr. TOWNSHEND], in relation to a subject which he does not appear to understand, that there are over twenty firms in this country engaged in reprinting foreign works in the foreign languages, principally German and French. Many of those works are brought out in sheets and rebound. If you adopt this paragraph you will put out of employment 5,000 men in the city of New York alone.

Mr. WILSON, of West Virginia. Oh, no!

Mr. HOPKINS, of New York. The gentleman does not live in New York and does not know anything about this. The result will be to send the binding of all these works to Germany and France, while, if they come to us simply in printed form, employment is given to a number of establishments in different cities of this country.

Mr. TOWNSHEND. I think the gentleman will find he is mistaken.

[Here the hammer fell.]

Mr. WILSON, of West Virginia. I think that a bill to put on the free-list books in foreign languages was introduced by a gentleman on the other side of the House and referred to the Committee on Ways and Means, by which it was considered.

Mr. KELLEY. It is quite possible that some gentleman on this side of the House may have had such a measure suggested to him, and may have made the mistake of presenting it. But I say to the gentleman that the publication of books in foreign languages is a very large branch of business in New York, Philadelphia, Cincinnati, Chicago, and Milwaukee. The gentleman from New York [Mr. HOPKINS] and another gentleman assure me that it is also a very considerable business in Baltimore.

Mr. HOPKINS, of New York. I ask the gentleman from Illinois [Mr. TOWNSHEND] to state how many men are employed in the city of New York in reprinting, binding, and preparing for our market publications in foreign languages.

Mr. TOWNSHEND. My understanding, obtained from a very eminent German scholar, the editor of a German paper published in this country, is that there is not a single establishment in the United States engaged in publishing German school-books.

Mr. HOPKINS, of New York. The gentleman's information is entirely wrong.

Mr. KELLEY. The gentleman from Illinois is utterly mistaken.

Mr. HOPKINS, of New York. I ask my friend from Illinois to name the gentleman from whom he has obtained his information.

Mr. TOWNSHEND. I have no hesitation in naming him. I refer to Dr. Preus, the editor of a very prominent German paper published in St. Louis. I know the gentleman I speak of to be one of the most eminent scholars who has come to this country from Germany. In my judgment he is well informed in reference to this matter.

Mr. HOPKINS, of New York. I repeat that the effect of this meas-

ure will be to throw out of employment thousands of men in New York City alone, and to deal a fatal blow at a most important industry.

The CHAIRMAN. Debate on the *pro forma* amendment is exhausted. If there be no objection, it will be considered as withdrawn.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, we have again heard from the gentleman from Pennsylvania [Mr. KELLEY] the old story about the lack of opportunity for introducing evidence and deficient courtesy in the Committee on Ways and Means, not a word of which, I wish to say, with no desire to be personal to the gentleman, is in accordance with the facts.

Mr. KELLEY. It is according to the facts as I found them.

Mr. BRECKINRIDGE, of Arkansas. I do not mean to raise any personal issue with the gentleman.

I wish to file a positive and emphatic denial of every statement and every insinuation of the character to which I have referred, both from the gentleman and from his associates. For a month we consulted only the convenience of gentlemen of the minority. They were considered by us competent representatives of the interests for which they pretended especially to speak. The petitions and arguments laid before the committee were always there, welcome to be brought up.

Mr. Chairman, I wish to have read a short extract to show in what sharp contrast our conduct was to that of the Republican majority of the same committee in a previous Congress. This was when they were trying to do what we are now trying to do—to reduce tariff taxes as they promised to do. They occupy new ground now.

The Clerk read as follows:

[From the Philadelphia Inquirer, January 20, 1883.]

APPLICATION OF THE GAG IN THE TARIFF DEBATE.

To the Editor of the Inquirer:

Sir: The Committee on Ways and Means having, after the manner of the famous and tyrannical Council of Ten of Venice, which tried and convicted men without permitting them to appear before it, refused to hear any one in defense of the thousands of industries which are imperilled by proposed tariff legislation, it was eminently proper that Judge KELLEY, the chairman, should offer a resolution in the House of Representatives in which it was proposed that "general debate upon the pending bill (H. R. 7313) reported from the Committee on Ways and Means be limited to one day, to be equally divided between the friends and opponents of the bill." Indeed, it seems a great piece of condescension that he or his committee should voluntarily propose to permit any general debate upon the measure at all.

HENRY CAREY BAIRD.

PHILADELPHIA, January 19, 1883.

Mr. BRECKINRIDGE, of Arkansas. I ask the Clerk to read, also, an extract I have marked from the remarks of the gentleman from Pennsylvania on the 22d of April, 1872.

The Clerk read as follows:

Mr. KELLEY. Here is a bill for the reduction of taxes and duties covering sixty-three pages, in which there are items sometimes of only a line, on which a whole day of debate would be spent under the five-minute rule. If we adjourn on the 29th of May we shall have repealed no tax or duty, and the people will ask us in every paper and at every corner why we have continued the system of taxation, so largely in excess of the demands of the Government and the reduction of the public debt, at the rate of \$50,000,000 per annum outside of what is already provided by law. On neither side of the House can justification be found, nor do I believe apologies, for having hastily adopted a resolution of adjournment which will prove entirely satisfactory to the tax-payers, who are loaded at every point and whose profits are absorbed in the excessive Treasury of the Government.

Mr. BRECKINRIDGE, of Arkansas. When the gentlemen themselves sought to keep some of their pledges to the people, they found themselves obliged to shut out of the committee-room the lobbyists and those who clamored around them. Having done nothing and yielded to the clamor of monopoly, they now invoke the lobby without limit. Sir, we did not limit time to the official representatives of any interest in this country to speak for the people, or for the interests that they had at heart. After we have thus given the amplest opportunity of that kind—after all these days and weeks of debate, it comes with a poor grace for gentlemen to get up here with the miserable insinuations and misstatements that they make about this question. I say to the gentleman now, as he said when he had some regard for his pledges, in 1872, that if you do not reduce the taxes and lessen the surplus revenue flowing into the Treasury, you will not be able, when you confront a justly indignant people, to find any adequate excuse for such a breach of public faith.

Mr. KELLEY. I had as much regard for my word in 1872 as the gentleman has had for his at any time from the time he learned to lisp his words, and as much now as I had in 1872.

He sends to the desk to have read a communication from a fanatic, who, if somebody telegraphed him over a responsible name that I had been stricken dumb in a tariff debate, and although alive and apparently well, had become black and my hair had become curly like that of a negro, he would jump up and exclaim, "I knew hell would overtake him for refusing me a hearing four years ago because I refused to go before the Tariff Commission." [Laughter.]

That is the whole case. I say again, and I say it veraciously, this bill in this paragraph proposes to close several large publishing houses in New York, perhaps one of the largest there, unless it be Scribner's, and one I have known from my boyhood, from father to son, that of Ignatius G. Kohler, in Philadelphia, and I had from Mr. Kohler the address of other houses, several in other cities, and had made arrangement they should be heard. So far as I supposed a hearing would be

granted; but I had to write—and the correspondence exists—to these gentlemen that no Republican member of the Committee on Ways and Means, I nor my four associates on that committee, could get an opportunity to tell them of the extent and character of their business. I say that without fear of actual contradiction on that subject, and am confident of the support of my Republican associates, who suffered the same way on other subjects.

The CHAIRMAN. Debate is exhausted, and the Chair hears no objection to the withdrawal of formal amendments.

Mr. FARQUHAR. As my statement in relation to the publication of foreign text-books in this country has been measurably called in question, I have just returned from the Congressional Library, after consultation with Mr. Spofford, the librarian. He has shown me a large list of such publications.

Mr. BUCHANAN. Here are three of the identical books.

Mr. FARQUHAR. Mr. Spofford cites the publication of German and French text-books by D. Appleton & Co., New York, and Ginn & Co., Boston.

Mr. TOWNSEND. What class of books do they publish?

Mr. FARQUHAR. They have a large catalogue of German and French text-books.

Mr. TOWNSEND. Let me ask the gentleman this, whether they are not known as school-books. I would like to have the gentleman tell me how it is that school-books published in the protective-tariff country of Germany can be published there and brought into this country to compete with the books published here. There is a higher protective tariff in Germany than there is in this country. How can they publish books in Germany and import them into this country and be successful in competition with ours? It seems to me, Mr. Chairman, there is an effort here to put a tax on knowledge in this country.

Mr. FARQUHAR. I am making no attempt to put a tax on knowledge. I am trying to protect the manufacturer of books in this country. The question is whether the last clause means what it seems to mean. I contend you are opening free trade to European publishers.

[Here the hammer fell.]

Mr. BUCHANAN. Read line 155.

The Clerk read as follows:

Bulbs and bulbous roots, not medicinal.

Mr. BUCHANAN. I move to add the word "non-edible."

Mr. MILLS. In the lines 104 to 111 we have already passed that.

Mr. BUCHANAN. I offer the amendment to guard against the possibility of some customs officials ruling that bulbs and bulbous roots include edible vegetables. I do it for this reason: The growers of American onions are competing with the growers of onions in Egypt. Gentlemen may smile. It is news to them; but it is not news to the market-gardeners of the Atlantic coast, who are already feeling this competition with the fellaheen labor of Egypt.

Mr. TOWNSEND. I wish to ask the gentleman a question.

Mr. BUCHANAN. Certainly.

Mr. TOWNSEND. Do I understand the gentleman to say these are German text-books printed in the United States? Some, I know, are printed abroad and brought into this country, but they are not bound.

Mr. BUCHANAN. I am talking about onions [laughter], and my information upon that subject is far more accurate than the information of the gentleman from Illinois upon the subject of German text-books, as I gather from what he said to-day. That discussion has passed.

Mr. TOWNSEND. But I want to find out from the gentleman—

Mr. BUCHANAN. Now the gentleman is simply frittering away valuable time. [Renewed laughter.]

I have stated that I offered this amendment in the interest of the agricultural classes. During the discussion of this question we have heard the condition of the farmers bewailed, upon the other side from time to time; and I stand here to-day to say that their condition is deplorable, and to resist any attempt to make that condition worse than it is. The importation of agricultural products into this country has grown to an enormous and alarming extent within the last few years. I do not know that it was the design of the committee to increase that burdened condition which now prevails among our farmers, but the provisions of this bill certainly contribute largely to that end, and in order to guard against one blow at least at their interests I ask that the lines be amended in the manner I have suggested.

Mr. WILSON, of West Virginia. I ask the attention of the gentleman from New Jersey for a moment. The existing law provides as follows:

Bulbs and bulbous roots, not medicinal, and not specially enumerated or provided for in this act, 20 per cent. ad valorem.

The proposed amendment takes out from that taxable classification "bulbs and bulbous roots not medicinal," leaving all others not specially enumerated at 20 per cent. ad valorem, the present rate.

Mr. BUCHANAN. I do not so understand it. I do not think it will have that effect at all. The provision in this list in the bill under consideration is that the importation free shall be allowed of "bulbs and bulbous roots not medicinal." Now onions may be held to come under that class; and hence I desire to add the words "not edible" to



keep them out of this bill, and in the law as it now stands at the present rate.

Mr. WILSON, of West Virginia. But they are excluded under the law.

Mr. BUCHANAN. What law?

Mr. WILSON, of West Virginia. The existing law.

Mr. BUCHANAN. Yes, but I desire to put it beyond question that they are not in this bill. By implication this bill takes them out of the old law, and I want to prevent that. In fact this bill destroys the provision in the old law.

Mr. WILSON, of West Virginia. The law now provides that bulbs or bulbous roots not specially enumerated shall pay this duty.

Mr. BUCHANAN. Well, I want to have it emphatic and not subject to any misconstruction, and I want them by express words kept out of this proposed free-list, and so, beyond cavil, left in the old law.

But the gentleman from Illinois has mixed his German text-books up with my onions. Now I want to mix my onions up with his German text-books. I have before me a German grammar written by a professor in Wellesley College in this country, and another by a professor of the Ruel-Browne School in New York, both printed and published by Henry Holt & Co., and copyrighted by them.

But, Mr. Chairman, while upon my feet and upon this subject I desire to call attention to a marked feature of this bill. It deals in the most severe manner with the farmers, and especially the farmers who raise varied crops. The present rates of duty upon farm products can not be said to be high. The chief of these are:

Wool at 30 cents a pound or less, 10 cents; at over 30 cents a pound, 12 cents. Beef and pork, 1 cent a pound. Hams and bacon, 2 cents a pound. Butter, 4 cents a pound. Lard, 2 cents a pound. Cheese, 4 cents a pound. Grapes, 20 per cent. ad valorem. Wheat, 20 cents a bushel. Oats, 10 cents a bushel. Corn, 10 cents a bushel. Rye, 15 cents a bushel. Barley, 15 cents a bushel. Potatoes, 15 cents a bushel. Hay, \$2 a ton. Live animals, 20 per cent. ad valorem. Beeswax, 20 per cent. ad valorem. Vinegar, 10 cents a gallon. Honey, 20 cents a gallon. Fruit, shade, and ornamental trees, shrubs, etc., 20 per cent. ad valorem. All vegetables, not otherwise provided for, 10 per cent. ad valorem. Rice, cleaned, 2 cents per pound. Wheat-flour, 20 per cent. ad valorem. Tobacco (unmanufactured), 35 cents per pound. Sugar, 1½ to 3½ cents per pound. Rice-flour and rice-meal, 20 per cent. ad valorem. Extract of meat, 20 per cent. ad valorem. Barley, pearled or hulled, 1 cent per pound. Barley malt, 20 cents per bushel. Corn-meal, 10 cents per bushel. Oat-meal, 1 cent per pound. Rye-flour, 1 cent per pound. Potato and corn starch, 2 cents per pound. Pickles and sauces not otherwise provided for, 35 per cent. ad valorem. Garden seeds, 20 per cent. ad valorem. Hemp seed, 1 cent per pound. Currants, 1 cent per pound. Apples, 10 per cent. ad valorem. Hops, 8 cents per pound. Milk, preserved or condensed, 20 per cent. ad valorem. Flax-straw, \$5 a ton. Flax, not dressed, \$20 a ton. Flax, dressed, \$40 a ton. Tow of flax or hemp, \$10 a ton. Bristles, 15 cents a pound. Tallow, 1 cent a pound. Flaxseed or linseed, 20 cents per bushel.

These rates, as I have once before had the honor of stating, have not prevented importations, and, as already remarked, such importations have increased recently to an enormous extent. The products of the soil imported last year figure up as follows:

Animals.....	\$4,631,846	Rice.....	\$1,674,394
Breadstuffs.....	6,640,228	Sugar and molasses.....	74,219,607
Flax, hemp, etc., raw.....	12,312,832	Tobacco, raw.....	8,704,950
Fruits.....	15,840,827	Vegetables.....	2,350,251
Hay.....	790,394	Wool, raw.....	16,424,479
Hops.....	3,404,669		
Barley, malt.....	153,363	Total.....	149,254,784
Provisions.....	1,806,239		

Since these statistics were collected the importations of potatoes and onions has continued to grow enormously, and our own farmers have felt this new competition keenly. Since January 1, 1888, over 3,000,000 bushels of potatoes have reached the port of New York alone. The president of the New Jersey State Board of Agriculture, in his last annual address, said, in view of these facts:

The tariff on beans, pease, and other leguminous seeds should be raised from 10 per cent. to 25 per cent.; on split beans, from 20 per cent. to 25 per cent.; garden seeds, from 20 per cent. to 25 per cent.; on hay, from \$2 per ton to \$3; hops, from 8 cents per pound to 10 cents per pound; pickles and sauces, from 35 per cent. to 40 per cent.; potatoes, from 15 cents per bushel to 25 cents; on cabbage the duty should be \$1 per hundred; on onions, 25 cents per bushel; and on all other vegetables it should be not less than 25 per cent. These duties are imperative, and should be demanded by every farmer and farmers' organization in the land. We are abundantly able and willing to feed all our people at prices but little, if anything, higher than are now paid for vast quantities of imported products.

How does this bill meet this condition? On looking over it I find that the Eastern farmer, driven from the raising of corn and wheat by the lower priced fertile lands of the West and low rates of transportation, and compelled to turn his attention to the production of vegetables, fruits, and other products which will not bear long transportation, is dealt a blow that must seriously cripple him. I find on this proposed free-list the following (I take them in the order given):

Flax straw; flax, not hackled or dressed; flax, hackled, known as dressed lint; tow of flax or hemp; hemp, manila, and other like substitutes for hemp; jute butts, jute; sunn, sisal-grass, and other vegetable fibers; beeswax; glue; gelatine; soap stocks; soap, hard and soft; hemp-seed and rape-seed oil; cotton-seed oil; wood tar; vegetables, in their natural state or in salt or brine, not specially enumerated or provided for; dates, plums, and prunes; currants; figs; meats, game, and poultry; milk, fresh; egg-yelks; beans, pease, and split pease; bristles, bulbs and bulbous roots; feathers of all kinds; grease; hemp and rape seed; garden seeds; flaxseed; broom-corn; tallow, and wool.

As the consideration of this bill has progressed all effort to amend in the interest of the agricultural classes has been defeated. If this be friendship for the farmer he may well pray to be delivered from his friends.

I have received protest after protest against this feature of the bill from farmers, granges, and agricultural societies, and I would be derelict in my duty did I not here use my utmost efforts to change this obnoxious feature, even though I may know that the majority of this House means to vote all such efforts down. As a test of your alleged friendship for the farmer, I call on you to vote to protect his products.

The question being taken on the amendment of Mr. BUCHANAN, the committee divided, and there were—ayes 58, noes 70.

So the amendment was rejected.

The Clerk read as follows:

Feathers of all kinds, crude or not dressed, colored, or manufactured.

Finishing powder.

Grease.

Grindstones, finished or unfinished.

Mr. EZRA B. TAYLOR. I move to strike out line 160.

This is not an industry, Mr. Chairman, in which my constituents are specially interested, but the State of Ohio is largely interested in it, and I desire to have read a sentence or two from the testimony that was taken before the commission in 1883. There has been no opportunity of getting information since.

The Clerk read as follows:

Mr. Worthington, president Berea and Huron Stone Company, and others testify:

The bulk of grindstones imported into this country are made in Nova Scotia and New Brunswick and used mostly in New England States, and although there may be some steel works near Philadelphia which use English stones, fully three-fourths of the manufacturers in this country use Ohio grindstones. No class of grinding for which stones found in Ohio and Michigan will not do.

If grindstones are put upon the free-list we must either cut down quarrymen's wages or abandon the market of the Eastern States.

Price of grindstones to-day is lower than ever before, which proves that the present duty does not foster monopoly.

Thousands of home labor find employment in this industry.

Imports of grindstones are not needed, but if they come they should pay duty.

Mr. EZRA B. TAYLOR. It was said in 1848 that Ohio was an abolition State anyway, and I suppose that because she is a protection State now I have no right here.

Mr. JOSEPH D. TAYLOR. Mr. Chairman, I must confess that I am surprised at the effort made here to place grindstones upon the free-list when this material is abundant and inexhaustible in this country. All through the Northern part of the State of Ohio and over almost the entire State, as well as perhaps over many parts of other States, stone suitable for making grindstones is found in great abundance, and, as has just been stated, there is no complaint that they are expensive. They are cheap, they are manufactured inexpensively, and the product of this industry is very large. The present ad valorem duty on grindstones is 14.73 per cent., or nearly 15 per cent. ad valorem, and yet with this duty there were imported last year 3,159.75 tons of grindstones, valued at \$37,548.75, and the duty paid to the Government was \$5,529.54. It is now proposed to remove the duty entirely by placing grindstones on the free-list.

I am unable to understand why this duty should be removed, and certainly no reason has been given. Only the day before yesterday, in coming along the railroad between here and Chicago, we passed large quarries where this kind of stone is found in the greatest abundance. We passed over thousands of acres of it, and thousands of men are employed in quarrying the stone and in manufacturing the grindstones. Railroads are employed in transporting them, and they are being sent all over the country. Nothing can be more abundant in this country, and very few things are less expensive.

The proposition is to let grindstones come in free of duty. I do not see the object of such legislation. It means that the men who are now employed in this industry are to be turned out of employment, or their wages are to be reduced, and eventually the business must be abandoned.

It will be impossible to carry on this industry as it is now carried on if the duty is removed; and the men who are employed in the quarries and in the factories where the stone is dressed and in hauling the stone will be thrown out of employment, and this industry will be lost to the country, and money to the extent of many thousands of dollars will be carried out of the country.

No grindstones are made in my district, while very many of them are used; but I am in favor of protecting every American industry, and wish to enter my protest against placing grindstones on the free-list when stone is so abundant in this country and so suitable, and when labor will suffer a loss and business a misfortune by such a course.

I can not understand, Mr. Chairman, why it is that the gentlemen on the other side are so fearfully concerned in regard to hoarding up a few thousand dollars in the Treasury of the United States while they are not at all concerned in reference to sending money out of the country where it will be hoarded up in the treasuries of Europe. I would like to know if it is not just as harmful to the industries of this country to have a million dollars carried to London, to Liverpool, or to Manchester as it is to have that money locked up in the Treasury of the United States. It is just as much withdrawn from the channels of trade and the business of the country in the one case as it is in the other.

[Here the hammer fell.]

Mr. MILLS. The revenue from grindstones amounts to \$5,529.54.

I do not think the admission of grindstones free of duty will make any especial difference here. I have not a doubt but what the grindstones from Ohio, of which my friend speaks, can be made cheaper there than anywhere else. I expect he will be able to send them everywhere throughout the United States. He need not have any fears that grindstones will come from anywhere else to crowd his grindstones out of the market. I hope we will have a vote on this proposition.

Mr. FARQUHAR. In the testimony taken before the last Morrison committee the Berea and Huron Stone Company of Ohio furnished, through Mr. FORAN, the Representative from Cleveland, quite an extended letter. By that letter I desire to call the attention of the House to a few paragraphs that cover this whole question of grindstones and also the export duty that is against American grindstones. I desire the Clerk to read the paragraphs I have marked, so that the House may have an intelligent idea of the grindstone trade.

The Clerk read as follows:

In the interest of the quarry owners of Ohio and the hundreds of workmen employed in the quarries we desire to draw your attention to the following facts:

1. That there is essentially but little difference between a finished and unfinished grindstone. The latter are generally, to all intents and purposes, grindstones ready for use. All they lack is the eye through the center or a little smoothing off to finish them, which costs but a trifle. They were formerly shipped to this country in that shape simply for the purpose of evading the duty. There is no doubt that if unfinished grindstones are put upon the free-list no finished stones will ever be imported.

2. The bulk of the grindstones imported into this country are made in Nova Scotia and New Brunswick, and are used principally in the New England States. Even with the present duty upon them our rail rates are so high and the distance so great that we are obliged to make very low prices upon our stones to compete with those products.

3. The quantity of grindstones annually imported into this country from England is but a trifle. Nine-tenths of the imported stones come from the maritime provinces, as before stated. There are more grindstones consumed in the New England States than in all the balance of the country. Foreign grindstones being produced by cheap labor and brought there by water at low rates of freight, we are by the aid of the present tariff only enabled to get a fair share of that trade.

4. If grindstones are put upon the free-list the manufacturers of Ohio must abandon all the Eastern States to foreign stone, thus cutting off an annual shipment from here of many thousands of tons.

5. Nova Scotia and New Brunswick grindstones are of course free in their own country, but on every ton we ship into Canada we have to pay a duty of \$2.

6. Mr. Mitchell claimed, when before the Ways and Means Committee, that foreign grindstones are absolutely required in large steel works. This is not correct. There may be, in the vicinity of Philadelphia, some steel works that use English stones, but we are positive that fully three-fourths of the steel manufacturers in the United States use Ohio grindstones. In fact, there is no class of grinding for which the various grits found in Ohio or Michigan are not adapted.

In conclusion, we wish to say that if grindstones of any kind are put upon the free-list the manufacturers of this State must either cut down quarrymen's wages sufficiently to offset the present duty or abandon the business in the Eastern States entirely.

The price of grindstones to-day is lower than was ever before known, which should satisfy the most skeptical that the present duty does not foster any monopoly.

Trusting that this matter will receive at your hands the attention which it deserves, we are,

Very truly, yours,

THE BEREA AND HURON STONE COMPANY.  
GEO. H. WORTHINGTON, President.

The CHAIRMAN. If there is no objection, the *pro forma* amendment will be considered withdrawn.

Mr. RUSSELL, of Massachusetts. Mr. Chairman, I renew the *pro forma* amendment. I wish to call the attention of the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] who spoke last to the fact that it appears from the evidence that has just been read that the grindstones that are imported into this country are brought from the maritime provinces of Canada for use in the New England States. Very few indeed are brought from England. The reason why those stones of great weight are brought from the maritime provinces is not because they are cheaper, not because they are water-borne, and the freights are long, but because there is no other grindstone that has a grit that is suited for the manufacturers of New England. The grindstones of Ohio have a sharper and harder grit. They are entirely of a different quality. They may be used in steel-works or in iron-works, but they are not suitable for the cutlery manufacturers of Massachusetts and Connecticut. They have never been used there. The duty upon grindstones imported from Nova Scotia and New Brunswick is merely a tax upon the manufacturers of Connecticut and Massachusetts in the cutlery interest.

Mr. JOSEPH D. TAYLOR. Mr. Chairman, I wish to say that some of the stone in the northern part of Ohio is very soft, so soft that it can be used to hone a razor. It is a very superior quality of stone.

Mr. RUSSELL, of Massachusetts. Yes; but where it is soft it is of uneven quality. I am glad the gentleman made the remark he did, because it reminds me to say that one of the necessities of the cutlery industry in these great grindstones that weigh a thousand pounds and upwards is equality of grit, and the difficulty with those Ohio stones is that while they are soft they have hard spots, so that they do not wear equally or run evenly upon the arbors upon which they are hung. The soft stones of Nova Scotia are the only ones that are fitted for the use of the cutlery manufacturers of New England, and in the interest of those manufacturers I ask that grindstones be put on the free-list, as they are not in competition with the industry of Ohio.

Mr. EZRA B. TAYLOR. I move to strike out the last word. Mr. Chairman, the testimony taken before the so-called Morrison committee

and the testimony taken before the Tariff Commission in 1883 shows that the Berea grindstones will accomplish every purpose that the Nova Scotia or New Brunswick grindstones will accomplish, and that they are in every respect adequate to every task that can be put upon them. Therefore the statement of the gentleman from Massachusetts [Mr. RUSSELL] is a mistake. That, I say, appears quite clearly, so far as the evidence is concerned. This is merely a question of whether the New England States can be benefited by grindstones being put upon the free-list. Now, that may possibly be. I stand here to-day not in defense of any local interest. With me the question of a tariff is not a local issue. I believe in protecting American industry in New England, in California, and in every intermediate locality. I find, however, that local influences do govern in regard to free trade and protection on the Democratic side. I find that in New England in Democratic localities it is demanded that for immediate local advantage they shall have free trade in this, that, and the other thing, but beyond that they want protection.

Now, I have no sort of respect for that intellectual idea, although I may have great respect for gentlemen who urge it, and as to the item under consideration, I stand here to-day to say that according to the best evidence on the subject there is not in the United States anywhere any need or requirement for grindstones that can not be supplied in the United States, and furthermore, let me say that I do not believe that the adoption of this provision of the bill would cheapen grindstones to New England. I withdraw the formal amendment.

The motion to strike out was rejected.

The Clerk read as follows:

Curled hair, for beds or mattresses.

Mr. LODGE. I move to strike out that line. The horse-hair from which curled hair for beds and mattresses is made is largely imported into this country. It comes chiefly from South America, and is on the free-list. The curled hair that is affected by this clause is the result of labor applied in this country to the raw horse-hair, and the margin of profit in this industry is extremely narrow.

The wages paid in this country for making curled hair are nearly double those paid in the same industry abroad. The duty collected on curled hair last year amounted to \$38.25. So that its removal is no relief to the Treasury. The effect of putting this article on the free-list, therefore, will be simply to strike a fatal blow at this industry, which is scattered through many of the Northern States; because, even with a reduction of wages, the domestic article could not probably be furnished at a sufficiently low price to enable it to compete with the imported product.

Sir, there is nothing, except, of course, "trusts" and "monopolies," which so much excites the virtuous and stormy eloquence of our friends on the other side as the question of the surplus. In this instance, however, the surplus is only affected to the amount of \$38.25. Yet they propose to strike down a manufactured article which differs from the raw material purely in the labor which has been applied to it. The entire additional value of curled hair comes from the labor.

I utterly fail to see for what reason this is proposed. It is not a relief to the masses of the people; it does not relieve the necessities of life; it does not reduce the surplus. Among the many items which we have touched in this bill I do not know that I have seen any which showed more decidedly the absolutely sectional and geographical character of the bill than this. I know this is a small industry; I know there is not much capital invested in it; there is no "trust" connected with it; but yet it affects a certain number of workmen and American capitalists throughout the country and gives them employment and a reasonable living. The reason that they are selected as victims is because they are few in number and live for the most part in Northern States and Republican districts. It is all part of this same insincere and unfair policy which inspires this bill. For example, we have been told here to-day, with a burst of eloquence from the chairman of the Committee on Ways and Means, that it was our duty to put vegetables on the free-list; yet in that very speech he protested against any interpretation of the clause which would place potatoes on the free-list. If it is right to put vegetables on the free-list, why should there be a discrimination as to potatoes, a vegetable which enters probably more largely than any other into general consumption.

Again, a few minutes ago we heard pathetic addresses from the gentleman from Kentucky and other gentlemen on that side about the enormity of putting a "tax on knowledge." Why is knowledge sacred from taxation when embodied in the German, French, Greek, or Latin languages, while the tax is continued on English books? You continue the "tax on knowledge" when conveyed in the English language, the language of our country, but when "knowledge" comes in the shape of Greek, Latin, French, or German books you get up here and wail over the great hardship it would be if knowledge should continue to be taxed. The whole thing is a sham, a shallow device to catch votes, but you forget that you are trifling with the industrial life of the country. As a part of my remarks, I submit the following:

The Curled Hair Manufacturers of the United States, at a meeting held in the city of New York, on the 8th March, 1888, appointed a committee to prepare a suitable document to be presented to Congress, petitioning against the placing of "curled hair for beds or mattresses" on the free-list.

The committee, on behalf of themselves and their fellow manufacturers, de-



sire to present to your honorable body the following reasons why the present duty of 20 per cent. on curled hair should be retained as now:

The raw horse hair used in our business is mostly imported from South America, which country is the greatest source of supply for these goods in the world. Freight from that point to Europe are somewhat cheaper than to this market. The wages paid by the curled-hair manufacturers in Europe are less than one-half the rates given in this country, while the freights between Europe and the United States are so low as to enable the manufacturers abroad to ship goods to this market at less rates than we can transport them a few hundred miles in this country.

The profits of our business for many years have been exceedingly close, there being no combination or "trust" among the manufacturers, and the removal of the present duty would enable the European manufacturers, who pay their laboring men so much less than we do, to destroy our industry, and would result in the closing up of our factories and throwing out of employment of a large number of men.

The ostensible object of the proposed tariff bill is to reduce the revenue, and we would respectfully call attention to the fact that the amount of duty received by the Government last year on the imports of curled hair was only \$38.25.

Curled hair is used almost entirely by the wealthier classes, and the abolition of the duty would not therefore remove any burdens from the mass of the people. It would simply benefit the manufacturers of the article in Europe at the expense of those in our own country.

The free importation of curled hair from Europe would be dangerous to public health. A certain proportion of the raw hair gathered in Europe is of such character as to be likely to cause disease if made into curled hair. The Governments of Germany and Great Britain have appointed commissioners to investigate the matter, and their reports show the great danger that exists from this source. Any manufacturing done in this country is amenable to our laws, but what is done abroad is not subject to any authority here and can not be prevented by any means now known to us.

We feel that your purpose in making laws is to benefit the great body of the people and at the same time do nothing to destroy existing industries; we would therefore respectfully but earnestly petition that the duty on curled hair be allowed to remain as it is now.

All of which is respectfully submitted.

B. F. WEBB, *Chairman*,  
(Of Baeder, Adamson & Co., New York, Philadelphia, and Boston),  
LOUIS WILKENS,  
(Of William Wilkens & Co., Baltimore and New York),  
W. J. GAMBELL,  
(Of Pomeroy & Gambell, New York),  
R. W. POWELL, *Secretary*,  
(Of Delany & Co., Philadelphia and New York),  
*Committee.*

[Here the hammer fell.]

The question being taken on the amendment of Mr. LODGE, it was not agreed to.

The Clerk read as follows:

Human hair, raw, uncleaned, and not drawn.

Hatters' furs, not on the skin.

Mr. BYNUM. I move to strike out the line last read—"hatters' furs, not on the skin."

Mr. REED. I hope the gentleman will tell us the reason for this amendment.

Mr. BYNUM. Gentlemen upon the other side have so repeatedly informed us of the complete destruction of American industries that will be wrought by the passage of this bill that we have become alarmed, and concluded that we must preserve some in order that manufacturing will not become a lost art. The production of hatters' furs will still live.

A MEMBER. Which district does this cover?

Mr. BYNUM. The entire State of Maine may depend upon it.

Mr. REED. That is as correct an answer as any gentleman on that side has made on this subject of the tariff. [Laughter.]

The amendment was agreed to.

The Clerk read as follows:

Hemp and rape seed, and other oil seeds of like character.

Time.

Mr. BYNUM. I move to strike out the line last read—"time."

Mr. REED. I hope the gentleman will tell us the ground of this amendment.

Mr. BYNUM. The same ground as the other.

Mr. BRUMM. I would like to know what member you expect to whip into voting for the Mills bill by striking this article from the free-list.

Mr. BYNUM. I would be glad to enlighten the gentlemen on the other side as to this change, but the contract is too great; we have not time.

Mr. REED. I have asked these questions of the gentleman from Indiana to see whether we should have here a repetition of the proceedings in the Committee on Ways and Means. This is precisely the answer which was given—not by him, for I think he maintained total silence on all occasions—but I believe this was the answer given us regularly. We were either told that they did not know, or we received some answer which was not true. This is a specimen of the way in which this bill has been gotten up. Even the modifications which the gentlemen themselves now make in it, they give us no reasons for, because the reasons which they have are such as are not suitable for the light of day.

Mr. BYNUM. The gentleman has stated that my answers as to the changes proposed in the bill are but a repetition of the actions of the Democratic members of the Committee on Ways and Means when formulating the measure. I simply desire to say that the conduct of the gentleman from Maine during the consideration of this measure in the House is but a repetition of his actions in the committee during the consideration of the same. The House can judge as to the propriety of one and the justification of the other.

Mr. REED. Now, I want the House to review this matter with me. I have asked here the reasons why a certain act was proposed to be done—a public act concerning the public business, concerning the business interests of the country. This was my manner in the Committee on Ways and Means; and that it was a good, sensible, business-like manner, it is not necessary for me to say. The gentleman's manner was not to reply, or to answer with some trifling jeer. Now, which manner is most satisfactory upon a business question? The methods we see exhibited here on the other side, are the methods by which this bill affecting the business interests of the country is foisted by party whip and lash upon the people who are to be affected by it, without giving them any opportunity to discuss the question or to inform the committee, except by private interviews which these gentlemen do not dare to expose.

The CHAIRMAN. The question is on the amendment of the gentleman from Indiana.

[Cries of "Vote!" "Vote!" on the Democratic side.]

Mr. REED. That is another of their methods; that is what they said in committee.

The amendment was agreed to.

The Clerk read as follows:

Garden seeds.

Linseed or flaxseed.

Mr. WILSON, of Minnesota. I move to strike out line 167—"linseed or flaxseed."

Mr. EZRA B. TAYLOR. I move to strike out that line.

The CHAIRMAN. The gentleman from Minnesota has submitted the motion to strike out line 167.

Mr. BRECKINRIDGE, of Arkansas. That amendment has the approbation of the Committee on Ways and Means.

The CHAIRMAN. Does the gentleman from Ohio [Mr. EZRA B. TAYLOR] desire to speak?

Mr. EZRA B. TAYLOR. I yield my time to my colleague [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I desire to call attention of the committee to an important and growing industry of this nation that has received but little attention in the discussion of the Mills bill. I refer to the linseed or flaxseed oil business. There are now in this country over \$5,000,000 invested in operating over eighty linseed-oil mills, which are distributed from New York to Dakota.

In the Third Congressional district of Ohio over \$1,000,000 are invested in this business. The present law protects the linseed-oil industry by a tariff of 25 cents per gallon upon all imported oil, and 20 cents per bushel on flaxseed. Under that protection the raising of flaxseed by our farmers has increased from an annual produce of 700,000 bushels to over 12,000,000, which crop finds a ready cash market from the linseed-oil mills at prices ranging from \$1 to \$1.25 per bushel, bringing to the pockets of the American farmers the sum of from twelve to fifteen million dollars each year.

The flaxseed crop to the American farmer is one of profit from the fact that the cost of said crop is comparatively light and the returns quick. The farmer sows his crop in April or May, and by the last of July or the first of August has his crop harvested and marketed, leaving the ground upon which it is raised in splendid condition for wheat. The proceeds of the crop come into the pocket of the farmer at a time when he has no other crop ready for market, and in addition to the sale of the seed the flax straw commands a ready market from \$4 to \$6 per ton.

The exports of linseed oil for the fiscal year ending June, 1887, is only 119,840 gallons, valued at \$57,136. Thus it will be observed that the oil is nearly all consumed in the United States, and that the crop of flaxseed raised by the farmers of the United States increases in proportion to the demand of oil for home consumption. Now, throw open this growing industry to the markets of the world by placing flaxseed or linseed oil on the free-list. What will be the result? I send to the Clerk's desk three letters from parties engaged in the manufacture of linseed oil in Ohio, and request that they be read as a part of my remarks.

Those letters in clear, terse language tell what will become of over \$5,000,000 of invested capital in mills and machinery for the manufacture of linseed oil, and the manufacture of linseed oil will cease to be an American industry.

Therefore by removing or reducing to a nominal sum the duty on linseed oil, you render it impossible for our oil-mills to compete with the oil-mills of England. The result must be the closing out of every oil-mill in the United States, or if they can continue in business it will be for the reason that free trade will enable the manufacturers to purchase flaxseed raised in India, where it is the second crop produced each year from the same ground, by labor that only costs 7 cents per day, at such a price that under the proposed reduction on oil they can compete with England; and the sure result will be that the burden and loss will fall on the farmer, and the heavy burden upon the Western farmer—the class of poor landless men who left their native homes in the crowded East and endured the hardships of a pioneer life in order that they might find homes and land for their children; for to the pioneer farmer of the Western prairies the flaxseed crop is the

prime factor and chief dependence for success, both in subduing the virgin soil and in producing a crop quickly made and quickly marketed.

Place flaxseed upon the free-list in the name of revenue reform you will filch from the pockets of the American farmers from twelve to fifteen million dollars. What amount of revenue does the Government derive from the present duty on flaxseed? We now import flaxseed to the amount in value of \$418,031.30, on which the duty is \$83,060.81, and the duty on linseed-oil is \$1,319.30; so that the revenue by the destruction of this industry would only be reduced \$84,380.11, and for that pitiful reduction you will reduce the income of the farmers \$15,000,000.

But we are told that the farmers must suffer and the linseed-oil industry be destroyed in order that the consumers will have cheaper oil. How stands the record of the past on that subject? In 1862 nearly all the linseed oil consumed in this country was imported, and the consumer paid for his oil from 90 cents to \$1.20 per gallon. In 1870 the present tariff of 25 cents per bushel was placed on flaxseed and the manufacture of linseed oil largely increased, and the raising of flaxseed grew from 3,000,000 to 12,000,000 bushels. I desire to incorporate into my remarks a table prepared by the gentleman from Minnesota [Mr. LIND], which shows that the flax crop of the United States in 1876 was 3,750,000 bushels, and that we imported 2,500,000 bushels, and that for the year 1887 our farmers produced 11,000,000 bushels and we imported 400,000 bushels.

	1875-'76.	1876-'77.	1877-'78.	1878-'79.	1879-'80.	1880-'81.
Crop of flaxseed.....	3,750,000	2,503,000	4,000,000	4,500,000	5,750,000	9,000,000
Importation of linseed.....	2,500,000	1,400,000	1,250,000	1,060,000	1,500,000	800,000
Total.....	6,250,000	3,903,000	5,250,000	5,560,000	7,250,000	9,800,000
Exported.....						300,000
Total quantity used for crushing and seed-ing.....	6,250,000	3,903,000	5,250,000	5,560,000	7,250,000	9,500,000

  

	1881-'82.	1882-'83.	1883-'84.	1884-'85.	1885-'86.	1886-'87.
Crop of flaxseed.....	7,500,000	7,500,000	7,500,000	8,000,000	12,500,000	10,900,000
Importation of linseed.....	620,000	620,000	2,730,000	2,240,000	1,000,000	400,000
Total.....	8,120,000	8,120,000	10,230,000	10,240,000	13,500,000	11,300,000
Exported.....					1,100,000	400,000
Total quantity used for crushing and seed-ing.....	8,120,000	8,120,000	10,230,000	10,240,000	12,400,000	10,900,000

Average from 1875 to 1886, 7,893,000 bushels.

Linseed oil in 1876 sold in the market at 80 cents per gallon; in 1888 at from 40 cents to 50 cents per gallon.

Therefore the theory of cheap oil to the consumer under free trade is contradicted by undisputed facts. I have not tried to explain the fallacy of your theory; I give the results of actual experience.

I ask the earnest consideration of the committee to this subject. The advocates of the Mills bill profess to be the special friends of the American farmers. How can you explain to the farmers of the great and growing West the necessity of destroying an industry worth \$12,000,000 to the farmer in order to reduce the revenue of the Government \$84,380.11? A policy that not only deprives the farmers of \$12,000,000, but enriches the linseed capitalist of England at the expense of American citizens. And I am glad that the committee have concluded, in view of this great and growing industry, to permit the tariff on flaxseed to remain.

I append a few letters.

THE WOOD LINSEED OIL COMPANY,  
Piqua, Ohio, March 19, 1888.

DEAR SIR: We presume it is hardly necessary to say to you that if the tariff was taken off of flaxseed or oil that every oil mill in the West (representing millions of capital) would be closed up; and that the item of seed raising, which has been increased in the United States under the present tariff from 700,000 bushels to more than 12,000,000 bushels, would be entirely cut off. Our farmers can not compete with free seed. The present tariff barely protects this great industry; and we trust you will use every effort in your power to have it remain as it is. We will forward you petitions before long.

Yours, very truly,

Hon. Eli S. Williams,  
Washington, D. C.

THE WOOD LINSEED OIL COMPANY.

THE GRISWOLD LINSEED OIL COMPANY,  
213 Superior Street, Cleveland, Ohio, April 13, 1888.

DEAR SIR: We wish to call your attention to the proposed change made by the Mills bill affecting import custom duty on linseed or flaxseed and linseed oil, placing both on the free-list. No change in the tariff could be so radical

and unreasonable as this, in view of the simple argument which can not be gainsaid when the plain facts are considered governing the case. We have presumed that you, as a Representative from Ohio, will be willing to have attention called to this matter in brief, as follows:

We have in this country between 80 and 85 linseed-oil mills, representing a moneyed investment in machinery for working seed of \$5,000,000 and over. These mills have sprung up, and the industry has grown to the extent that their capacity is sufficient to consume the entire production of flax grown in this country; and of late years the home production of seed by the farmer has increased along with the needs of the trade, so that little foreign seed is consumed here, as reference to the amount imported will readily show. In this country the seed is converted into oil and cake, the oil being the principal or prime factor, and is all consumed in the United States, and the cake is the refuse material, nearly all exported to England for feeding purposes. On the other hand, England works only Calcutta seed, raised in the East Indies, and the situation is then reversed, the manufacturer producing like products to our own, but upon an entirely different basis—their prime object being to obtain the cake for feeding, and the oil becomes the secondary product. It can therefore be readily seen that under the proposed change the entire basis of this manufacturing industry will be transferred to England, thus leaving our mills powerless and worthless, with no chance whatever to compete with them, as the production of seed in America would be entirely cut off, and we could not import seed and work it in competition with England. We give below the distribution of the mills by States:

Ohio.....	21	Pennsylvania.....	8
Indiana.....	7	Minnesota.....	3
Illinois.....	12	Wisconsin.....	3
Iowa.....	11	Michigan.....	1
Missouri.....	4	New York.....	7
Kansas.....	2		
Nebraska.....	1	Total.....	81
Dakota.....	1		

How could these mills expect to work seed imported from the East Indies (virtually England), paying freight from the seaboard to their different points, and export the cake, and at the same time successfully compete with English oil in this country and cake in their own. Our mills, it would seem, would become valueless, and it certainly would appear unjust to our manufacturers to wipe out their investment of capital for which nothing could be realized. As the matter stands with this change, no reduction of revenue, to speak of, would come, the only thing it would accomplish would be to wipe out completely this industry. Clearly this should not be done by Congress; at least, it should not be considered until Congress is prepared to reimburse the mill owners for the investments now represented by their machinery and buildings; that would relieve the surplus to a considerable extent, while the proposed change in the tariff would not.

A careful study of this matter will, we feel confident, show you the evil resulting, without any good.

Very respectfully,

THE GRISWOLD LINSEED OIL COMPANY,  
A. P. HOUSE, Vice-President.

Hon. E. S. Williams, M. C.,  
Washington, D. C.

PIQUA, OHIO, June 4, 1888.

DEAR SIR: We see by reports from Congress that amendments to the proposed Mills revenue bill will be in order soon. This being so, permit us to call your attention to the industry in which we are engaged as manufacturers of linseed-oil. Under the present tariff flaxseed has a protection of 20 cents per bushel and linseed-oil 25 cents per gallon. By the Mills bill flaxseed is free and linseed-oil (under pressure from the seaboard crushers) has 10 cents per gallon. The growing of seed in this country, without some protection from the cheap-labor seed of the East Indies, we think would be impossible, for the reason that the manufacturers find it very difficult to get a supply now, and would be entirely unable to get it if it was not the fact that it is considered a good crop for fresh-broken ground on the prairie of the extreme West and Northwest. Older farmers have almost abandoned it as a profitable crop in competition with wheat, corn, oats, barley, etc. Therefore should the duty be removed the American manufacturers would be sacrificed, and we think without benefit to the consumer.

The linseed-oil interest occupies an entirely different position in America from what it does in England. We manufacture oil for consumption, the cake being incidental and having to seek a market abroad for a large per cent. of it. While in England they manufacture for the cake, which is used largely for feeding and fertilizing purposes, oil being incidental. An English manufacturer buys his seed from the cheap lands of the India possession, manufactures it into cake and oil, the relative quantity being about 65 per cent. of the cake and 35 per cent. of oil. For the 65 per cent. he has the market, having to seek a market for only a portion of his 35 per cent.

In America the manufacturer has a market for the 35 per cent. and has to seek a market for a large portion of the 65 per cent. Now, if you take the duty from seed the American farmers refuse to grow it, and greatly so for the reason that the English manufacturer can throw his surplus 35 per cent. into the American market. Knowing full well if he can destroy the American-grown, he will ultimately have control of the American markets, as it would be impossible for the American manufacturers to import seed from India and then pay the increased cost of transportation on the cake, which must go back to England for a market. Having then effectually ruined the American grower, and through him the interior manufacturer, competition is virtually destroyed, and the English manufacturer advances his price on the 35 per cent. which he has to dispose of, and the American consumer has to pay the advance whether he wants to or not. We, therefore, under the existing facts, ask you to use your influence to keep the duty on foreign seed and oil, where it now is. Feeling fully assured that the price of oil will always be kept as low as it should be by the active competition of the American manufacturers.

Yours, respectfully,

THE W. P. ORR LINSEED OIL COMPANY,  
Piqua, Ohio.  
Per H. L. POPE & CO.,  
Dayton, Ohio.

Hon. E. S. Williams,  
Washington, D. C.

Mr. KERR. I move to strike out the last word.  
Mr. TOWNSHEND. Is it an amendment to the amendment?  
The CHAIRMAN. It is.

Mr. TOWNSHEND. What is the effect of it?  
Mr. REED. The effect of it is to give him five minutes. [Laughter.]  
The CHAIRMAN. The amendment is a formal one to strike out the last word.

Mr. KERR. That is it. It is the line in the Mills bill providing that linseed or flaxseed shall be put upon the free-list. That line is



indorsed by the Democratic party at the St. Louis convention. [Laughter.] The Democratic committee and the Democratic side of the House for some reason have seen proper to go back on that part of the Democratic platform. I do not know why it is, except it be the motion has been made by a Democratic member from Minnesota, who may think it conducive to his interest. [Laughter.]

I have received numbers of petitions and numbers of letters from my district in favor of striking out this provision. I am glad Democratic necessity has made it necessary. I withdraw my formal amendment.

Mr. HARMER. I move to strike out the last two words.

I send to the Clerk's desk to be read within my time a protest against the passage of the Mills bill, signed by over eight hundred manufacturers of the city of Philadelphia and vicinity, representing 150,000 employes.

The Clerk read as follows:

To the Honorable the House of Representatives, Washington, D. C.:

1. In selecting taxes for removal, the direct internal taxes, laid solely upon our own people, should be stricken off, rather than the indirect customs taxes, laid wholly or in part upon foreigners.

2. The maintenance of two costly methods of collecting revenue where but one is necessary is indefensible. Of the methods now employed, the customs service must be permanent. The other method should at once be abolished and the cost of it saved.

3. The protective principle embodied in the laws by the founders of this Government and maintained by the votes of the people for nearly one hundred years, should include in its benefits every American producer, whether of so-called raw material or of manufactured articles. All raw material when ready for market is, like the completed fabric, the fruit of labor, and labor is the thing protected.

4. The American market consumes annually more than \$7,000,000,000 worth of articles manufactured at home. In addition, it consumed last year \$350,000,000 worth of fabrics made abroad which could have been made here. These figures show it to be the greatest and richest market in the world; and they prove that its domestic manufactures, being still within its capacity to consume, have ample room for expansion without seeking foreign markets. To open the American market further to foreigners, while no foreign market is further opened to us, will be to surrender the richest commercial prize in the world without compensation.

5. Industries which produce \$7,000,000,000 a year under a system proved by a century of experience to be conducive to national prosperity, represent interests of too vast importance for employers and employed, and for the people at large, to be made the subject of loose experiment. No general reconstruction of the tariff law, involving disturbance of the commerce of the entire country, should be undertaken, unless in response to the wish of the people plainly expressed at the polls, and the people have not expressed such a wish.

6. Any reconstruction of the tariff law should be based upon a system of specific rather than ad valorem duties, for the reason that the latter offer greater facility for the perpetration of the frauds which even now rob the Government of large sums of money every year.

As the tariff bill prepared by the majority of the Ways and Means Committee, and commonly known as the Mills bill, is constructed in complete disregard of all the conditions of safety, equity, and prosperity for the American people indicated by the above propositions, we, the undersigned manufacturers of the city of Philadelphia and vicinity, do most earnestly protest against its approval by Congress.

Name.	Business.	Number of persons employed.
Cambria Iron Company.....	Iron and steel.....	9,000
John & James Dobson.....	Carpet manufacturers.....	4,000
Thomas Dolan & Co.....	Woolens and worsteds.....	1,800
John Bromley & Sons.....	Carpet manufacturers.....	1,682
S. B. & B. W. Fleisher.....	Brads, worsted, and woolen yarns.....	584
John T. Bailey & Co.....	Bag and twine manufacturers.....	600
Marshall & Co.....	Flax-spinners.....	1,000
William Whitaker & Sons.....	Cotton goods and carpets.....	500
Firth & Foster Bros.....	Dyers and finishers.....	250
John J. Glazier, Bro. & Co.....	Knit goods.....	600
Porter & Dickey.....	Cotton and woolen goods.....	250
William Sellers & Co.....	Founders and machinists.....	600
The Allison Manufacturing Company.....	Car-builders.....	800
A. Whitney & Sons.....	Car-wheels.....	250
Thomas Potter, Sons & Co.....	Oil-cloths.....	450
Hoopes, Townsend & Co.....	Bolts, nuts, and washers.....	650
Otis Brothers & Co.....	Elevators.....	700
George Branson.....	Hosiery and yarns.....	650
Fleisher Bros.....	Clothing.....	1,250
Hexter Bros.....	do.....	1,000
Allen B. Rorke.....	Builder.....	250
Excelsior Brick and Stone Company.....	Bricks.....	350
The Bridesburg Manufacturing Company.....	Textile machinery.....	650
Hughes & Patterson.....	Iron.....	300
J. W. Patterson & Co.....	Morocco.....	400
Dungan, Hood & Co.....	do.....	250
J. B. Lippincott & Co.....	Publishers and booksellers.....	500
G. W. Plumley.....	Paper boxes.....	400
William H. Grundy & Co.....	Worsted yarns.....	550
McCallum & Sloan.....	Carpets.....	400
Hastings & Co.....	Gold leaf.....	350
Hero Fruit Jar Company.....	Glass.....	750
Whitney Glass Works.....	do.....	700
Enterprise Manufacturing Company.....	Hardware.....	650
Charles Spencer & Co.....	Cloakings and knit goods.....	500
American B. H. O. and Sewing Machine Co.....	Sewing machines.....	402
Baugh & Sons.....	Boneblack and chemicals.....	525
The Pennsylvania Salt Manufacturing Company.....	Chemicals.....	1,125
Sanquett Silk Manufacturing Company.....	Silk goods.....	800

Name.	Business.	Number of persons employed.
The Jessup & Moore Paper Company.....	Paper manufacturers.....	500
Whitney Paper Company.....	do.....	1,000
Bement, Miles & Co.....	Machine tools.....	600
Southwark Foundry and Machine Company.....	Engines and boilers.....	500
Pottstown Iron Company.....	Iron and steel.....	1,600
John Mundell & Co.....	Shoes.....	600
John Lucas & Co.....	Paints.....	255
Baeder, Adamson & Co.....	Glue and curled hair.....	453
Burnham, Parry, Williams & Co.....	Locomotives.....	3,100
Bailey, Banks & Biddle.....	Watches, jewelry, etc.....	160
James Doak, Jr., & Co.....	Worsted yarns.....	350

And 750 other manufacturing concerns, employing in the aggregate about 150,000 persons.

Mr. HARMER. The signers of this protest are gentlemen who have made Philadelphia the greatest manufacturing city in the United States, and also made it the city of homes, largely owned and paid for by the wage-earners under protection.

Mr. BURROWS. Has line 166 been stricken out?

Mr. BRECKINRIDGE, of Kentucky. We have passed it and we are now on line 167.

The CHAIRMAN. The Clerk will read the next line, which is line 168.

The Clerk read as follows:

Marble of all kinds, in block, rough or squared.

Mr. BRECKINRIDGE, of Kentucky. I move to strike out that.

Mr. BURROWS. On that motion I desire to be heard. When lines 165, 166 were reached, the reading was so rapid I lost the opportunity to make the motion in regard to line 166. I am quite sure if the committee will listen to what is said on that industry of garden seeds, they will unanimously agree to return to it and strike that line out. There was no information furnished to the committee on that subject we are aware of, but when the Tariff Commission was investigating the subject a large number of witnesses brought before that commission testified in regard to it. I have a short extract from the testimony taken and from a large number of witnesses, and only one suggested garden seeds should be free. I ask the Clerk to read this, and then I will ask unanimous consent to return to that line with the view to strike it out.

The Clerk read as follows:

#### GARDEN SEEDS.

D. Landreth & Sons, Philadelphia, say:

"This industry requires use of 30,000 acres of land, gives employment to thousands of people both in fields and in workshops. The pauper labor of Europe comes in competition. England's humid climate permits a larger yield, although the seed has not so much power as our own."

C. C. Morse, California, says:

"The seed-growing business in California is a new one, not more than eight years old, but this year (1882) we supplied the Eastern market with not less than 60 tons of garden seeds. We need protection anyway until we are stronger. We have not only European competition against us, but high freights. The vegetables of to-day are much better than those of fifty years ago, and improvement in next ten years will be very great."

Mr. Wells, of Connecticut, said: "I represent the seed farms of New England, near Wethersfield, where there are at least thirty seed-growing farms. We have been in this business for some time, and have buildings, etc., for carrying on this business properly; but the influx of foreign seeds of an inferior quality is driving us out. We have to compete, for instance, with turnip-seed, which they bring in at 10 cents a pound, while we can not grow it for less than 20 cents."

Mr. BURROWS. In view of that statement I ask unanimous consent to make a motion to strike out the line indicated.

Mr. MILLS. I object.

Mr. BURROWS. So I supposed.

The CHAIRMAN. The Chair will assume the *pro forma* amendment to be withdrawn.

Mr. BRECKINRIDGE, of Kentucky. The gentleman offered no *pro forma* amendment. My motion was to strike out that line, 168.

Mr. HOUK. I hope the House will agree to the motion of the gentleman from Kentucky to strike out the line he proposes.

The CHAIRMAN. The Chair thinks the House will.

Mr. HOUK. To keep this item in the bill would destroy an industry which employs several thousand men in my own county; and with free marble it is a notorious fact that American marble can not compete with foreign. I hope the motion will prevail.

The motion of Mr. BRECKINRIDGE, of Kentucky, to strike out the line was agreed to.

The Clerk read as follows:

Osier or willow, prepared for basket-makers' use.

Broom-corn.

Mr. JOSEPH D. TAYLOR. I move to strike out line 170, "broom-corn."

I am entirely unable to understand, Mr. Chairman, why broom-corn should be placed upon the free-list when it is a product of almost all parts of our country. Wherever corn can be grown broom-corn can be also. It can be produced in most of the States of the Union.

The Democratic caucus, or the Ways and Means Committee, has de-

creed that lime shall be restored to the dutiable-list, when it is not found in all parts of the country by any means, but is only found in certain localities. There are some States or parts of States where no limestone is found, and other States where very little is found. They have also restored to the dutiable-list linseed or flaxseed, which are only produced in certain localities.

They have also restored to the dutiable-list marble of all kinds in block, rough, or squared, which is largely a Southern production, and I am unable to see why there should be this discrimination against broom-corn. It is an agricultural product and is produced almost everywhere, and can be produced in the greatest abundance in this country, and can be grown cheaply as well as in abundance, and can be grown wherever any farm product can be grown, and should be protected. And yet it is to go on the free-list, while some influence has been brought to bear to restore the articles which I have just named, though they, like broom-corn, have been on the free-list until now.

Some Democratic district was imperiled, the return of some Democratic member was endangered, and the changes were accordingly made; but broom-corn is to go, as it is not a panacea for the evils feared on the other side of the House. The fact that it is an agricultural product, and the fact that it grows in all parts of the country and is produced largely by poor people makes no difference in this House.

This industry is an extensive one, and if it is to be prejudiced by the importation of broom-corn from Canada or Cuba, or any other foreign country, as it will be if placed upon the free-list, many poor people, as well as those who are not poor, will feel the effects.

I do not understand why it is to be brought here from Canada, or Cuba, or South America in competition with our American product, and I fail to see any reason for it which could possibly justify such action. Every dollar that is sent out of the country for broom-corn is so much drawn from the channels of trade unnecessarily, and we are just that much poorer. I have no interest in this industry beyond the fact that it is an American industry and should be protected. We are all interested in every American industry, and should be on the alert to see that no man or woman or child should be robbed of an opportunity to labor by giving employment to foreigners which we should give to our own people.

[Here the hammer fell.]

Mr. FARQUHAR. Mr. Chairman, I wish to inquire of the chairman of the Committee on Ways and Means if there ever was before a duty on broom-corn?

Mr. MILLS. I am inclined to think there was not; but there has never been any imported.

Mr. FARQUHAR. I can not find it in any official schedule, either on the free-list, on the list of sundries, or on the dutiable-list.

Mr. MILLS. None is imported. Therefore it ought to be on the free-list. The committee believed it to be proper to place it there, and I ask that we have a vote upon the pending proposition.

Mr. CANNON. What is the pending motion?

The CHAIRMAN. To strike out line 170—"broom-corn."

Mr. CANNON. Then, if broom-corn is stricken out, so far as the action of the committee is concerned, it will not be upon the free-list?

Mr. MILLS. Of course.

The CHAIRMAN. That is correct.

Mr. CANNON. Now, I would like to ask another question as to the present tax upon it.

Mr. MILLS. There is none imported.

Mr. CANNON. But what does the law provide that it shall pay if it is imported?

Mr. MILLS. It is not enumerated at all.

Mr. DINGLEY. It doubtless has a duty fixed in the unenumerated clauses of the bill—some basket clause.

Mr. MILLS. Yes, in some basket clause.

Mr. CANNON. Then what is it taxed under some general clause?

Mr. DINGLEY. Twenty per cent. under the basket clause.

Mr. CANNON. The gentleman from Maine says 20 per cent.

Mr. MILLS. It would doubtless come under the provision:

There shall be levied, collected, and paid on the importation of all raw or unmanufactured articles not herein enumerated or provided for a duty of 10 per cent. ad valorem.

Mr. CANNON. Ten per cent.?

Mr. MILLS. Yes, sir.

Mr. CANNON. And your action is to leave it as it is under the law?

Mr. MILLS. No, to put it on the free-list.

Mr. CANNON. The motion then came from that side?

Mr. MILLS. No, the motion came from your side to strike it off the free-list.

Mr. CANNON. I desire to be heard upon that motion.

I make a *pro forma* amendment as it may be necessary in order to obtain the floor.

From the statement of the gentleman from Texas the tax upon broom-corn imported is now 10 per cent. ad valorem. He says none is imported. Very well, then, what harm can it do to let it remain as it is under the law?

I want to state, further, that substantially two-thirds, as I understand it, from one-half to two-thirds, of all the broom-corn produced here is produced in the district I have the honor to represent. I understand

further that almost all the remainder produced in this country comes from Kansas, with some small portion from Nebraska.

Mr. BAKER, of New York. A considerable amount is produced in the State of New York.

Mr. JOSEPH D. TAYLOR. And in Ohio.

Mr. CANNON. And a considerable amount, I am informed, is raised in New York and also in Ohio. I understand that it can be produced in Canada.

And yet 10 per cent. is sufficient to prevent the importation of broom-corn. This is purely an agricultural product. Gentlemen who understand it, understand that great labor has to be expended in its production, not only in preparing the ground, in seeding and in the cultivation, but the labor is enormous in harvesting and preparing for the market. In fact, so far as that is concerned the product may be said to be represented by more than four-fifths of labor. So I trust the gentleman will allow the motion to prevail and let broom-corn stand as it now does, with a tax of 10 per cent. ad valorem, which he informs us is the tax.

Mr. MILLS. Mr. Chairman, one of the most distinguished Secretaries of the Treasury our country ever had, Mr. Walker, lays down among the principles to guide in the formation of a tariff bill this: That where an article bears a very low duty, and the importation is very small, or it is not imported at all, the article ought to be transferred to the free-list. We have put this article on the free-list, finding no importation of it at all even under this nominal duty. Besides that, we have reduced the duty on the manufactured product. We all know enough about the manufacture to know brooms are made out of broom-corn. We have reduced the duty on brooms and put broom-corn on the free-list. My friend says they raise it in his district. I suppose that is true of almost every district in the country. I know they raise it in my district. The very fact that none is imported into the country, I think, ought to be accepted as sufficient proof to all of us that we produce it cheaper than it can be produced by anybody abroad and sold in our neighborhood in competition with us.

Mr. CANNON. What will be the effect of leaving the duty as it is?

Mr. MILLS. There will be no effect at all to your part of the country, and perhaps to no other part of the country.

Mr. CANNON. Then, as it has been said the farmer has no place in this bill, we would much rather—

Mr. MILLS. The prosperity of the farmer does not depend on broom-corn.

Mr. CANNON. As the gentleman says it will do no harm, we would much rather have the duty remain as it is.

Mr. MILLS. Let us vote. It is too small a matter to talk about.

The Chair put the question, and was in doubt as to the result.

Mr. CANNON. I call for a division.

The committee divided; and there were—ayes 60, noes 82.

Mr. HOPKINS, of New York. I challenge the count.

Mr. JOSEPH D. TAYLOR. I demand tellers.

Tellers were ordered.

The CHAIRMAN. The Chair will appoint as tellers the gentleman from Illinois [Mr. CANNON] and the gentleman from Texas [Mr. MILLS].

The committee again divided; and the tellers reported—ayes 60, noes 83.

So the amendment was rejected.

The Clerk read as follows:

Brush-wood.

Plaster of Paris, when ground or calcined.

Mr. MILLS. Mr. Chairman, I move to strike out line 172.

The motion was agreed to.

The Clerk read as follows:

Rags, of whatever material composed.

Mr. DINGLEY. I move to strike out that line. I wish to inquire of the chairman of the Committee on Ways and Means if the sole effect of this line is not simply to admit free of duty woolen rags, which now pay 10 per cent?

Mr. MILLS. Rags, of whatever material composed.

Mr. DINGLEY. I think the sole effect of this line is to admit free of duty woolen rags, which now pay a duty of 10 per cent.

Mr. BRUMM. To admit woolen rags and yellow fever.

Mr. DINGLEY. It is to be borne in mind that this practically affects the wool question, because woolen rags imported into this country and worked here in the form of shoddy take the place of wool to a large extent, and furnish one of the means by which the price of wool has been largely crowded down.

Now if it is proposed to put wool upon the free-list, woolen rags, of course, should follow in the same direction. But if it is not proposed to put wool upon the free-list, then woolen rags should not be put upon the free-list but should retain the same duty that they have at present, competing, as they do in so material an extent, with the use of wool. I would therefore suggest to the gentleman from Texas that by unanimous consent we pass over this line until we shall have reached and determined the question of wool.

The CHAIRMAN. The gentleman from Maine asks unanimous consent that this line may be passed for the present.

Mr. DINGLEY. I do not see the chairman of the Ways and Means Committee present, but I noticed the gentleman from Kentucky [Mr.



BRECKINRIDGE], who is on that committee. I will say to that gentleman what I said a moment ago, thinking the chairman of the committee was present, that if wool is put on the free-list, then of course woolen rags ought to be, but if wool is not put on the free-list woolen rags should not be. My question was whether the committee would not consent to pass over this line until wool is disposed of.

Mr. BRECKINRIDGE, of Kentucky. I heard the gentleman's remark and consulted with the chairman of the committee (who has been called out), and he objected to passing over this line.

Mr. DINGLEY. Then I hope that the motion which I have made that this line be stricken out may be adopted, for this is simply the preliminary contest with reference to the question of free wool. My belief is that one of the most ruinous acts which this Congress could perform would be the placing of wool upon the free-list—ruinous not simply to the farmers who produce wool in this country, but ruinous in the long run to the consumer, resulting eventually in increasing rather than decreasing the cost of woolen cloth to the consumer. Now, as this is the preliminary step in the matter, and the question practically is to be determined here, for woolen rags should not be put upon the free-list unless wool is to be, I hope that this House will meet the question at this point and determine whether it is to be the policy of the majority to put wool upon the free-list, as this bill proposes, in which case, of course, woolen rags would follow.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, in 1866 this question of free woolen rags was under debate in this House in connection with the question of the making of shoddy. It was not proposed at that time to put wool upon the free-list, and I send to the Clerk's desk an extract from the debate giving the remarks of one of the present members of the Committee on Ways and Means of this House, the gentleman from Pennsylvania [Mr. KELLEY], from which it will be seen that even if wool were not to be put upon the free-list, which is altogether an idle supposition at this time—that even if it were not to be put upon the free-list, yet very weighty authority upon the other side of the House then held that nevertheless woolen rags should be put upon the free-list. I ask the Clerk to read the extract which I send to the desk.

The Clerk read as follows:

July 28, 1866.

Mr. KELLEY. Let the raw material come in. Let us make blankets that will drive out English blankets. Let us make our own "English frieze" and "Peterboro" frosted beaver." Let us be able to rival England and France and other representative nations in making these cloths.

Mr. BRECKINRIDGE, of Arkansas. Now, Mr. Chairman, this was about woolen rags, and it is true now as then that if anything is raw material I suppose it is old rags.

And upon the question of raw material I wish to have read an extract from the remarks of Mr. DAWES showing how different were the views entertained by gentlemen upon the other side of the House at that time from those entertained there now.

The Clerk read as follows:

June 29, 1866.

Mr. DAWES. The duty must be levied on the raw material or on the manufactured article. If you levy it on the raw material you discriminate against American labor, and if you levy it on the manufactured article you discriminate in favor of American labor. You must have either a protective tariff or a tariff which discriminates against American labor.

Mr. BRECKINRIDGE, of Arkansas. I submit, sir, that it is nothing less than mockery for this same class of gentlemen to now claim, when we are trying to do what they said until the recent past was best for labor, that we shall lessen wages. Your party has taken a new departure. You are the Chinese party of monopoly.

Mr. ADAMS rose.

The CHAIRMAN. Debate on the pending amendment is exhausted.

Mr. ADAMS. The amendment pending is to strike out the line. I move to amend the line by striking out the last three words and inserting in lieu thereof the word "cotton."

A MEMBER. Cotton rags are on the free-list.

Mr. ADAMS. Well, I make the motion merely for the purpose of submitting a few remarks. By the existing law I find—

Mr. MILLS. Mr. Chairman, I ask the gentleman from Illinois to yield so that I may make a motion that the committee rise, in order to let the Committee on Appropriations present a bill.

Mr. ADAMS assented.

The CHAIRMAN. The gentleman from Illinois [Mr. ADAMS] having the floor, the Chair will recognize the gentleman from Texas [Mr. MILLS] to make the motion indicated by him.

Mr. MILLS. I move that the committee do now rise.

The committee accordingly rose; and Mr. BLOUNT having resumed the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, and had come to no resolution thereon.

The SPEAKER *pro tempore* laid before the House the legislative, executive, and judicial appropriation bill, with the action of the Senate thereon, as follows:

IN THE SENATE OF THE UNITED STATES, June 26, 1883.

Resolved, That this bill pass with amendments.

Mr. FORNEY. I move that the House insist upon its disagreement

to the amendments of the Senate, and ask for a committee of conference.

The motion was agreed to; and the Speaker *pro tempore* appointed as conferees on the part of the House Mr. FORNEY, Mr. RANDALL, and Mr. CANNON.

#### AGRICULTURAL APPROPRIATION BILL.

Mr. HATCH. I rise to a privileged motion. I am instructed by the Committee on Agriculture to move that the House non-concur in the amendments of the Senate to the agricultural appropriation bill, and agree to the conference asked by the Senate.

The SPEAKER *pro tempore*. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (H. R. 10233) making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1889, and for other purposes.

Mr. ADAMS. Mr. Speaker, ought not these amendments to go to the Committee of the Whole on the state of the Union?

The SPEAKER *pro tempore*. They must take that course if a point of order be made.

Mr. ADAMS. If the gentleman from Missouri [Mr. HATCH] will state the purport of these amendments, I shall probably make no point of order.

Mr. HATCH. There is no necessity that the amendment should go to the Committee of the Whole. The two principal amendments—the only ones on which there will be any controversy—will come before the House at the proper time. One of these proposes to appropriate \$100,000 for additional sugar experiments—a matter that the House committee considered as closed with the last report, and a matter for which no appropriation was asked by the Commissioner of Agriculture in the Book of Estimates. The other of these amendments proposes an appropriation of \$25,000 for an agricultural experiment station, somewhere out in the Northwest. This is proposed just after we have established an experiment station in every State and Territory where there is an agricultural college.

Mr. ADAMS. May I ask the gentleman whether he is in favor of concurring or non-concurring, and if so, why?

Mr. HATCH. My motion is to non-concur in the Senate amendments, and let them go to a conference committee. When the conference report is presented, the House can take a vote upon the question. If the gentleman wants my individual opinion, I have no hesitation in the world in giving it to him.

Mr. ADAMS. That is the only opinion I can get now.

Mr. HATCH. I have voted for every appropriation for these sugar experiments down to a point where every single man connected with the matter said that every dollar that was necessary had been appropriated. Not only that, the committee authorized and instructed me to say upon the floor on their behalf that they would ask no further appropriation for this purpose.

I did make that statement a year ago. These experiments have gone as far as the Commissioner himself can find anything to experiment upon, except that you can take \$100,000 of the people's money and throw it into the pockets of some favored man who happens to have a sugar manufactory situated somewhere in some favored district. That is all there is in the matter.

Mr. ADAMS. With the exception of those two amendments there is nothing substantial involved.

Mr. HATCH. The others are small amendments, cutting down or raising a salary here and there; they amount to nothing substantial.

Mr. ADAMS. I make no point of order.

Mr. HATCH. I demand the previous question on my motion that the House non-concur in the Senate amendments and agree to the conference asked by the Senate.

The previous question was ordered; and under the operation thereof the motion of Mr. HATCH was agreed to.

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

The latter motion was agreed to.

#### CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BELMONT. I rise to make a privileged motion—that the House agree to the conference report on the disagreeing votes of the Senate and House upon the bill (H. R. 6833) making appropriations for the diplomatic and consular service of the United States for the fiscal year 1889. The report is at the desk. I ask that it be laid before the House. I desire to move that the report be agreed to and that the House insist on its disagreement to the amendment numbered 16, and ask a further conference with the Senate on that amendment.

The Clerk read as follows:

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6833) "making appropriations for the diplomatic and consular service of the United States for the fiscal year 1889," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 22, 23, 24, 25, and 31. That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 19, 20, 21, 26, 27, 28, 29, and 30, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to

the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out from said amendment the words "and consul-general;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Strike out the sum named in said amendment and insert in lieu thereof \$378,500; and the Senate agree to the same.

Amendment numbered 16: As to amendment numbered 16 the committee of conference has been unable to agree.

PERRY BELMONT,  
JAMES B. MCCREARY,  
WM. W. MORROW,  
*Managers on the part of the House.*  
EUGENE HALE,  
W. B. ALLISON,  
JAS. B. BECK,  
*Managers on the part of the Senate.*

The following statement was subsequently furnished to accompany the report:

The managers on the part of the House submit the following statement, to accompany the report:

The principal amendments made by the Senate, in which the House managers concurred, change the rank of several of the foreign missions, without increasing the salaries, and provide for two additional secretaries of legation. The conferees have been unable to agree upon the provision for an expedition to explore and report upon the resources of the Congo Basin, and ask for a further conference.

PERRY BELMONT,  
JAS. B. MCCREARY,  
WM. W. MORROW,  
*Managers on the part of the House.*

Mr. ADAMS. Will the gentleman from New York [Mr. BELMONT] state what the sixteenth amendment is?

Mr. BELMONT. The sixteenth amendment provides for an appropriation of \$25,000 for a commission to explore the Congo Basin and report upon its products and commercial capabilities. The Senate insists upon that amendment; we desire to insist upon our disagreement, and ask a further conference.

Mr. BURROWS. Is there any statement furnished by the House conferees in connection with this report?

Mr. BELMONT. I can give it verbally.

Mr. BURROWS. But I understood this was a conference report.

Mr. BELMONT. It is the conference report as agreed to by the Senate.

Mr. BURROWS. But there are certain amendments of which we desire to know the effect.

Mr. BELMONT. I will state to the House—

Mr. BURROWS. The rules require that a written statement be submitted by the House conferees to accompany the conference report.

Mr. BELMONT. Do I understand that the gentleman insists upon a written statement?

Mr. BURROWS. The rules require it. I will, however, waive the demand if the gentleman will state the matters in issue between the two Houses.

Mr. RANDALL. I ask that the gentleman from New York have leave to file that statement hereafter.

Mr. BURROWS. Of course the report as read by the Clerk that certain amendments designated by number are agreed to, and certain others disagreed to, does not convey any information.

Mr. BELMONT. I will repeat the statement which I made at the time of the ordering of the conference. There have been comparatively few and unimportant changes made by the Senate. The amendments we have agreed to raise the rank of ministers-residents to that of envoys without increase of salaries. There are some changes by the Senate in regard to Mexican consulates. Some of these strongly commended themselves to the House conferees, particularly the transfer of the consulate-general from Matamoros to Nuevo Laredo. But others could not be adopted without doing injustice, and the result of the conference was that all the proposed changes were abandoned, the Senate conferees desiring to either have all the changes retained or none. So, in this respect, the bill is now as it passed the House.

Mr. ADAMS. Has the House considered these amendments, or were they by unanimous consent sent to conference?

Mr. BELMONT. They were sent to conference by unanimous consent, after a statement such as I have already made in reply to the gentleman from Indiana [Mr. HOLMAN].

Mr. ADAMS. Did the House consider the Senate amendments?

Mr. BELMONT. After a statement made in the House they were sent to a conference committee.

Mr. ADAMS. A conference was ordered by unanimous consent, according to a practice which the gentleman knows, I suppose.

Mr. SPINOLA. I move by unanimous consent the time of the session be extended five minutes, so we may dispose of this matter.

Mr. HOPKINS, of New York. I object.

The SPEAKER *pro tempore*. Does the gentleman from Michigan insist on the point of order?

Mr. BURROWS. I do not.

The SPEAKER *pro tempore*. The question recurs on the adoption of the conference report.

The conference report was adopted.

Mr. BELMONT moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BELMONT. In accordance with the suggestion of the gentleman from Pennsylvania [Mr. RANDALL], I will add a written statement to accompany the report.

#### CONFEREES APPOINTED.

The SPEAKER *pro tempore* appointed as conferees on the disagreeing votes of the two Houses on the agricultural bill, Mr. HATCH, Mr. DAVIDSON of Alabama, and Mr. CONGER.

The hour of 5 o'clock p. m. having arrived (in accordance with the previous order), 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. BOOTHMAN: A bill (H. R. 10644) granting a pension to Elizabeth Peterson—to the Committee on Invalid Pensions.

By Mr. McCULLOUGH: A bill (H. R. 10645) for the relief of Enoch Pierce—to the Committee on Pensions.

By Mr. MERRIMAN: A bill (H. R. 10646) granting an increase of pension to Harriet E. Martin—to the Committee on Invalid Pensions.

By Mr. MOFFITT: A bill (H. R. 10647) granting a pension to Samuel J. Wright—to the Committee on Invalid Pensions.

By Mr. MONTGOMERY: A bill (H. R. 10648) to correct the military record of Cincinatus Condict—to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 10649) to increase the pension of Mrs. Sue B. Johnson—to the Committee on Invalid Pensions.

By Mr. WOODBURN: A bill (H. R. 10650) removing the charge of desertion from the military record of Mathew Totten—to the Committee on Military Affairs.

By Mr. SENEY: A bill (H. R. 10651) granting a pension to Arminda H. Tracy—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. GEST: Papers in the pension claim of Eliza Richardson—to the Committee on Invalid Pensions.

By Mr. HARMER: Joint memorial of the Board of Trade, Commercial, Maritime, and Drug Exchanges of Philadelphia, opposing Senate bill No. 1448 and House bill No. 4923—to the Committee on Rivers and Harbors.

By Mr. McRAE: Petition of A. Park and others, of Euclid, Howard County, Arkansas, for amendments to the interstate-commerce law—to the Committee on Commerce.

By Mr. PHELAN: Petition of Mrs. Mary L. Behr, of Shelby County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. G. M. THOMAS: Petition of W. B. Cooper, and of William M. Lewman, for pensions—to the Committee on Invalid Pensions.

The following petition, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, was referred to the Committee on Invalid Pensions:

By Mr. WALKER: Of 20 citizens of Douglas County, Missouri.

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

By Mr. OSBORNE: Of 390 citizens of the United States.

#### SENATE.

FRIDAY, June 29, 1888.

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

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

#### PETITIONS AND MEMORIALS.

Mr. STEWART presented a memorial of raisin-growers, citizens of Fresno County, California, remonstrating against a reduction of the tariff on raisins; which was referred to the Committee on Finance.

Mr. VEST. I present petitions of the Merchants' Exchanges of St. Louis, Cincinnati, Louisville, Nashville, Chattanooga, Atlanta, and Tampa, praying that an appropriation be made for improving the harbor of Tampa Bay, Florida, at Mango Point. This is one of the items in the river and harbor bill that is pending, and I suppose the proper course would be to let the petitions lie on the table and be printed.

The PRESIDENT *pro tempore*. The petitions will lie on the table and be printed, if there be no objection. The Chair hears none.

Mr. GEORGE presented the petition of Louisa Q. Lovell and others, heirs of General John A. Quitman, praying to have their claim against the Government for rent of plantation belonging to them, situated in