

and of Clarke County, Indiana, for the establishment of a home in Indiana—to the Committee on Military Affairs.

Also, petitions of citizens of Indiana for additional pension legislation—to the Committee on Invalid Pensions.

By Mr. HUNTER: Resolution of the Association of Fully Disabled Veterans of the Union Army and Navy, of Pittsburgh, Pa., in favor of Senate bill to increase pensions in certain cases and Senate bill to grant arrears of pensions in certain cases—to the Committee on Invalid Pensions.

By Mr. JOSEPH: Petition of the Woman's Christian Temperance Union of New Mexico, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. KEAN: Petition of the Woman's Christian Temperance Union of New Jersey, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petitions of citizens of Perth Amboy, N. J., for the erection of a public building at that place—to the Committee on Public Buildings and Grounds.

By Mr. LYMAN: Petition of C. A. Carson and others, citizens of the Ninth district of Iowa, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. MCCOMAS: Petition of James Grant and 97 other workers in the cement industry—to the Committee on Ways and Means.

By Mr. MCCORMICK: Petition of citizens of McKean County, Pennsylvania, for amendment to the interstate-commerce law—to the Committee on Commerce.

By Mr. MCCREARY: Petition of Mrs. Eliza A. Carson, for relief—to the Committee on Invalid Pensions.

By Mr. MORGAN: Petition of Gowan Lane Corbin, of Oxford, Miss., for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. NICHOLS: Petition of the Woman's Christian Temperance Union of North Carolina, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. O'DONNELL: Petition of the Woman's Christian Temperance Union of Michigan, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. PENINGTON: Petition of the Woman's Christian Temperance Union of Delaware, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of sundry citizens of the First district of Delaware, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. C. A. RUSSELL: Petition of wool-dealers and woolen manufacturers, against the passage of the Mills bill—to the Committee on Ways and Means.

By Mr. RYAN: Petition of Mrs. Fanny H. Rastall and other officers of the Woman's Christian Temperance Union of Kansas, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. CHARLES STEWART: Petition of the Woman's Christian Temperance Union of Texas, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. J. W. STEWART: Petition of Rev. J. K. Williams and others, citizens of the First district of Vermont, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. A. C. THOMPSON: Petition of Henry W. Barrett & Co. and others, of Louisville, Ky., and Albany, Ind., against the Mills bill—to the Committee on Ways and Means.

By Mr. TOOLE: Petition of the Montana Woman's Christian Temperance Union, for a prohibitory amendment to the Constitution—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. VANCE: Petition relating to certain claims against the Government—to the Committee on Claims.

By Mr. WARNER: Petition of Clara Hoffman and other officers of the Woman's Christian Temperance Union of Missouri, for a prohibitory amendment to the Constitution—to the Committee on the Judiciary.

By Mr. WASHINGTON: Petition of A. C. Womack, of Davidson County, and of John B. Nicholls, of Houston County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. S. V. WHITE: Petition of woolen manufacturers of New York, against the passage of House bill 9051—to the Committee on Ways and Means.

By Mr. YOST: Petition of Belmer & Co. and others, against the reduction of the duty on wire rods, etc.—to the Committee on Ways and Means.

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

By Mr. WILBER: Of citizens of Gilboa N. Y.

SENATE.

THURSDAY, July 19, 1888.

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

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

PETITION.

Mr. PAYNE presented a petition of 31 citizens of Cuyahoga County, Ohio, praying for the enactment of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 3191) to amend section 4 of the act of March 3, 1875, as amended in section 2 of the act of March 3, 1877, in relation to the issue of supplies to Indians, reported it without amendment.

Mr. STEWART, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6922) for the relief of George W. Graham, reported it with an amendment, and submitted a report thereon.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 3090) authorizing the Secretary of War to accept the resignation of Maj. D. H. David, of the Fourteenth Regiment Kansas Cavalry Volunteers, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. WILSON, of Maryland, from the Committee on Claims, to whom was referred the bill (S. 1859) for the relief of Felicitas Salinas and the heirs of Miguel Salinas, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 3199) to donate to the State Soldiers and Sailors' Monument Commission one hundred pieces of captured or condemned cannon, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (H. R. 477) for the relief of Allen Gunter; and

A bill (S. 3101) for the relief of William Mackey.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1560) to extend the provisions of "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," and for other purposes, reported it without amendment, and submitted a report thereon.

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

A bill (S. 2887) granting a pension to George H. Johnson; and

A bill (H. R. 6764) to grant a pension to "Muck-a-pec-wak-kenzah," or "John," an Indian who aided in saving the lives of many white people in the Indian outbreak in Minnesota in the year 1862.

Mr. EVARTS, from the Committee on the Library, to whom was referred the bill (H. R. 5539) for the relief of John J. Coughlin, reported it without amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2863) to provide for the erection of a public building in the town of Smyrna, Del., reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2163) for the relief of Alfred J. Worcester, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3139) to remove the charge of desertion from the record of William H. Fenton, reported it with amendments, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to which was referred the bill (S. 1608) for the relief of Charles E. Wheeler, has instructed me to report it back adversely, recommending that the bill be indefinitely postponed, and that the claimant apply to the War Department, which can afford him proper relief.

The report was agreed to, and the bill was postponed indefinitely.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2358) for the relief of G. W. McCulloh, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

HARRISON SWANGO.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (H. R. 2351) for the relief of Harrison Swango, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the bill (H. R. 2351) entitled "A bill for the relief of Harrison Swango," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of the acts entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, and "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such acts, and report to the Senate in accordance therewith.

FORT HALL RESERVATION.

Mr. DAWES. I am instructed by the Committee on Indian Affairs to report back with an amendment to the bill (H. R. 8662) to accept and ratify an agreement made with the Shoshone and Bannack Indians, for the surrender and relinquishment to the United States of a portion of the Fort Hall reservation, in the Territory of Idaho, for the purposes of a town site, and for the grant of right of way through said reservation to the Utah and Northern Railway Company, and for other purposes. It is the same bill which passed the Senate some time since except a small amendment that was introduced in the Senate, which while the House were unable to get hold of the Senate bill they were very desirous of incorporating into their bill. Therefore I take the liberty of asking the Senate to pass the House bill with that amendment added at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment reported by the Committee on Indian Affairs was, in section 11, line 16, after the word "Interior," to insert:

Except that at and near its station at Pocatello, in Idaho Territory, said railway company is granted for its use for station grounds, depot buildings, shops, tracks, side-tracks, turnouts, yards, and for water purposes, not to exceed 150 acres, as shown by maps and plats of the definite location thereof, and said company shall pay for said 150 acres, in addition to the \$3 an acre provided in said agreement, a further sum equal to the average appraisal of each acre of town lots in the proposed town site of Pocatello, outside of said 150 acres provided for in section 4 of this act, said \$8 per acre to be paid within one year from the passage of this act, and said additional sum upon the completion of the appraisal aforesaid.

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

The amendment was agreed to.

Mr. WILSON, of Iowa. I move to amend the bill by striking out the last section. It is wholly immaterial.

The PRESIDENT *pro tempore*. The section proposed to be stricken out will be read.

The CHIEF CLERK. It is proposed to strike out the following section:

SEC. 17. That this act shall be in force from its passage.

Mr. WILSON, of Iowa. The proposed act will have that effect without such a provision.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

Mr. DAWES. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. DAWES, Mr. JONES of Arkansas, and Mr. PLATT were appointed.

GEOLOGICAL SURVEY REPORTS.

Mr. MANDERSON. I am directed by the Committee on Printing to report back adversely the joint resolution (S. R. 94) providing for printing additional copies of the eighth and ninth annual reports of the Director of the United States Geological Survey, and in lieu thereof to report a concurrent resolution to the same effect, for which I ask present consideration.

The PRESIDENT *pro tempore*. If there be no objection, the joint resolution will be indefinitely postponed. The concurrent resolution reported by the Senator from Nebraska will be read.

The Chief Clerk read the concurrent resolution, as follows:

Concurrent resolution to authorize the printing of additional copies of the eighth and ninth annual reports of the Director of the United States Geological Survey.

Resolved by the Senate (the House of Representatives concurring), That there be printed at the Government Printing Office, in addition to the number already ordered by law, 15,500 copies of the eighth and ninth annual reports of the Director of the United States Geological Survey, uniform with the preceding volumes of the series, of which 3,500 of each shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey.

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

The resolution was considered by unanimous consent, and agreed to.

REPORTS ON ETHNOLOGY.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 93) providing for printing the eighth and ninth annual reports of the Director of the Bureau of Ethnology, to report it adversely, with the recommendation that it be indefinitely postponed, and in lieu thereof I report a concurrent resolution, and ask for its present consideration.

The PRESIDENT *pro tempore*. The adverse report will be agreed to if there be no objection, and the joint resolution will be indefinitely postponed. The concurrent resolution reported by the Senator from Nebraska will be read.

The Chief Clerk read as follows:

Concurrent resolution to provide for printing the eighth and ninth annual reports of the Director of the Bureau of Ethnology.

Resolved by the Senate (the House of Representatives concurring), That there be printed at the Government Printing Office 15,500 copies each of the eighth and ninth annual reports of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series, of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.

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

The resolution was considered by unanimous consent, and agreed to.

EMILY J. STANNARD.

Mr. BLAIR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2657) granting an increase of pension to Emily J. Stannard, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment to the said bill, and agree to the same.

H. W. BLAIR,
C. K. DAVIS,
D. TURPIE,

Managers on the part of the Senate.

C. C. MATSON,
J. LOGAN CHIPMAN,
J. H. GALLINGER,

Managers on the part of the House.

The PRESIDENT *pro tempore*. No further action is required on the part of the Senate.

BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 3350) for the relief of C. B. Bryan & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BECK introduced a bill (S. 3351) for the relief of Samuel Hein; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 3352) granting an increase of pension to Daniel L. Robinson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3353) granting a pension to Mrs. Eliza N. Aiken; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PALMER introduced a bill (S. 3354) for the establishment of a light-house and life-saving station in the Detroit River, Michigan; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CHACE (by request) introduced a bill (S. 3355) defining certain acts of Congress for the relief of owners of real estate in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee of the District of Columbia.

Mr. BLAIR introduced a bill (S. 3356) to amend the naturalization laws; which was read twice by its title, and ordered to lie on the table.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. REAGAN. I was requested by W. Hawkins, delegate for the Chickasaw Indians, to present a paper which I submit as an amendment to the deficiency appropriation bill and ask its reference to the Committee on Appropriations. I desire to say that the letter of the Secretary of the Treasury of December 20, 1887, shows that the amount which he believed to be due to the Chickasaws is \$240,164.58. The letter of the Secretary of the Treasury of January 5, of this year, submits the estimate of an appropriation for the amount due to the Chickasaw Indians. I propose to refer with the amendment House Executive Document No. 42, first session Fiftieth Congress. I ask that both be referred to the Committee on Appropriations.

The PRESIDENT *pro tempore*. The amendment will be referred to the Committee on Appropriations and printed. Does the Senator desire to have the accompanying document printed?

Mr. REAGAN. No, sir. I do not know that it will be necessary to print the amendment. Let it be referred simply.

The PRESIDENT *pro tempore*. The order to print will not be made.

Mr. BLAIR submitted an amendment intended to be proposed by him 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 passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 1239) to extend the jurisdiction of the Light-House Board to the Sacramento and San Joaquin Rivers, California;

A bill (H. R. 1249) for establishing a light-house and fog-signal on Roe Island, Suisun Bay, California;

A bill (H. R. 1641) for the erection of a light-house at or near a point about midway between Barnegat and Navesink lights, in the State of New Jersey;

A bill (H. R. 1912) for the establishment of a light-house at the mouth of Great Wicomico River, Virginia;

A bill (H. R. 5067) establishing additional aids to navigation at the mouth of the Mississippi River;

A bill (H. R. 5670) for the construction of a revenue cutter for New Berne, N. C., to replace the revenue cutter Stevens;

A bill (H. R. 5700) to facilitate the transportation of life-saving and light-house supplies at Hog Island, Virginia;

A bill (H. R. 5716) for establishing a light at the mouth of Otter Creek, Lake Champlain;

A bill (H. R. 7421) for establishing a light off Pamlico Point, North Carolina;

A bill (H. R. 7604) for the establishment of a light-house and fog-signal at or near Gull Shoal, Pamlico Sound, North Carolina;

A bill (H. R. 8750) for the establishment of a light-house at or near Tangier Island, Chesapeake Bay;

A bill (H. R. 8751) providing for the erection of sundry light-houses and fog-signals in Lake Superior, Lakes Huron, Erie, and Michigan, and range-lights in Lake St. Clair and Detroit River;

A bill (H. R. 8752) providing for the establishment of an additional life-saving station on Nantucket Island, Massachusetts;

A bill (H. R. 8855) for the establishment of a light-ship with a steam fog-signal at Sandy Hook, New York Harbor;

A bill (H. R. 8783) to authorize the Kentucky Rock Gas Company to lay conduit pipes across the Ohio and Salt Rivers;

A bill (H. R. 10183) to establish a light-ship off Great Round Shoal, near Nantucket, Mass.;

A bill (H. R. 10347) authorizing the construction of a bridge across the Missouri River at or near the city of Plattsmouth, Nebr., and for other purposes;

A bill (H. R. 10524) to authorize the construction of a bridge across the Chattahoochee River, in the State of Georgia;

A bill (H. R. 10527) to authorize the construction of a bridge across the Alabama River;

A bill (H. R. 10538) to authorize the construction of bridges across the Flint and Chattahoochee Rivers; and

Joint resolution (H. Res. 201) to correct an error in the "act making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1889, and for other purposes."

The message further announced that the House had receded from its disagreement to the amendments of the Senate to the bill (H. R. 8180) to regulate the liens of judgments and decrees of the courts of the United States.

The message also requested the Senate to return to the House the bill (H. R. 10356) granting a pension to J. T. Vincent.

The message further announced that the House had agreed to the amendments of the Senate to the bill (S. 6153) to authorize condemnation of land for sites of public buildings.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 7749) to authorize the building of a bridge across the Mississippi River at Wabasha, Minn.;

A bill (H. R. 9345) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1889;

A bill (H. R. 2657) granting an increase of pension to Emily J. Stannard; and

A bill (S. 3215) to authorize the construction of a bridge across the Arkansas River at or near Cummings' Landing, Lincoln County, Arkansas.

PUBLIC BUILDING AT OPELOUSAS, LA.

Mr. GIBSON. I ask unanimous consent to call up the bill (H. R. 8183) for the erection of a public building at Opelousas, La.

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

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

COURTS IN DAKOTA.

Mr. WILSON, of Iowa. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 10573) to provide for one additional associate justice of the supreme court of Dakota, and for other purposes.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That hereafter the supreme court of the Territory of Dakota shall consist of a chief-justice and seven associate justices, any five of whom shall constitute a quorum.

SEC. 2. That it shall be the duty of the President to appoint two additional associate justices of said supreme court in manner now provided by law, who shall hold their offices for the term of four years and until their successors are appointed and qualified.

SEC. 3. That the Territory of Dakota shall be divided into eight judicial districts, and a district court for the trial of all cases arising under the laws of said Territory, or which may be within the jurisdiction of said courts under the laws of said Territory, shall be held in each district by one of the justices of said supreme court, at such time and place as may be provided by law. Each judge, after assignment, shall reside in the district to which he is assigned.

SEC. 4. That the fifth judicial district of said Territory, as defined by act of Congress approved July 4, 1884, shall be divided into two judicial districts, which shall be known as the fifth and seventh judicial districts of said Territory; and the third judicial district of said Territory shall be divided into two judicial districts, which shall be known and called the third and eighth judicial districts of said Territory.

SEC. 5. That the fifth judicial district of said Territory shall consist of the counties of Beadle, Kingsbury, Brookings, Hughes, Hyde, Hand, Sully, Faulk, Clarke, Potter, Codrington, Hamlin, and Deuel.

SEC. 6. That the seventh judicial district of said Territory shall consist of the counties of Spink, Brown, Day, Marshall, Grant, Roberts, Edmunds, Walworth, McPherson, Campbell, and the Sisseton and Wahpeton Indian reservation, and also shall include the following portion of the Great Sioux Indian reservation, to wit: All that portion lying northward of the counties Presho and Pratt, and a line extending the north line of the county of Pratt to the twenty-fifth degree of longitude west from Washington, and eastward of said degree of longitude, and southward of the north line of Bozeman and Schnasse Counties.

SEC. 7. That the eighth judicial district of said Territory shall consist of the counties of Grand Forks, Walsh, Pembina, Nelson, Ramsey, Cavalier, and Towner.

SEC. 8. That the third judicial district of said Territory shall consist of the counties now constituting the same, except as it may be affected by the formation of the eighth judicial district therein provided for.

SEC. 9. That temporarily, and until otherwise ordered by law, the additional associate justices herein provided for shall be assigned to the seventh and eighth judicial districts, respectively; and it shall be the duty of said judges to appoint and fix the terms of holding courts in each of the counties of their respective districts until the Legislative Assembly of said Territory shall fix said terms.

SEC. 10. That the district court in each of said districts shall have jurisdiction to try, hear, and determine all matters and causes that the court of any district of said Territory possesses, excepting as hereinafter mentioned, and all causes and matters now pending in the old districts affecting persons or things which properly belong to the new districts hereby created shall be certified for disposition to said new districts by the judge of the old district; and section 6 of the act entitled "An act providing for an additional associate justice of the supreme court of the Territory of Dakota," approved March 3, 1879, and section 7 of the act entitled "An act providing for two additional associate justices of the supreme court of the Territory of Dakota, one additional associate justice of the supreme court of the Territory of Washington, and for other purposes," approved July 4, 1884, be, and the same are hereby, repealed.

SEC. 11. That the associate justice of each judicial district shall hold at least one term of the United States district court in each year, at such place in his judicial district as he may select, and grand and petit juries shall be summoned thereto as now provided by law, and said associate justice shall hold at least one term of court in each judicial subdivision of his district in each year.

SEC. 12. That no justice of the supreme court of said Territory shall sit as a member of said court at the trial of any question decided by him in his district or wherein he has any interest directly or indirectly.

SEC. 13. That nothing in this act shall be so construed as to prevent the legislative assembly of said Territory at any time from changing and arranging the boundary lines of the judicial districts of said Territory, nor from fixing the time and place of holding the several terms of court in said district.

SEC. 14. That all offenses committed before the passage of this act shall be prosecuted, tried, and determined in the same manner and with the same effect (except as to the number of judges) as if this act had not been passed.

SEC. 15. That all unorganized counties lying west of said eighth judicial district are hereby annexed, for judicial purposes, to the sixth judicial district of said Territory.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

Mr. WILSON, of Iowa. I move that the Senate request a conference with the House of Representatives upon the bill and amendment.

The motion was agreed to.

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

POSTAL CRIMES.

Mr. VEST. I ask the Senate to proceed to the consideration of the bill (S. 3303) amendatory of "An act relating to postal crimes, and amendatory of the statutes therein mentioned," approved June 18, 1888.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend the act of June 18, 1888, so as to provide that all matter otherwise mailable by law, upon the envelope, or outside cover or wrapper of which, or upon any part of which, either exterior or interior, or postal card, upon which indecent, lewd, lascivious, obscene, libelous, scurrilous, defamatory, or threatening delineations, epithets, terms, or language, or reflecting injuriously upon the character or conduct of another, may be written or printed, are hereby declared to be non-mailable matter, and shall not be conveyed in the mails, nor delivered from any post-office nor by any letter-carrier; and any person who shall knowingly deposit or cause to be deposited, for mailing or delivery, anything declared herein to be non-mailable matter, and any person who shall knowingly take the same or cause the same to be taken from the mails, for the purpose of circulating or disposing of, or of aiding in the circulation or disposition of the same, shall be deemed guilty of a misdemeanor, and shall, for each and every offense, be fined not less than \$100 nor more than \$5,000, or imprisoned at hard labor not less than one year nor more than ten years, or both, at the discretion of the court.

Mr. HAWLEY. It occurs to me from just listening to the bill as it was read that the penalty is very severe; that the minimum penalty is larger than necessary.

Mr. VEST. That is the penalty under the existing law. There is no change in the punishment. The bill is simply to enlarge the scope and operation of the law. I had occasion the other day to explain this matter, if the Senator did me the honor to hear me.

Mr. HAWLEY. I heard the Senator make that explanation.

Mr. VEST. This is the same punishment prescribed in the general statute. There is no change in the penalty at all.

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

CONSIDERATION OF THE CALENDAR.

Mr. BECK. Mr. President, I rose to move that the Senate proceed to the Calendar under Rule VIII, at the point where we left off in the regular call the last time it was under consideration, and that we continue with the Calendar until 2 o'clock. There are half a dozen bills that I am urged by members of the House of Representatives to have passed if I possibly can. I can not very properly ask to have precedence given to them over everything else, but if we keep up the regular call of the Calendar we shall all get our cases through with something like fair play, whereas if we try to get bills in wherever we can it will not be fair to those who can not be present. I can not be here very much of the time; I have been ten days in committee now; and those who happen to be here will get bills in unless we proceed regularly with the Calendar.

Mr. SAWYER. I hope the Senate will adopt the suggestion of the Senator from Kentucky.

Mr. BECK. It is the only proper way to dispose of the business on the Calendar.

The PRESIDENT *pro tempore*. The Senator from Kentucky asks unanimous consent that the Senate proceed to the consideration of the Calendar under Rule VIII and continue its consideration until 2 o'clock. Is there objection?

Mr. JONES, of Arkansas. I suggest to the Senator from Kentucky to propose to continue the order from day to day until the Calendar is gone through with.

Mr. BECK. I should be glad to do that, but perhaps that would not be acceded to.

Mr. JONES, of Arkansas. I think it would be agreed to unanimously.

Mr. BECK. I should be very glad if it could be done.

Mr. JONES, of Arkansas. After the morning business each day, until 2 o'clock, let us proceed with the Calendar.

Mr. BECK. I will accept the Senator's suggestion. I ask that the order be made to continue from day to day until the Calendar is gone through with.

Mr. PLATT. I should not like to agree to that. We may have business which would make it necessary to supersede such an order.

Mr. BECK. I was afraid of that. Therefore I will simply ask that the Calendar be proceeded with to-day until 2 o'clock.

Mr. VEST. That ought to be done. There are a number of bridge bills on the Calendar. It is necessary to pass them, and I was about to ask when the Senator from Kentucky took the floor that the Senate devote whatever may be left of the morning hour to-morrow and the next day to the consideration of bridge bills exclusively; but if this is made a continuing order of course I do not care about any such arrangement. We always have the power at any time, if exigencies arise, to change our order of business. If the Senator from Kentucky would modify his request so that we can go through the Calendar regularly, it would be perfectly fair to everybody; and at any time we could set that order aside.

Mr. PLATT. I do not suppose I would object to it to-morrow or any other day; yet I do not want to restrain the Senate from considering some important matter to-morrow if it should be deemed necessary.

Mr. VEST. I hope the order will be made to continue the Calendar from day to day, and then we can change it if necessary.

Mr. CULLOM. It is proposed to consider the Calendar until 2 o'clock?

Mr. VEST. Until 2 o'clock.

The PRESIDENT *pro tempore*. That does not require any order, because it is the rule of the Senate already.

Mr. VEST. Then let us enforce it.

Mr. BROWN. Let us have the rule enforced.

The PRESIDENT *pro tempore*. But it is in the power of any Senator to move to proceed to the consideration of a bill notwithstanding the requirement of Rule VIII. The Senator from Kentucky asks unanimous consent that the Senate proceed to the consideration of the Calendar under Rule VIII this morning, and continue the consideration until 2 o'clock. Is there objection?

Mr. BROWN. I object to that.

Mr. STEWART. I hope that will not be done.

Mr. BROWN. I object, because I think it is only fair to continue with the Calendar in this way from day to day until all have a chance.

Mr. BECK. I propose that we shall have an hour for the Calendar to-day, and we can continue it from day to day, unless there is objection.

Mr. BROWN. The rule as announced by the Chair is that the Calendar is now in order, and we can go on to-day without any motion.

Mr. BECK. We can do that every day without a motion.

Mr. BROWN. Very well; I want the Senate to do that.

The PRESIDENT *pro tempore*. The Chair will recognize the Sena-

tor from Kentucky to move the consideration of any bill he desires on the Calendar.

Mr. COCKRELL. I call for the regular order, the Calendar.

Mr. BROWN. Let us have the regular order.

Mr. COCKRELL. I hope the regular order will now be proceeded with.

Mr. CHANDLER. I ask the unanimous consent of the Senate to dispose of a matter of privilege, which will take but a moment, before the Calendar is proceeded with.

The PRESIDENT *pro tempore*. The Senator from New Hampshire will state his matter of privilege.

SENATOR FROM LOUISIANA.

Mr. CHANDLER. I desire to call up the resolution which is on the table with regard to the credentials of the Senator from Louisiana [Mr. GIBSON], and their reference to the Committee on Privileges and Elections, to substitute another resolution thereof, to be printed and lie over, and to allow the credentials to be disposed of in the regular course.

The PRESIDENT *pro tempore*. The Chair supposes the Senator from New Hampshire would have the right, before action by the Senate, to modify his own resolution. The Chair hears no objection. The modification of the resolution will be read, if any Senator desires. Otherwise, it will be printed and lie over under the rule.

Mr. CHANDLER. I offer the resolution for that purpose.

Mr. COCKRELL. Let it be printed and lie over under the rule.

The PRESIDENT *pro tempore*. It will be printed and lie over under the rule.

Mr. CHANDLER. I desire, instead of its being printed and lying over under the rule, that it be printed and laid on the table, and I give notice that I shall move to take it up some time next week.

The resolution as modified was ordered to lie on the table, as follows:

Resolved, That the Committee on Privileges and Elections be instructed to inquire (1) into the facts of the recent election in the State of Louisiana, held on the 17th day of April, 1898, at which there were chosen State officers and also a Legislature which has since elected two United States Senators; and specially to ascertain and report whether the 139,746 votes returned for the candidate of the dominant party for governor were actually cast, in view of the fact that at no previous election had the votes for such candidate of such party exceeded 88,794; and also why in the parish of Madison there were returned 3,530 votes for one party and none for the other; in East Feliciana Parish, 2,276 for one party and only 5 for the other; in Morehouse Parish, 1,581 for one party and only 14 for the other; in Ouachita Parish, 2,994 for one party and only 5 for the other; in Sabine Parish, 1,441 for one party and only 2 for the other; in Tensas Parish, 4,627 for one party and only 113 for the other; and why there were similar returns from other parishes; and also to ascertain and report whether or not at said State election there was any violence, intimidation, or fraud which prevented a fair election, and particularly whether or not there were any false canvasses or false returns made by the local election officers or included in the final canvass of the votes; and in case said committee shall find that such illegalities as violence, intimidation, or fraud, false canvasses, or false returns prevailed in connection with such election, then said committee shall further inquire

2. Whether any of the acts or omissions of the officials or other persons responsible for or connected with such illegalities were contrary to the Constitution of the United States or the amendments thereof, or were violations of any of the statutes of the United States, especially the provisions of chapter 7, Title LXX of the Revised Statutes, punishing crimes against the elective franchise and civil rights of citizens; and, if so, whether any prosecutions have been or ought to be commenced in the United States courts for such offenses.

3. Whether such illegalities are likely to be repeated in connection with the election to be held in said State on the 6th of November next of Representatives in Congress; and, if so, whether there is occasion for the alteration by Congress of any of the regulations prescribed by said State for holding elections for such Representatives in Congress.

4. And said committee shall also inquire whether there were in connection with the aforesaid State election illegalities, frauds, false canvasses, and false returns, so extensive and systematic in their character as to show that there existed on the part of the various State election officers a deliberate plan to apparently carry said election without regard to the votes actually cast, and to choose a governor and other State officers and a State Legislature by such illegal, false, and fraudulent means, and, if so, whether said Legislature was actually and duly elected by the people of Louisiana, or was in fact substantially the creation solely of the returning and canvassing officers, and whether said State of Louisiana has a republican form of government, including a Legislature entitled to choose United States Senators, and to provide methods for the appointment of electors of President and Vice-President of the United States.

Mr. BLACKBURN. Under the modification of the resolution as made by the Senator from New Hampshire I move that the credentials therein referred to of the Senator-elect from Louisiana be placed upon the files of the Senate and printed in the RECORD.

The PRESIDENT *pro tempore*. They are already on file, the Chair thinks.

Mr. BLACKBURN. Does that carry the order to print?

The PRESIDENT *pro tempore*. The Chair is unable to state definitely about these particular credentials, but the uniform practice is to have credentials read when presented, and they are then placed upon the files of the Senate.

Mr. CHANDLER. The credentials were laid on the table, I think, on the motion of the Senator from Wisconsin [Mr. SPOONER].

Mr. BLACKBURN. The credentials were laid on the table.

The PRESIDENT *pro tempore*. The Chair presumes there will be no objection to their being printed in the RECORD.

Mr. BLACKBURN. I simply ask that the credentials be taken from the table, placed on the files of the Senate, and be printed in the RECORD.

Mr. CHANDLER. There is no objection to that.

The PRESIDENT *pro tempore*. There is no objection, and it is so ordered.

Mr. MANDERSON. I happened to be the occupant of the chair at the time the credentials were presented, and I will state the course pursued. The credentials were read, and by reason of being read, were of course printed in the RECORD. Then on motion of some Senator they were laid on the table.

The PRESIDENT *pro tempore*. The Chair is informed by the Official Reporter that they were not printed in full in the RECORD.

Mr. BLACKBURN. Such is my information.

Mr. MANDERSON. The credentials were not referred or placed on the files of the Senate, but were laid upon the table at that time.

The PRESIDENT *pro tempore*. If there be no objection, the credentials will be printed in full in the RECORD, and placed on the files of the Senate.

The credentials are as follows:

EXECUTIVE DEPARTMENT, STATE OF LOUISIANA.

To the President of the Senate of the United States:

I, Francis Tillou Nicholls, governor of the State of Louisiana, do hereby certify that Randall Lee Gibson, of the city of New Orleans, in this State, a duly qualified person under the Constitution of the United States, has been duly elected a Senator in Congress from the said State, for the term of six years commencing on the 4th day of March, 1889; that pursuant to the provisions of an act of Congress entitled "An act to regulate the time and manner of holding elections for Senators in Congress," approved July 25, 1866, the General Assembly of the State of Louisiana, which was chosen at the general election held on the 17th day of April, 1888, for the constitutional term of four years, and being the Legislature chosen next preceding the expiration of the Senatorial term which ends on the 4th day of March, 1889, proceeded on Tuesday, the 22d day of May, 1888 (it being the second Tuesday after the meeting and organization thereof), in their respective chambers, a quorum being present in each, by a *vice voce* vote to name a person for Senator for the term aforesaid; that a ballot was taken in the senate on the day aforesaid, when it appeared that the Honorable Randall Lee Gibson received 33 votes; and that on the same day a ballot was also taken in the house of representatives, when it appeared that the Honorable Randall Lee Gibson received 89 votes, and the Honorable Henry Demas received 1 vote; that at 12 o'clock meridian, upon the following day, being Wednesday, the 24th day of May, 1888, the same day, month, and year as above stated, the members of the two houses of the General Assembly of this State, convened in joint session, in the hall of the house of representatives, at the State House, in the city of Baton Rouge, in this State, and the journal of each house was read showing the votes cast on the day previous, whereupon the president of the senate declared that the Honorable Randall Lee Gibson having received a majority of the votes of the members of both houses of the General Assembly of this State, was declared duly elected Senator to represent the State of Louisiana in the United States Senate for the term beginning on the 4th day of March, 1889.

Therefore, I do hereby certify that Randall Lee Gibson was declared duly elected Senator in Congress for the State of Louisiana for the term of six years, commencing on and to date from the 4th day of March, 1889.

In testimony whereof I have hereunto set my hand as governor of the State of Louisiana, and caused the seal of the State to be hereunto affixed. Done at the city of Baton Rouge this 31st day of May, A. D. 1888.

FRANCIS T. NICHOLLS, Governor of Louisiana.

By the governor:

[SEAL.]

L. F. MASON, Secretary of State.

DAVID MERIWETHER.

Mr. JONES, of Arkansas. The Senate some time since passed with amendments the bill (H. R. 331) for the relief of David Meriwether, which had previously passed the House of Representatives. The House has refused to concur in the amendments and has asked for a conference. I move that the Senate insist on its amendments and agree to the request for a conference.

The motion was agreed to.

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

ORDER OF BUSINESS.

Mr. DOLPH. I move to take up for present consideration the bill (S. 3304) to prohibit the coming of Chinese laborers to the United States.

The PRESIDENT *pro tempore*. The Senate has just agreed by unanimous consent to proceed until 2 o'clock with the consideration of the Calendar under Rule VIII.

Mr. COCKRELL. Let us proceed under that rule.

PUNISHMENT OF RAPE.

Mr. FAULKNER. When the Senate was on the regular call of the Calendar under Rule VIII I was absent the morning the bill (H. R. 870) to amend the Revised Statutes relating to the District of Columbia or the protection of girls and for the punishment of the crime of rape was reached. According to a request I made previous to my leaving, the bill was passed over, but no objection was made to its consideration. I suggest that that case be called in commencing with the Calendar to-day.

The PRESIDENT *pro tempore*. The order of business to which the Senator refers is the point last reached when the Calendar was under consideration under Rule VIII; and it will now be read.

The bill (H. R. 5870) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls and for the punishment of the crime of rape, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That every person who shall carnally and unlawfully know any female under the age of sixteen years, or who shall be accessory to such carnal and unlawful knowledge before the fact, shall be guilty of rape, and when convicted thereof shall be punished by imprisonment at hard labor, for the first offense not more than five years, and for the second or other offense for not more than ten years.

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

Mr. FAULKNER. I move to amend the amendment reported by the committee by striking out in line 6, after the words "guilty of," the word "rape" and insert the words "a felony;" so as to read:

That every person who shall carnally and unlawfully know any female under the age of sixteen years, or who shall be accessory to such carnal and unlawful knowledge before the fact, shall be guilty of a felony, and when convicted thereof shall be punished by imprisonment at hard labor, for the first offense not more than five years, and for the second or other offense for not more than ten years.

The amendment to the amendment was agreed to.

Mr. FAULKNER. I desire to offer a further amendment to the amendment of the committee. I move to insert, in line 6, after the word "fact," the words "in any Territory, the District of Columbia, or other place over which the United States has exclusive jurisdiction, or on any vessel within the admiralty or maritime jurisdiction of the United States and out of the jurisdiction of any State."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

Mr. EVARTS. Ought not the title to be changed in consequence of the amendment?

The PRESIDENT *pro tempore*. The title has not yet been reached.

Mr. HAWLEY. It occurs to me that a person guilty of the offense described here may also be a person under sixteen years of age, and that you are making what in the common law is simply fornication, a penitentiary offense, and making it punishable very severely as rape. If the bill provided for punishing an adult, a person over twenty-one years of age, guilty of unlawful connection with a girl under sixteen, I should not make any particular objection; but it seems to me that it is a little bit harsh and liable to be abused as it now stands. I submit the point to the consideration of the Senator who has charge of the bill.

Mr. FAULKNER. I will state that the age was fixed by the committee after considerable discussion and an examination of the laws of the several States. Some of the States have changed their laws. A number of the States have fixed the age of sixteen. Some of them have fixed as high as eighteen. Mississippi, Colorado, and Alabama have fixed as high as eighteen.

Mr. HAWLEY. The Senator perhaps did not comprehend my suggestion. I was making no objection to the age of sixteen; but it will occur to any Senator that this applies to a boy under sixteen, and that he is punished for rape by a heavy sentence, and the girl, who may be the blameworthy person, escapes. I was suggesting that if the bill said that an adult or a man of twenty-one years and over, if guilty of this offense, should be punished in this way described, I should have less to say. I made the suggestion that possibly it was harsh to punish one person with five years in the penitentiary, while the other person participating in the crime, equally guilty, or more guilty it may be, in many cases escapes.

Mr. FAULKNER. The Senator will find that the minimum punishment is not fixed in the bill, so that cases brought before the court can be dealt with according to the facts. If the party is not morally guilty, though technically so, it is in the power of the court to make the punishment exceedingly lenient, or there may be a mere nominal punishment imposed.

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

The bill was read the third time, and passed.

Mr. WILSON, of Iowa. I think the title should be made to correspond with the bill as it now stands.

On motion of Mr. FAULKNER, the title was amended so as to read: "A bill to amend the Revised Statutes relating to the District of Columbia, for the protection of girls under sixteen years of age in any Territory, the District of Columbia, or other place over which the United States has exclusive jurisdiction, and for other purposes."

Mr. FAULKNER. I move that the Senate insist on its amendments to the bill and ask for a conference with the House of Representatives thereon.

The motion was agreed to.

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

OFFICE-HOLDING BY MEMBERS OF TERRITORIAL LEGISLATURES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1951) to prohibit members of Territorial Legislatures holding office.

The bill was reported from the Committee on Territories with an amendment to strike out all after the enacting clause and insert:

That no person elected a member of the Legislative Assembly of any Territory shall, during the term for which he shall have been elected, hold any civil office by appointment of the governor of such Territory or from the council or Legislative Assembly of such Territory.

The amendment was agreed to.

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

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

Mr. PLATT. I think the title had better be changed "to prohibit members of Territorial Legislatures from holding certain offices."

The title was amended so as to read: "A bill to prohibit members of Territorial Legislatures holding certain offices."

TRANSFER OF COURT ROOMS TO CITY OF UTICA.

Joint resolution (H. Res. 103) authorizing and directing the Department of Justice to transfer certain rooms which have been occupied by the United States courts and officials to the city of Utica, N. Y., was considered as in Committee of the Whole. It is a direction to the Department of Justice to transfer and relinquish to the city of Utica, N. Y., all the right, title, and claim of the United States to the rooms in what is described as the City Hall, in Utica, formerly used for the United States courts and officials thereof under a deed or lease executed on the 25th of May, 1857, the same having been entirely abandoned by these courts and their officials, a new building having been erected by the Government for the convenience and occupancy of the United States courts.

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

ADDITIONAL LOT FOR SENATE STABLES.

The bill (S. 2539) to authorize and direct the purchase of part of a lot adjoining the Senate stables for their ventilation, and for other purposes, was considered as in Committee of the Whole. The Secretary of the Interior is to purchase, for the use of the United States, that part of lot 11, in square 683, in the city of Washington, District of Columbia, as laid out and recorded in the original plat of the city and District, lying directly north of the Senate stables, and containing 6,087 square feet, at a sum not to exceed \$6,087, upon proof of a perfect title and the execution to the United States of a deed good and sufficient in law and in form approved by the Attorney-General.

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

THOMAS J. MILLER.

The PRESIDENT *pro tempore* Order of Business 1442, being the bill (S. 33) for the relief of Thomas J. Miller, will be passed over, as it is adversely reported.

BRIGHTWOOD RAILWAY COMPANY.

The bill (S. 2742) to incorporate the Brightwood Railway Company of the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 21, after the word "Columbia," to strike out "either or;" and in the same line, after the word "companies," to strike out "may" and insert "shall;" and after the word "tracks," in line 21, to strike out:

When, on account of the width of the streets, or for other sufficient reason, it shall be deemed by the commissioners of the District of Columbia to be necessary; and in such case they may use such tracks in common.

So as to read:

Whenever the foregoing route or routes may coincide with the duly authorized route or routes of any other duly incorporated street-railway company in the District of Columbia, both companies shall use the same tracks, upon such fair and equitable terms as may be agreed upon by said companies; and in the event said companies fail to agree upon equitable terms, either of said companies may apply, by petition, to the supreme court of the District of Columbia, which shall hear and determine the matter in due form of law, and adjudge to the proper party the amount of compensation to be paid therefor.

The amendment was agreed to.

The next amendment was, in section 2, line 23, after the word "assessments," to strike out "of personal taxes," and in line 24, before the word "property," to insert "personal;" so as to read:

And said per cent. of its gross earnings shall be in lieu of all other assessments upon its personal property, used solely and exclusively in the operation and management of said railway.

The amendment was agreed to.

The next amendment was, in section 3, line 1, after the word "laid," to strike out "in the center of the avenue as near as may be, to," and insert "upon such part of the road as may be designated by the commissioners of the District, and must;" so as to make the section read:

SEC. 3. That the said railway shall be laid upon such part of the road as may be designated by the commissioners of the District, and must be constructed of good materials, and in a substantial and durable manner, with the rails of the most approved pattern, all to be approved by the commissioners of the District, laid upon an even surface with the pavement of the street, and in such a manner as to interfere with the ordinary travel as little as practicable; and the gauge to correspond with that of other city railroads.

The amendment was agreed to.

The next amendment was, in section 6, line 15, after the word "corporation," to strike out "and;" so as to read:

It shall also be lawful for said corporation, its successors or assigns, to erect and maintain, to such convenient and suitable points along its lines as may seem most desirable to the board of directors of the said corporation, subject to the approval of the commissioners of the District, an engine house or houses, boiler house or houses, and all other buildings necessary for the successful operation of an electric or cable-motor railroad.

The amendment was agreed to.

The next amendment was, at the end of section 12, to add the words "after five days' notice;" so as to make the section read:

SEC. 12. That all articles of value that may be inadvertently left in any of the cars or other vehicles of the said company shall be taken to its principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public, and if said property remains unclaimed for one year the company may sell the same after five days' notice.

The amendment was agreed to.

The next amendment was, in section 14, line 2, before the word "board," to strike out "the" and insert "a;" so as to read:

SEC. 14. That the government and direction of the affairs of the company shall be vested in a board of nine directors, who shall be stockholders of record.

The amendment was agreed to.

The next amendment was, in section 15, line 2, before the word "such," to strike out "and prescribe;" and in line 5, after the word "to," to strike out "the" and insert "this;" so as to make the section read:

The amendment was agreed to.

SEC. 15. That the directors shall have the power to make such by-laws, rules, and regulations as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company and the management of its business, not contrary to this charter or to the laws of the United States and the ordinance of the District of Columbia.

The amendment was agreed to.

The next amendment was, in section 16, line 2, after the word "stockholders," to strike out "for choice of" and insert "to choose;" so as to make the section read:

SEC. 16. That there shall be an annual meeting of the stockholders to choose directors, to be holden at such time and place, under such conditions and upon such notice as the said company in their by-laws may prescribe; and said directors shall annually make a report in writing of their doings to the stockholders.

The amendment was agreed to.

The next amendment was, in section 19, line 2, after the word "act," to strike out "at any time;" so as to make the section read:

SEC. 19. That Congress reserves the right to alter, amend, or repeal this act.

The amendment was agreed to.

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

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

FREEDMAN'S SAVINGS AND TRUST COMPANY.

The bill (S. 1138) to reimburse the depositors of the Freedman's Savings and Trust Company for losses incurred by the failure of said company was announced as next in order.

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

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The bill will be passed over, retaining its place on the Calendar.

WILLIAM M'GARRAHAN.

The bill (S. 1030) to submit to the Court of Claims for adjudication the title of William McGarrahan to the mineral interest of the rancho "Panoche Grande," in the State of Colorado, and for other purposes, was announced as next in order.

Mr. TELLER. I desire that that shall keep its place on the Calendar, so that when we next go to the Calendar it shall be called.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

AGREEMENT WITH SHOSHONES, BANNOCKS, AND SHEEPEATERS.

The bill (S. 2992) to accept and ratify the agreement submitted by the Shoshones, Bannocks, and Sheepeaters of the Fort Hall and Lemhi reservations, in Idaho, May 14, 1880, and for other purposes, was considered as in Committee of the Whole.

The PRESIDING OFFICER. An amendment to this bill has been proposed by the Senator from Alabama [Mr. MORGAN]. He is not here to present it.

Mr. DAWES. The bill was reported by the Committee on Indian Affairs without amendment, according to the Calendar. I do not remember any amendment.

The PRESIDING OFFICER. An amendment intended to be proposed was submitted by the Senator from Alabama [Mr. MORGAN], who is not now in his seat, and ordered to be printed.

Mr. DAWES. What is the amendment?

The PRESIDING OFFICER. There are no committee amendments to the bill. The bill is in Committee of the Whole and open to amendment.

Mr. DAWES. I think it would be better to let it go over without prejudice until the Senator from Alabama is in his seat. I am not quite familiar with the amendment which he proposes.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

JULIET C. PALMER.

Mr. CAMERON. I ask that the Senate proceed to the consideration of a bill which was passed over some time since. It is Order of Business 252, Senate bill 607.

Mr. COCKRELL. Let us go on with the regular Calendar under the unanimous agreement.

Mr. CAMERON. This will only take a few minutes. It was passed over some time since.

Mr. TELLER. Let us go on with the Calendar.

Mr. COCKRELL. There was unanimous consent given to go on with the Calendar regularly until 2 o'clock.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent that the Senate proceed to consider the bill (S. 607) for the relief of Juliet C. Palmer, widow and administratrix of James C. Palmer, late Surgeon-General United States Navy. Is there objection to the consideration of the bill?

Mr. COCKRELL. Was the bill objected to when it was called up in its regular order?

Mr. CAMERON. I was not present when it was called before.

Mr. COCKRELL. I reserve the right to object to it. Can the Chair inform me whether it was objected to before?

The PRESIDING OFFICER. It was objected to, but allowed to retain its place on the Calendar under Rule VIII, the Chair is informed by the Secretary.

Mr. COCKRELL. I hope the Senator from Pennsylvania will not insist upon considering that bill this morning. Let us go on regularly until 2 o'clock and then the Senator can call it up at the end of the business.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CAMERON. I would rather it should be passed now unless there is objection.

Mr. COCKRELL. I reserve the right to object when I shall have looked at the report.

The PRESIDING OFFICER. No objection being made to the consideration of the bill, it will be read.

The Chief Clerk proceeded to read the bill; but before concluding—

Mr. COCKRELL. I object to that bill. It involves a very intricate question about the distribution of prize money. We have had a number of bills of that kind here, and it will lead to considerable discussion. I trust its consideration will not be insisted on this morning.

The PRESIDING OFFICER. The bill being objected to, will be passed over, and the next order of business will be stated.

W. J. MOBERLY.

The next business on the Calendar was the resolution reported by Mr. BATE, from the Committee on Military Affairs, May 31, 1888, referring the petition of W. J. Moberly to the Court of Claims.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Be it resolved, That the claim of W. J. Moberly, late first lieutenant Fourth United States Cavalry, for \$776.95, alleged to have been erroneously withheld from his salary as lieutenant aforesaid, be, and the same is hereby, referred to the Court of Claims for adjustment under the various provisions of law for such cases made and provided.

The resolution was agreed to.

TERRITORIAL MUNICIPAL BONDS.

The bill (S. 3058) relieving municipalities in the Territories in certain cases was considered as in Committee of the Whole. It proposes to authorize all village and city corporations within the Territories to issue bonds in due form for necessary improvements, such as public buildings, water-works, and general sewers, to an amount not exceeding 4 per cent. of the assessed valuation of the city or village corporation, in addition to their bonded indebtedness of January 1, 1888; but this shall not be construed to authorize any city or village corporation to lend its credit to any person or corporation to aid in the building of water-works. The net income arising from water-works thus constructed is to be set aside and held as a sinking fund to pay the bonds issued for the building of water-works in any village or city corporation; and whenever there shall be \$1,000 in such sinking fund the money shall be invested in United States bonds or in purchasing the outstanding bonds of the city or village corporation issued for the building of the water-works, as the proper authorities of the village or city corporation shall determine.

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

GEORGE W. DAVENPORT.

The bill (H. R. 882) to correct the muster of and for the relief of George W. Davenport was announced as next in order.

Mr. COCKRELL. I ask that that bill may be passed by for the present, retaining its place.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

SARAH K. McLEAN.

The bill (S. 1284) for the relief of Sarah K. McLean, widow of the late-Lieut. Col. Nathaniel H. McLean, was announced as next in order.

Mr. COCKRELL. I make the same objection to that. Let it be passed over.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

TELEGRAPHIC FRANCHISES OF PACIFIC RAILROADS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1426) supplementary to the act of July 1, 1862, entitled

"An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," and also of the act of July 2, 1864, and other acts amendatory of said first named act.

The bill was reported from the Committee on Interstate Commerce with amendments.

The first amendment was, in section 1, line 11, before the word "maintain," to strike out "construct;" so as to make the section read:

That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employés, maintain and operate, for railroad, governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

The amendment was agreed to.

The next amendment was, in section 3, line 4, before the word "maintain," to strike out "construct;" so as to read:

That if any such railroad or telegraph company referred to in the first section of this act, or company operating such railroad or telegraph line, shall refuse or fail, in whole or in part, to maintain and operate a telegraph line as provided in this act and acts to which this is supplementary, for the use of the Government or the public, for commercial and other purposes.

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

Mr. CULLOM. I move that the Senate insist on its amendments and ask for a conference with the House of Representatives on the disagreeing votes.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. CULLOM, Mr. PLATT, and Mr. GORMAN were appointed.

LOREN W. HASTINGS.

The bill (S. 2384) to remove the charge of desertion from the military record of Loren W. Hastings was considered as in Committee of the Whole.

The Committee on Military Affairs reported amendments, in line 5, after the name "Hastings," to strike out "who was" and insert "as;" and in line 6, after the word "Infantry," to strike out "and who was subsequently honorably discharged from the naval service with the thanks of the Department" and insert "and enter thereon in lieu thereof the words 'absented himself without leave on the 29th day of March, 1862, at Pittsburgh, Tenn., and enlisted on the 6th day of April, 1862, at Cairo, Ill., as a seaman on board of the United States steamer Cairo, and was on December 1, 1865, honorably discharged from the naval service, as shown by the records of the Navy Department;'" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion standing against the record of Loren W. Hastings, as a private in Company G, Sixth Iowa Volunteer Infantry, and enter thereon in lieu thereof the words "absented himself without leave on the 29th day of March, 1862, at Pittsburgh, Tenn., and enlisted on the 6th day of April, 1862, at Cairo, Ill., as a seaman on board of the United States steamer Cairo, and was on December 1, 1865, honorably discharged from the naval service, as shown by the records of the Navy Department.

The amendments were agreed to.

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

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

BILLS REPORTED ADVERSELY.

The bill (S. 1953) to provide for the payment of the passage of General de Lafayette and family from France to the United States in 1824, as the guest of the nation, etc., was announced as next in order.

Mr. PLATT. That is reported adversely, and, although I should like to have it passed, I suppose I can not have it done now.

Mr. JONES, of Arkansas. The practice of the Chair has been to pass over those bills which are reported adversely, but it seems to me they ought to be considered, unless where there is a minority report, and be indefinitely postponed. Where there is a unanimous adverse report, and there is no objection to its being done, the bill ought to be disposed of and gotten off the Calendar; and for the purpose of moving that this bill be indefinitely postponed, I ask that the Senate proceed to its consideration.

Mr. PLATT. It can not be considered under the five-minute rule, I wish the Senator to understand.

The PRESIDING OFFICER. The Chair understands that the unanimous consent was to consider bills favorably reported and on the Calendar and not objected to, under Rule VIII.

Mr. JONES, of Arkansas. I did not understand it that way.
Mr. PLATT. Let mesay with regard to this particular bill as illustrating the matter—

Mr. JONES, of Arkansas. I withdraw my suggestion.
Mr. PLATT. I think the bill ought to pass, and I should not be content to have it disposed of without a thorough statement of the circumstances of the case. I do not, however, ask to do that now.
The PRESIDING OFFICER. The bill will be passed over.

BUREAU OF EDUCATION.

Mr. BLAIR. I this morning submitted an amendment to the sundry civil bill, the design of which is to modify the law now existing, so that the Bureau of Education may not be moved, if, on consideration by Congress, the law requiring the removal be thought to be a bad law. The Commissioner thinks it will be greatly destructive to the bureau to remove it, especially where he is required to, and as the bureau has prepared a very short statement of the injury that will be done to it by its removal to the Pension Office, which it desires to have printed in the RECORD that Senators may look into the matter, I ask that it be printed in the RECORD. It is only three pages of type-written copy.

The PRESIDING OFFICER. The Senator from New Hampshire asks that the paper presented by him be printed in the RECORD. Is there objection? The Chair hears none.

The paper is as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF EDUCATION,
Washington, D. C., July 19, 1888.

DEAR SIR: I beg leave to present to you, as chairman of the Senate Committee on Education and Labor, a summary statement of the Bureau of Education in case of its removal to the Pension building.

On March 31, 1888, the following estimates were given to the Commissioner of Pensions, showing the amount of space that would be required: For museum, 3,500 square feet; for the library, 2,500 square feet; for storing and handling documents, 2,000 square feet; for the Commissioner and the clerical force, 3,600 square feet; total, 11,600 square feet. The above estimates were based as nearly as possible upon the present requirements of the office, not allowing for any increase in clerical force, collections, or facilities.

A statement regarding the character and extent of the collections owned by the bureau will show how moderate those estimates are.

The library of the bureau is a growth of twenty-one years, acquired by gift and by exchange and purchase from many different countries. It has been selected with care, with the design that it should be strictly pedagogical in character. The result is that the Government has acquired, at a very moderate cost, the largest and best purely educational library in the world, embracing original works, journals, magazines, and official reports in all civilized languages. The number of bound volumes exceeds 20,000, and the pamphlets 75,000, besides many duplicates to be used in exchanges.

The bureau has made an excellent beginning toward the formation of a complete pedagogical museum, which is intended to contain material illustrating every step, process, and apparatus useful in every grade of instruction. It now possesses a very extensive collection, perhaps unequaled anywhere else in the world, embracing globes, maps, telluriums, botanical, chemical, and zoological specimens; casts, photographs, drawings, engravings, etchings, models, specimens of lacquer, bronze, marble, and other artistic material; a large amount of very valuable and delicate optical and physical apparatus; a quantity of kindergarten material; and a rare and beautiful collection of Japanese needlework and school literature and apparatus, presented by the Japanese Government.

To properly protect and use these two unequalled collections, the library and the museum; to make them available to the working force of the bureau, whose tools they are, and accessible to the educational public who resort to them for study and research, the amount of space above estimated is barely sufficient. By actual measurement the shelves and cases containing the books and files of the bureau extend to 538 feet, not including the basement in which the publications are stacked. The thirty or more glass cases of the museum measure 240 feet. If, therefore, the shelves and cases of the bureau were placed end to end they would form a line that would reach more than three average squares, the greater part of it being 10 feet high.

The general argument against removal, being a full and clear statement of the kind of work done in this office, and the special kind of accommodations and facilities required, together with an exposition of the damage to property, the interruption and delay of work, the inconvenience suffered, and expense incurred in a former removal may be found in a letter of the Commissioner to the Secretary of the Interior, of April 6, 1888, of which a copy can be furnished if needed.

Very respectfully, yours,

J. W. HOLCOMBE,
Acting Commissioner.

Hon. H. W. BLAIR,
United States Senate.

Mr. BLAIR. I also ask that the amendment be printed in the RECORD. It is very brief.

The PRESIDING OFFICER. It will be so ordered, if there be no objection.

The proposed amendment is as follows:

Amend by inserting in line 5, of page 57, after the words "General Land Office," the words "and the Bureau of Education."

PUBLIC-LAND LAWS.

The bill (S. 3077) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber culture, and for other purposes, was announced as next in order.

Mr. TELLER. That can not be considered under the five-minute rule. I do not want to object to it, but it may stand over.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

JACOB D. FELTHOUSEN AND OTHERS.

The bill (S. 463) for the relief of Jacob D. Felthousen and the heirs of William H. Akins, deceased, was announced as next in order.

Mr. PLATT. That is a bill for the extension of a patent which would cover all sewing-machine patents, and I do not suppose it can be disposed of now. I ask that it may go over, retaining its place on the Calendar.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

P. A. LEATHERBURY.

The bill (H. R. 3008) for the relief of P. A. Leatherbury was considered as in Committee of the Whole. It empowers the Secretary of the Treasury to pay P. A. Leatherbury, of Accomac County, Virginia, \$601.27, the amount paid by him to Lucy Roberts, on pension-checks numbered 6863 and 6864, which were afterward recalled and canceled and returned to the Treasury.

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

EXECUTIVE BUSINESS.

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

The PRESIDING OFFICER. Before putting the motion the Chair will lay before the Senate bills from the House of Representatives.

Mr. EDMUNDS. I hope the Senator will withdraw the motion until the regular order is laid before the Senate. When that should have been done, I was about to make the same motion myself.

Mr. PUGH. Very well.

J. T. VINCENT.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution of the House of Representatives; which will be read.

The Chief Clerk read as follows:

Resolved, That the Clerk be directed to request the Senate to return to the House the bill (H. R. 10356) granting a pension to J. T. Vincent.

The PRESIDING OFFICER. The request of the House of Representatives will be complied with and the bill be returned, unless there be objection. It is so ordered.

HOUSE BILLS REFERRED.

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

A bill (H. R. 1239) to extend the jurisdiction of the Light-House Board to the Sacramento and San Joaquin Rivers, California;

A bill (H. R. 1249) for establishing a light-house and fog-signal on Roe Island, Suisun Bay, California;

A bill (H. R. 1641) for the erection of a light-house at or near a point about midway between Barnegat and Navesink lights, in the State of New Jersey;

A bill (H. R. 1912) for the establishment of a light-house at the mouth of Great Wicomico River, Virginia;

A bill (H. R. 5067) establishing additional aids to navigation at the mouth of the Mississippi River;

A bill (H. R. 5670) for the construction of a revenue-cutter for New Berne, N. C., to replace the revenue-cutter Stevens;

A bill (H. R. 5700) to facilitate the transportation of life-saving and light-house supplies at Hog Island, Virginia;

A bill (H. R. 5716) for establishing a light at the mouth of Otter Creek, Lake Champlain;

A bill (H. R. 7421) for establishing a light off Pamlico Point, North Carolina;

A bill (H. R. 7604) for the establishment of a light-house and fog-signal at or near Gull Shoal, Pamlico Sound, North Carolina;

A bill (H. R. 8750) for the establishment of a light-house at or near Tangier Island, Chesapeake Bay;

A bill (H. R. 8752) providing for the establishment of an additional life-saving station on Nantucket Island, Massachusetts;

A bill (H. R. 8751) providing for the erection of sundry light-houses and fog-signals in Lake Superior, Lakes Huron, Erie, and Michigan, and range-lights in Lake St. Clair and Detroit River;

A bill (H. R. 8855) for the establishment of a light-ship with a steam fog-signal at Sandy Hook, New York Harbor;

A bill (H. R. 8783) to authorize the Kentucky Rock Gas Company to lay conduit pipes across the Ohio and Salt Rivers.

A bill (H. R. 10183) to establish a light-ship off Great Round Shoal, near Nantucket, Mass.;

A bill (H. R. 10347) authorizing the construction of a bridge across the Missouri River, at or near the city of Plattsmouth, Nebr., and for other purposes;

A bill (H. R. 10524) to authorize the construction of a bridge across the Chattahoochee River, in the State of Georgia;

A bill (H. R. 10527) to authorize the construction of a bridge across the Alabama River; and

A bill (H. R. 10538) to authorize the construction of bridges across the Flint and Chattahoochee Rivers.

ADMISSION OF WASHINGTON.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished busi-

ness, which is the bill (S. 12) to provide for the formation and admission into the Union of the State of Washington, and for other purposes.

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and fifty-four minutes spent in executive session the doors were reopened, and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 20, 1888.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 16, 1888.

RECEIVER OF PUBLIC MONEYS.

Joseph J. Rogers, of Lisbon, Dak., to be receiver of public moneys at Grand Forks, Dak.

INDIAN AGENT.

Wm. D. Myers, of Pleasant Hill, Mo., to be agent for the Indians of the Kiowa, Comanche, and Wichita Agency in the Indian Territory.

HOUSE OF REPRESENTATIVES.

THURSDAY, July 19, 1888.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
The Journal of yesterday's proceedings was read and approved.

CONSULAR REPORT ON TAXATION.

The SPEAKER laid before the House the following communication from the President of the United States; which was read, and referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of State, submitting a series of reports on taxation, prepared by the consular officers of the United States.

EXECUTIVE MANSION, July 18, 1888.

GROVER CLEVELAND.

CONSULAR REPORTS ON COFFEE.

The SPEAKER also laid before the House the following communication from the President of the United States; which was read, and referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith a letter from the Acting Secretary of State, with accompanying documents, being reports of the consuls of the United States of production of and trade in coffee among the Central and South American States.

EXECUTIVE MANSION, July 18, 1888.

GROVER CLEVELAND.

CONSULAR REPORTS ON FOREIGN TRADE AND INDUSTRY.

The SPEAKER also laid before the House the following communication from the President of the United States; which was read, and referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, accompanying the annual reports of the consuls of the United States on the trade and industry of foreign countries.

EXECUTIVE MANSION, July 18, 1888.

GROVER CLEVELAND.

CONDEMNATION OF LANDS FOR PUBLIC-BUILDING SITES.

The SPEAKER also laid before the House the amendments of the Senate to the bill (H. R. 6153) to authorize the condemnation of lands for sites for public buildings.

Mr. DIBBLE. I ask unanimous consent that the House concur in the amendments of the Senate to that bill.

The SPEAKER. The amendments had better be read, subject to the right of objection.

The amendments of the Senate were read at length.

There being no objection, the amendments of the Senate were concurred in.

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

The latter motion was agreed to.

EIGHT-HOUR LAW.

The SPEAKER also laid before the House the bill (S. 405) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; which was read twice, and referred to the Committee on Labor.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. OUTHWAITE until Saturday, the 21st instant, on account of important business.

RETURN OF BILLS FROM THE SENATE.

The SPEAKER also laid before the House the following resolution; which was read, considered, and agreed to:

Resolved, That the Clerk of the House be directed to request the Senate to return to the House the bill (H. R. 10386) granting a pension to J. T. Vincent.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (S. 2657) granting an increase of pension to Emily J. Stannard;

A bill (S. 3215) to authorize the construction of a bridge across the Arkansas River at or near Cummings's Landing, Lincoln County, Arkansas;

A bill (H. R. 7749) authorizing the building of a bridge across the Mississippi River at Wabasha, Minn.; and

A bill (H. R. 9345) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1889.

BUSINESS FROM THE COMMITTEE ON LABOR.

Mr. O'NEILL, of Missouri. Mr. Speaker, I ask unanimous consent that Tuesday, July 31, immediately after the reading of the Journal, be set apart for the consideration of measures reported from the Committee on Labor.

Mr. ROGERS. I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. If that order be made in these terms, will the House still operate under the 5 o'clock adjournment, or will it suspend that indefinitely during the consideration of that business?

The SPEAKER. Of course, unless that order is revoked or rescinded, it will operate on that day as on any other day.

Is there objection to the request of the gentleman from Missouri?

Mr. OATES. If the gentleman will exclude from that order the bill to prohibit the transportation or sale of convict-made goods from one State to another I will not object; otherwise I shall.

Mr. MILLS. I hope the gentleman from Alabama will not object. We have lost the night session allotted to the committee.

Mr. OATES. Unless that bill is excluded, I shall feel it my duty to object.

Mr. O'NEILL, of Missouri. Under the circumstances I shall depend upon the Committee on Rules reporting to this House a resolution setting apart that day, and I am confident the friends of labor legislation in this House will not fetter the resolution with other matters, but that we can depend on having the day named set apart for that business.

The SPEAKER. The gentleman from Alabama objects.

Mr. HOLMAN. I hope the gentleman from Alabama will withdraw his objection.

Mr. OATES. Exclude that bill, and I will not object.

Mr. O'NEILL, of Missouri. Then I would ask unanimous consent to offer the resolution for reference to the Committee on Rules.

The SPEAKER. Is there objection to the introduction of the resolution for reference to the Committee on Rules?

Mr. OATES. I have no objection to that.

There being no objection, the resolution was referred to the Committee on Rules.

ORDER OF BUSINESS.

Mr. MILLS. I demand the regular order.

Mr. GEAR. I ask unanimous consent to consider the bill which I now send to the desk.

The SPEAKER. The gentleman from Texas demands the regular order.

Mr. MILLS. I move to dispense with the morning hour for the call of committees.

The motion was agreed to.

AMERICAN ASSOCIATION OF INSTRUCTORS OF THE BLIND.

Mr. MORRILL. I ask the gentleman from Texas to yield to me for a moment to have printed in the RECORD a brief memorial from the American Association of Instructors of the Blind.

Mr. MILLS. I have no objection to that.

Mr. MORRILL. Then I ask unanimous consent to have printed in the RECORD the memorial I send to the desk.

There was no objection.

The memorial is as follows:

MARYLAND SCHOOL FOR THE BLIND,
North Boundary Avenue, Baltimore, July 12, 1888.

*To the honorable Senate and House of Representatives
of the United States in Congress assembled:*

The American Association of Instructors of the Blind, now holding its tenth biennial session in the city of Baltimore, hereby respectfully, but urgently, ask

that your honorable body will at an early day consider favorably, and enact into a law, the bill to promote the higher education of the blind, now pending before the Committee on Education of the House.

Wm. B. Wait, superintendent New York Institute for the Blind, New York City; Frank Batties, principal Pennsylvania Institute for the Blind, Philadelphia; W. D. Williams, principal Georgia Academy for the Blind, Macon; F. D. Morrison, superintendent Maryland School for the Blind; W. S. Phillips, superintendent Illinois Institution for the Education of the Blind; C. H. Miller, superintendent Ohio Institute for the Blind; W. J. Young, principal North Carolina Institute for the Deaf and Dumb and the Blind; S. A. Link, superintendent Tennessee School for the Blind; Geo. H. Miller, superintendent Kansas Institute for the Blind; H. B. Jacobs, superintendent Indiana Institute for the Blind; A. G. Clement, superintendent New York State Institute for the Blind; Frank T. Barrington School for the Blind, Baltimore, Md.; Wallace P. Day School for the Blind, Jacksonville, Ill.; Jno. H. Dye, superintendent School for the Blind, Little Rock, Ark.; J. E. Parmelee, superintendent School for the Blind, Nebraska City, Nebr.; B. B. Hunter, superintendent Kentucky Institute for the Blind, Louisville, Ky.; Jno. T. Sibley, superintendent Missouri School for the Blind, St. Louis, Mo.; C. E. Faulkner, secretary board trustees Kansas State Charitable Institution; H. S. Hall, superintendent and financial agent Pennsylvania Working Home for Blind Men.

BUSINESS REPORTED FROM COMMITTEE ON THE PUBLIC LANDS.

Mr. HOLMAN. Mr. Speaker, there are several bills reported from the Committee on the Public Lands in relation to public schools and other matters, to which I think there will be no objection. I ask unanimous consent that on next Tuesday the House take a recess at 5 o'clock until 8 o'clock p. m.; the evening session to be devoted exclusively to the consideration of bills reported from the Committee on the Public Lands, to which there shall be no objection.

Mr. DINGLEY. I suggest that some day be set apart. We have time enough now.

Mr. WEAVER. Is the Public Land Strip bill included in that request?

Mr. HOLMAN. It is not.

Mr. MCCREARY. I desire to amend the proposition.

The SPEAKER. It is not amendable. This is a request for unanimous consent. Is there objection to the request of the gentleman from Indiana [Mr. HOLMAN]?

Mr. ROGERS. If the evening session be limited to half past 10 o'clock, I have no objection.

Mr. HOLMAN. I will agree to that.

Mr. CLARDY. I suggest that it be limited to 10 o'clock.

Mr. HOLMAN. I have no objection to that.

There was no objection to the request of Mr. HOLMAN, and it was so ordered.

ERROR IN AGRICULTURAL APPROPRIATION BILL.

Mr. MORROW, by unanimous consent, introduced a joint resolution (H. Res. 201) to correct an error in the act making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1889, and for other purposes; which was read a first and second time, as follows:

Resolved by the Senate and House of Representatives, etc., That an error in the act making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1889, and for other purposes, designating the Ladies' Silk Culture Society of California as the "California Ladies' Silk Culture Association of California," be corrected so that the name shall read: "Ladies' Silk Culture Society of California."

Mr. MORROW. I ask for the present consideration of this 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. MORROW 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.

BUSINESS FROM COMMITTEE ON PRIVATE LAND CLAIMS.

Mr. MCCREARY. I ask by unanimous consent that next Thursday evening, between the hours of 8 and 10 p. m., be set apart for the consideration of bills reported from the Committee on Private Land Claims.

The SPEAKER. That evening is already taken.

Mr. MCCREARY. Is Wednesday evening taken?

The SPEAKER. Wednesday evening also.

Mr. MCCREARY. Then I ask unanimous consent that next Wednesday, immediately after the reading of the Journal, be set apart for the consideration of bills reported from the Committee on Private Land Claims.

There was no objection, and it was so ordered.

DEFICIENCY BILL.

Mr. BURNES, from the Committee on Appropriations, reported a bill (H. R. 10896) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1888, and for prior years, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BURNES. Mr. Speaker, I wish to reserve all points of order on

the bill. Accompanying it there is a report expressing the views of the majority of the committee, which I ask to have printed in the RECORD to-morrow morning.

There was no objection, and it was so ordered.

The report is as follows:

In presenting the bill making appropriations to supply deficiencies in the appropriations for the fiscal year 1888 and for prior years, the Committee on Appropriations submit the following report in explanation thereof:

The bill is mainly based upon estimates contained in House Executive Documents Nos. 333, 376, 377, 383, 395, and 396, Senate Executive Document No. 186, of this session, and House Miscellaneous Document No. 6, Forty-ninth Congress, second session, and House Miscellaneous Documents Nos. 294 and 401, and Senate Miscellaneous Documents Nos. 5, 121, 123, 143, 146, 147, 148, and 149, of this session, and appropriates in all \$3,539,434.49.

Section 1 of the bill makes appropriations to supply deficiencies on account of the fiscal year 1888 and prior years, as follows:

State Department.....	\$4,017.90
Treasury Department.....	599,290.10
District of Columbia.....	24,123.96
War Department.....	76,684.43
Navy Department.....	7,039.66
Interior Department.....	70,953.41
Post-Office Department.....	473,113.72
Department of Agriculture.....	251.28
Department of Justice.....	330,801.59
Government Printing Office.....	6,300.00
House of Representatives.....	41,097.63
Judgments Court of Claims.....	346,239.31
Fox and Wisconsin River Improvement.....	15,318.26
	<hr/>
	1,958,231.30

Sections 2, 3, and 4 of the bill provide for the payment of claims audited by the accounting officers of the Treasury and certified to Congress pursuant to law and for the payment of French spoliation claims as follows:

Section 2, under Senate Executive Document No. 186.....	\$252,411.56
Section 3, under House Executive Document No. 377.....	587,185.00
Section 4, French Spoliation Claims.....	741,606.63

Total amount in the bill 3,539,434.49

There is no new legislation in the bill except the following on pages 3 and 4, which is urgently recommended by the Secretary of the Treasury for the better enforcement of the alien contract labor law, namely:

"That the act approved February 23, 1837, entitled 'An act to amend an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia,' be, and the same is hereby, so amended as to authorize the Secretary of the Treasury, in case he shall be satisfied that an immigrant has been allowed to land contrary to the prohibition of that law, to cause such immigrant within a reasonable time, say one year, to be taken into custody and returned to the country from whence he came, at the expense of the owner of the importing vessel, or, if he entered from an adjoining country, at the expense of the person previously contracting for the services.

"That the act approved February 26, 1855, entitled 'An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia,' be, and the same is hereby, amended so as to authorize the Secretary of the Treasury to pay to an informer who furnishes original information that the law has been violated such a share of the penalties recovered as he may deem reasonable and just, not exceeding 50 per cent., where it appears that the recovery was had in consequence of the information thus furnished."

In obedience to the order of the House, expressed in the following resolution, adopted December 19, 1887, provision is made for the payment of all claims which have been reported by the Court of Claims under the act of January 20, 1885:

"Resolved, That the reports of the Court of Claims under the act of Congress entitled 'An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801,' approved January 20, 1885, be referred to the Committee on Appropriations when appointed, with instructions to report to this House all such claims as have been decided favorably to the claimants and so reported by the Court of Claims in the general deficiency bill for the consideration of the House."

It will be for the House to determine whether the appropriations contained in the bill for the payment of these claims, or any part of them, shall now be made, the Committee on Appropriations having no discretion in the premises, except to report provision for their payment under the terms of the above resolution.

The undersigned members of the committee submit the following views touching the

FRENCH SPOILIATION CLAIMS.

The resolution declares that they shall be reported for the consideration of the House, and the avowed object of its passage announced in debate was to secure a hearing for the claims at the present session of Congress. Their great magnitude, and the interesting and important questions involved in their consideration, render it proper and necessary that the committee should furnish to the House all pertinent information in their power upon the subject of these claims, and should state the questions regarding them which will arise for the decision of the House.

Under the reference act of January 20, 1885, by which these claims were referred to the Court of Claims for investigation and report, it was provided that the findings and reports of the court should be taken to be merely advisory as to the law and facts found, and should not conclude either the claimants or Congress, and that nothing in the act should be construed as committing the United States to the payment of any of the claims. The responsibility, therefore, rests upon Congress to determine these cases of claim upon their merits, accepting the reports thereon from the Court of Claims as advisory merely and not conclusive. The findings of the court in the several cases puts the House in possession of facts which are indispensable to its intelligent action, while the conclusions at which the court arrives upon points of law involved in their investigation are entitled to most respectful attention. Still, the findings of the court, whether of fact or law, are not judgments of the court in a judicial sense, and can not therefore be reviewed in the Supreme Court or take rank as authority in the consideration of the claims by Congress.

The first fact that attracts attention in coming to the consideration of these claims is their great magnitude. The law officers of the Government inform us that upon computation of them as filed in the Court of Claims they exceed the sum of \$40,000,000, and the number of vessels seized or detained, as set forth in petitions filed, is 2,300. Mr. Webster, speaking for the claimants in the Senate in 1836, declared that "the papers showed that American citizens had claims against the French Government for 615 vessels unlawfully seized and confiscated," and the estimates heretofore made of the total amount of the claims

have ranged from one-fourth to one-eighth only of the amount now demanded. From the best means of information at hand the committee are of opinion that after all deductions and rejections by the Court of Claims the aggregate amount will exceed \$30,000,000. The amount already reported by the court and included in the present bill is therefore but a small part of the whole, but a decision by Congress to pay the reported items or any one of them will in principle commit the Government fully upon the whole question of payment.

Before the passage of the reference act of 1885 the position of the claimants was quite different from that assigned to them by the present bill. For half a century or more bills for their relief, presented from time to time, provided for an appropriation of \$5,000,000, to be distributed among them pro rata in extinguishment of their demands, being about one-sixth of the probable amount of expenditure to which the Government will be committed by approving the items of appropriation contained in the present bill. Inasmuch, however, as the act of 1885 did not commit the Government to any principle of action upon the claims, the whole question of their allowance, and, if allowed, the manner of paying them, and the amount to be paid, remain open for the deliberate and intelligent judgment of Congress.

It is understood that of these claims one-half or more in amount is demanded by insurance companies, or by receivers representing them, being for insurance moneys paid in cases of loss, or upon assignments made by original claimants. It will be for Congress to determine whether any distinction shall be made between insurance companies and individual claimants with reference to the merit of their demands, respectively, and generally as to assigned claims, whether the provision of the third section of the reference act of 1885, that the court shall ascertain in the case of assigned claims the actual consideration paid therefor, shall be regarded as important, and its apparent purpose be enforced.

FRENCH SPOILIATIONS.

The claims in question originated mostly in the years 1798 and 1799, and were the subject of negotiation between the United States and France in the year 1800. Eventually a convention treaty was signed by the negotiators on the 30th day of September, 1800, which was subsequently, 3d February, 1801, amended by the United States Senate by striking out the second article and substituting therefor a provision that the treaty should continue in force for eight years.

The second article, so expunged by the Senate, was in the following language: "Sec. 2. The ministers plenipotentiary of the two parties not being able to agree at present respecting the treaty of alliance of 6th February, 1778, the treaty of amity and commerce of the same date, and the convention of 14th November, 1788, nor upon the indemnities mutually due or claimed, the parties will negotiate further upon those subjects at a convenient time, and until they may have agreed upon those points the said treaties and convention shall have no operation."

It will be seen by this section that certain differences between the two countries regarding claims and old treaties were postponed, accompanied by the declaration that negotiation upon them should be resumed at a convenient time, and that until such negotiation and an agreement to revive them the old treaties should have no operation.

The claims now in controversy are presented mainly upon the following grounds:

First. That they were valid claims against France when the treaty of 1800 was made, and that France had acknowledged their justice and legality.

Second. That further negotiation between the United States and France for their consideration was provided for by the second article of the treaty, above recited.

Third. That by striking out that article from the treaty in the United States Senate the claims were abandoned or released to France.

Fourth. That this abandonment or release was in consideration of the abandonment or release by France of her pretensions under the old treaties of 1778 and was an equivalent therefor.

And, lastly, that the transaction was a virtual appropriation by the United States of private property to public use, entitling the claimants to just compensation therefor upon a familiar principle of justice recognized by American constitutional law.

RULE OF COMPENSATION.

Before considering the several grounds of claim above presented it will be important to understand clearly the rule of compensation which the claimants will be entitled to invoke in case their claims shall be admitted for payment by the United States. If they have a right to recover, what will be just compensation to them for the alleged appropriation of their property for public use? It is undoubtedly a principle of law that where private property is taken for public use, and the appropriation is total and permanent, the value of the property at the time of appropriation is to be paid to the owner. If, therefore, the claims against France were in the nature of property and were appropriated to public use by our Government, their pecuniary value at the time they were so used will be the standard of compensation to the claimants.

It would be an affectation of learning to cite authority in support of this rule, it being one of general acceptance and of undoubted justice. The value, if any, to the claimants of the possibility of renewed and successful negotiation on their behalf under the expunged article of the treaty of 1800 measures exactly the extent of their alleged loss by the action of our Government. For at the utmost their claims at the time of alleged appropriation were worth no more than the estimated value of their chance of recovering them under the second article of the treaty. By their own argument they were deprived only of the chance of indemnity from France by negotiation in the future, at some time convenient to both Governments, and when France should be disposed or coerced or persuaded to pay. But that this chance or possibility of renewed negotiation, and of obtaining indemnities from France thereby, in the contemplation and belief of our envoys, and presumably also of the Senate, was wholly unreal and illusory can be clearly shown, and that this belief was well founded appears not only from an examination of the facts then known, but from the history of subsequent events.

Bonaparte refused indemnities after Marengo, and dictated a treaty which excluded them from allowance. Would he have admitted them after Austerlitz, or Jena, or Tilsit? Much less would he have found a convenient time for considering them after Moscow and Lepsic, in the days of his declining power. Alike in the days of glory and disaster, his selfishness, arrogance, and insensibility to human suffering and human needs (outside the circle of dependents and supporters) fitted him to be an inflexible, unsympathetic enemy to the American claims. Even those claims which were provided for by the treaty of 1800 in the fourth and fifth articles remained unpaid, the subject of urgent demand by us, until the convention treaty of 30th April, 1803, accompanying the Louisiana purchase, was made.

In fact, the American minister, Mr. Livingston, congratulated himself upon his success in touching the pride of Bonaparte by a direct communication to him on the subject of those acknowledged claims and obtaining from him a promise of speedy payment. The French treasury, however, was not in a condition to pay nearly \$4,000,000, the estimated amount of those claims, and this circumstance probably facilitated the sale to us of the Territory of Louisiana, out of the purchase-money for which those claims were ultimately paid.

But the official correspondence preceding the Louisiana purchase shows how idle and useless would have been any attempt at renewed negotiation with Bonaparte for payment of war claims antedating the treaty of 1800, even if that treaty had left them open for consideration. Still more decisive is the fact, that under

Bonaparte as emperor fresh and severe depredations were committed upon our commerce, for which no redress could be obtained for more than twenty years. By his Berlin and Milan decrees, and by other measures of his government, he struck at our rights as a neutral power, broke his treaty obligations with us, and let loose upon our merchant ships the spoilers of the sea. During his great struggle with England his attitude towards us was wholly selfish and unjust, precluding all possibility of successful negotiation with him for redress of wrongs.

MR. CLAY'S REPORT.

In Mr. Clay's report as Secretary of State, to the United States Senate, dated 20th of May, 1826, he set forth the grounds on which the claimants presented their demands, now in controversy, against our Government, and submitted to the Senate the question, "Whether equitable considerations do not require some compensation to be made to the claimants?" He added, however:

"The Senate is also best able to estimate the probability which existed of an ultimate recovery from France of the amount due for those indemnities if they had not been renounced [abandoned], in making which estimate it will give just weight to the painful consideration that repeated and urgent appeals have been in vain made to the justice of France for satisfaction of flagrant wrongs committed upon property of other citizens of the United States subsequent to the period of 30th September, 1800."

These observations by Mr. Clay are extremely important, in two points of view:

1. They show that upon the grounds of claim set forth by the claimants, assuming their full force and validity, Mr. Clay was of opinion that the claimants should not be paid by our Government the full amount of their claims. It was for the Senate to decide whether, upon the alleged facts, "some compensation" should not be made. It was doubtless in accordance with this view that the claimants, their counsel in Washington, and their supporters in Congress, at various times, and persistently, proposed an appropriation of \$5,000,000 as the compensation which the claimants would accept, and which it would be reasonable or proper for the Government to pay, in full extinguishment of their claims. A great many reports have been made and bills introduced into Congress and urged upon public attention, fixing that sum of \$5,000,000 as the whole amount to be paid. The "some compensation" has now, however, risen from the \$5,000,000 of former times to \$30,000,000, under the impetus given to the claims by the reference act of 1885. But as that act provided only for an investigation of the claims and reports thereon, expressly reserving to Congress full freedom of action and judgment after reports were made, it follows that the \$5,000,000 limitation has not been waived by Congress nor, in fact, been formally withdrawn by the claimants.

2. But by the report of 1826 the Senate were also invited to consider the probability of a recovery of the claims from France if they had been left open and expressly subject to after negotiation by the treaty of 1800; and upon that point the Secretary referred the Senate to the continued failure of our Government to secure satisfaction from France for flagrant wrongs committed upon our commerce by her subsequent to the date of that treaty.

The Secretary's reference was undoubtedly to the claims above referred to, for depredations under the imperial decrees and authority of Bonaparte subsequent to 1800, which were in open violation of existing treaties and neutral rights, and which had been made the subject of unavailing remonstrance and negotiation by our Government under three Presidents—Jefferson, Madison, and Monroe—and were then being continued under the younger Adams. All attempts to obtain redress had failed, and continued efforts then being made did not promise success. Mr. Clay had therefore good reason to submit to the Senate the pertinent and significant question, Is it probable that France would have agreed to pay the old contested claims prior in date to 1800, if negotiations upon them at a convenient time had been reserved by the treaty of that year in its final form? If she will not pay or agree to pay more recent claims of undoubted validity—of uncontested merit—would she have ever found a convenient time to pay, or even promise to pay, the old ones? There could be but one answer to these questions, namely, an emphatic negative.

It only remains to mention upon this point that settlement and ultimate payment of the claims subsequent to 1800 were only secured by the great energy and determination of President Jackson, devoted to that object during nearly the whole eight years of his administration, and then only to the extent of 58 per cent. In his annual message of 1835 he gave an exhaustive and instructive narrative of the steps taken and difficulties encountered by him in enforcing those virtually uncontested demands upon France; and no reasonable man can rise from reading that message without a strong conviction that any attempt by us at any time to coax or coerce France to acknowledge or pay the older and disputed claims would have entirely failed, and that the original second article of the treaty of 1800 for a convenient time of negotiation thereon was utterly worthless. (See Benton's Thirty Years' View, pages 569, 588, 602.)

OPINION OF ENVOYS.

In this connection the opinion of our envoys who were concerned in the negotiation of the treaty is entitled to high consideration. In their private journal, under date of July 7, 1800, they declared:

"It was also clearly perceived that unless indemnities were secured by some means in the present negotiation they would be forever lost."

Again, pending proceedings upon the ratification of the treaty, after its amendment, William Vans Murray, our minister at The Hague (who had been one of our envoys in the negotiation of the treaty), fully and strongly expressed his deliberate judgment that the claims were without pecuniary value under the second article of the treaty. In a letter to the Secretary of State, dated at Paris, July 2, 1801, speaking of the claim for indemnities against France, he said, "I do not consider it as worth a quarter per cent.;" and in a subsequent letter to the Secretary of State, dated August 3, 1801 (after exchange of ratifications of the treaty), he said, "If the Senate meant, as I hope, to consider indemnities as worth nothing, then the business, I presume, is closed."

And again, in the same letter, he declared that in accepting the French ratification he had taken into account "the absolute want of value in the prospect of indemnities" under the second article of the treaty. This is strong evidence from a most competent witness upon the question of the value of the claims, and it also tends to prove that the second article of the treaty was originally obtained by our envoys for diplomatic and personal reasons, rather than with any expectation that it was or would be of value to American claimants.

THE NEGOTIATION AT PARIS.

The treaty of 1800, amended and ratified by the United States Senate February 3, 1801, does not, in its final form, contain any provision upon the subject of these claims. It passed them by unprovided for, although they were an object of negotiation before that treaty was made, and were referred to in the second article of the treaty when signed. Undoubtedly the claims were dropped or abandoned by our Government as a subject of negotiation with France; but under what circumstances, with what objects in view? Those who defend the action of our Government declare that the claims were abandoned simply because they could not be enforced upon France at the date of the treaty, nor was there any reasonable prospect that any future negotiation in their behalf would be successful. If this be true there is an end to controversy, for it is undeniable that our Government had performed its whole duty to the claimants up to the date of the treaty.

It had acted with great energy and had incurred heavy expense for their protection in the preceding years, and its instruction to its envoys was urgent and imperative to insist upon the claims and to agree to no treaty with France which

should not provide for them; and our envoys had been for many months diligently engaged in an unsuccessful attempt to secure a recognition of the claims from France. If, therefore, it was impossible to secure their allowance by treaty, and it was evident that future negotiation in their behalf would be equally fruitless, it was just to conclude the treaty upon the basis upon which it was made—in the final form given to it by the American Senate.

But here comes into view a decisive explanation of the second article of the treaty of 1800, in both its original and its amended form, which disposes of the main argument made in former reports and still urged in behalf of these claims.

When the treaty was under consideration in our Senate, in secret session, as already mentioned the second article was expunged, and in its stead a provision inserted that the treaty should continue in force for eight years. Conjecture has been busy over this action of the Senate (in which France concurred), but as will presently appear, a perfectly natural and reasonable explanation of the fact challenges attention and acceptance. The Senate had before them the correspondence of the negotiators on both sides and the journal of proceedings and consultations of our envoys, and acted with intelligence in their amendment of the treaty, and certainly with no intention of assuming for their own country the payment of these claims. If such consequence had been presented to them as a possible effect of their amendment, it is quite certain the amendment would not have been made. But such consequence being neither a legal, natural, proper, or conceivable consequence of their amendment, that amendment was evidently made for the reasons which we shall now proceed to mention.

In the first place, the Senate, unlike our envoys, were not bound by instructions; they could give to the treaty such form as they judged advisable with due reference to existing conditions in our relations with France, and with a wise forecast of the future; they were well informed that the second article was not asked for by France, but was a diplomatic device to relieve our envoys from an apparent breach of instructions and usurpation of authority in signing the treaty, and the Senate must have been convinced of the utter uselessness of the article, and of its liability to create with claimants unfounded or delusive hopes of future negotiation in the interest of their claims. While it was no doubt firmly believed that the article could do no good—could secure no advantage to our Government or to the claimants in future—it might do harm, because it was misleading.

That the reservation of future negotiation in the second article of the treaty, in its original form, was a diplomatic device of the negotiators, as already stated, and was not intended by them to be a substantial or practically operative provision in future, sufficiently appears from their official correspondence to be presently cited; and that the provision was worthless to the claimants, and therefore properly rejected by the Senate, will also appear from an examination of the provision itself and from the history of succeeding times.

The ultimatum of Bonaparte, presented to our envoys after protracted correspondence and conferences, consisted of two alternative propositions, either one of which might be accepted as the basis of a new treaty, but the acceptance of either one necessarily involved the rejection of the other. Both could not stand. All that was left to our envoys was a choice between them. That ultimatum (maintained by France with slight modifications of detail in the subsequent course of the negotiation) was clearly stated by the French negotiators to our envoys in a letter dated 11th August, 1800. (Report of 1826, page 616.) In that communication they proceeded to state their first proposition, which was—

"To stipulate a full and entire recognition of the treaties and the reciprocal engagement of compensation for damages resulting on both sides from their infraction; but if the American envoys should continue to think it is impossible for them to acknowledge the treaties with the advantage of their date * * * the French Government would consent to the abolition of the treaties."

And therefore their second proposition was—

"The abolition of ancient treaties, the formation of a new treaty in which the French nation, laying aside a privilege disagreeable to the United States, would treat for its political and commercial relations as the most favored nation, and in which there would be no demand of compensation."

And they concluded by restating these alternatives in condensed form:

"Either the ancient treaties with the privileges resulting from priority, and the stipulations of reciprocal indemnities; or a new treaty assuming equality without indemnity."

Our envoys were greatly embarrassed by this communication, the outcome of all their efforts to obtain terms from France and to secure the objects of their mission. The acceptance of the first alternative was plainly impossible for several most commanding reasons; nor is there any ground to believe that the French negotiators expected its acceptance. It was in flat contempt of our act of Congress which had abrogated those treaties, which act Congress alone could repeal. It was wholly inconsistent with the existing Jay treaty with Great Britain, and would embroil us with that country, and by its revival of exclusive privileges to French cruisers in our ports would have destroyed our declared position as a neutral power. There were other objections, but these alone were decisive. Besides, it was not within their power, under their instructions, to revive or renew the old treaties; nor, if they had possessed greater powers, could they have overcome the insuperable obstacles which stood in the way of a renewal treaty and its ratification.

All this was well known to the French negotiators, and their renewed proposition, coupled with claims adjusted on both sides, was doubtless diplomatic, to make their offer consistent with their prior attitude in the negotiation, and to recommend, by way of contrast, the second proposition of the alternative to the American envoys. It is now known that this ultimatum was the result of very careful consideration between the French negotiators and their own Government, and it was adroitly drawn to its intended purpose. The First Consul, then fresh from the field of Marengo, made up his mind with his accustomed decision upon the American dispute. He would agree to an unconditional peace, by-gones to be by-gones, and that amity and free commerce should obtain between his country and ours for the future. His negotiators enveloped his determination in many words, but it was plainly enough expressed in the second alternative proposition above cited.

Our negotiators gave to this proposal most earnest and anxious consideration. They were surrounded by difficulties. No desirable course lay open before them. But they were patriotic men, and they determined to do their duty, to do the best they could under the circumstances, and take the responsibility of a treaty upon the terms last proposed. Thereby they would open the ports of France to our merchants and shippers, would stop captures of our vessels upon the ocean, and would save to our merchants no less than forty ships and their valuable cargoes already seized by French cruisers but not finally condemned. These were great advantages to our commerce and to the men engaged in carrying it on, while at the same time our Government was secured from burdensome outlays under acts of Congress passed for the protection of our citizens against France. But all this could not be secured under the French offer now in question without an abandonment of the American claims; in other words, without ceasing to urge them in the negotiation. Was peace, open ports, restitution of forty ships and cargoes, and national interests all to be sacrificed to further an utterly fruitless negotiation in favor of the claims?

Their decision is shown by their journal under date of 13th September, 1800 (Report of 1826, p. 684), where they say that they were then "convinced that the door was properly closed against all hopes of obtaining indemnities with any modification of the old treaties, and it only remained to be determined whether under all the circumstances it would not be expedient to attempt a temporary arrangement which would extricate the United States from this war, or that pe-

culiar state of hostility in which they are at present involved, save the immense property of our citizens now depending before the council of prizes, and secure as far as possible our commerce against the abuses of capture during the war."

They therefore resolved to submit to the French negotiators certain propositions as the basis of an agreement, one of which was the postponement of the subject of old treaties and indemnities in very nearly the form which it assumed afterwards in the second article of the new treaty. It is not material to trace the negotiation further to its conclusion in the signing of the new treaty on the 30th of September, nor to infer from their official correspondence the motives operating upon the negotiators in adopting the second article of that treaty.

It is plain enough, upon a consideration of all the facts recorded, that for good and sufficient reasons the American envoys accepted the second proposition of the Bonaparte ultimatum, which involved the abandonment of indemnity claims in controversy, and that the formal postponement of them along with the old treaty pretensions was with no expectation that negotiation thereon would ever be resumed; and it is evident also that the French negotiators agreed to this formal provision at the urgent request of the American envoys, and not because they attached any importance to it as a provision for the future.

Distinct and reliable evidence upon this subject is furnished by the letter of M. Fleurieu, one of the French negotiators, to M. Talleyrand, dated 11th June, 1802, and appended to this report. It was because the American envoys were bound by instructions against a formal abandonment of the American claims, and because they apprehended "the clamors of the ship-owners and merchants of the United States" that no formal renunciation of indemnity was inserted in the treaty, and the second article for an indefinite postponement of the subject inserted; but both sides to the negotiation perfectly well understood that they were agreeing upon the Bonaparte ultimatum of the 11th of August, which had conclusively defined the position of France, and which the American envoys had been compelled to accept.

For the reasons above shown the American envoys were fully justified in accepting a new treaty, with a virtual abandonment of the controverted American claims. The treaty they made was largely advantageous to our merchants and shipping interests, and it secured the ultimate payment of all the claims which could be recovered at that time from the Government of France. Nor are they to be condemned for inserting in the treaty a claims-postponement provision under the circumstances in which they were placed. Their draught of the treaty was subject to the approval, modification, or rejection of their own Government, and it was perfectly competent for the President and Senate, by rejecting or amending the treaty, to reopen negotiation with France in order to obtain more favorable terms.

In this point of view the second article might be expedient, by furnishing occasion for further correspondence. It was their intention to leave their Government as free as possible with reference to the course it would adopt, no matter what were their own fixed opinions as to the utility of continued or renewed negotiation upon the subjects embraced by the treaty. Perhaps this consideration, in addition to those mentioned by M. Fleurieu, influenced them in obtaining the second article of the treaty. But the whole subject of the treaty was remitted to their own Government for its deliberate judgment, and they transmitted to the home authorities all the correspondence with the French negotiators and the private journal of their own consultations and proceedings for the information of the President and Senate.

AMENDMENT OF THE TREATY.

The Senate had no motive to strike out the second article of the treaty in order to get rid of the old treaties of 1778, for by that article those treaties were to have no operation in future unless readopted. We were completely free from them by the article itself, unless and until we chose to renew negotiations and voluntarily accept them. It is therefore preposterous to say that the Senate struck out the article in order to get rid of the treaties.

It is true that if both parties chose to find a convenient time to renew negotiation France might renew her "pretension" that the old treaties constituted a topic for consideration, but such pretension would not impose those treaties upon us, or give to them in any manner the force of existing obligations. We would be at perfect liberty to reject them. Besides, as will be hereafter shown, those old treaties had been abrogated for legal and just cause by the United States, and they had also been set aside by public maritime war.

Nor did the Senate strike out the article to avoid any prospective demand by France for renewed negotiation respecting them; in other words, to avoid any renewal of these pretensions by which France had sought to complicate and baffle the negotiation just closed, France had proposed in the ultimatum of 11th August to abandon all her pretensions regarding those treaties, and make a treaty of amity and commerce, regardless of them; and the second article of the new treaty, which formally reserved a chance for future negotiation, was not proposed by her, but by the American envoys. The treaty without the second article was conformed to her ultimatum, and she asked for no reservation to preserve her old treaty pretensions. The American envoys had sought and secured the second article because it saved to them the point of honor under their instructions, while their own Government was left free to accept or reject, in whole or in part, the bargain proposed. France conceded the article, not because she desired it, but because it was harmless; because it bound her to nothing in the future, not even to negotiate except when she chose, and then according to her own sovereign pleasure. It was therefore morally certain that she would never importune us to reopen negotiation under the second article, and the Senate did not strike out that article to avoid future annoyance from her upon old treaty pretensions.

Nor did the Senate strike out the second article in order to release France from the American claims, to discharge her from a legal obligation to pay them. There was no legal obligation to discharge, because the claims were war claims, which, like counter claims of France for losses on her side during hostilities, had no legal standing in any forum of debate.

It has sometimes been said that the claims, if not strictly legal, were equitable, but we are not to be misled by words. We are not here considering a question of moral obligation or of abstract justice as against France, but an obligation upon her under the sanction of international law.

But as a question under international law there was truth and force in the position of the French negotiators, declared by them in conference 12th September, 1800, that—

"If the question could be determined by an indifferent nation they were satisfied such tribunal would say that the state of things then existing was war on the side of America (they might have added on the side of France also), and that no indemnities could be claimed."

The same view as to existing war was, about the same time, announced by our Supreme Court, and was repeated by that court in cases subsequently decided, as is fully shown at another place in this present report.

The Senate, therefore, in striking out the second article of the treaty did not intend to release, and did not in fact release, France from any legal obligation to pay their claims, because no such obligation then existed.

Nor did the Senate strike out the second article with any intent of imposing the payment of the claims upon our own Government. There is no evidence that they had such a purpose, nor has it ever been imputed to them in argument. They were intelligent and able men, well informed upon the whole French controversy and upon all the details of treaty negotiation, and were fully competent to decide upon the utility of the second article, and to foresee the consequence of expunging it. That they did expunge it is strong evidence

that it was worthless to the claimants (whose interests had been the main object of the negotiation), and that its elimination was not an assumption of claims payment by the United States. For if the Senate had considered the article to be of actual value to the claimants they would most certainly have retained it, inasmuch as there is good reason to believe they were friendly to the claimants and had been in full accord with the executive administration in all the prior measures adopted for their protection and relief; and whether they considered the article to be valuable or worthless, they would not, as reasonable and patriotic men, have struck it out, and thereby consciously have imposed upon our own Government a mass of claims for which it was not justly responsible, and which it was unable to pay.

If, then, the purpose of the Senate in striking out the second article was not to get rid of the old and defunct treaties, nor to avoid French demand for renewed negotiation, nor to release her from legal obligations under international law, nor to impose claims payment upon the United States, there remains but one reasonable explanation of their action, namely, the one already given in the present report. They struck out the article because it was both worthless and misleading, and therefore unfit for continuance in the text of the treaty.

Assuming that they were right in this view (and strong proof that they were so has been produced) the argument is closed; for subsequent proceedings upon the exchange of ratifications did not affect the treaty. The treaty has always remained precisely in the form in which the Senate ratified it, with the second article expunged, and in that form it is still found among the public records of our treaties and laws. In that form it was promulgated to the people of the United States by proclamation of the President, and in that form only did it ever take effect or become an instrument for legal interpretation or construction.

But a pretext for argument has been found in the form of treaty ratification adopted by Bonaparte as First Consul of the French Republic, or rather in a remark appended by him to his unqualified ratification of the instrument. An error of translation has represented that remark as a proviso to the ratification, whereas the original French indicates no condition or qualification of ratification, but only a declaration of opinion or understanding by Bonaparte, correctly described by Mr. Jefferson as simply an inference, and which, whether well or ill founded, could not affect the construction of the treaty or qualify its acceptance. This was the view taken by the Senate when the treaty was again before them; for they advised the President that it was sufficiently ratified, and of course required no further consideration. Bonaparte's added remark was treated as surplusage, requiring no attention from our Government. Claims negotiation abandonment is not denied, but Bonaparte's remark makes it no more certain than before.

FRANCE DID NOT ACKNOWLEDGE THE CLAIMS.

Much has been said in argument about an alleged recognition of the claims by the French negotiators and an acceptance by them of the principle of negotiation for their allowance; and sometimes it has been boldly asserted that the French negotiators acknowledged the justice of the claims and admitted the liability of France to pay them. This was one of the grounds upon which the Webster argument of 1836 proceeded, and was essential to its support. On the other hand, it has been asserted that there was no such recognition of the claims by the French negotiators, nor admission of their justice and of French liability for their payment. This was substantially the position taken by Silas Wright in the debate of 1836, and by General Dix ten years afterwards. Upon this question the facts are plainly set forth by the American envoys in their final report to the Secretary of State, dated 4th October, 1800, in which report they trace the course and results of the negotiations. They say:

"The claim for indemnities brought forward by them [us] was early in the negotiation connected by the French ministers with that of a restoration of treaties for the infraction of which the indemnities were principally claimed. To obviate this embarrassment, which it had not been difficult to foresee, the American ministers urged in the spirit of their instructions that the treaties having been violated by one party and renounced by the other, a priority had attached in favor of the treaty with Great Britain, etc."

After stating the considerations which led them subsequently to offer a re-acceptance with limitations of the seventeenth article of the commercial treaty of 1778, relating to mutual port privileges for prizes of war, which they say the French ministers "had particularly insisted on" as essential to the honor of France, and which "they had given reason to expect would be deemed satisfactory," they add:

"The overture, however, finally produced no other effect than to enlarge the demand of the French ministers from a partial to a total renewal of the treaties, which brought the negotiation a second time to a stand."

They then proceed to state that after a deliberation of some days they made another proposition, "going the whole length of what had been insisted on," namely:

"An unlimited recognition of the former treaties, but with a right to extinguish such privileges under them as were detrimental to the United States by a pecuniary equivalent, to be made out of the indemnities which should be awarded to American citizens; a compensation which, though it might have canceled but a small portion of the indemnities, was nevertheless a liberal one for privileges which the French ministers had often admitted to be of little use to France under the construction which the American Government had given to the treaties."

They add:

"This offer, though it covered the avowed objects of the French Government, secured an engagement to pay indemnities, as well as the power to extinguish the obnoxious parts of the treaties. To avoid any engagement of this kind the French ministers now made an entire departure from the principles upon which the negotiation had proceeded for some time, and resumed the simple, unqualified ground of their overture of the 23d of Thermidor, declaring that it was indispensable to the granting of indemnities not only that the treaties should have an unqualified recognition, but that their future operation should not be varied in any particular for any consideration or compensation whatever. In short, they thought proper to add, what was quite unnecessary, that their real object was to avoid indemnities, and that it was not in the power of France to pay them. No time was requisite for the American ministers to intimate that it had become useless to pursue the negotiation further."

We have also seen by an extract from the journal of the American envoys (given elsewhere) that the French negotiators declared that the claims were barred by actual war between the two nations, and that the fact that a state of war had existed would be held by any independent power to which the question might be submitted—a view supported by our own Supreme Court in decisions subsequently rendered.

From the foregoing facts recited by the American envoys the conclusion is evident that the French negotiators did not admit the validity of the American claims against France now in controversy, or ever propose or intend to pay them. Their diplomatic dexterity in the negotiation embarrassed the American envoys; they were not entirely consistent in position throughout the correspondence, nor apparently frank and sincere in its earlier stages in announcing their determination and purpose. But it can not be fairly said that they at any time admitted liability or intended payment; on the contrary, they denied such liability or intention in express terms before the close of the negotiation.

The Webster argument of 1836 upon this point infers an acknowledgment of the claims as just and legal obligations against France from the earlier notes which passed between the negotiators, and particularly those of 7th and 9th April, 1800, which the argument recites at length. But the inference is unwar-

ranted as applied to the present claims, and if it could be so applied would nevertheless be repelled by the subsequent correspondence.

In their letter of 7th April the American envoys proposed—

"An arrangement, such as shall be compatible with national honor and existing circumstances, to ascertain and discharge the equitable claims of the citizens of either nation upon the other, whether founded on contract, treaty, or the law of nations."

This was a carefully-drawn paper, the full significance of which will appear only when particular attention is paid to the language employed, and when proper classification of the American claims referred to is fairly understood. The proposition related to private claims on either side (excluding public or national ones), and defined those claims as equitable which would include claims of imperfect legal obligation. But the most important point is the classification of the claims, namely, those arising upon contract, those arising upon treaties, and those arising upon international law. This threefold division of the American citizen claims was not merely theoretical, a refinement of scientific analysis, but was a practical one, and was necessary to their orderly and intelligent examination.

Now, the contract claims of our citizens against France had not been denied, but had been vexatiously delayed, and it was an object of the negotiation to secure their adjustment as to amount and also provision for their payment. The second class of claims covered French appropriations of American property by seizures and embargoes prior to July 7, 1793, in violation of the treaties of 1778 (and particularly the commercial treaty of that year). As to most of those seizures and detentions, it may be said that they were in the nature of forced loans under the French decrees which authorized them, and contemplated future indemnities or payments therefor. In some cases indemnities had been voluntarily made, but the great mass of those claims remained open and unadjusted at the time of the negotiation. But that part of these so-called treaty claims which arose upon seizures between the French decree of January 18, 1793, and July 7 following, which were in the nature of reprisals upon American commerce, or so claimed to be, stood upon a different footing from most of the prior ones of the second class in the particular that France had not admitted liability or promised indemnity therefor.

With this distinction kept in view we may conveniently follow the example of the American envoys and speak of this second class as treaty claims. The third class comprised the claims for seizures between the 7th July, 1793 (when the treaties were abrogated by act of Congress), and the time of the negotiation in the year 1800. The American envoys justly held that during that period of time the treaties had no existence, and that the relations of the two countries, whatever they were, were subject to the law of nations, or, in modern language, to international law. This period of time includes the great bulk of the claims now in controversy, and as it has been shown to have been a time of public war the claims which fall within it may be correctly described as war claims.

Whether the period of hostilities, at least on the part of France, shall be carried back to the 7th July, 1793, to the date of the French decree of January 18, 1793, or even an earlier date, is a question for separate examination; at present we are concerned only with the classification of claims as made by the American envoys with reference to the abrogation of treaties by act of Congress.

It may be added that the classification is further shown by their project of a new treaty, proposed to the French negotiators April 18, 1800, by the second article of which five commissioners were to be appointed to adjust claims of citizens of the United States and of the French Republic for losses or damage sustained, and who should "decide the claims in question according to the original merits of the several cases and to justice and equity and the law of nations; and in all cases of complaint existing prior to the 7th of July, 1793, according to the treaties and consular convention then existing between France and the United States."

Having now examined the first note of the American envoys to the French negotiators, the reply thereto is next to be considered. In that reply the French negotiators said that an object of the negotiation "ought to be the determination of the regulations and the steps to be followed for the estimation and indemnification of injuries for which either nation may make claim for itself or for any of its citizens;" and another object was "to assure the execution of treaties of friendship and commerce made between the two nations, and the accomplishment of the views of reciprocal advantages which suggested them."

Now, it can not be fairly inferred from this communication that all classes of claims of American citizens against France, or of French citizens against the United States, which should be presented for consideration should be allowed and paid. They conceded that one object of the negotiation ought to be to fix the regulations and steps for estimating and satisfying both public and private claims on either side, but this did not reasonably imply that all claims were to be accepted and paid. It can only be claimed that by this note they virtually acknowledged that there were just American claims to be estimated and allowed, without defining what they were or excluding objection to particular classes of claims. It is to be remembered in this connection that a large mass of the American claims falling within the first and second classes above mentioned were not disputed in principle, were in fact admitted by the treaty of 1800, and were subsequently ascertained and paid.

But this note of the French negotiators proposed to extend the negotiation to public claims, and made the recognition of the old treaties a principle on which the negotiation should proceed; and in a subsequent note (May 6) they declared that their mission pointed out to them the treaties "as the only foundation of their negotiation." Again, on May 23 they informed the American envoys that "the tenor of their instructions made the acknowledgment of former treaties the basis of negotiation and the condition of compensation."

It has been already shown in the present paper that it was not possible for the American envoys to accept the old treaties as still in force, against the known facts of their violation by France and abrogation by us, and in view of the intervening treaty with Great Britain of 1793, and of actual hostilities between the two countries by virtue of French decrees and acts of Congress, and that such acceptance, if otherwise possible, would be in disregard of their instructions and opposed to the interests of their country.

When, therefore, the recognition of the old treaties as uninterrupted and subsisting obligations was presented by the French negotiators as the condition precedent to entering upon the subject of indemnities, the American envoys were greatly embarrassed, as their report shows, and thenceforward they struggled unavailingly to extricate themselves from the difficulties of the situation. Finally they were compelled to accept substantially the alternative ultimatum of Bonaparte of 23d Thermidor (11th August) as the basis of a new treaty, in which, however, undisputed American claims of the first and second classes were recognized, and a formal provision for renewing negotiations about treaties and claims, "at a convenient time," was inserted.

That the French negotiators and their government were insincere in claiming that the old treaties be considered unbroken and of continued force, and their recognition in that view the condition of entering upon the consideration of private and public claims, can not be doubted by any one who has fairly examined the official documents and penetrated the motives of those who made them. It was to embarrass and baffle the American envoys that the pretense of their continued existence and importance to France was presented, and their full recognition demanded as a preliminary to claims negotiation. Well knowing that the American envoys could not accept them in the sense proposed as the basis of negotiation, they were made the *sine qua non* to any effective conference or agreement.

Their motive, however, was fully disclosed in the ultimatum note of 11th of

August and by their open avowal to the American envoys on the 12th of September, noted by the latter upon their journal and referred to in their final report to the Secretary of State. The marks of their insincerity are also to be seen in the treatment of propositions from the American envoys for money or supply equivalents for former privileges under the treaties of 1778—extreme concessions invited or entertained by them, and afterwards rejected. Upon the whole, it is plain that they never acknowledged our citizen claims, now in question, nor ever intended to pay them, nor ever agreed to open a negotiation which might include them, except upon a condition which they knew could not be accepted by the envoys of the United States. The contract and treaty claims of our citizens theretofore acknowledged by France were not controverted in principle, but claims subsequent to the Jay treaty, and especially after the retaliatory French decree of January, 1798, they neither acknowledged nor intended to acknowledge or pay.

If there could remain difficulty, doubt, or question upon this point, after an examination of the official documents heretofore published, it would disappear upon a perusal of the papers recently obtained from the French archives and appended to this report. The motives and action of the French negotiators in their opposition to the contested American claims are therein fully disclosed.

WAR CLAIMS.

In the Webster argument of 1836, it was declared that the question involved in the consideration of the claims was "essentially a judicial question; not a question of public policy but of private right" between the Government and the claimants, a position absolutely necessary to include insurance company claims along with those of individuals; for the insurance companies must stand upon a ground of legal right, and not of mere moral obligation or general considerations of equity.

In the course of his speech Mr. Webster contended that there had been no public war between France and the United States in 1798 and afterwards; that France had acknowledged in negotiation the validity and justice of the claims; that we discharged France from paying the claims in consideration that she would discharge us from the old treaties between the two countries, and that this bargain was worked out or produced by the American Senate in expunging the original second article of the treaty of 1800. The conclusion drawn from these premises was that our Government had made itself liable to the claimants, including insurance companies, and should appropriate \$5,000,000 to be distributed *pro rata* among them.

Inasmuch as the first advisory report of the Court of Claims upon the general question of governmental liability is mainly based upon the propositions of that speech, and follows the lines of observation contained therein, an examination of the speech will be virtually an examination of that report, and will dispense with the necessity of formally subjecting the report to analysis and reply.

The first proposition of the speech, that there were only "disturbed relations" between us and France prior to the treaty of 1800, but no actual war, must be abandoned in all present and future debate; for the evidence which proves the contrary has been produced and is decisive. There was actual public war between the two countries in 1798 and afterwards, suspended by consent on both sides pending negotiations in 1800, and completely terminated by the treaty of 30th of September of the same year.

The war was limited in extent though not in character, because it was mostly maritime, being confined to the ocean; but within the sphere of its operations, as to the subjects it embraced, the laws of war applied to it with complete force. It superseded treaty regulations of commercial intercourse between the two countries, and in its prosecution the losses suffered by individuals on either side were without redress, unless provided for in the treaty of peace.

It follows that the treaties of 1778, if otherwise existing, were abrogated by war, and that the claims now in question, being mostly war claims, claims for losses incurred from hostile force upon the ocean and prize condemnations on land, had no legal validity as demands against France. They might be properly made the subject of negotiation at the end of the war, but the true argument at such a time for their allowance would be that France had been wrong in the war and should pay indemnities to those who had suffered by her misconduct—an acknowledgment which France could not be expected to make.

Our envoys did not venture to make this argument; they proposed mutual indemnities, not upon one side, but upon both; from which, as our claims exceeded those of France in amount, would result a balance in our favor. They were driven to this position by necessity, and throughout the negotiation were embarrassed by standing upon false ground. War was mildly described as "a misunderstanding," until the French negotiators threw off the mask near the end of the negotiation (12th September) and declared, in substance, that in their opinion the claims were barred by war, and they did not intend to pay them.

[French plenipotentiaries to American envoys, 11th August, 1800.]

At all times the ministers of France, in acquiescing in this annihilation of treaties, can not conceal that the act by which the United States have declared their nullity has been a just provocation of war; that the hostile acts which have followed this provocation, those which have been nullified with so much éclat even since the French Government had caused every pretext of complaint on the part of the United States to cease, have been war itself. That France disguised the true state of her relations with the United States when she recognized them as a simple, temporary, and reparable misunderstanding; in a word, that a new treaty between France and the United States ought, before all, to be a treaty of peace. From this observation, therefore, it appears to them that the two Governments should no longer occupy themselves with their respective accounts, considering that the right of war dispenses with repairing its ravages, and that the honor of the national arms forbids even to be employed about them, since that state which should have a balance to pay the other in discharging it would acknowledge a conqueror and would purchase a peace.

[Journal of American envoys, September 12, 1800. Conference with French negotiators.]

They (the French plenipotentiaries) now openly avowed that their real object was to avoid by every means any engagement to pay indemnities, giving us as one reason the utter inability of France to pay them in the situation in which she would be left by the present war. The subject of the modification of the guaranty was now particularly pressed in the manner agreed. The conversation on this subject closed by a declaration of the president of the French commission (Joseph Bonaparte) that such a modification could not be acceded to without new instructions; that they had no power to assent to such stipulation; but that if the Government should think proper to instruct them to make a treaty on the basis of indemnities and a modified renewal of the old treaties, he would resign sooner than sign such a treaty, adding that if the question could be determined by an indifferent nation he was satisfied such a tribunal would say that the present state of things was war on the side of America, and that no indemnities could be claimed. The other two commissioners made similar declarations.

And in the communication of our envoys to John Marshall, Secretary of State, dated at Paris, October 4, 1800, they repeat this statement as to the final position assumed by the French negotiators. They say that the latter declared "that it was indispensable to the granting of indemnities not only that the treaties should have an unqualified recognition but that their future operation should not be varied in any particular for any consideration or compensation whatever. In short, they thought proper to add, what was quite unneces-

sary, that their real object was to avoid indemnities, and that it was not in the power of France to pay them."

The case of *Talbot vs. Seaman* appears in 4 Dallas, page 34, having been argued at August term, 1800. It was reargued at August term, 1801, and the opinion of the court, by Chief-Justice Marshall, is contained in 1 Cranch, page 1. The case was that of the ship *Amelia*, of Holland, a neutral power, which sailed from Calcutta, in the East Indies, in April, 1799, loaded with productions of that country and bound to Hamburg. The ship was captured 6th September, 1797, by the French national corvette *La Dilligente*, a prize-master and French sailors were placed in charge of the captured vessel, and she was ordered to St. Domingo to be judged by a prize court according to the laws of war. The *Amelia* had on board eight iron cannon and eight wooden guns when captured. On 15th September, 1799, the *Amelia* was recaptured from the French by Captain Talbot, of the *Constitution*, who ordered her into New York for adjudication, and in subsequent legal proceedings claimed salvage for her rescue as the condition of her return to her owners. This claim was eventually sustained by the Supreme Court, the opinion by Judge Marshall being elaborate and based mainly upon the fact that a state of war existed at the time of recapture between the United States and France under the several acts of Congress relating to France passed in 1798 and 1799. He said:

"In order to decide on the right of Captain Talbot it becomes necessary to examine the relative situation of the United States and France at the date of recapture [15th September, 1799]. The whole power of war being, by the Constitution of the United States, vested in Congress, the acts of that body can alone be resorted to as our guides in this inquiry. It is not denied, nor in the course of the argument has it been denied, that Congress may authorize general hostilities, in which case the general laws of war apply to our situation, or partial hostilities, in which case the laws of war, so far as they actually apply to our situation, must be noticed."

He then proceeds to cite and examine four acts of Congress authorizing and regulating hostilities against France upon the ocean, and an act passed 3d March, 1800, relating to salvage in certain cases of recapture, and holds:

"That 'one direct and declared object of the war, which was the protection of the American commerce, would as certainly require the capture of such a vessel [as the *Amelia*] as of others more determinately specified.'"

He then cites the decree of the French Government of 18th January, 1798, which ordained "that the character of vessels relative to their quality of neutral or enemy shall be determined by their cargo. In consequence, every vessel found at sea loaded in whole or in part with merchandise the production of England or her possessions shall be declared good prize, whoever the owner of those goods or merchandise may be;" and declares that under that decree there was danger of condemnation of the *Amelia* by France, from which danger the recapture saved the vessel.

Further extracts from the opinion are as follows:

"America did remonstrate, most earnestly remonstrate to France, against the injuries committed on her, but remonstrances having failed she appealed to a higher tribunal and authorized limited hostilities. This was not violating the law of nations, but conforming to it. In the course of these limited hostilities the *Amelia* has been recaptured."

"It is not the authority given by the French Government to capture neutrals which is legalizing the recapture made by Captain Talbot: it is the state of hostility between the two nations which is considered as having authorized that act. The recapture having been made lawfully, then the right to salvage on general principles depends on the service rendered."

He also speaks of the time "before hostilities between the United States and France were terminated by a treaty," evidently meaning the treaty of 30th September, 1800.

In this opinion the Chief-Justice plainly uses the term "hostilities" as synonymous and interchangeable with the word "war." But what is most material to our present purpose is the announced doctrine that the laws of war took effect in a case of partial hostilities, such as then existed, so far as they applied to the situation.

In the case of *Bass vs. Tingy* (4th Dallas, 37), which was heard by the Supreme Court at August term, 1800, the four judges of the court present delivered opinions *seriatim* (Chief-Justice Ellsworth being absent in Europe as one of our envoys in the negotiation of the treaty), in which they held, in substance, that the relation of public war existed between the United States and France, although it was mainly confined to hostilities upon the ocean, and that France was in legal contemplation, as well as in fact, the enemy of the United States. Although this was a salvage case, involving only the question of individual right to compensation for the recapture of an American vessel which had been taken by a French privateer, it involved the general question of the existence of war between the two countries.

Concurrent with the foregoing opinions of the Supreme Court was that of the American envoys (including Chief-Justice Ellsworth), expressed in their communication to the Secretary of State, dated 4th of October, 1800. They said:

"Doubtless the Congressional act authorizing the reduction of French cruisers by force was an authorization of war, limited in its extent, but not in its nature."

"Clearly also, their subsequent act declaring that the treaties had ceased to be obligatory, however proper it might be for the removal of doubts, was but 'declaratory of the actual state of things.'"

THE OLD TREATIES WERE BROKEN BY FRANCE AND ABOGATED BY THE UNITED STATES.

1. By the French decree in 1793 and the seizures under it, and by the Bordeaux embargo. American property was taken by force and appropriated to public use, in most cases upon promises of payment unfulfilled until 1803-'04. In some cases no payment has ever been made. These seizures were in the nature of forced loans, produced great hardships, and were in plain violation of the treaties of 1778.

2. By the French decree of 1796, by which the commercial treaty of 1778 was openly defied, and the main advantages to America therefrom destroyed; under which decree pillage and confiscation of our merchant ships and their cargoes was authorized, and carried out upon a large scale upon the European coasts, on the ocean, and in the West Indies.

3. By other French decrees which, openly abandoning amity and commercial right, as defined and guaranteed by the treaties of 1778, made war upon our commerce, letting loose thereon the public war ships and innumerable privateers of France, whose seizures were followed by prize condemnations in French tribunals upon land, and appropriations of property to glut the rapacity of the captors and of the French Government.

Now, independent of the question of public war in 1798 and 1799, and its effect upon the old treaties, we have in this record abundant evidence that those treaties were over and over again broken by France in their material provisions, with most disastrous consequences to the commerce and interests of the United States. Practically and in fact France set the treaties aside, refusing to be bound thereby, and substituted for them her own lawless will. By the plainest rules of justice they could not thereafter be held to operate in her favor or to have any continued existence, except by the acquiescence and consent of the United States. And public law in this case follows the rule of justice and gives to it an effectual sanction. As contracts, the treaties being broken in their material provisions by France, no longer bound the United States in 1798, it was not at all necessary for the United States to resort to war to rid herself of their obligations; she was already freed and discharged therefrom by the action of France.

It was under these circumstances that our Congress passed the declaratory act of July 7, 1798, which was as follows:

"An act to declare the treaties heretofore concluded with France no longer obligatory on the United States.

"Whereas the treaties concluded between the United States and France have been repeatedly violated on the part of the French Government, and the just claim of the United States for reparation of the injuries so committed have been refused, and their attempts to negotiate an amicable adjustment of all complaints between the two nations have been repelled with indignity; and

Whereas under authority of the French Government there is yet pursued against the United States a system of predatory violence, infracting the said treaties, and hostile to the rights of a free and independent nation:

"Be it enacted, etc., That the United States are of right freed and exonerated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France, and that the same shall not hereafter be regarded as legally obligatory upon the Government or citizens of the United States."

That act was good law when it passed, and it still remains among our statutes to define and fix conclusively and forever the position of our Government toward those ancient treaties with France. In brief, those treaties had been shamefully broken and set aside by France, and they were formally abrogated by us on the 7th July, 1798. Thenceforth they had no obligation, validity, standing, or force as treaty contracts between France and the United States.

It is thus established that by the separate but concurring action of both Governments, as well as by actual war waged between them, the old treaties had no legal existence in the year 1800. They were defunct and could be revived only by a new agreement between the parties. But the negotiation of any new agreement which should revive them was expressly forbidden to our envoys by their instructions from the Department of State (October 22, 1799), and the prohibition was classed among the ultimatums of the negotiation. The prohibition was in the following language:

"That the treaties and consular convention, declared to be no longer obligatory by act of Congress, be not in whole or in part revived by the new treaty; but that all the engagements to which the United States are to become parties be specified in the new treaty."

The old treaties, the revival of which was thus forbidden, had been already spoken of by the Secretary of State in a prior part of the same letter of instructions, were, after referring to certain articles of the commercial treaty of 1778, he added:

"The dissolution of that and other treaties with France leaves us at liberty with respect to future arrangements."

It is clear, then, that not only were the old treaties dead treaties, but our envoys had no power to revive or restore them, and were, in fact, forbidden to do so; and it is equally clear that they obeyed their instructions and did not attempt to usurp a power they did not possess.

There is, therefore, no foundation in truth for the assertion, so often and boldly made, that the American claims were given up or abandoned to get rid of the old treaties; and much less for the still more extreme and groundless assertion that the claims were set off against the obligations imposed upon us by those treaties. Equally unfounded is still another form of assertion, that a surrender by France of the old treaties was the consideration, and a valuable one, for the surrender of the American claims.

There were no treaties or treaty obligations in force at the end of hostilities in 1800 which were valuable to France or onerous upon us and which it was our interest and desire to escape. The treaties had gone down amid scenes of violence, pillage, and bloodshed upon the ocean, followed by confiscation and outrage on land; they had been broken by French decrees, carried into ruthless execution by French officials and employés, and their utter abrogation had been rightfully pronounced by the law-making power of the United States.

THE OLD TREATIES.

Having shown that the old treaties were extinct at the time of the negotiation in 1800, it follows that all claims by France under them, as continuing obligations, were merely pretenses, unfounded in fact and in law. Bonaparte himself correctly described them as "pretensions" in "ratifying the treaty of 1880, and such was undoubtedly their true character. Nor was it allowable for France to allege that prior to the abrogation of the treaties by Congress, on July 7, 1798, she has suffered wrongs from the United States for which she was entitled to redress. She was estopped by her own conduct and acts from taking that ground, and, besides, the allegation was untrue. Neither the Washington proclamation of neutrality of December 3, 1793, nor its subsequent enforcement, nor the Jay treaty of 1795, nor any failure of the United States to defend the French islands of the West Indies from capture, nor restrictions upon French war vessels or privateers in American ports, authorized France to make reclamations, demands, or complaints against the United States in the treaty negotiation of 1800; nor were any pretensions by France on either of these grounds ever acknowledged by the United States to be just.

1. The Washington proclamation of neutrality in 1793 was the exercise of a clear national right, and did not violate any treaty obligation with France. Nor did France object to that proclamation when issued, and the conduct of her minister, Genet, in antagonism to it subsequently, was not supported by his own Government; on the contrary, he was recalled.

2. The Jay treaty, ratified in 1795, was one which the United States had a right to make, and the making of it was a necessity to the United States in the circumstances in which they were placed. It has been characterized as unfriendly to France; it was greatly contested in a memorable debate in the House of Representatives, and was reluctantly accepted by our Executive as containing the best terms the obtainable from one of the belligerent powers. Passing into the field of political controversy, it was greatly decried, bitterly denounced, but it was accepted by Jefferson as preferable to the alternative of war, and impartial history must approve his judgment.

It is said that that treaty extended privileges in American ports to British vessels which were inconsistent with certain exclusive privileges of French vessels under the seventeenth and twenty-second articles of our commercial French treaty of 1778. But upon this point the answers given to France by Mr. Pickens, Secretary of State, and by Mr. Monroe, our minister at Paris, are in the main sound and satisfactory, and leave no material ground of complaint undisposed of which would impeach the good faith and fidelity of the United States. The Jay treaty in its twenty-fifth article reserved the prior treaty rights of France, and although there were British encroachments upon both French and American rights, as defined by treaty and the law of nations, which greatly embarrassed our foreign relations, we yet maintained toward France consistently the position of a just and friendly power. It was only in subsequent years, under the pressure of actual hostilities waged by her against us, that our attitude toward her was changed.

3. Nor were the United States in fault in not protecting the French West India islands from British capture and occupation. The mutual and reciprocal guaranties of the eleventh article of the treaty of alliance with France of 6th February, 1778, were never broken or violated by the United States. No demand was made by France upon the United States to defend the islands from capture, nor to assist her in defending or recapturing them, without which we were under no obligation to interpose in their defense or for their restoration. The treaty did not require us to volunteer aid to France, but to yield it when required. The argument, then, does not rest merely upon the ground that we had no sufficient naval power or military force to prevent the capture of the

islands or to restore them by force, but upon the higher and better ground that France did not call upon us to execute the guaranty obligation. And that she had a good and sufficient reason for withholding such demand has been clearly shown in the third general report of the Court of Claims. It is manifest that it was to her interest and according to her desire that we should remain a neutral power and furnish her with provisions and other supplies, which she sorely needed in the great wars in which she was engaged. But interference in the West Indies by the United States meant our embroilment in a war for which we were unprepared, and the certain destruction of our rights, privileges, and position as a neutral nation.

There were therefore no grounds upon which France could claim, in the negotiation of 1800, that prior to the treaty repeal of 7th July, 1798, we had broken our treaties with her and made ourselves liable to account to her for injuries arising therefrom. Much less could it be claimed that the acts of Congress in 1798 and 1799, which abrogated the old treaties and authorized hostilities against her, were unwarranted, or that those acts of Congress did not establish the relation of war between the two nations and wholly extinguish the treaties. In fact, the one argument France could soundly make, and did finally make through her negotiators on the 12th September, 1800, was that the relation of the two nations was the relation of war, and that, of consequence, no indemnity for losses could be claimed.

THE MADISON EXTRACT.

The advocates of these claims have placed great stress upon an observation made by Mr. Madison in a letter of instructions to Mr. Pinckney, our minister to Spain, in February, 1801, in which he said that the claims "were admitted by France," and that their release by us "was for a valuable consideration in the corresponding release of the United States from certain claims on them." And it is probable that this passage from Mr. Madison's correspondence is the source of the argument so often made in behalf of the claims, and which it has been one object of the present paper to answer. It is not claimed that Mr. Madison expressed any opinion upon the main question of the liability of the United States, but the extract from the Pinckney letter appears favorable to the claimant's argument.

The remarks of General Dix upon this point in his speech of 1846 (Speeches, Volume 1, page 97) may be consulted with advantage in this place, but the best and the decisive answer to Mr. Madison's observation upon the treaty of 1800, is that it was inaccurate, and that it must have been made without due examination of official correspondence, and without the exercise of that cautious, deliberate judgment which commonly preceded and characterized his expression of opinion upon public questions. All this is plainly apparent upon a review of the negotiation which led up to the treaty of 1800, and of the circumstances attendant upon the amendment and ratification of that treaty as they have been detailed or referred to in the present report.

It is to be remembered that Mr. Madison retired from Congress at the close of the session of 1798-97, and was absent from the seat of Government until the summer of 1801, when he assumed the duties of Secretary under President Jefferson. The treaty had then assumed its final form, and there was no occasion for exploring the mass of papers relating to it, although on file in his Department. The negotiation of the treaty belonged to the past; the instrument was to be taken and executed as it had been made. But it is quite conceivable that a certain amount of prejudice or of bias against the preceding administration and all its works was entertained by the men who came into power by virtue of the exciting and heated election of 1800. Was not the surrender or abandonment of American rights, and particularly of American claims by the French treaty, a topic of complaint in that election, of assault upon the Adams administration and the Federal Senate? Political parties are not always just to each other in great election contests.

These considerations tend to abate that confidence in Mr. Madison's observations about the treaty of 1800 which might otherwise be indulged in by us, and naturally lead to an examination of those facts of historical record by which that observation will be supported or overturned. But this examination having been already made by General Dix in his Senate speech of 1846, and also made in the present report, need not in this place be again entered upon or pursued.

Another point relied upon as persuasive evidence in favor of the claims is the large number of reports from committees of Congress during the last fifty years. Here again the speech of General Dix (Speeches, volume 1, page 63) may be referred to, in which he explains fully the manner and circumstances under which those reports have been procured. They have been uniformly referred to friendly committees, and when the proper standing committee has been known to be adverse a select committee has been asked for and obtained, and was the case at the Senate session of 1846. Thus, by withholding the spoilation bill from unfriendly committees and always sending it to friendly and selected ones, a large number of favorable reports may be accumulated in process of time, without, however, adding any real strength to the argument in support of the claims.

RÉSUMÉ.

Upon the whole question of Government liability for the claims we have come to the following conclusions:

First. That upon the argument for the claimants, accepting that argument in its full force, the claimants would be entitled to claim against the United States only the pecuniary value of their claims as claims against France at the date of the amendment of the treaty of 1800 by the United States Senate, and that the claims were then of no appreciable value to the claimants under the original second article of that treaty, and would never have been admitted or paid by France if no amendment of the treaty had been made.

Second. That the abandonment of the further prosecution of the claims by the United States was not a release of the claims for a valuable consideration or equivalent received from France, or in the nature of a set-off of the claims against the obligations of the old treaties of 1778:

a. Because there was simply a giving up or abandonment by us of negotiation, present or prospective, and not an agreement about, or settlement of, acknowledged demands on either side.

b. Because there was no valuable consideration to us in a French abandonment of the pretension that the old treaties were still in force, for those treaties had been broken by France in their material provisions, had been for that reason lawfully and justly abrogated by us, and, besides, they had been extinguished by actual war.

Third. There were no counter-claims of France, just in themselves or acknowledged by us, founded upon the Washington neutrality proclamation of 1793, the Jay treaty of 1795, or upon the guaranty and port-privilege provisions of the treaties of 1778.

Fourth. The breaches by France of her treaties with us, set forth in the preamble to the treaty-abrogation act of Congress of 7th July, 1798, are truly stated therein; and that act, based upon those breaches, was a rightful and valid exercise of power by us under the law of nations, and removed all ground of claim that the old treaties had any validity, force, or operation after that date.

Fifth. The evidence is now made complete by papers from the French archives in connection with official papers of our own Government heretofore published, that in the negotiation of the year 1800 the French negotiators did not acknowledge the validity of the American claims now in controversy or propose or intend their payment; that their pretension about the continuance of the old treaties made to our envoys was not made in good faith or sincerely, but to embarrass negotiation, and while excluding claims recognition or negotia-

tion, to secure to France the advantages of restored amity and reciprocal trade with the United States.

Sixth. That by persistent negotiation, several times renewed, and by resort to actual defensive war against France upon the ocean, the Government of the United States performed its whole duty to the claimants, securing to them, as far as possible, protection against seizure and confiscation of their property, restoration of many ships and cargoes by virtue of the treaty of 1800, and allowance of their claims to an amount of several millions of dollars by the same treaty, which were afterwards paid to them in the adjustment of the purchase-money for Louisiana.

Seventh. That the amendment of the treaty of 1800, by the United States Senate, in the striking out of the second article thereof, was not an assumption of claims payment by our Government, nor an appropriation of private property to public use, but was an exercise of political power by the Senate, presumably in good faith to the claimants, and for the following substantial reasons, to wit:

1. Because it was apparent upon the evidence before them that France would not voluntarily pay the contested claims, and could not be compelled to pay them by the exercise by us of any practicable means of coercion or force.

2. Because, by the contemporaneous opinion of our Supreme Court, the relations between the two countries had been, as contended for by France, a relation of war, which, *arguendo*, barred claims for losses suffered on either side during its continuance. Added to these considerations was the additional one, that the article, if retained, would be mischievous, because it would hold out false, delusive hopes to claimants which in all probability could never be realized.

We ask attention to the following papers printed as an appendix to this statement.

JAS. N. BURNES.
WM. H. FORNEY.
M. A. FORAN.
JOSEPH D. SAYERS.
J. C. CLEMENTS.
FELIX CAMPBELL.
EDWARD J. GAY.
EDMUND RICE.
SAM. J. RANDALL.

APPENDIX.

C. P. Claret Fleurieu, councillor of state, to the minister of foreign affairs.

PARIS, LE 22, Prairial, An. 10 (June 11, 1802).

CITIZEN MINISTER: * * * I do not know what other kinds of claims to indemnity can be made by the United States, for in all the course of the negotiation there was never a question on the part of their plenipotentiaries of any but those which individual Americans believed they had a right to make for vessels which they pretended to have been captured contrary to the law of nations; because they supposed that the United States could declare war on the French Republic in pronouncing the abrogation of the treaties, but that for all that the state of war had not existed. This pretension on their part requires no answer, and if one was necessary it is found in the letter you have done me the honor to write me.

You saw at the time, citizen minister, by the accounts given you by the French plenipotentiaries and notably by that of 7 Vendémiaire, year 9, that the negotiation was to take and had taken successively different directions; for the American plenipotentiaries did not always follow the same line, and we were forced to follow them in their excursions to study the motives of each change and to oppose constantly to their pretensions, which changed only in form, measures which would bring us to our aim, that of refusing decisively all indemnity in money.

To attain this end, to their demand of indemnity for which they presented themselves armed with documents, we opposed the demand for the re-establishment of the treaties in their integrity. We had clearly foreseen that they were not authorized to and that they never would consent to this demand. The treaty which the United States had concluded with England, subsequently to ours, not to mention considerations of less importance, opposed to this an obstacle which may be called invincible; but their refusal would authorize us to refuse, and the balance being established, if we demanded the re-establishment of the treaties, if we made much of the guaranty stipulated by these treaties, for the failure to execute which the United States had given us a right to demand ourselves a larger indemnity, this was not because we regarded that re-establishment as very advantageous to France, but it was our arm of defense and of attack, and in order to put as much force in claiming it as our adversaries put advantage in refusing it.

After long discussions, sometimes lively enough, whereof the principles and details are known to you, citizen minister, we arrived at a solution which may be regarded as a *mezzo termine*, which fully satisfied neither party, but which, if it did not recognize the rights of their respective claims, seemed at least to reserve them in leaving an opening for an ulterior negotiation upon the reciprocal pretensions.

In effect, article 2 of the convention recalled the treaties without rendering them obligatory for the moment, and postponed to another time the negotiation, both as to the treaties and as to the indemnities mutually due or claimed. By this arrangement we reserved to ourselves to return to the treaties if the Americans ever wished to return to the indemnities by the demand they could make for a reopening of negotiation. In plain terms, article 2 of the convention is nothing but an indefinite postponement, but that postponement is to our advantage, for, having stipulated in the convention of the 8th Vendémiaire all that can truly interest us as to our commercial relations, as well as the safety and property of French citizens in the United States, we can leave in oblivion some articles of ancient treaties either practically indifferent or whose execution, such as that of the article which stipulates the guaranty by the United States of our possessions in America, is, properly speaking, but a matter of words and of illusions. The Americans, on their side, clearly foresaw, thoroughly felt, that they would never obtain even a discussion of the indemnities, still less their payment, and they profited by the occasion to exonerate themselves from treaties, which in various circumstances might give rise to difficulties in negotiations they wished to open either with England or with other powers.

Such was the state of affairs at the signature of the convention; such it was well understood on one side and the other to be; and if it is not presented thus clearly and expressed in a manner thus explicit, this was from condescension, so to speak, and to arrange things for the American plenipotentiaries, who appeared to dread exceedingly the clamors of the ship-owners and merchants of the United States, if the convention should stipulate a formal renunciation of indemnities.

FROM JOURNAL OF FRENCH NEGOTIATORS.

[Translation.]

Conference 4 Vendémiaire, An. 9 (September 25, 1800).

This conference has been very important for the objects treated of in it. The American ministers demanded of the French ministers whether they had any articles to propose; for themselves, they said, they had nothing further to ask; they had finished as to what concerned the United States and their interests.

The French ministers answered this interpolation by remarking that the stipulations thus far arranged were limited to regulating affairs of the moment and for the existing war; that such an arrangement restrained within such limits had only a transitory aspect; that the questions of neutrality were themselves decided only according to this transient and limited view; that this was leaving the relations of the two States on an incomplete and arbitrary basis, putting in the prospect a compulsory and necessary return to the question of indemnities and treaties, which the one party and the other well understood they were abandoning forever (*entendait bien abandonner pour toujours*); that it was necessary, and that the dignity of the two states required that they should treat on the essential matters commonly contained in treaties of commerce, excepting stipulations truly commercial, which for the moment the French Government preferred to omit; in fine, that the ministers of the Republic desired a treaty of amity and commerce complete in form and in title.

The ministers of the United States were vehemently opposed to this pretension. They reminded us that the negotiation, since we had agreed upon the basis of their note of 19 Fructidor, had proceeded upon the theory of a provisional arrangement, and could not be given an aspect as extended as we wished to give it; that they had positively expressed in that note that, the discussion of indemnities and treaties being postponed, the next thing was to make a temporary arrangement under the name of convention; that this basis had been agreed to; that their instructions forbade them to make a treaty in which indemnities were not stipulated for; that they absolutely could not consent to the propositions of the French ministers, and if insisted upon the negotiation would be once again broken off. According to these principles they rejected the article concerning successions; that concerning the establishment of a consular system; that concerning the proclamation of peace and friendship, a formula by which all treaties of amity and commerce commence; in fine, all that which went beyond the present and the absolutely necessary. They added that all the stipulations to be introduced could only turn upon matters of common right, which needed no treaties to sanction them.

The French ministers in turn became warm; they insisted on the indecency of a transaction which bore all the marks of ill-humor and dislike; that it was not becoming in the United States to rigorously oppose that article and to appear to reject the friendship of France, and to repulse her from the circle of nations allied by treaty, leaving her to the law of nations, pure and simple; and that France would not likely pass over the sentiments which that wish and the transaction which would result from it would cause all Europe to understand; that it was time for confidence to take the place of jealousy, to dissembled ill-will, to all kinds of uncanid views, and that to persist in dispositions which bore only that character was to respond very ill to the frankness and the earnestness which the French Government had not ceased to display through its ministers in the negotiation; in fine, leaving considerations of propriety for those of interest, that whatever exalted notion the United States may have conceived of their future power and their influence, they could not so diminish in their own eyes both the strength and influence of France as to regard her with utter indifference, and believe that no time would ever come when that influence could be of service to them.

The American ministers withdrew to deliberate, and the French ministers, remaining by themselves, were confirmed by discussion in the opinions they had expressed and sustained with so much heat.

The American ministers having returned to the conference-room, declared that they could not accept the title of Treaty of Amity and Commerce; they would not refuse to discuss any articles the French ministers might present; they would voluntarily yield as to the realities, but they could not yield as to the names of things. They represented that it would be to sacrifice their personal consideration to push any further the abandonment of all indemnity; that under the form of a convention, although it was quite real, it was, however, less absolute, and preserved some appearance of dignity; that the word "treaty" once pronounced, they would have to drink the chalice heretofore agreed about. From these considerations, from which they could not depart, and which they submitted, inasmuch as they were personally interested, to the fairness of the French ministers, they offered to split the difference and give the treaty the name of Amity and Commerce, the word "treaty" to be qualified and softened by the word "provisional."

The French ministers took this proposition under consideration. They considered that from the manner in which the American ministers expressed themselves it was to be believed that if their hands were really tied, as they said (which, indeed, was very doubtful, considering the declarations of that kind which they had falsified in the course of the negotiation), it would at least be personally disadvantageous to them to yield on this point in the present state of the negotiation, and upon the terms to which it was reduced we ought to make mutual concessions, there being no more capital points on which it was absolutely necessary for one of the parties to yield. These points were embraced in the abandonment of indemnities, in the assurance of equality with other nations for our privateers, in the restitution of vessels of war, and very recently in the consent that the treaty might contain all the usual stipulations of a treaty of amity and commerce.

We had now the realities: was there any very strong reason to insist on mere forms? Ought we to insist on having the word "treaty" pure and simple? This was to risk delays and to push one's advantages too far. It was necessary, then, to choose between the word "convention" and that of "treaty" qualified. The word "convention" conveys the idea of a very limited transaction both as to time and scope; it applies to stipulations concerning a single point and to a passing moment. The expression applies perfectly to the arrangement as the American ministers had proposed to make it. It no longer was appropriate after they had abandoned their idea and admitted all the ordinary stipulations of treaties. The qualification by the word "provisional" did not alter the sense of the word "treaty," since every day treaties are limited to five, six, or twelve years. On the contrary, the present treaty had no term, although having the qualification of provisional; it had a character more permanent than the majority of treaties, and this provisional treaty would last as long as there was no agreement to make an end of it.

This was, then, to give the American a pure satisfaction of words, while we had the irrevocability of the treaty assured as a reality. One could raise difficulties only on account of the odium attached to the word "provisional" during the mutations and vicissitudes of our Revolution, where every administration for a long time was provisional. But in English it was not this sense; and if it is necessary to abandon words on account of the sad use made of them in the course of our agitations, it will be necessary to stop speaking. Finally, the qualification suited the idea which the ministers had often conceived, not to appear to abandon absolutely the treaties, and this idea agreed with that of the Americans of preserving some appearance upon the sacrifice of the indemnities. From all these considerations we preferred the word "treaty" with the qualification of "provisional" to the title of "convention," because there was no example of such a word being applied to treaties as extensive as the present one, and because that generic expression had originally in public law but a limited signification, and had been replaced by the word "treaty." The French ministers returned and consented to the word "provisional." This discussion terminated, we drew up the articles which are in the treaty, the first, seventh, tenth, and twenty-fourth.

L. A. PICHON.

BUSINESS FROM COMMITTEE ON THE POST-OFFICE AND POST-ROADS.

Mr. BLOUNT. I ask, by unanimous consent, that Tuesday week, im-

mediately after the reading of the Journal, be set apart for the consideration of bills reported from the Committee on the Post-Office and Post-Roads.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. BLOUNT]?

Mr. BURROWS. Why do we not have a report from the Committee on Rules fixing days for each of these committees, including the Committee on Invalid Pensions, so that we may have some pension legislation? It seems that by this process we are going to shut out the Committee on Invalid Pensions entirely. I must object.

Mr. TOWNSHEND. The Committee on Invalid Pensions has every Friday evening.

The SPEAKER. Objection is made.

Mr. BURROWS. I will not object to the request, Mr. Speaker, if we can have unanimous consent for a day to be set apart for the consideration of general pension legislation. [Cries of "Regular order!" on the Democratic side.]

Mr. TOWNSHEND. My friend from Michigan [Mr. BURROWS] forgets that the Committee on Invalid Pensions has every Friday night.

Mr. RYAN. That is only for private pension bills.

Mr. BURROWS. Unless that can be done, I give notice that I shall object.

LIENS OF JUDGMENTS, ETC.

Mr. HENDERSON, of North Carolina, 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. 8180) to regulate the liens of judgments and decrees of the courts of the United States, having met, after 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 amendments of the Senate and agree to the same.

JOHN S. HENDERSON,
WILLIAM E. FULLER,
JOHN H. ROGERS,
Managers on the part of the House.
JAMES F. WILSON,
WILLIAM M. EVARTS,
J. Z. GEORGE,
Managers on the part of the Senate.

Mr. HENDERSON, of North Carolina. I submit, on behalf of the House conferees, a statement of the effect of the action of the conference committee.

The bill as amended reads as follows:

An act to regulate the liens of judgments and decrees of the courts of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That judgments and decrees rendered in a circuit or district court of the United States within any State shall be liens on property throughout such State in the same manner and to the same extent and under the same conditions only as if such judgments and decrees had been rendered by a court of general jurisdiction of such State: *Provided*, That whenever the laws of any State require a judgment or decree of a State court to be registered, recorded, docketed, indexed, or any other thing to be done, in a particular manner, or in a certain office or county, before a lien shall attach, this act shall be applicable therein whenever and only whenever the laws of such State shall authorize the judgments and decrees of the United States courts to be registered, recorded, docketed, indexed, or otherwise conformed to the rules and requirements relating to the judgments and decrees of the courts of the State.

SEC. 2. That the clerks of the several courts of the United States shall prepare and keep in their respective offices complete and convenient indices and cross-indices of the judgment records of said courts, and such indices and records shall at all times be open to the inspection and examination of the public.

SEC. 3. Nothing herein shall be construed to require the docketing of a judgment or decree of a United States court, or the filing of a transcript thereof, in any State office within the same county (or parish in the State of Louisiana), in which the judgment or decree is rendered, in order that such judgment may be a lien on any property within such county.

The question being taken, the report of the committee of conference was agreed to.

Mr. HENDERSON, of North Carolina, moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TARIFF.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. MILLS] 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 on the state of the Union (Mr. SPRINGER in the chair) and resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The CHAIRMAN. The Clerk will read the pending amendment.

The Clerk read as follows:

Strike out lines 362 and 363, as follows:

"All tobacco in leaf, unmanufactured and not stemmed, 35 cents per pound."

Mr. LA FOLLETTE. I desire to be heard further upon this amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. LA FOLLETTE] is recognized and will proceed.

Mr. LA FOLLETTE. I move to substitute what I send to the desk for the lines under consideration.

The Clerk read as follows:

Strike out lines 362 and 363, inclusive, and insert instead:

"All leaf-tobacco contained in any package, bale, box, or in bulk, or shipped in any form whatever, any part or portion of which is suitable for wrappers, if not stemmed, 75 cents per pound; if stemmed, \$1 per pound, on the whole contents of such package, bale, box, or bulk of tobacco."

Mr. LA FOLLETTE. No better illustration of the evils which this bill seems designed to work can be found than in the paragraph under consideration. This paragraph reduces the duty on a class of tobacco which competes with that grown in the States of Connecticut, Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, and Wisconsin.

The history of the growth of this industry and its relation to tariff legislation presents an interesting and instructive lesson in protection. In 1875 the value of the crop was little more than \$7,000,000; in 1880 more than eleven and a half millions, and in 1886 something over \$13,000,000.

In my own State and Congressional district the crop in 1885 (the last census year) was as follows:

Tobacco crop—1885.

	Acres.	Value.
State of Wisconsin.....	29,594	\$2,959,462
Third Congressional district, Wisconsin.....	13,408	1,351,075

From the first this crop promised new resources to agriculture. As I have stated, its cultivation had attained a substantial and encouraging development nearly ten years ago. In the States named the farmer turned with new hope and zeal from the overworked soil of his large grain fields, turned from his reduced yield and depressed market to the cultivation of a few acres of tobacco as well. This diversified his labor. It yielded employment almost the year round. It reduced competition and pressure in the old lines of production, and so benefited agriculture in all the States. It laid heavy burdens of expense upon the beginner, but it offered fairly liberal returns, and where soil and climate seemed favorable it was tried and began speedily to fulfill its promise. The farmer came to feel a confidence in the situation. He soon understood the cultivation of the crop; he knew his market. It was a home market; it was a reliable market. It depended upon a constant and "increasing consumption" upon which he could calculate. He felt secure.

But foreign capital saw its opportunity. Directly under the equator lay a group of islands belonging to the Netherlands, washed on one side by the Pacific Ocean, on the other by the sea of China. On one of these islands were gathering the forces, directed by a rich and powerful syndicate, destined to reach half way round the earth and pluck the American market away from the American farmer. Upon that island they had discovered that they could produce a peculiar tobacco-leaf, small, flexible, thin as tissue-paper, fine as silk. It did not matter that it was inferior in all other respects to the American leaf, that it did not burn so well, that it did not taste so well. In working up as a wrapper for cigars it proved cheaper than the American leaf, and therefore the cigar manufacturer would buy and use it instead. This foreign syndicate found that they could grow three crops a season; that they could employ cooly and Chinese labor at 7 to 10 cents per day; that they could cultivate, harvest, and prepare the leaf for the market at a cost—taking into account the peculiar quality of the tobacco—which would absolutely displace 4 pounds grown by the American farmer with every pound they could raise and ship from this island of Sumatra.

Mark what followed! In 1880 only 38 pounds of that tobacco found its way from the Netherlands to the United States. The following year 200,602 pounds, the next it more than trebled, running up to 782,763 pounds, and by the next year, 1883, the enormous amount of 3,818,931 pounds came from the same source to crowd four times that amount, or nearly 16,000,000 pounds, grown on our own soil out of our own market.

The farmers could not stand the competition, and they appealed to Congress to increase the tariff on this tobacco. For a score of years all unmanufactured leaf-tobacco had paid a duty of 35 cents per pound, but these new competitors paid that duty and laughed at the trifling obstacle it offered to their advancing monopoly. There was at that time a Republican administration and a Republican Congress, and the appeal was heard and responded to. In March, 1883, a law was passed designed to increase the duty on leaf-tobacco suitable for wrappers from 35 to 75 cents per pound. In this House it received the vote and support of Republican members, and met the opposing influence and vote of Democratic members.

The effect of the increased protection given by that Congress was at once manifest. The importations of Sumatra tobacco decreased more than three and a quarter million pounds. It really seemed that our own

market was to be given to our own farmers. They were encouraged, not because the law gave them a subsidy or bounty, not because of any advantage given them over any competitors on our own soil, but because the law furnished a protection against a foreign article produced by cheap labor under different circumstances and conditions. They returned to the cultivation of this product. They re-enforced their skill with intelligent experiment. They invested their money. They built tobacco barns and store-houses. They increased the quality and value of the American product—not to the depression of the market, but by a healthy and normal growth.

But no one had suspected the power, the determination, the dishonesty of the foreign enemy. The law had been framed to apply to the foreign leaf as it was then produced, assorted, packed, and sold.

As enacted, and as it now stands, it reads as follows:

Leaf-tobacco, of which 85 per cent. is of the requisite size and of the necessary fineness of texture to be suitable for wrappers, and of which more than 100 leaves are required to weigh a pound, if not stemmed 75 cents per pound; if stemmed \$1 per pound. All other tobacco in leaf unmanufactured and not stemmed, 35 cents per pound.

Under that law, as this tobacco was then produced, assorted, packed, and shipped to this country, it would substantially all be subject to the 75-cent rate, as it was and is practically all suitable for wrappers. It was the intention of Congress that it should pay the higher rate. It was to secure the protection which the higher rate gave to the American farmer that the law was passed.

Almost immediately the foreign importers sought to evade the statute. By its terms the tobacco must meet two requirements to be assessed the higher or 75-cent rate. It must be:

First. Leaf tobacco 85 per cent. of which is suitable for wrappers; and

Second. More than one hundred leaves must be required to weigh a pound.

Avoiding either test it would escape the 75 and only pay the 35 cent rate of duty.

The first attempt to evade the law was by invoicing. The tobacco was shipped from Sumatra to Amsterdam, where out of the entire invoice of say one hundred packages or bales of wrapper-leaf tobacco sixteen bales or packages would be replaced with inferior tobacco not "suitable for wrappers," so that less than 85 per cent. of the invoice would be suitable for wrappers. This was anticipated and met at the custom-house at New York by Treasury Department ruling that the invoice would not be taken as the unit on which to compute the per cent., but that each bale of wrapper-leaf must pay the 75-cent rate.

Then came a new and more successful fraud. Each bale or package weighing, say, 200 pounds, was opened at Amsterdam and a number of the little bundles of leaves, called "hands," of which the package or bale is composed, weighing about 37 pounds, were taken out and 37 pounds of tobacco not suitable for wrappers substituted, thus reducing the percentage of wrapper-leaf in each bale or package below 85 per cent.

This was followed by the decision of Secretary Folger, May 1, 1884, directing the custom-house inspector to break open bales or packages and assess the wrapper-leaf at 75 cents per pound. These lawless invaders of our market carried their opposition to the courts, protracting the fight, and contesting the enforcement of the law openly as well as secretly. The decision was sustained.

Then this syndicate carried the cheat down to the collection of leaves in the "hands." Their labor is so cheap that they can afford any expenditure of it to beat the law. They then placed leaves enough not suitable for wrappers into the little bundle or "hand" to bring the percentage of wrapper-leaf below 85 per cent.

In August last Assistant Secretary Maynard ruled in accordance with the decision of Secretary Folger that the bale or package or "hand" is not the unit under the law, but that the "leaf-tobacco suitable for wrappers" must pay the 75-cent rate without reference to the form or vehicle of shipment.

The slow and laborious process required to collect this duty renders the existing law exceedingly difficult of enforcement. Since 1884 the evasions under it have been simply enormous. The total amount of this tobacco entered for consumption from the Netherlands at the New York custom-house for the last three years is as follows:

Year.	Total number of pounds entered at 35 cents per pound.	Total number of pounds entered at 75 cents per pound.
1885.....	2,217,917	88,016
1886.....	4,000,519	29,994
1887.....	4,213,336	28,756

This discloses the fact that the great bulk of this tobacco only pays the lower or 35-cent rate.

When it is remembered that every single pound of it displaces 4 pounds of that grown in this country it will be seen that in both 1886 and 1887 these foreign gentlemen took away from our own farmers the

market for more than 16,000,000 pounds, or more than one-fourth of the annual crop of American wrapper-leaf.

The effect of this unfair and unlawful appropriation of our market has been to give this industry a most serious injury and discourage and dishearten those engaged in the business. I know farmers in my own neighborhood who have old crops of two and three years on hand awaiting buyers who do not come. In a single year the crop fell off 3,000 acres in Wisconsin. Great and expensive tobacco barns and store-houses stand empty or only partially used, while a crop which ought to have a permanent and prominent place with the farm staples maintains a doubtful and uncertain existence.

How is it with the Sumatra competitors? The question is scarcely necessary. Paying next to nothing for the hands employed, they are able to expend so much labor in the cultivation, selection, and assortment of the leaf that they rule the market and gather in certain and large profits.

Hon. Isaac Bell, jr., our minister at The Hague, in a communication to Secretary Bayard December 22, 1885, notes the fact that—

Some of the Sumatra tobacco companies had declared annual dividends of over 100 per cent.

And I am informed that in 1887 their profits were nearly 200 per cent.

The producers of American wrapper-leaf tobacco have pressed this matter for consideration in Congress with great earnestness for the last three years. Until very recently they have not succeeded in getting the party in power here to make any audible answer to their urgent appeals. A few weeks ago, however, the New England Homestead published the reply of the chairman of the Ways and Means Committee [Mr. MILLS] to a request to clear the present law of the clauses which make its evasion possible and leave the rate at 75 cents per pound. I read what the gentleman [Mr. MILLS] said in response to that request from the farmers:

A NOTE FROM MR. MILLS.

[New England Homestead, Saturday, May 19, 1888.]

On the subject of tobacco we can not accept your request. Thirty-five cents per pound is a high enough duty on tobacco; 75 cents is prohibition and no revenue, and we can not afford to destroy our foreign trade in tobacco or any other article. The Sumatra tobacco is now smuggled in at 35 cents.

R. Q. MILLS.

HOUSE OF REPRESENTATIVES, Washington, D. C.

In this note it will be observed that the gentleman says that "75 cents is prohibition and no revenue." What does he mean by that? Does he want more revenue? Have not the people been told through all these weary months that ruin could only be averted by reducing the revenue at once? And now the gentleman refuses relief in this instance on the ground that the rate asked by the producer of this product of the soil will prohibit the importation of Sumatra tobacco and have the disastrous effect of producing no revenue. For that reason he condemns it. No plea is advanced by him that Sumatra tobacco is one of the much talked of "necessaries of life," and for that reason the duty must be reduced, but the farmers are told in a curt little note that the 75 cent rate if retained and enforced will keep the Sumatra tobacco out altogether and yield no duty to the Government—that it is "prohibition and no revenue." To one industry these gentlemen say, "We lower the duty because the revenue must be reduced." Here the duty is reduced to increase and insure revenue. This bill puts vegetables on the free-list because they are necessaries of life, and because the accumulation of the surplus must be stopped; and it reduces the duty on Sumatra tobacco because it is a luxury and because the present rate enforced will not assist in increasing the surplus.

But the gentleman assigns another reason. He says "we can not afford to destroy our foreign trade in tobacco or any other article." Here is the chronic trouble with the free-trader. He can see nothing near to him. His vision is peculiarly defective. It renders him totally blind to what is going on around him in his own country, while the dreamy "far-sightedness" which keeps his gaze constantly fixed on distant foreign objects plays strange tricks with his processes of reasoning.

The gentleman from Texas [Mr. MILLS] says "we can not afford to destroy our foreign trade in tobacco." He entirely ignores the importance of our home trade in tobacco. It appears to be a matter of utter indifference to the gentleman how quickly and completely this shall be annihilated, but Heaven save the "foreign trade in tobacco." It gives him no concern that our farmers have on their hands one-fourth of the wrapper crops of 1886 and 1887 awaiting a market which has been appropriated by this imported tobacco. It does not worry him because the foreign syndicate has more than \$8,045,505 of money which should have gone to our own people, who have instead their unsold crops. He is happy because he has the "foreign trade" in Sumatra left. This "foreign trade in tobacco" with the Netherlands must be saved at any sacrifice. And yet it all amounts to just this: that for every single dollar which they leave in this country in that trade they take three dollars out. This is the "foreign trade in tobacco" which the gentleman would buy at the cost of an important agricultural industry. Sir, it is too high a price to pay for the luxury.

But the gentleman has still another reason. He says the "Sumatra tobacco is now smuggled in at 35 cents."

True, Mr. Chairman, a great quantity of it is smuggled in at 35 cents, but does that furnish a reason for reducing the tariff? Are laws to be repealed because they are evaded or defied? Is there to be a premium put on crime? Why should these foreign law-breakers be rewarded?

Here the issue is at last distinctly made. Let there be no more misunderstanding. Here is a contest between the American farmer and the foreign smuggler, and the gentleman from Texas arrays himself and his party against the farmer. He takes away from the agriculturists of the United States a promising industry and bestows its valuable and coveted market on the Netherlands. He smites with heavy hand the plain, patient, toiling supporters of this Government, and generously gives millions to rich foreign syndicates employing labor scarcely a grade above absolute slavery. And this is a fair sample of Democratic tariff revision.

Mr. Chairman, ever since the beginning of the Forty-ninth Congress I have tried to secure the amendment to the existing law which I have offered to this paragraph.

There is no ambiguity in its terms. It would put an end to all attempts to violate the law. Under it if the tobacco were mixed, as it now is to cheat the Government and steal into our market, "the entire bale, box, package, or bulk" would be assessed the higher rate of duty. This would be the imposition of such a penalty as the importer would be careful never to invite or provoke. Though urged since the first days of the Forty-ninth Congress, the Democratic Ways and Means Committee of the last House and this have persistently refused to report that bill for the relief of this industry.

And after all the protests and pleading for the tobacco-growers this tariff bill was reported here containing a proposition to take away from them even the imperfect protection afforded by the present law. Though only a portion of this tobacco pays the higher rate, when all ought to pay it, still the winding, devious course which the importer has to pursue to perpetrate his cheat and sneak through the custom-house, is in itself something of a hindrance and check to the importation. But the bill, as it came from this Democratic Committee on Ways and Means, proposed at one stroke to reduce the duty on all leaf tobacco to 35 cents per pound.

Now, at the last moment, there is a sudden change in the attitude of the committee—not that they are more friendly to the farmers who produce the domestic leaf, but that they evince a little less zeal for the Sumatra producer. The gentleman from Texas now moves to strike out these lines in the bill and leave the present law unchanged. Why does he do this? It surely can not be that he wants to give our tobacco-growers the protection of a 75 cent rate of duty, because he says in his letter which I have just read that—

Thirty-five cents a pound is a high enough duty on tobacco.

It is not because he wants the Sumatra importers to pay the higher rate of duty, for he says in the same letter that—

The Sumatra tobacco is now smuggled in at 35 cents.

Of course if the law is unchanged it will continue to be "smuggled in at 35 cents." If friendly consideration for this great American interest moved the gentleman he would not oppose and with all the other gentlemen on that side vote down my amendment, which would stop the smuggling he admits is practiced now. No; but an explanation for this action I think can be found in the necessities of the political situation. The farmers of Connecticut cultivate annually about 8,000 acres of this tobacco. They with other growers want protection; they want the law changed so there can be no evasion; they do not want the paragraph in this bill now under consideration. It is against the principles and practice of the Democratic party to give them this protection. So gentlemen on the other side refuse to change the law and stop the smuggling.

But as the absolute necessity of carrying Connecticut in order to elect a Democratic President has lately become so apparent the gentleman from Texas shrinks from the responsibility of further angering the farmers of Connecticut just at this time. He shrinks from putting into his bill the affirmative proof of his hostility to protecting the tobacco-growers. He shrinks here on the eve of this great political contest from thus openly relieving the Sumatra importers of the trouble of mixing and packing their tobacco to evade the law. By refraining just now from making the law a little harder on the Connecticut farmer and a little easier for the Sumatra importer, gentlemen on the other side hope to be able to make enough of a show of friendliness to hold on to the farmer vote until after the 6th of November.

Mr. Chairman, I saw an interesting paragraph in the New York Sun a few days ago, taken from the St. Paul Globe (Democratic) of July 9. It was entitled "Mills and Vance Lock Horns Again." This time it was not about the paragraph on "wood-screws," but it was over this very clause on leaf tobacco now under consideration. The paragraph concluded with the statement that Congressman VANCE said to-day openly:

Unless that clause is stricken out we can not hope to carry Connecticut.

It is just possible that this may explain the strange motion which the gentleman from Texas [Mr. MILLS] now makes to strike out the clause.

The clever and genial gentleman from Connecticut [Mr. VANCE] may

succeed in making his Democratic constituents believe that he rendered them a valuable service in persuading the gentleman from Texas that it was not safe this year to declare openly in the tariff bill against our tobacco-growers, but if he has power enough with his Democratic friends on the Ways and Means Committee to work this change, I apprehend that his farmer constituents will ask him to explain why he did not secure some amendment to the law that would be of value to them; why he did not secure an amendment that would stop this foreign competitor from smuggling in annually 4,213,336 pounds of Sumatra at 35 cents a pound to crowd four times that amount of American leaf out of the market.

Mr. Chairman, I trust that the time has at last come when the farmers, not only of Connecticut but of the United States, will plainly understand that their interests are not with a party that would ruin its home industries to build up a "foreign trade."

You Democrats have the majority here. You have the power to change this law and give the farmers the relief they ask, and you refuse to do it. It is your fixed purpose to give this with other American industries over to your foreign idol. You may ignore petitions and refuse to listen to all pleas here, but, gentlemen, there is another court and another day, and from your tyrannical majority both here and in committee we appeal to the people.

[Here the hammer fell.]

The CHAIRMAN. The gentleman's time has expired. Does the gentleman withdraw his formal amendment?

Mr. LA FOLLETTE. I do.

Mr. BAKER, of Illinois. I renew it.

[Mr. BAKER, of Illinois, withholds his remarks for revision. See APPENDIX.]

Mr. MILLIKEN. Mr. Chairman, the double-headed proposition made by our Democratic friends upon the wool question is amusing in its absurdity. They tell us that to put wool on the free-list will give the farmer higher prices for his products and at the same time afford the people cheaper woolen blankets and clothing. Just how a finished article is to be made cheaper by increasing the cost of the material of which it is composed they do not explain, though they have been many times in this House challenged to do so. Indeed, the proposition would seem to the ordinary human intellect to be the climax of nonsense.

But our friends on the other side are in a desperate situation. They want the votes of the laboring man, so they argue to him that the duty on wool is just so much added to its cost, and as a consequence so much added to the cost of his blankets and clothes, and hence in his interest it should be repealed.

But our Democratic friends want the votes of the farmers and wool-growers also, and so they argue that by striking off the duty which protects them from competing with cheap wool grown by foreign cheap labor and on cheap lands the price of wool will be advanced.

You see how well they suit them to the necessities of their condition. It is true they say this in defiance of all logic and common sense, but when was the time when the Democracy was not equal to the cheeky and impudent task of endeavoring to make the people believe that black is white and white is black if their case appeared to demand it?

There can be no doubt that the repeal of the duty on wool will make the price of wool higher, but not to the American wool-grower. It will be the American consumer of wool, the laborer, and others, who buy blankets and woolen cloths who will pay the higher price. For when the duty on wool shall be repealed the cheap wools of Australia and South America will flow into our markets and so reduce the price of American wool as to drive our farmers to slaughter their flocks. By that means the fleeces of forty-four million American sheep will be lost to us. That alone will necessarily enhance the price of wool. We shall also by that means be left entirely to the mercy of foreign wool-growers, who will make such prices as they please.

That is the true picture of what the free-trade Democracy have in store for both the farmers and consumers of the country—the destruction of the product of the one and the increase of price to the other.

But one other serious question arises in this connection. If the wool industry in America is protected and our farmers are encouraged to increase their flocks, so as to afford us wool for our wants, where will the money go which paid for it? It goes to our own people. It remains here to be circulated among our people and thus increases the volume of our currency, while if the duty is repealed and the industry is destroyed we shall buy abroad, send our money abroad to pay, and so decrease our circulating medium. And what is true in this respect of wool is true of all our products.

The more we produce at home the more of the people's money we shall keep at home for their use. Every new industry created among us is a source of wealth to the people. Every industry destroyed leaves a gap to be filled by foreign producers and opens the way to sending the people's money out of the country.

This fact demonstrates the utter absurdity of the declared purpose of the Mills bill—that is, to reduce the revenue so as to prevent any further surplus accumulating in the Treasury. This was the reason given by the President, and is the reason or excuse given by the free-

trade Democracy in this House for assaulting the industries and labor of the country.

When we have remonstrated against placing lumber on the free-list we have been answered that there is a great surplus in the Treasury which threatens a business panic and general financial disaster.

When we ask that building stone, vegetables, fish, and fifty-three important industries in the North be not sacrificed or given over into foreign control to enrich people not owing allegiance to our flag nor paying any of the expenses of our Government, we have been met with the same reply, and so have we been when we have resisted the reduction of duties upon our manufactures and farm products in the North to so low a figure as to place our people in unequal competition with cheap labor on our northern border and across the sea. Although, when we have raised our voices against taxing the people \$60,000,000 to maintain a small industry in Louisiana which has never produced more than one-tenth of the sugar the country consumes, and when we ask why rice should pay a duty of 100 per cent. in order to protect a few rice-growers in South Carolina and Georgia, though it is shown that by placing these two articles on the free-list the revenues would be sufficiently reduced to prevent any further accumulation of surplus in the Treasury, the only reply we get is a solid vote of the Democracy in the House to retain these extraordinary duties.

The truth is that the reduction of the surplus is not the purpose, but the pretense of the Democratic free-trade party. It is made a cloak to cover the attack of that party upon Northern industries except in some few favored Democratic districts. The surplus has grown up under a Democratic administration. Purposely it has been allowed to accumulate when under existing law it might have been applied, and now it is sought to be used as a menace to frighten us into the ranks of free-traders.

But this scheme will not work, for every intelligent man knows that the Mills bill will augment to indefinite dimensions the very danger which its friends pretend to fear.

What danger is there in the accumulation of a surplus of revenue in the Treasury? What is the hurtful effect which it may have upon the country? How can it produce business panic and financial disaster? Only in one way certainly, that is by keeping out of circulation the money which should be among the people.

I would like to see the surplus disbursed, and I would gladly vote for a sensible bill which would accomplish that purpose without injuring our industries. But such a bill will have to be framed by the friends of America, by men who believe in her institutions, in the independence of her position, in the genius of her people and the power of her workingmen, in all pursuits, to make her the producer of all that her wants demand. Yes, by men who know a better way to distribute her surplus than the Mills bill provides, which is to send it across the sea to fill the treasuries of foreign nations and the pockets of foreign manufacturers; for all that the distribution of our present surplus would increase the volume of our circulating currency would be but a fraction of the amount which our circulation would be decreased by our loss of the money which the Mills bill would send out of the country to purchase foreign manufactures and products to take the place of those which the destruction of our industries would prevent us from furnishing at home.

The gentleman from California a few days ago presented the tables which show that notwithstanding the surplus has increased in our Treasury, the circulation of money among our people has at the same time increased from month to month. How has this occurred? It is wholly due to protection, which has kept our mechanics and farmers and all our producers at work and thus kept our money at home.

Should the Mills bill become a law, how long would it be before the balance of trade would be against us? How long before the volume of our money pouring out of our country to foreign lands to buy what we now produce would exceed by twofold the surplus which runs into our Treasury? Whatever the disadvantages of the surplus may be I would rather risk it in our own Treasury, where it is the property of our own countrymen, than in the pockets of British merchants and manufacturers who are, if not the enemies, certainly are the competitors of our people in the great battle for national prosperity and progress.

The effect of low duties, amounting practically to free trade, upon the volume of money among the people was so keenly experienced and bitterly felt by our forefathers during the time of the Confederation that it should never be forgotten, but remain in men's memories as a sad and salutary lesson to those who would see their country cursed by such mischievous legislation as the free-trade Democracy propose to enact in the Mills bill.

Then our forefathers had what this bill provides in part at least and what the Democrats in this debate have again and again urged and argued for—practical free trade. What was then the result? Cheap goods flowed in from Europe; the money of the people poured over the sea to pay for them, until all trade became barter. There was no currency left for circulation in the country; people trafficked in cattle and sheep and most everything, except silver and gold coin or any kind of money.

The general disaster which fell upon all classes and every kind of industry has formed too many sad pictures in the descriptions of

statesmen and historians to admit of repetition here. It was arrested only by the formation of a Constitution for all the colonies, the establishment of a new and stronger Government, and the enactment of a protective tariff which encouraged new industries that gave labor to the people and kept their money at home.

The same principles will operate to-day as then. Like causes will produce like effects, and it will be found always that in a country where labor is high, as in our own, the best assurance of a sufficient volume of currency is that protection to domestic industries which shall give employment to the toilers and stimulate the development of all the varied resources with which God has enriched the nation. Under such protection our country has had a degree of prosperity unknown in the history of mankind. Let us maintain it, whether it be assailed by the theories of doctrinaires, old prejudices, sectional envy, or the alliance of British greed with Democratic ambition for political power.

Mr. FORAN. Mr. Chairman, while the general debate was pending I gave my views, at considerable length, upon the measure under consideration. Since that time the bill has been so modified and amended that many of the objections I then entertained against the proposition no longer exist. There still remain in the bill, however, a few important provisions and sections, which are so utterly at variance with my convictions of duty and the pledges made my constituents that I can not consistently or conscientiously vote for it. I regret this exceedingly because it has always been my aim and my desire to be in line with my party upon all important questions of public policy. Besides, the "condition" mentioned by the President in his message to this Congress still confronts us. Our patriotism as citizens and our official oaths alike require and demand at our hands the solution and removal of this "condition."

The collection by the Government and retention in the United States Treasury of a sum annually equal to one dollar for every man, woman, and child in the Republic can not long continue, except at the cost of the most direful consequences to the prosperity and business interests of the country. The contraction of the circulating medium of a country always results in enhancing the value of money, while it invariably decreases the wage of the laborer. The "condition"—the surplus—ought to be and must be removed, and at once. The Mills bill seeks to accomplish this result. It diverges, in a few essential details, from the line of policy I would follow were the entire responsibility upon me; yet I am not prepared to say that the Ways and Means Committee, upon the whole, especially in the amendments allowed since the bill was introduced, have not honestly endeavored to formulate and perfect a bill that would relieve the people from unnecessary burdens and at the same time do justice to the various conflicting interests of our greatly diversified industries.

If the committee failed in some instances it is because the tariff question, in the very nature of things, can not be delocalized or nationalized. I had hoped that our friends upon the other side of the Chamber would formulate and present a measure that would more nearly meet my views; but in this hope I have been disappointed. Their policy has been to point out alleged defects in the bill in speeches, which were not calculated or intended to create a healthy public opinion or sentiment upon the vital and the main question—the reduction of the surplus—but which were calculated and intended solely to influence and affect and create Republican sentiment for the November election. Much as I differ with the majority of my party upon the tariff question, I can not consistently, as a Democrat, aid the Republican party in creating an issue that is illusory and misleading.

The present condition of the Treasury—the surplus and the giant evils it is bound to precipitate upon the country—brings us face to face with a public, not a political question. This question is so grave and far-reaching and so liable to affect injuriously the best interests of the whole people, that it ought to be approached, discussed, and considered by patriots, not partisans; it is above and beyond mere party considerations. The Republican minority, however, have not seen fit to so regard it. The President's message was hailed by Republican leaders, not so much in the light of a menace to the industries of the country as in the light of outlining a policy which they believed they could, by judicious twisting and appeals to local prejudice, turn to their advantage politically. These gentlemen will vote against this bill, not because they honestly believe it is a vicious measure, but because some injudicious utterances by gentlemen on this side of the House will enable them to tell their constituents it is a free-trade measure, and in support of that contention they will cite, not the bill itself or its contents, but the remarks of gentlemen who have supported it.

How any bill which provides for average duties of 40 per cent. can be called a free-trade measure passes human comprehension; but that fact will be carefully obscured by the bewildering denunciations which will be hurled at the bill and the Democratic party, because a few gentlemen have permitted themselves in the discussion on this bill to indulge in the glittering generalities of free-trade philosophy. Now, while I can not vote for this bill, for the reasons already stated, I certainly can not have any sympathy with the opposition to it, which springs from the selfish and partisan motives which dominate the Republican party.

To vote against the bill would be to countenance and commend the unpatriotic and selfish policy of the Republican party. My own party fealty as well as my convictions of right and duty make such action impossible. I have, by my votes, entered my protest against those items in the bill which my judgment lead me to believe were illogical or wrong, while I have uniformly voted for all items, clauses, and sections I believed to be sound and right. I am sorry the bill is not in such shape as would prompt me to vote for it, but it is too near my position, and the opposition to it is of so selfish and prurient a character that it is impossible for me to vote against it.

One word more. As a Democrat, I do not regard the tariff as a party question. It is local in character, a business question that should be dealt with in a non-partisan spirit.

The principles of the Democratic party are too broad, too deep, too far-reaching to be even temporarily put out of sight for a question that, in details, is far better understood by manufacturers and merchants than by statesmen. The difference between the two great parties now contending for supremacy in this country is as vast and as wide as space. I am a Democrat. I mean by that, as I said upon another occasion, that a Democrat is a

FREE RESPONSIBLE SOUL.

A Democrat is a man who would increase by all lawful means, to the highest attainable limit, the power of the individual, without sacrificing the requirements of public order; he believes that there should be no inequality of condition except that which springs from the inequality of talents, and he aims at removing all inequality except such as is absolutely necessary to the progress and development of humanity; he believes that men are responsible solely as men, have rights simply because they are men, and should be valued solely as men, and that every man has the right to raise himself to the highest point of excellence of which his soul and mentally are capable. In a word, the Democrat believes that merit is everything, birth nothing.

Politically a Democrat is a citizen who believes in a government by the people, while a Republican is a citizen who believes in a government of the people. The Democratic citizen believes in the largest possible limit of direct popular control in the government, consistent with social order and progress, while the Republican citizen would limit and circumscribe this direct popular control, believing that better government can be secured by placing governmental power only in the hands of the so-called well-born or privileged class. Again, the Democratic citizen believes in limiting the powers of the Federal Government and conserving to the States, at all hazards, every right and power reserved to them by the Constitution. In other words, the Democrat would maintain the binding force of the exact literal language of the Constitution, and would oppose at all times, by all means, the enlargement of Federal powers by interpretation. The Republican believes in the reverse of all this. Here is the correct, the exact dividing line between the two parties.

It is upon these lines that I have always contended that the wage-worker, the toiler, and the man of limited means is out of place in the Republican party. The traditions and the inherited principles of the Republican party are those of Hamilton, while the Democrat believes in the teachings of Jefferson. Parties sometimes swerve from the straight line of principle and follow the devious line of expediency. The Democratic party is no exception to this rule. Parties are merely aggregations of men, and all men are selfish, and the prospect of present success often lures them from the path that leads to a success which may be remote, but is always certain.

Through all the trials, through every crisis of the Democratic party, the principles upon which it was founded by Jefferson always survived, for principles never die. The party may have erred, it may have swerved from its path, but its faith, its principles as above outlined, are as pure and as just to-day as when first the lovers of free popular government made them the creed and dogmas of a political party. Here is a platform upon which all Democrats can stand. Questions of expediency and policy—side issues—sink into obscurity and insignificance when contrasted with the great essentials of human liberty upon which the Democratic party is founded. Divergence of opinion upon questions of party expediency furnish no excuse for desertion to the enemy. While I will not vote for this bill, while I could not vote for it under any circumstances in its present shape, yet will I be found this fall—and at all times while life lasts—in the ranks of my party, in the forefront of the fight for Democratic ascendancy and the perpetuation of Democratic principles in this Republic. I can see no hope for the people in Republican ascendancy. If the principles of the Democratic party are sound—based on justice and right—and so I believe, I feel it my duty to combat errors into which it may fall from within, not from without.

The CHAIRMAN. There being no objection, the formal amendments will be withdrawn. The Clerk will read the pending paragraph under consideration.

The Clerk read as follows:

All tobacco in leaf, unmanufactured, and not stemmed, 35 cents per pound.

The CHAIRMAN. The question is on striking out the paragraph which has been read, the motion having been made by the gentleman from Texas [Mr. MILLS].

The motion was agreed to.

Mr. HITT. What has become of the amendment proposed by the gentleman from Wisconsin [Mr. LA FOLLETTE] on yesterday.

The CHAIRMAN. It has been disposed of.

Mr. MILLS. I move, on page 29, line 1 of section 4, to strike out "July" and insert "October;" so as to read:

SEC. 4. That on and after the 1st day of October, 1888, in lieu of the duties heretofore imposed on the articles hereinafter mentioned, there shall be levied, collected, and paid the following rates of duty on said articles severally.

The amendment was agreed to.

Mr. SPINOLA. I move, on page 32, to strike out lines 86, 87, 88, and 89, as follows:

Pipes, pipe-bowls, and all smokers' articles whatsoever, not specially enumerated or provided for, 50 per cent. ad valorem; all common pipes of clay, 25 per cent. ad valorem.

The CHAIRMAN. Is there objection to going back to that paragraph?

There was no objection.

The question recurred on Mr. SPINOLA'S amendment, and it was adopted.

The CHAIRMAN. The Clerk will read the next paragraph, which was passed over at the suggestion of the gentleman from New Jersey [Mr. LEHLBACH].

The Clerk read as follows:

Bonnets, hats, and hoods for men, women, and children, composed of hair, whalebone, or any vegetable material, and not specially enumerated or provided for, 30 per cent. ad valorem.

Mr. BYNUM. Before we proceed with the debate on that paragraph I ask to move a mere formal amendment on page 58, which is a part of the repealing clause.

The CHAIRMAN. The Clerk will read the paragraph.

The Clerk read as follows:

SEC. 24. That sections 3011 and 3013 of the Revised Statutes be, and hereby are, repealed as to all importations made after the date of this act; and all laws and parts of laws inconsistent with the other requirements and provisions of this act are also hereby repealed.

Mr. BYNUM. I move to strike out the words:

And all laws and parts of laws inconsistent with the other requirements and provisions of this act are also hereby repealed.

The amendment was agreed to.

The CHAIRMAN. The question recurs on the paragraph passed over on motion of the gentleman from New Jersey [Mr. LEHLBACH], which has already been read, and the Clerk will now report the amendment moved by Mr. LEHLBACH to that paragraph.

The Clerk read as follows:

Add to the paragraph the following:

"Buttons called by and known among manufacturers as pearl buttons, a specific duty of 4 cents per line per gross (English measurement)."

Mr. MILLS. I ask that debate on this paragraph be limited to two hours, one hour on each side.

Mr. REED. I object. I think we had better go on with the five-minute debate.

Mr. MILLS. I ask that an hour be given on this side.

Mr. REED. I object.

Mr. BUCHANAN. Possibly an hour will not be needed.

Mr. MILLS. We gave twenty minutes yesterday to the other side and fifteen minutes this morning, and I do not see why gentlemen should object to the time asked for on this side.

Mr. BUCHANAN. But my colleague desires to speak to a substantial amendment, and I suggest that the gentlemen wait until my colleague gets through before fixing the limit.

Mr. MILLS. I am perfectly content that the gentleman shall have all the time he wants within reasonable limits.

The CHAIRMAN. The Chair understands objection is made.

Mr. SPRINGER. I wish to submit a request for unanimous consent to the House, and with a view of doing so I submit a formal amendment to strike out the last word of the pending paragraph.

The CHAIRMAN (Mr. DOCKERY). The gentleman from Illinois will proceed.

Mr. SPRINGER. I have listened with great patience to all gentlemen in this House during all of this long and protracted debate, and I believe that during this discussion every gentleman has been permitted to speak as long as he desired. I now ask the indulgence of the committee that I may be permitted to address myself to that part of the bill which relates to the tariff on wool, with the assurance that I will confine myself exclusively to that subject; and I ask unanimous consent that I may be permitted, after the gentleman from New Jersey shall have concluded his remarks, to address the committee for a period not to exceed one hour.

Mr. REED. It does not seem to me to be a fair proposition after the debate is closed that a gentleman should come here with a prepared speech and ask additional time for the purpose of delivering it. Had we been notified a reasonable time in advance it would have been granted, and probably would have been granted with the greatest pleasure. But I do not think it is desirable now to reopen the subject.

Mr. SPRINGER. On the subject of wool permit me to state that gentlemen on the other side of the Chamber occupied one hour and forty-five minutes more than was occupied on this side; and this order, if granted, would not even equalize the debate on that question. I have no desire to depart from the legitimate subject under consideration or indulge in any political matters.

Mr. McMILLIN. If the gentleman from Illinois will yield to me for a moment I will remind my friend from Maine that the gentleman from Wisconsin [Mr. LA FOLLETTE] was given fifty minutes consecutively, as a matter of courtesy to him and that side of the House, on this schedule—the woolen schedule—uninterruptedly, within ten minutes of the time asked by the gentleman from Illinois on this side.

The CHAIRMAN. The Chair will state the request of the gentleman from Illinois.

Mr. REED. If there is a proposition for an hour on each side I should not make special objection to it, after having called attention to the way that this thing is done. I do not think it is a satisfactory method of doing business in committee.

Mr. McMILLIN. The first request of the gentleman from Illinois was for an hour.

Mr. REED. And I objected to the first request.

Mr. SPRINGER. Will the gentleman from Maine object to two hours, then, one on each side?

The CHAIRMAN. The Chair will submit the request to the committee.

Is there objection to allowing debate for two hours on the woolen schedule of the bill, that time to be equally divided between the two sides of the House?

There was no objection.

Mr. SPRINGER. Now let the gentleman from New Jersey occupy such time as he desires on his amendments.

The CHAIRMAN. If there be no objection, the gentleman from Maine will be allowed to control the hour on the left. Does the gentleman desire to proceed now?

Mr. REED. No; the gentleman from Illinois will take his hour first.

Mr. SPRINGER. After the gentleman from New Jersey has concluded his remarks I will proceed.

Mr. LEHLBACH. Of course I know nothing of this arrangement. The time should be given me to offer two substantial amendments, which I propose and on which I ask to be heard.

The CHAIRMAN. The gentleman will send his amendments up.

Mr. REED. This does not come out of any time that we may have on this side under the new arrangement.

The CHAIRMAN. It does not. The time occupied by the gentleman from New Jersey will be on his own amendments.

Mr. BLAND. That is, for five minutes, under the rule?

The CHAIRMAN. Of course the gentleman occupies the floor, if at all, under the rule.

Mr. BLAND. But I understand it is only for five minutes.

The CHAIRMAN. He speaks under the rule of course. If the gentleman gets more time that will be by the consent of the committee.

Mr. LEHLBACH. My first amendment is to strike out "thirty," in line 26 of this paragraph, and insert "fifty;" so that it will read "50 per cent. ad valorem."

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from New Jersey.

Mr. LEHLBACH. Mr. Chairman, I offer this amendment at the request of the hatters of my district, and it seems to me, after having considered their reasons for this change, that it would be wise to increase the duty on these articles. I will briefly state to the committee the facts. The consumption of these articles in this country is not so great but that those engaged in their production are able to supply the demand. Until within the last ten years few hats were imported, and our workmen engaged in this industry were kept busily employed. Of late years the importation has steadily increased, and where formerly an imported hat was a novelty, it is now a thing of common use. These large importations have had the result of lowering the wages of those employed, and of compelling idleness at certain portions of the year. In order to prevent further increase in importation it will be necessary to increase the duty on these articles. This is the effect of my amendment, namely, an increase from 30 to 50 per cent. I had the honor to present a petition to the House, signed by 2,170 hatters of my district, asking for this legislation.

In a letter inclosing the petition Mr. Daniel McCarthy, of Orange Valley, N. J., secretary of the United Hatters of Essex County, says as follows:

Our reason for asking this legislation is that a few years ago an imported hat was a novelty, but now they are seen everywhere, and the importation is yearly on the increase. Taking the importation of 1887 as a basis, the wages for making 42,365 dozen hats, which, at \$8 per dozen, amounts to \$338,920, is in reality \$35 per annum each from the 10,000 people employed in the hatting industry in this country, or about one-sixteenth of the average earnings for the entire year. In this country alone there are nearly 4,000 men employed at hatting, who would all have signed the petition if the committee who had it in charge had taken a few days more to circulate it, but we were afraid to delay it. Now, we are compelled through lack of work to lose at least three months in the year which could be partly remedied by an increase to 50 per cent.

If the rate of duty is not changed the hatters fear that the importations will not decrease, but rather increase, and that it will condemn them to idleness for a longer period during the year. With this brief statement, I ask for a favorable consideration.

The question was taken on the amendment of Mr. LEHLBACH; and on a division there were—ayes 72, noes 84.

So the amendment was rejected.

Mr. LEHLBACH. I now offer the amendment I send to the desk.

The Clerk read as follows:

Insert after line 26:

"Buttons, called by and known among manufacturers as 'pearl buttons,' a specific duty of 4 cents per line per gross (English measurement)."

Mr. LEHLBACH. Mr. Chairman, this amendment proposes a specific duty which will, as I am informed, be equivalent to about 50 per cent. ad valorem, or double the present duty. But a few years ago the pearl-button industry was a flourishing one in the city of Newark. The competition at that time was entirely with English manufacturers, and the duty of 25 per cent. was sufficient to make up the difference of wages between the two countries. At that time there were few or none manufactured in Austria. At present the importations to this country, according to the report of Consul-General Jussan, made December 30, 1887, amount, in round figures, to \$2,300,000, and of this amount nearly \$1,700,000 comes from Austria, the bulk of the balance coming from France. The hand labor in Austria, as well as in France, is performed at the low rate of from 5 to 7 florins per week (or from \$2 to \$2.80 per week). In the manufacture of pearl buttons no machinery can be used; it is all hand work. It is hardly necessary, therefore, to state that since this has become an industry in Austria and France, and the bulk of their manufactured articles have been exported to this country, that most of our manufacturers have been compelled to close their factories, and those yet remaining are engaged only part of the time, and then only at the highest grade of goods.

The petition which I will present to the House and ask to have read states that in Vienna and the suburbs there are several thousand convicts employed in making pearl buttons, and the sale of these goods being prohibited in Austria they are exported to the United States. If this be true, and I do not doubt it, then it is high time that we, having in most of the States protected honest labor from our own convict labor, should take steps to protect it from infinitely worse competition, the convict labor of Austrian prisons. This is not the first attempt that those engaged in this industry made to obtain relief. Six years ago my predecessor introduced a bill for their relief. It was referred to the Committee on Ways and Means, and nothing was done. In the last Congress I introduced a bill increasing the duty. It was referred to the same committee. A chance for proper explanation was given by that committee, but no tariff legislation being had during the Forty-ninth Congress, of course no relief was given. If Congress will not soon do something for these people an industry will be wiped out of existence which would in a short time have given employment to thousands of our people. This is a very peculiar case, and I hope that the petition of the committee of the pearl-button makers, which I now send to the Clerk's desk to have read, will result in causing favorable action.

The Clerk read the petition, as follows:

NEWARK, N. J., December 21, 1887.

HONORABLE SIR: The petition of the undersigned, who are a committee of the National Pearl-Button Makers' Association, appointed by them to present to your honorable self, praying that they may have your support in advocating a bill of the pearl-button manufacturers, which is about being presented to Congress, asking for such relief that will enable us to be on an equality with other mechanical industries in this country. We beg you to allow us to present to you a few facts, which we think, after your perusal, we shall have your support and sympathy.

We are a body of mechanics, who some ten or fifteen years ago represented thousands, our occupation was such that we were enabled to have steady employment, our principal competitor in pearl buttons was England, and the competition was such that we could favorably compete, but since that time Austria and Germany commenced making pearl buttons; and where there was one thousand gross of pearl buttons made in those two countries alone there are now to-day one hundred thousand, till the competition is so great that two-thirds of the workmen in this country are doing nothing, and what few have work, only get two or three days per week. The wages we get when at work averages from \$12 to \$15 per week, which we think you will agree is not too much for a skilled mechanic who has had to labor for several years before he becomes proficient, but as the case now is this labor has been entirely thrown away.

Our chief competitor now is Austria, as there we have not only the regular workmen to contend against but in Vienna and the suburbs there are several thousand convicts employed making pearl buttons, and there is a law prohibiting the sale of such goods in their own country, and which goods find a ready market here. Again, the wages of a regular mechanic in Austria are exactly in our money \$2.83 per week, so you can readily see the comparison of the wages of the foreign and domestic mechanic. Our wages, taking it at the lowest basis, is four or five times as much as theirs, and the duty that is imposed on such goods is 25 per cent. ad valorem. Now it can readily be seen the disadvantage we labor under. How can our employers find work for us to do when importers in this country have their agents in Europe who buy goods that are the result of convict and pauper labor, or, in other words, how can it be expected that they will buy goods in this country of which the labor alone costs \$1 when in a foreign country it costs 30 cents?

Things have gone so far with us that it is only a question of a little time when the climax will come. We have labored hard for a long time to keep the wolf from the door and looking with longing eyes for a bright sun to rise which would break forth into a glorious morning; but we have hoped in vain; the tide does not seem to turn, and as a last resort we appeal to you, most honorable sir, to help us in our great difficulty. We are well aware that Congress has the inclination to reduce the tariff instead of raising it, but we feel we are justified by our condition in asking that an exception be made in our case. In fact, our trade has been in such extreme necessity that the whole press of this mechanical city and the press of New York have taken it up and from observation have made prolonged articles upon it. Our employers are also in a bad condition; two-thirds of the factories are completely closed, and the others, on an average, do not run two days per week.

Now, honorable sir, we have endeavored to state our case to you in a plain and truthful manner, praying that you will give us your valuable assistance so that we can make an honest living at our own legitimate occupation, as we feel we have to work against more competition and have less protection than any other industry in the whole country, as our goods are made exclusively by hand and can not be made in any way by improved machinery; the same process of manufacture has to be gone through in Austria as in this country; and we can assure you that the contents of this letter we can vouch for, as a great many of your humble petitioners have followed their occupation in Europe.

The lathes that are used in this business can not be utilized for any other purpose, which is another great disadvantage we labor under; in fact, we labor under every disadvantage and have nothing to encourage us. We pray that you may see the condition that we are placed in and that something will be done at this session of Congress to give us that relief that will extricate us from our unfortunate position and enable us to support our wives and families as it becomes every honest and respectable mechanic. We do not ask for extortionate wages, but we pray for a duty which will protect us and give us steady employment.

Respectfully yours, etc.,

JOHN H. COMPSTOCK,
HARRY TONKS,
JOSEPH WOLFF,
DANIEL BLAKEMAN,
JOSEPH LANG,
JOHN F. HEALEY,
MICHAEL J. DEGNAN, *Secretary.*

To Hon. HERMAN LEHLBACH.

Mr. LEHLBACH. I simply wish to state that to my personal knowledge these facts are not exaggerated in this petition. The shops in my city have been closed for want of work and the people are walking the streets in idleness. It is simply a question here whether this industry shall longer exist in this country or not.

Mr. BLOUNT. I would like to ask the gentleman from New Jersey a question. This petition recites the fact that these men only get employment for about two days in a week. Is that a correct statement?

Mr. LEHLBACH. They do now; but they did formerly, when they were coming in competition with England alone, work full time at full wages.

Mr. BLOUNT. Does my friend mean to say that since Austria began to manufacture this class of merchandise, these persons have but two days work in the week?

Mr. LEHLBACH. That is substantially correct.

Mr. BLOUNT. How long has that been going on?

Mr. LEHLBACH. For the last six years. Most of the buttons sold in this country now are made in Austria.

Mr. BLOUNT. And that condition of your labor has existed for a series of years?

Mr. LEHLBACH. I will state to the gentleman that they make only the higher grades of goods here.

Mr. BLOUNT. And these people only find employment two days in the week?

Mr. LEHLBACH. In that industry. The balance of the time they are working in some other line of industry where they can get employment. Now, the question is whether you are going to strike that industry down or not.

[Mr. WHEELER withholds his remarks for revision. See APPENDIX.]

The CHAIRMAN. The time of the gentleman from Alabama has expired. The question is on the amendment of the gentleman from New Jersey [Mr. LEHLBACH].

The question was put; and there were—ayes 67, noes 83.

So the amendment was rejected.

Mr. SPRINGER. Mr. Chairman, the debate on the pending bill began on the 17th day of April last; since that time the committee has been occupied in general debate twenty-three days and eight evening sessions. There were consumed in the general debate one hundred and eleven hours and fifty-four minutes—fifty-six hours and eighteen minutes by Democrats and fifty-five hours and thirty-six minutes by Republicans, or those opposed to the bill. In all one hundred and fifty-one speeches were made during the general debate on this bill. The debate upon the bill by paragraphs began May 31, since which time there have been occupied twenty-eight days or one hundred and twenty-eight hours and ten minutes, including the time that will be consumed to-day. The whole number of days devoted to the debate and consideration of the bill has been fifty-one, and the number of hours two hundred and forty. This debate will perhaps be known as the most remarkable that ever occurred in our parliamentary history. It has awakened an interest not only throughout the length and breadth of our own country, but throughout the civilized world; and henceforth, as long as our Government shall endure, it shall be known as "The Great Tariff Debate of 1888."

The House in Committee of the Whole on Monday last voted on the question of striking out of the pending bill the paragraph which placed all wools imported into this country after the 1st day of October next on the free-list. The vote by tellers showed that 120 members voted for free wool and 102 voted to retain the present tax. It was my intention before that vote was taken to have addressed the committee in opposition to striking out the paragraph; but on account of a slight cold I was unable to do so at that time without personal discomfort. But as the motion to strike out did not prevail, and the clause securing free wool still remains in the bill, and must be voted on as a part of it on the final passage, I beg the indulgence of the committee at this time to express some views on the subject.

CHANGE IN WOOL TARIFF IN 1883.

On the 3d day of May, 1882, I had the honor to address the Committee of the Whole House on the bill to provide for the appointment of the Tariff commission. In my remarks at that time I referred to the tariff on wool at some length, and advocated the placing of wool on the free-list. That Congress passed at its second session the tariff act of March

3, 1883, which slightly reduced the duty on wool. It repealed the ad valorem duty of 10 and 11 per cent., but retained the specific duty of 10 and 12 cents a pound on unwashed wool of the first and second class. The specific duty on coarse carpet wools was reduced one-half. It is claimed by gentlemen on the other side of the Chamber that these reductions worked disaster to the wool-growers of the country. I do not concede this. On the contrary, I hold that the reduction of the duties on wool did not produce the changes in the prices of wool or number of sheep which followed. First as to the number of the sheep in the country before and after the change, take the four years immediately preceding the change and the four years succeeding it. The act of 1883 took effect July 1 of that year. The number of sheep in the United States in 1883 was 49,237,291.

The number in each of the four years preceding this year was as follows:

	Sheep.
1879	38,123,800
1880	40,765,900
1881	43,569,899
1882	45,016,224

Total..... 167,475,823

Or on average of 41,868,955 sheep for each year.

The number in each of the four years succeeding the change was as follows:

	Sheep.
1884	50,626,626
1885	50,360,243
1886	48,322,331
1887	44,759,314

Total..... 194,068,514

Or on average of 48,517,128 sheep for each year.

This shows an average of 6,648,173 more sheep in each of the four years succeeding the change than there were in each of the four years preceding the change. If the change in the tariff in 1883 had any effect in this respect it was to increase the number of sheep in the country. Gentlemen on the other side are in the habit of pointing to the number of sheep in 1883 and in 1887, and assuming that these two items determine the whole question.

And in this connection I desire to call attention to the resolution adopted in this city in January, 1888, at the conference of wool-growers, wool-dealers, and wool-manufacturers. Those resolutions were addressed to Congress as a remonstrance on the part of the representatives of the National Association of Wool Manufacturers and of the Wool Growers' National Association against the passage of the Mills bill, and assumed to furnish Congress information upon the condition of wool-growing and wool-manufacturing in the United States.

I quote from the Bulletin of the National Association of Wool Manufacturers, dated Boston, 1887, one of the resolutions adopted, which is found on page 336 of that bulletin, as follows:

The fact that the reduction in the tariff on wool in 1883 was immediately followed by a decrease in the number of sheep in the country from 50,626,626 in 1884, to 44,759,314 in 1887, gives warning that the abolition of duties on wool would seriously cripple the raising of sheep in this country, which is the third producer in quantity among the nations, and would thus increase the price of wool all over the world, while the consequent destruction of sheep would materially affect the supply and the price of meat, and, to a considerable degree, of all provisions.

A person reading this resolution would naturally infer that there had been a great destruction of sheep in the United States since the reduction of the tariff on wool by the act of March 3, 1883. These honorable gentlemen, assuming to furnish the representatives of the people with valuable information upon interests represented by themselves, assume that the condition of wool-growing in the United States after the passage of the act of 1883 gives warning that the abolition of duties on wool would seriously cripple the raising of sheep in this country. They assume with a positiveness which amounts to assertion that there was a great falling off of sheep in this country after the passage of that act, while, as I have shown, there were in the United States on an average for each of the four years which have elapsed since 1883, 6,000,000 sheep more than there were on an average for the four years preceding the change. What confidence can we place hereafter in the representations of interested parties on this subject?

There are fluctuations in all business. Sheep-raising is no exception to the rule. But general conditions can only be reached by taking the average for several years. The average of four years preceding and succeeding shows a large increase in the number of sheep after the tariff reduction on wool in 1883.

Now, in the second place, as to prices of wool. There was a decrease in the average price of fine wool of about 10 cents a pound during the four years succeeding the change as compared with the four years preceding the change. There was a corresponding decrease as to other classes of wools. The average price of fine wools in January for the years 1879, 1880, 1881, and 1882 was 46.25 cents per pound. For the succeeding four years, 1884 to 1887, the average was only 35.50. But there had been a gradual decline in the average price of wool from 1867, when the high protective tariff on wool was passed, until the present time. In 1867 the price was 68 cents a pound.

In 1869 it was 50 cents, in 1873 it was 70 cents, and then it dropped

each year thereafter to 58, 55, 48, 46, 44, and to 34 in 1879, or about the same price it now commands. What caused the decline in 1879 to 34 cents a pound while the tariff was unchanged? What caused the decline from 70 to 34 cents a pound on wool during the highest tariff era ever known in this country? Gentlemen must find other causes for these changes than the raising or the lowering of the tariff on wool. I concede that such changes of the tariff do affect prices remotely, but not directly. Prices of all commodities are controlled by the inexorable law of supply and demand. There was a greater supply of wool in this country during the four years succeeding the change in the tariff in 1883 than during the four years preceding the change. The statistics prove this. But the average number of sheep each year was 6,648,000 greater. If each produced a fleece of 6 pounds, the wool supply would, from the home clip only, exceed by 40,000,000 pounds each year that of the preceding four years.

This would materially depress prices, unless there was a corresponding increase in demand. We have no statistics since 1880 that would accurately determine this fact. The probabilities are, however, that there has been in recent years a large overproduction of woollen goods in this country. As such goods are loaded down with the taxes on the raw material, they can not be shipped abroad and sold in competition with goods manufactured out of untaxed raw material. Hence they must overcrowd our home market, and thus depress not only the prices of woollen goods, but also of wool itself. Overproduction is the inevitable consequence of high tariffs. In many branches of business combinations or trusts have been formed for the purpose of limiting production and controlling the prices of their products. Thus high tariffs produce overproduction and overproduction produces the combine and the trust.

I do not charge that there has been a trust formed by those engaged in woollen interests. But it is conceded that the high tariff on wool has restricted our wool-growers to the home market; they can not ship their wool, under present conditions, to other countries. A restricted market places their products at the mercy of the manufacturers of woollen goods in this country. When they overstock the market, they must shut down their mills or work them on limited time and with less force. This diminishes the demand for wool, and a fall in prices is the inevitable result.

NOT AN INFANT INDUSTRY.

On yesterday we heard the gentleman from New Jersey [Mr. BUCHANAN] speak of the potter's art as one of the oldest industries known to man, but the raising of sheep is of even greater antiquity.

The stereotyped pretext of protecting an infant industry can not be set up in defense of taxing either wool or pottery. The very earliest industry known to man was that of raising sheep. Abel, the second son of Adam, was "a keeper of sheep." [Laughter.] The offering of the firstlings of his flock as a sacrifice to the Lord proved more acceptable than did the offering of his brother, and the murderous jealousy ensued, which caused Abel's death. In Exodus (22, 1) the penalty for stealing sheep was the restoration to the owner of four sheep for each one stolen. In Deuteronomy (22, 1) is found the injunction "not to see thy brother's sheep go astray." The law required every shepherd to look after the welfare of his neighbor's flock as well as his own, and not to permit his sheep to go astray. On the occasion of great assemblies of people sheep were slaughtered for their food. We are told in I Chronicles (5, 21) that the sons of Reuben took from the Hagarites in war 250,000 sheep. This was 1,300 years B. C., and indicates that there was a large sheep-growing industry more than three thousand years ago.

Mr. MCCREARY. Did they have free wool in those days? [Laughter.]

Mr. SPRINGER. Yes; they had free wool in those days.

The Scriptures are filled with references to sheep. Abel and David were shepherds. The Savior of the World is called the Good Shepherd, and his birth was first announced "to the shepherds who watched their flocks by night" on the plains of Judea. What excuse can there be for placing the business of raising sheep and growing wool in the category of infant industries? What nonsense to assert that this industry can not exist in the United States of America, where the soil and climate are unsurpassed, unless Congress imposes a high tariff on wool! What folly to load down with taxes that article of all others which most contributes to the health and comfort of mankind!

A CONDITION CONFRONTS US.

At the beginning of this session of Congress we were confronted with a condition of affairs which demanded a revision of the tariff and a reduction of the surplus revenue in the Treasury. The President, in his annual message to Congress in December last, called attention to this condition, and recommended the immediate passage of a bill to correct the inequalities of the tariff and reduce the surplus, characterizing our tariff laws as "the vicious, inequitable, and illogical source of unnecessary taxation." At that time the excess of revenue for the fiscal year ending June 30, 1887, amounted to \$55,000,000, and the estimated surplus at the end of the fiscal year was placed at \$140,000,000. According to the statement made by the gentleman from Missouri [Mr. DOCKERY] in the House on July 3, last, the surplus at the close of the

last fiscal year (June 30, 1887), was \$129,272,205.90, notwithstanding a purchase of bonds during the year up to that time to the amount of \$32,386,800.

THE PRESIDENT'S MESSAGE ON FREE WOOL.

In view of these facts the President was justified in departing from the usual custom of sending in a message on the leading topics of home and foreign affairs and devoting the whole paper to the subject of the surplus and suggesting the proper means for its reduction. He urged the reduction of tariff taxes and a revision of the customs laws as essential to the removal of unnecessary burdens on the people and in order to promote the general welfare. Among other subjects referred to by him was the tariff on wool, and he urged the reduction or removal of this duty in any revision of the tariff laws that might be made. This part of his message is clear, forcible, and convincing, and deserves the careful consideration of every person in the United States, and especially of the voters who are to pass upon this question at the polls in November next.

The following are the portions of the message on this subject:

The farmer and the agriculturist, who manufacture nothing, but who pay the increased price which the tariff imposes, upon every agricultural implement, upon all he wears and upon all he uses and owns, except the increase of his flocks and herds and such things as his husbandry produces from the soil, is invited to aid in maintaining the present situation; and he is told that a high duty on imported wool is necessary for the benefit of those who have sheep to shear, in order that the price of their wool may be increased. They of course are not reminded that the farmer who has no sheep is by this means obliged, in his purchases of clothing and woollen goods, to pay a tribute to his fellow farmer as well as to the manufacturer and merchant; nor is any mention made of the fact that the sheep-owners themselves and their households must wear clothing and use other articles manufactured from the wool they sell at tariff prices, and thus as consumers must return their share of this increased price to the tradesman.

I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from twenty-five to fifty. The duty on the grade of imported wool which these sheep yield is 10 cents each pound if of the value of 30 cents or less, and 12 cents if of the value of more than 30 cents. If the liberal estimate of 6 pounds be allowed for each fleece, the duty thereon would be 60 or 72 cents, and this may be taken as the utmost enhancement of its price to the farmer by reason of this duty. Eighteen dollars would thus represent the increased price of the wool from twenty-five sheep and \$36 that from the wool of fifty sheep; and at present values this addition would amount to about one-third of its price. If upon its sale the farmer receives this or a less tariff profit, the wool leaves his hands charged with precisely that sum, which in all its changes will adhere to it, until it reaches the consumer.

When manufactured into cloth and other goods and material for use, its cost is not only increased to the extent of the farmer's tariff profit, but a further sum has been added for the benefit of the manufacturer under the operation of other tariff laws. In the mean time the day arrives when the farmer finds it necessary to purchase woollen goods and material to clothe himself and family for the winter. When he faces the tradesman for that purpose he discovers that he is obliged not only to return in the way of increased prices, his tariff profit on the wool he sold, and which then perhaps lies before him in manufactured form, but that he must add a considerable sum thereto to meet a further increase in cost caused by a tariff duty on the manufacture. Thus in the end he is aroused to the fact that he has paid upon a moderate purchase, as a result of the tariff scheme, which, when he sold his wool seemed so profitable, an increase in price more than sufficient to sweep away all the tariff profit he received upon the wool he produced and sold.

When the number of farmers engaged in wool-raising is compared with all the farmers in the country, and the small proportion they bear to our population is considered; when it is made apparent that, in the case of a large part of those who own sheep, the benefit of the present tariff on wool is illusory; and, above all, when it must be conceded that the increase of the cost of living caused by such tariff becomes a burden upon those with moderate means and the poor, the employed and unemployed, the sick and well, and the young and old, and that it constitutes a tax which, with relentless grasp, is fastened upon the clothing of every man, woman, and child in the land, reasons are suggested why the removal or reduction of this duty should be included in a revision of our tariff laws.

CONSUMPTION OF WOOL AND WOOLEN GOODS.

The manufactures of wool enter into universal consumption. No other element enters so largely into domestic affairs as does wool. From the cradle to the grave it is around and about us. In the Northern portions of our country human existence would be intolerable and vast areas would be comparatively depopulated if woollen goods were eliminated from our domestic economy. The health, comfort, and prosperity of the people largely depend upon a liberal supply of the productions of wool, or those of which wool is the chief component.

The production of wool in the United States for the year 1886 was 285,000,000 pounds. The imports of wool for that year were 129,084,950. It is estimated that the woollen goods which were imported into the United States for the fiscal year ending June 30, 1887, contained raw wool to the amount of 196,000,000 pounds. This would show that the amount of raw wool consumed in the United States for the year 1886-'87 amounted to 610,084,958 pounds. Assuming that the population of the United States at this time is 60,000,000, this would show that the consumption of raw wool per capita for the past year was 10 pounds, or for a family of five persons 50 pounds of wool was consumed. The average price of raw wool at this time is 34 cents a pound, and the 50 pounds consumed by each family would therefore amount to \$17, which would represent the cost to each family of five persons in the United States of raw wool for the past year. If we multiply the whole number of pounds of raw wool consumed by the price of wool at this time, it will show that there were \$207,428,885 worth of raw wool and wool in manufactured woollen products consumed in the United States in the year 1886-'87.

The value of manufactures of woollen goods consumed in the United

States in 1880 is estimated as follows: The domestic production of woolen fabrics, according to the census of 1880, was valued at \$267,252,913. There were imported during the year 1880 woolen goods to the amount of \$35,013,255. The duties paid upon the imported goods amounted to \$21,152,070. The manufactures of men's and women's clothing in the United States for the census year 1880, less the cost of materials used therein, were valued at \$90,630,745. I deduct the materials used in the manufacture of clothing for the reason that they were composed of the domestic productions and importations already estimated. The aggregate of these amounts would represent the total value of woolen goods consumed in the United States in 1880 in the hands of the manufacturers, or at the port of entry, plus the duty upon the imported goods. It is well known, however, that the cost of bringing these goods to the consumers of the country will add at least 25 per cent. to their value in the hands of the importers and manufacturers. The 25 per cent. thus added would amount to \$103,512,245, making a grand aggregate of cost for that year of woolen goods to the people of the United States of \$517,561,228.

There were in the United States in 1880, in round numbers, fifty millions of people, and if we divide the aggregate of woolen goods consumed by the whole number of the population it will show that the cost for woolen goods to each person was \$10, or for a family of five persons, \$50.

There is an element in this cost which is attributable to the tariff on wool and woolen goods. It will be interesting to determine how far the aggregate of cost of woolen goods was increased on that account.

I do not claim that the whole amount of the duty paid on foreign importations is in all cases added to the cost to the consumers of like products produced in this country; but where the home product does not exceed the home demand for consumption and foreign productions must come in to supply the deficiency, the cost of the home product is fixed by the cost of the foreign product plus the duty. In the case of woolen goods, the supply did not equal the demand, as it appears that \$25,000,000 worth of woolen goods were imported into the United States in 1880, upon which duties were actually paid to the amount of \$21,000,000.

TARIFF INCREASES COST OF WOOLEN GOODS.

It is safe to estimate that the woolen goods manufactured in this country were enhanced in value on account of the tariff on imported goods of like quality to the extent of at least 40 per cent., or on this account to the amount of \$106,873,165. There were actually paid in duties on imported woolen goods for that year \$21,152,070. This amount was necessarily added to the cost of the imported articles. This would make a total increase of the cost of the domestic product of woolen goods in the hands of the manufacturers and importers to the amount of \$128,025,235. If we add to this amount 25 per cent. as commissions and expenses necessarily incurred before the goods reach the consumers, making \$32,006,308, we will find that the total cost to consumers in the United States in 1880 on account of the tariff on woolen goods amounted to \$160,031,543. At that time, as stated before, there were 50,000,000 inhabitants in the United States, and the cost of protection to wool and woolen goods would therefore amount to \$3.20 per capita, or to a family of five persons, \$16.

If each Congressional district contained at that time 150,000 inhabitants, which is about the ratio, the woolen goods consumed in each district would have cost the consumers in 1880, \$1,500,000. The tariff burden per capita, as before stated, for that year was estimated at \$3.20. The amount of tariff burden, therefore, to each district would be \$480,000.

These estimates are based on the statistics of 1880 for the reason that we have no statistics since that time of the amount and value of domestic manufactures of woolen goods. It is safe to say that there has been an increase in domestic manufactures of woolen goods since that time equal to the increase of population, and perhaps greater, as our wants are continually expanding. The ratio of tariff burdens on woolen goods consumed has at least been preserved since 1880, and in all probability increased. It is therefore safe to estimate that there has been an increase in each item of at least 10 per cent.

The account in 1880 would then stand as follows: The whole amount of woolen goods consumed in 1880 was \$517,561,228. Ten per cent. of this amount would be \$51,756,122. Our total cost in 1880 of woolen goods consumed was \$569,316,350. The tariff burden in 1880, as before stated, was \$160,031,543. If we add 10 per cent. to this, namely, \$16,003,154, we will have a total of tariff burdens in the United States in 1888 amounting to \$176,034,697. The tariff burden in each Congressional district in 1880 was estimated at \$480,000. If we add 10 per cent. to this, namely, \$48,000, we would have a tariff burden to each Congressional district of \$528,000 on account of the tariff on wool and woolen goods.

WHAT PROTECTION TO WOOL-GROWERS COSTS.

The gentleman from Maine [Mr. DINGLEY] said on Thursday last (see CONGRESSIONAL RECORD, page 6757):

Nothing can be clearer than that if wool is admitted free of duty it will result in a decline of wool nearly to the extent of the duty.

This means that the domestic product of wool is increased in value or price to the purchaser to an amount equal to the duty on the imported article. This will be true as long as the duty remains.

The average rate of duty on imported unwashed wool for 1887 was 35.10 per cent. ad valorem, or about 10 cents a pound.

The production of wool for 1886 was 285,000,000 pounds.

If the wool-growers in 1886 realized an increased price on their wool to the amount of 10 cents a pound the gain would amount to \$28,500,000. They do not, however, realize the full amount of 10 cents a pound.

But for the sake of argument let us concede a loss the first year to the wool-growers of \$28,500,000 on their wool product in case of a repeal of the duties on wool.

This would be a loss to the wool-growers of each Congressional district, assuming (which is only approximately the fact) that the wool-growers were equally distributed to each district, of the whole sum divided by the number of districts, including Delegates, or only \$85,585.

It appears also that in order to afford the wool-growers a protection on their wool product of 1886 of only \$28,500,000 the consumers of wool in the United States were subjected to a tax equal to \$176,034,697.

This tariff burden on account of the protection to wool-growers amounted in each Congressional district to \$528,000, while the average amount of protection realized to each district was only \$85,585, a net loss to each district of \$442,415. Assuming that the wool-growers receive all the protection which is claimed, we submit that such protection is an expensive luxury to the consumers of woolen goods in this country.

It is not true, as stated by the gentleman from Maine [Mr. DINGLEY], that "to admit wool free of duty would result in a decline in wool nearly to the extent of the duty." It is true that during the continuance of the protective duty the price may be advanced after the business of the country has become adjusted to the duty, to the extent of the tax, or nearly so.

But if we abolish the duty, and place wool on the free-list, there will be a variety of conditions or circumstances which would result therefrom, which would all tend to increase again the price of wool, and that, too, within a very short period of time.

TARIFF ACT OF 1867 AND ITS RESULTS.

In 1867 the wool-growers of the country and the manufacturers of woolen goods succeeded in inducing Congress to impose protective duties on the importation of foreign wools, and also to impose such additional duties upon importations of foreign woolen goods as would compensate them for the loss they would sustain by reason of the duties on the raw material. The tariff upon wool prior to 1867 had been fluctuating under various acts of Congress from 1824 to 1865. Some of these acts place the duties very low. From 1858 to 1861 wool costing 20 cents per pound or less was on the free-list, and all other wools paid a duty of 24 per cent. ad valorem. From 1862 to 1864 the duty on wools costing 18 cents per pound and less was but 5 per cent. ad valorem; and over 18 cents and less than 24 cents it was 3 cents per pound; and over 24 cents per pound in price, 9 cents per pound in duty.

Between 1865 and 1866 the tariff on wool costing 12 cents per pound and less was 3 cents per pound, and costing over 12 cents up to 24 cents per pound the duty was 6 cents per pound, and between 24 cents per pound and 32 cents per pound the duty was 10 cents per pound and 10 per cent. ad valorem; and all wools costing over 32 cents per pound the duty was 12 cents per pound and 10 per cent. ad valorem. The act of August 22, 1866, slightly changed these duties, but they remained substantially the same until the taking effect of the act of March 2, 1867.

The duties were very unequally distributed by the act of 1867 on the different classes of wool, carpet wools being taxed at the rate of from 18 to 39 per cent. ad valorem, while fine wool pays from 37 to 88 per cent. in the grease, and from 31 to 96 per cent. if washed, and from 73 to 110 per cent. if in scoured condition. It will be seen that the high tariff upon fine washed and scoured wools has had a marked effect upon the manufacture of woolen goods in this country, and has worked greatly to the injury of both the wool growers and manufacturers, as will be seen as I proceed further.

The wool-growers felicitated themselves after the passage of the act of 1867 upon the success which had attended their efforts in securing a protective tariff on their product; but we will see how far their expectations have been realized. Their object in securing tariff legislation was to prevent foreign wools from competing with their products. They desired to practically exclude many classes of wool from our markets in order that they might receive greater prices for all they might raise. I shall be able to prove that, so far from realizing their expectations, the market was actually depressed; that in the States east of the Mississippi and Missouri Rivers the number of sheep vastly decreased, and that the price of wool averaged less per pound after the high tariffs were imposed than prevailed previously under low tariffs.

HOW TARIFFS AFFECT PRICE OF WOOL.

The American wool-growers are not the only persons who have been disappointed in this respect, and our Government is not the only government that has imposed protective duties on wool at the instance of

wool-growers to realize later that the object had in view was not only not accomplished but the opposite of public expectation occurred. The history of protective tariffs on wool in this country and in France and England shows how wrong in theory is the idea that tariffs of themselves control prices. Tariffs may contribute to raise or to lower, as other circumstances may contribute to produce results, but they are not the sole cause of high prices or low prices. It has frequently happened in the history of our country, and in the history of other countries, that protectionists have secured high tariffs on particular articles only to realize low prices at home for articles intended to be protected; while, on the other hand, free-traders hoping to secure low prices by taking off duties have been disappointed to find the prices higher after than before. I have the authority of Mr. Bastiat (*Sophisms of Protection*, page 211) for the following information in reference to protective tariffs on wool in France and in England:

For instance—

Says Mr. Bastiat—

In France, to protect the farmer, a law was passed imposing a duty of 22 per cent. upon imported wools, and the result has been that native wools have sold for much lower prices than before the passage of the law. In England a law in behalf of the consumers was passed exempting foreign wools from duty, and the consequence has been that native wools have sold higher than ever before.

History has repeated itself in the United States on this subject; and this leads us to consider how prices are affected by tariffs. The reason a protective tariff may result in diminishing the price of the home product is from the fact that while the supply may have diminished by cutting off the foreign importation of the raw material the embarrassment to manufacturers resulting from this may have caused a diminished demand; and if the demand should diminish in greater proportion than the supply should diminish the price would fall instead of increase. On this subject I may be permitted to quote again from Mr. Bastiat. He says:

1. Prices rise either on account of augmented demand or diminished supply.
2. They fall by reason of an augmentation of the supply or diminution of the demand.

There are two kinds of dearness and two kinds of cheapness. There is a bad dearness, which results from diminution of supply, for it implies scarcity and privation. There is a good dearness, that which results from an increase of demand, for this indicates the augmentation of general wealth.

There is also a good cheapness, resulting from abundance, and there is a baleful cheapness, such as results from the cessation of demand or the inability of consumers to purchase.—*Sophisms*, page 214.

Applying these general principles to the facts in relation to the wool interest of the United States, the complications concerning the subject will be easily understood.

The average price of medium American washed clothing fleece wool in New York for the fifteen years preceding 1867, the date of the passage of the act of that year, placing high protective duties on wool, was 52.8 cents per pound. The average price for the fifteen years succeeding the passage of that act was 48.6 cents per pound. This shows that there was a depreciation in prices for fifteen years after the passage of the high tariff duties on wool equal to 4.2 cents per pound.

The whole amount of wool produced from 1867 to 1881 was 2,796,750,000 pounds, upon every pound of which the American wool-growers have averaged a loss of 4.2 cents. The average production for each of the fifteen years would amount to 186,450,000 pounds, and the average annual loss amounted to \$7,830,900, while the grand aggregate of fifteen years' loss amounted to \$117,463,500.

I refer in this connection to the pamphlet recently published by Dr. E. P. Miller, an eminent writer on economic questions, of the protection school, entitled "Facts About Wool and Woolens," page 10. His testimony on this subject is important, and is as follows:

A significant fact in connection with this subject is this: In 1833 wool under 8 cents a pound was admitted free of duty; the price of fine wool in January of that year was 55 cents a pound, while in January, 1834, it was 70 cents, a rise of 15 cents per pound; the price of coarse wool in January, 1833, was 33 cents a pound; in April it was 33 cents; in July, 40; in October, 45; and in January, 1834, it was 48 cents a pound, showing an advance of 15 cents a pound in one year after putting wool on the free-list. Again, in 1857, when wool valued at 20 cents a pound or less was put upon the free-list, although it fell off a little in 1858, it was 2 cents a pound higher in January, 1859, than in January, 1857.

In 1824, after thirty-five years of free wool, the price of fine wool in January was 68 cents, and in April 70 cents a pound. In May of that year a tariff of 15 and 20 per cent. was placed on wool, but the price instead of going up went down, for fine wool sold in July at 55 cents; in October at 60 cents; in January, 1826, at 55 cents; and in January, 1827, at 36 cents. Again, in 1842, after ten years of nearly free wool, a tariff was placed on low-priced wool, and in January of that year fine wool was sold at 48 cents and coarse at 35 cents; in January, 1843, fine at 35 cents and coarse at 25 cents per pound. After the increase of tariff in 1861, wool, like all other articles, went up in price, owing to general inflation of prices resulting from the large volume of paper money circulated during the war.

After the tariff act of March, 1867, the highest in the history of the country, the price of wool declined instead of advancing, for it sold in January, 1866, at 70 cents; in January, 1867, at 68 cents; in April, at 60; in July, at 55; in October, at 45; and in January, 1868, at 48 cents a pound; in April, at 50; in July, at 46; and in October, at 43—a decline in one year of 20 cents a pound.

There was not only a great fall in the price of wool after the passage of the act of 1867, but there was an immense reduction in the number of sheep in the country.

DISASTROUS RESULTS.

There were other striking results which followed the high protective tariff of 1867. I asked the Bureau of Statistics to furnish some figures

on this subject showing the number of sheep in the States east of the Mississippi and Missouri Rivers for 1869 to 1888, that being the portion of the country which was principally interested in procuring the high protective tariff on wool. From this table, which I will print in connection with my remarks, it appears that in 1860, after the period of free trade in wool which preceded that time, there were in the States east of the Mississippi and the Missouri 19,221,714 sheep, while in 1888 in the same States there were only 18,696,719, showing a falling off of over a half million sheep in the States east of the Missouri River since 1860.

But that is not all. Between 1860 and 1867, when the tariff duties were very low and scarcely affected the production or the price of wool at all, there was an increase of from 19,000,000 to 38,991,912 sheep in all the United States, and in the States east of Mississippi and Missouri there was an increase to 37,864,609. That was the number in this country when the wool-growers formed a combination with the woolen manufacturers and secured a high protective tariff on wool. Immediately after the passage of the act of 1867 there began a decline in the wool interests in all of the States which had invoked that change, from the Missouri River east to the Atlantic Ocean.

The fall was so great that at this time (1888) in the same States east of the Missouri River we have only 18,000,000 of sheep, whereas in 1867 there were 37,000,000. In other words, we have now less than one-half as many sheep in this portion of the country as we had at that time. It will be interesting for gentlemen upon this floor to compare the figures in this table showing the number of sheep in their own States at different periods and to see what a besom of destruction was visited upon the flocks east of the Mississippi and the Missouri after the tariff of 1867 was passed. I desire especially to call the attention of the Republican Representatives from the State of Ohio, a State that has a large sheep-growing interest, and one which contributed, perhaps, more than any other to secure the tariff legislation of 1867 for the protection of wool-growers.

In that State in 1867 there were 6,730,126 sheep. In 1875 the number had decreased to 4,592,600; in 1878 to 3,783,000, a loss in ten years of nearly one-half the sheep of the State. There has been a gradual increase from 1878 to the present time, 1888, when the number in the State is put down at 4,106,622, which shows that there are now in Ohio 2,623,504 sheep less than there were twenty-one years ago, when a protective tariff was invoked by the sheep-growers of that State to protect their industry. I hope the gentleman from Ohio [Mr. MCKINLEY] and his colleagues will be able to explain to their constituents during the ensuing vacation how it is that the protective tariff has reduced the number of sheep in Ohio in twenty-one years nearly 33 per cent., when by natural causes there should have been at least an increase to that extent. I will also ask the gentlemen who represent the State of Pennsylvania on this floor, and who are so clamorous for protection for wool-growers, to consider the effects of the tariff of 1867 upon the sheep industry of Pennsylvania. In 1867 there were in that State 3,422,002. There are in that State to-day the beggarly amount of 984,891, being a loss in that State in twenty-one years of 2,437,311, a loss exceeding two-thirds of the entire number in the State.

The eloquent gentleman from Michigan [Mr. BURROWS] has raised his voice on this floor on many occasions in behalf of a high protective tariff on wool, presumably in the interest of the wool-growers of Michigan. Let us see how that State has flourished under the protective régime. There were in Michigan, in 1867, 3,948,191 sheep, while in 1888 there are only 2,113,004, a loss in that State, in twenty-one years, of 1,824,987, nearly half of the entire number in the State. If this protective system can remain in force another twenty-one years, the entire number will be wiped out of the States, with the same ratio of decrease.

I perhaps ought to refer to the State which I have the honor in part to represent, Illinois. That State is represented on this floor by fourteen Republicans, all of whom are opposed to putting wool on the free-list, presumably in the interest of the wool-growers of our great State. Let us see how Illinois has fared during the era of high protection on wool-growing. In 1867 there were in that State 2,736,431 sheep, while in the year 1888 the number is put down at 814,177, showing a loss of 1,922,254.

Neither ought I to neglect the State of Maine in this connection, although the number of sheep raised in that State is scarcely worth mentioning. In 1867 the number of sheep in that State was 752,542; the number in 1888 is 547,725, showing a loss in this State of 204,817 sheep; not great in numbers, but being a proportionate reduction of nearly one-third, thus showing that the general average of reduction is preserved along the whole line. I have already referred to the fact that during this same period the price of wool has fallen from 68 cents a pound in 1867 to 34 cents a pound in 1888, a fall of just one-half in the number of sheep east of the Missouri and Mississippi Rivers and just one-half in the price of the wool which they bear. I will print in this connection a statement, taken from the special Treasury report, 1887, on Wool and Wool Manufactures, page 109, showing the price of wool in New York from 1860 to 1887. (See appendix.)

I commend these facts to the careful consideration of the gentlemen

on the other side of the Chamber. They will have plenty of time between this and the reassembling of Congress in December to explain to their constituents how it happened that after the Republican party, at the instance of the wool-growers, placed a high protective tariff on wool in 1867, that immediately in the States interested in that protection the number of sheep fell off, the price came down, and now, after twenty-one years of sad experience, they have reduced the number and the price one-half. So much for the benefits of protection to the wool-growers of the country.

It will be seen from these statistics that after twenty-one years of protective tariffs on wool the number of sheep in the States intended to be benefited have fallen off one-half, notwithstanding the fact that the population of the country during that time increased over 30 per cent. and railroads penetrated all the Western States and Territories and immense agricultural interests grew up everywhere. Contrast these facts with the sheep interests in Great Britain. The whole number of sheep in Great Britain in 1866 was 25,795,000, in 1874 it was 35,000,000, an increase in eight years of 35 per cent. under absolute free trade in wool, and with an area no greater than some of our larger States.

I desire to explain as clearly as I am able to do the remarkable results following the passage of the protective tariff on wool in 1867. I know that protectionists are slow to believe facts so unwelcome to them as those which I have presented, but facts are facts and must be accepted as true. These facts are consistent with all other facts which have taken place since the passage of the act of 1867. I have stated that prices are sometimes affected by other causes than by the imposition of customs duties to protect the home product; but in the case of the tariff on wool passed in 1867, which instead of increasing the price of the home product diminished it, the explanation is found in connection with other facts to which I will call attention.

As I said before, prices may be enhanced by diminishing the supply, or prices may be reduced by limiting the demand; in other words, prices are controlled by the inexorable law of demand and supply.

The immediate effect of the passage of the act of 1867, placing high tariffs on wool, was to encourage sheep-raising, and the productions of wool in the United States increased from 168,000,000 pounds in 1867 to 180,000,000 pounds in 1868, being an increase of 12,000,000 pounds. This overproduction of wool immediately depressed prices of wool, and reacted on wool-growing. The number of sheep fell off rapidly, as already explained, especially in the States east of the Mississippi and Missouri Rivers. The production of wool began to fall off, and in 1871 the product was only 150,000,000 pounds. But the disaster to wool-growing was taken advantage of by the importers, and the imports of wool increased from 25,000,000 pounds in 1868 to 126,507,000 pounds in 1872.

But the prices of wool have never reached on an average the prices which prevailed in 1867, when the high tariff on wool was first imposed. The price of fine wool in January, 1867, was 68 cents a pound in New York; of medium, 53 cents, and of coarse, 50 cents. In January, 1883, the prices of the same grades were 40, 43, and 33, and in January, 1887, they were 33, 38, and 33.

Reference is made to a statement which will be found of interest in this connection, and which I will print in the Appendix, showing the quantities of wool produced, imported, exported, and retained for consumption in the United States, from 1839 to 1886, inclusive.

Neither the wool-growers nor the wool-manufacturers were benefited by the high-tariff act of 1867.

THE ACTS OF 1867 AND 1883 COMPARED.

It is claimed and has been frequently asserted since this debate began that the slight reduction of the wool duties by the act of 1883 produced disastrous results to the wool-growers of the country. The reduction was very slight, only about 10 per cent. ad valorem. The ad valorem duty was dropped and the specific duty of 10 and 12 cents a pound was retained. The greatest reduction was on the high-priced wool, as will be seen by the following tables:

Table showing the rate of duty on wools of the first and second class, reduced to ad valorem figures, under the tariff in force previous to July 1, 1883, and the tariff of July 1, 1883.

Net cost in England.		Under tariff in force previous to July 1, 1883.		Under tariff of July 1, 1883.	
Pence.	Cents.	Rate of duty.	Equal to—	Rate of duty.	Equal to—
6	12½	10 cents per pound and 11 per cent.	93½	10 cents per pound.	82½
9	18½	.....do.....	65½	.....do.....	54½
12	24½	.....do.....	52	.....do.....	41
15	30½	.....do.....	43½	12 cents per pound.	39½
18	36½	12 cents per pound and 10 per cent.	43	.....do.....	33
21	42½	.....do.....	38½	.....do.....	28½
24	48½	.....do.....	34½	.....do.....	24½
30	60½	.....do.....	29½	.....do.....	19½
35	73	.....do.....	26½	.....do.....	16½
40	81½	.....do.....	24½	.....do.....	14½

Table showing the rate of duty on carpet wools, reduced to ad valorem figures, under the tariff in force prior to July 1, 1883, and the tariff of July 1, 1883.

Net cost in England.		Under tariff in force prior to July 1, 1883.		Under tariff of July 1, 1883.	
Pence.	Cents.	Rate of duty.	Equal to—	Rate of duty.	Equal to—
3	6½	3 cents per pound	49½	2½ cents per pound	41½
3½	7½	.....do.....	43	.....do.....	35½
4	8½	.....do.....	37	.....do.....	30½
4½	9½	.....do.....	32½	.....do.....	27½
5	10½	.....do.....	29½	.....do.....	24½
5½	11½	.....do.....	27	.....do.....	22½
5½	11½	.....do.....	25½	.....do.....	21½
6	12½	6 cents per pound	49½	5 cents per pound	41½
7	14½	.....do.....	42½	.....do.....	35½
8	16½	.....do.....	37	.....do.....	30½
9	18½	.....do.....	33	.....do.....	27½
10	20½	.....do.....	29½	.....do.....	24½
11	22½	.....do.....	27	.....do.....	22½
12	24½	.....do.....	24½	.....do.....	20½

The average rate of duties imposed on unwashed wool by the act of 1883 was, on the importations of 1887, equivalent to 35.10 per cent. ad valorem, surely a sufficient protection to prevent disastrous or even injurious competition. This duty is on the unwashed product. If washed the duties are doubled, and if scoured the duties are trebled. This assumes that unwashed wools have only 33 per cent. of pure wool—the rest is dirt and grease. The dirt and grease constitute no part of the wool, and the duty is therefore the treble duty on scoured wool, namely, under the present law, on first and second class wools, 30 and 33 cents a pound, and on the carpet wools, or third class, 7½ cents and 15 cents a pound. The average duty on the scoured wools of the first and second classes was, on the basis of the importations of 1887, 67 per cent. reduced to an ad valorem basis.

It will be seen by reference to the Treasury report of imports and exports for 1887 that the amount of scoured wool imported was valued at only about \$78,000, and the washed wools at only about \$131,000, while the total value of wools imported during that year (1887) was \$18,206,987.

DIRT AND GREASE.

There is a great outrage concealed in this classification of wools under the tariff laws.

I call attention of members to the definitions of "washed" and "scoured" wools, and to the percentages of scoured wool, as given in the special report of the Treasury Department (1887) on "wool and manufactures of wool," pages XXV and XXVI:

Washed wool.—Washed wool is wool washed on the back of the animal by a bath or by spout-washing, or washed upon the pelt or hide of the slaughtered animal.

Scoured wool.—All wools that are washed after they are shorn or pulled from the pelt or hide of the animal are called scoured wools. This term is generally applied where the use of warm or hot water is made.

Percentage of scoured wool.—Unwashed merino wool shrinks from 50 to 80 per cent. in scouring. The lightest and choicest Australian medium, unwashed, will yield 50 per cent. less of scoured wool, and the heaviest mestiza buck's fleeces will yield about 20 per cent. of pure scoured wool. Most unwashed wools yield less than 50 per cent. of scoured wool. The light, open, coarse, unwashed wools of the carpet class yield from 50 to 70 per cent. of scoured wool. Fine Ohio full-blood merino unwashed wool, exclusive of buck's fleeces, yields from 35 to 40 per cent. of scoured wool. The merino fleeces grown in Texas and on the Western prairies of the United States yield from 25 to 30 per cent. of scoured wool. Unmerchantable Ohio fleeces yield from 37 to 40 per cent. of scoured wool. British and Canada wools yield from 70 to 85 per cent. of scoured wool. Cross-bred, washed Ohio fleeces yield from 60 to 80 per cent. of scoured wool. Cross-bred Western American prairie fleeces yield from 30 to 50 per cent. of scoured wool. Tub-washed wools and cross-bred sheep generally yield from 80 to 90 per cent. of scoured wool. Scoured wools, as usually manufactured or as scoured for sale, yield from 85 to 90 per cent. of scoured wool in rewashing.

It will thus be seen that the Australian wools, such as are required in this country to mix with our native wools, will yield 50 per cent. and the British and Canadian wools from 70 to 85 per cent. of scoured wool. Hence, it pays the importer better to import wool in the grease or in its natural state than after scouring. Australian wool, if imported in the grease, would pay a duty of 10 cents a pound, if valued at less than 30 cents a pound; if valued over 30 cents a pound, 12 cents a pound. In 100 pounds of this unwashed wool there would be 50 pounds of scoured wool.

The duty on the 100 pounds would be, if imported unwashed, ten or twelve dollars. If scoured, the duty would be thirty or thirty-six dollars. Or on a package that would yield 50 pounds of pure wool, the duty would be, if imported in the grease, \$10 if valued before scouring at 30 cents or less per pound, or \$12 if valued at over 30 cents a pound; but if imported as pure wool the duty would be \$15 or \$18, according to the same classification. Hence the importer requires his customers, the producers of the imported wool, to ship it in the grease. Or in other words, the producer is required to ship and pay freight on 100 pounds of dirt and grease in order to ship 100 pounds of wool to market. Thus Congress throws a great obstacle in the way of com-

merce in wool by requiring a pound of dirt to be shipped with every pound of wool which may come into our country from abroad. This is precisely the same in effect as raising the freights 100 per cent. on all imported wools, without any benefit to any one except the owners of ships, whose freightage is thus increased. As imported wool is consumed by our own people, the burden thus artificially created is borne by the American consumers of woolen goods. Can legislative folly be carried to greater extent?

Suppose a law should be passed requiring the Western farmer, when he ships a bushel of wheat to England, to ship at the same time a bushel of sand, and to pay the same freights on both; would not everybody cry out against it as iniquitous in the extreme? Yet that is strictly analogous to the law now in force on the subject of importing wools. [Derisive laughter on the Republican side.] Gentlemen may laugh, but the law remains as I have stated it, and they can not deny it.

DEPRESSIONS, HARDSHIPS, AND DISASTERS.

But notwithstanding the folly of Congress and the insatiate greed of private interests, the tariff on wool has not resulted in the benefits to woolen manufacturers that they anticipated and confidently expected. Since the imposition of the high protective duties by the act of 1867 there have been many seasons of depression, hard times, and even disasters.

"In 1874 a committee of the New York Wool Trade made a report to the committee of the Chamber of Commerce of New York on the revision of the tariff, in which it was stated "that our woolen interest is depressed and suffering, and that in reality it has never reached that degree of stability and security which would be commensurate with its magnitude and importance; that the amount of capital invested in it and that the indomitable energy which has so far preserved it from serious decline are facts too well known to require any proof at our hands." This report then proceeds to explain some of the difficulties which beset the wool interests of the country. It says:

Our manufacturers are prone to rush into the production of such classes of goods as a momentary demand has rendered profitable, and the invariable result is an overproduction of those fabrics. Such an overproduction sometimes happens to manufacturers in Europe, but they can relieve themselves of their surplus stock at a comparatively small sacrifice by consigning their goods to foreign markets, where their cheapness has already introduced them. Our manufacturer, having made his goods out of highly taxed wool, has no such outlet for them, and is compelled to await the slow operation of time or submit to a heavy sacrifice by forcing his surplus on the home market in competition with his similarly situated neighbors.

This argument applies with equal force to all other manufacturing interests. But I quote further from the same report:

Before we enter upon an examination of the effects of our tariff on the wool-growing interest it will be well to consider that neither our country nor any country in the world does or can produce to advantage wools of all kinds and grades. It must further be borne in mind that in order to produce the endless variety of woolen fabrics demanded by our times, with the highly improved machinery now in use, and with the active competition among all manufacturing nations, the free and unrestricted selection of the most suitable classes and grades of wool has grown to be a matter of much more importance to the manufacturer of every country than it used to be in old times. Nor will it be denied that but few of our mills can at this day be run to advantage without using to some extent wools of such working quality as can not be produced in this country, or are not produced here in sufficient quantity. The simple fact that even under our present tariff we have annually imported from fifteen to sixty million pounds of fine wool sufficiently proves these positions. The question of duty on fine wool can therefore never be a simple question of protection or no protection to the wool-grower.

The report points out wherein the tariff of 1867 failed to accomplish the object for which it was established, as follows:

These facts show most conclusively that the object ostensibly aimed at by the tariff of 1867, namely, the protection and encouragement of the wool-growers, has most signally failed. The wool-grower must be blind, indeed, if by this time he has not learned the lesson that he can not prosper as long as the woolen interest does not flourish; why should he not also understand that our industry can not permanently flourish until it is relieved of the present heavy burden of obstructive tariff legislation? By helping the manufacturer he would certainly help himself, and secure a better reward for his labor and investment than he could ever expect to derive from the illusive protection of any tariff.

The conclusion reached by this report is as follows:

Facts, indeed, as well as sound reasoning, call loudly for the abolition of all duties on wool. In the light of past experience it is clear that neither the wool-grower nor any other special interest ought to plead any injury as likely to result in our country from a policy that has had the most encouraging effect in all other parts of the civilized world. No perfectly safe and solid ground will be reached until wool takes its permanent place on the free-list, and this must be the goal of the manufacturer as well as of the wool-grower—in fact, of the whole people.

The foregoing report was published in 1874. In 1878 the leading manufacturers of woolen goods in the United States united in a petition to Congress in favor of a revision of the tariff on woolen goods, in which they requested that the duties on all wools may be largely reduced, if not wholly removed; that wools not produced in this country be put on the free-list, and that the duties on wools may be fixed at a moderate rate, corresponding with the scale adopted in other manufactures.

They represented to Congress in their petition that for several years past their industry had "suffered great and general depression;" also that "many failures have occurred, many mills have stopped, and

many others continue to run without adequate remuneration to their owners." They say:

We believe that one great cause for this widespread depression is to be found in the present high rates of duty on wool.

And again:

High cost of our fabrics has limited consumption and entirely prevented exportation, while low-cost foreign goods have forced their way into our markets through both legitimate and illegitimate channels.

After pointing out the facts that the shrinkage of values since 1867 had impaired the ability of consumers to pay the high prices contemplated by the tariff; that the number of those who can afford to purchase at a given price is lessened; that the wool-growers had not realized the advantages from the act of 1867 which they expected; that the depressed condition of woolen industry had given the wool-growers a poor market; that the production of fine wools has absolutely declined; that manufacturers of woolen goods must be left free to select their raw materials with reference to the goods they wish to make, the petitioners conclude by expressing their "deliberate conviction, after ten years' experiment, that the tariff of 1867 has not promoted the interests of the wool-manufacturers, has not promoted the interest of the wool-growers, and has been a great burden upon all the consuming classes, in return for which it has yielded no adequate revenue to the Government."

This petition is dated at Boston, January 17, 1878, and is signed by over one hundred of the leading woolen-manufacturing establishments in the United States.

What more could be said against any tariff law than the leading manufacturers of the country have said in this petition? When the manufacturers, for whose benefit the high tariffs have been enacted, learn from sad experience that their coveted protection has ceased to protect, the great mass of consumers and tax-payers may hope and confidently expect relief.

HOW TARIFF ON WOOL EMBARRASSES AMERICAN WOOL MANUFACTURERS.

Secretary Manning in 1885 sent out circular letters to our manufacturers and merchants requesting their co-operation in the improvement of our fiscal policy. The replies received were all transmitted to Congress, and were printed in Senate Executive Document No. 72, first session Forty-ninth Congress. On pages 299 to 322 of that report will be found the communication of the National Association of Wool Manufacturers. It is signed by William Whitman, Boston, president of the association, and by D. L. Einstein, New York, Thomas Dolan, Philadelphia, and Samuel R. Payson, Boston, vice presidents; Benjamin Phipps, Boston, treasurer, and by the members of the executive committee, namely, Rufus S. Frost and Joseph Sawyer, Boston; John L. Houston, Hartford; Charles F. Fairbanks, Boston; George Maxwell, Connecticut; John N. Carpenter, New Jersey; James Dobson, Philadelphia; Lewis N. Gilbert, Massachusetts, and John L. Hayes, secretary.

This statement should receive the careful consideration of every member of Congress and of the voters of the country. It is an unanswerable argument in favor of free wool. I say it is an unanswerable argument in favor of free wool, not that it advocates free wool in terms, but because it forcibly points out the evils of a high tariff tax on raw materials. I quote the following extracts:

The American manufacturer is engaged in a perpetual struggle with the manufacturers of Europe for the possession of the markets of this country. As before said, the advantages of our competitors are our obstacles. In this strife the European manufacturer possesses the advantage, which would be overwhelming if not counteracted by special legislation, of having the raw material of his manufacture free from duty—no duties on wool existing in Great Britain, France, Belgium, the Netherlands, and very slight duties, if any, in other manufacturing nations. Our European competitors are exempt from the direct enhancement, by a duty, of the cost of wool, thus requiring less capital to supply their mills, and no cost of interest on the duty required in carrying their stocks of wool and goods. They are free from the apprehension of changes in the value of wool, such as have taken place in this country in consequence of no less than seventeen changes in the tariff on wools within the memory of living manufacturers.

They are exempt from the duties on wool substitutes, so usefully employed to mix with wool in the manufacture of the cheaper and heavier cloths—duties which with us are absolutely prohibitory. They are able, from the lower cost of their raw material, to relieve themselves from overproduction by consigning their surplus stock at comparatively slight sacrifice to foreign markets, to which their cheapness has already introduced them. They are not compelled, as we are, to discriminate in their choice of wool to avoid the effect of the duty, and are able to select their wools in any condition, whether unwashed, washed, or scoured, with reference only to their desirable qualities. Through freedom of importation they have near markets—as at London, Havre, Antwerp, and Berlin—offering vast assortments and a steady supply of all kinds of wool—advantages especially favorable to the small manufacturer.

This exemption from all restrictions in the selection of raw material, together with the facilities for supply and the certainty that values will not be disturbed by legislation, is believed to be the chief cause of a characteristic of the European woolen industry, namely, that the manufacturer abroad obtains success by adhering with steady attention to the special fabrics he has undertaken to make, and in which he has acquired excellence, while diversification of manufactures, so necessary to prevent overproduction, is encouraged by the equal availability of all varieties and conditions of raw material. The effect of this policy upon the agricultural interests and the labor of the countries which adopt it we are not at present called upon to consider.

The high duty is not the only difficulty with which our manufacturers requiring foreign wools have to contend. It is held that complete protection to the most important branch of our wool-growing industry, the merino sheep hus-

bandry, requires that washed wools in class 1 should be subject to double the duty of unwashed wool, and the duty on scoured wool should be three times the amount upon the unwashed wools—an arrangement which compels the importations of class 1 wools to be in the greasy state, necessitating the transportation charges on from two and a quarter to three pounds of grease and dirt in the wool required for a pound of cloth. The effect of the compulsion to buy greasy wool and pay a heavy specific duty on its impurities is that the American manufacturers are thereby obliged to give undue preference to light condition over fineness and the other valuable qualities of wools offering in foreign markets. Our manufacturers, moreover, are obliged by this restriction to concentrate their competition in foreign markets upon the always small proportion of the lightest unwashed wools, while our foreign competitors, having to pay duty neither upon wool nor on grease and dirt, can buy the heavy wools in the market to much better advantage.

To these considerations it should be added that the high specific duty on clothing wools—a duty irrespective of the cost—practically excludes the cheap and abundant clothing wools of South America, and by freeing them from our competition for their purchase makes them much cheaper than they would otherwise be to the manufacturers of France, Belgium, and Germany, who work them up into cloths and stuffs by the cheapest labor in Europe.

It may be said that a remedy for these difficulties is to be found in the exclusive use of the domestic wools, which will be abundantly supplied under due protection. To this we reply that neither our own country nor any other in the world does or can produce to advantage wools of all kinds and grades. Experience under high protection of wool in this country for over thirty years had demonstrated that our domestic wool-growers find it to their advantage to produce only the staple wools required for the ordinary range of woollen fabrics, and as these fabrics will always be in demand they build up their flocks—a work of time—for the production only of the fleeces which will be profitable for a long series of years.

This system, although providing admirable raw material for common goods, is incompatible with the variety required for the diversified and highly advanced manufacture which should be our aim. The American manufacturer, to compete with the fabrics of other nations in the endless variety demanded by our times, must have the power of selecting a portion of his raw material from all the world's sources of supply. The sudden and exceptional demand for more or new raw material must be supplied by importation.

The communication from which the foregoing extracts are taken has appended thereto, in addition to the signatures of the gentlemen mentioned, the following:

At the annual meeting of the National Association of Wool Manufacturers in the city of New York, on the 7th of October instant [1885], the above paper was read at length, and by a resolution of the association was unanimously approved.

Attest:

JOHN L. HAYES, Secretary.

I regret that I can not quote further extracts from this communication, but these will serve to point some of the disadvantages of highly-taxed wool.

A NEW DEPARTURE.

Since the imposition of high protective duties on wool has resulted so unsatisfactorily to the interests intended to be protected, why not try a new departure, as proposed in the Mills bill, and put all wool on the free-list and reduce duties on manufactured goods to 40 per cent. ad valorem, as this bill provides?

What would be the probable effect of such a policy?

First. It would result in a large reduction in the price of woollen goods and goods into which wool enters as a component part to any extent. I have already pointed out the probable saving in dollars and cents. But there would be another advantage.

ADULTERANTS IN WOOLEN GOODS.

Our woollen goods would be of better quality. According to the statistics of the Tenth Census, 1880, the total amount of raw material consumed in the manufacture of woollen goods was as follows:

	Pounds.
Domestic wool.....	222,991,531
Foreign wool.....	73,200,698
Camel's hair.....	1,583,119
Mohair.....	159,678
Buffalo hair.....	671,027
Hair of other animals.....	5,664,142
Cotton.....	48,000,857
Shoddy.....	52,163,926
Total raw material.....	404,434,978

The wool used is reported as wool in the grease, and should be reduced at least 60 per cent. to obtain the amount of pure wool consumed. The legal ratio of loss is 66.66 per cent. Thus only 118,476,891 pounds of pure wool were consumed. This shows that the adulterants of woollen goods made in 1880 were as 108 parts of adulterants to 118 parts of pure wool, or that 118 pounds of pure wool were mixed with 108 pounds of hair, shoddy, cotton, etc. Any one acquainted with the internal workings of our woollen factories will recognize the truth of this statement.

And I presume that if the truth were known that ten-dollar "all-wool" suit which the honorable gentleman from Ohio [Mr. MCKINLEY] presented for the inspection of the House some time ago was composed of these adulterants in that ratio and sold out as "all wool." [Laughter.] That, however, implies no fault on the part of the gentleman who sold it, because that is the way those goods are rated in the market.

I quote from a petition of workmen in woollen mills in Philadelphia, presented by the gentleman from Kentucky [Mr. BRECKINRIDGE] and printed in the RECORD of June 30, page 6253. This petition rep-

resents the views of those who work in the Philadelphia woollen mills, and the facts therein stated can not be disputed:

It is no stretch of the truth to say that these discriminations against the manufacturing industries have very materially discouraged the use of wool and promoted the substitution of adulterants, most manufacturers having for some time given more attention to the manipulation of substitutes, so as to give them the appearance and touch of wool, than to the matter of improvements in the making of pure woolsens in order to compete in quality with their foreign rivals. This has given rise to the impression that we are less skilled than the European workmen, yet it is self-evident that it requires as much if not more skill to work up the adulterants so as to give them a marketable appearance as to manipulate the genuine materials.

A great deal of stuff is put upon the markets now as cassimeres, etc., that does not contain over 10 per cent. of wool. Manufacturers who attempt to make nothing but pure woolsens are compelled to close their mills. To make stuffs that shall compete in the markets with foreign makes in textures and variety it is almost invariably necessary to use some wools of foreign growth for mixing with the domestic; but as the tariff enhances the cost of these wools by from 25 to 150 per cent. there is no possibility of the American manufacturer using them in competition, and hence we are forced to give over to the foreign manufacturers the monopoly of all the markets and allow them to supply our own people with goods into which not a pound of American wool enters. Thus the woollen manufactures imported in 1887 amounted to 49,000,000 pounds, which, at 4 pounds of raw wool to the pound of finished product, represented 196,000,000 pounds of wool, which, with the 115,000,000 pounds of raw wool, makes a total importation of 311,000,000 pounds, or considerably more than the entire wool-clip of the United States. If all this had come in free in the raw state it would have absorbed for mixture a large quantity of domestic wool, instead of every pound that did come in anyhow displacing a pound of American wool and at the same time depriving American labor of employment and our poor people of the comfort of woollen clothing.

From a statement recently made public by a leading carpet manufacturer we glean the fact that ingrain carpets which formerly were made largely of wool are now made of an average of one-fifth wool and four-fifths adulterants, and in the whole of the carpet industry probably not a million pounds of domestic wool is now used. There is no carpet wool raised in this country, and yet a tax of over 26 per cent., which far exceeds all the wages paid in the manufacture of carpets, is still imposed upon the wool which is necessarily brought in from the outside. If this wool were admitted free, a greater quantity would be used, and probably not less than 10,000,000 pounds of domestic wool would be absorbed for mixture.

For these reasons we fail to see how the wool-growers are benefited by the tariff on wool, as it inevitably restricts the market for their wool both by forcing the use of substitutes and by promoting the importation of wool in the manufactured state, all of which must redound to the injury of both the wool-grower and the woollen-worker.

TAILORS AND WORKERS IN WOOLEN GOODS.

The tariff on wool and woollen goods bears with peculiar force and hardships upon American tailors, tailoresses, milliners, seamstresses, and those engaged in the manufacture of clothing. The high prices of cloths, thread, linings, and all materials used, by reason of the tariff thereon, raises their products to such a high price that the margin of compensation for the labor, both skilled and otherwise, is very small. According to the census of 1880 there were in the United States at that time 430,980 persons employed as tailors, tailoresses, seamstresses, and like industries, and in the manufacture of clothing, men's and women's, there were 186,000 employed. It appears from the census that the materials used by those employed in making clothing were valued at more than three times the amount of wages paid to employes. This poor remuneration to labor is attributable in great measure to the high price paid for the materials.

WOOL AND WHEAT.

Much has been said during this discussion about the relative prices of wheat, wool, and other farm products at various periods in the history of our country. The price of wheat in 1860 in New York was, highest, \$1.70; lowest, \$1.35; average, \$1.52 a bushel. Six and thirty-five sixtieths bushels of wheat would buy a \$10-suit of clothes at that time. The price of wheat in 1886 in New York was, highest, 95½ cents; lowest, 83 cents; an average of 89½ cents a bushel. Hence it would require 11¼ bushels to buy a \$10-suit of clothes in 1886, the difference in favor of 1860 being 4⅞ bushels. In other words, it required 4⅞ bushels less in 1860 to purchase a \$10-suit of woollen clothes than it requires at this time, 1888. If the price of woollen goods had not been increased by the high protective tariff on wool and woolsens a Western wheat-grower would probably be able to-day to purchase a \$10-suit with 6⅞ bushels of wheat, as he did in 1860.

THE AVERAGE CLIP.

Much has been said during this debate about the average number of pounds of each fleece of wool. There has been in all parts of the world marked improvement in the wool product per capita. In 1840 the average weight of each fleece was only 1.85 pounds, in 1850 it was 2.42 pounds, in 1860 it was 2.68 pounds, in 1870 it was 3.52 pounds, in 1880 it was 4.79 pounds, and in 1887 it was about 6 pounds. Strange and preposterous as it may seem, gentlemen on the other side of the Chamber have claimed repeatedly that this increase was owing to the protective tariff on wool! It was all on account of the tariff!

The same gentlemen, in their zeal to sustain their pet theories, attribute all the blessings, or most of them, that we enjoy in this country to protection. Nothing is attributed to the skill of our workmen, the perfection of our machinery, the productiveness of our soil, and the salubrity of our climate. If the protective tariff produced the large increase in the average clip in this country from 1.85 pounds in 1840 to 6 pounds in 1887, what has produced a much greater increase in the weight of the clip in Australia. In 1880 there were in that

country 51,000,000 sheep, and the wool crop amounted to 392,000,000 pounds, or 8 pounds per fleece. In 1886 the number of sheep had increased to 86,254,000, and the wool crop of that year at 8 pounds per fleece would amount to 690,000,000 pounds. In Australia there is free trade in wool, and the industry, both as to the number of the sheep and the weight of the fleece, is even more prosperous than in this country. The increase in the weight of the clip is accounted for in both cases by the improvement in the science of sheep-breeding, the mixing of different breeds and varieties, and the proper care and treatment of the sheep so as to produce the best results. It is science and not subsidies that produces the change. It is proper treatment, and not protective tariff!

CALAMITIES PREDICTED.

Since this debate began we have heard the same iteration and reiteration from day to day. The burden of the argument, if it can be dignified by that name, is that if we pass the Mills bill the particular industry under discussion will be ruined. The petitions from manufacturers and other interested parties are to the same purport. Ruin, swift and complete, will follow as to every item touched by the bill. It makes no difference whether the item be put on the free-list or whether a prohibitory duty be reduced within the possibility of a slight competition, the result will be the same. Ruin to the industry is inevitable! The persons employed will be thrown out of employment, the factories or mills will be closed, and bankruptcy and financial depression will ensue. It would be invidious to quote from any one on the other side to illustrate the character of their lamentations and forebodings in case this bill should pass. In reference to wool, they all agree on the other side of the Chamber (with a few exceptions) that the placing of wool on the free-list and the reduction of the duties on manufactured woolen goods to 40 per cent. ad valorem will wreck wool-growing and wool-manufacturing in this country.

They can see nothing, after the passage of this bill, so far as the wool interests are concerned, except the slaughter of our sheep for mutton, closing of our woolen mills, and the flooding of our country with the manufactured woolen goods of free-trade England, whose manufacturers, in view of the destruction of our own sheep and mills, will charge their own prices. We will then be without the home supply and at the mercy of the enemy. Do gentlemen really believe what they say? Are they so blinded to every fact which controls the subject that they can not reach a logical conclusion? Do they ignorantly follow the teachings of interested parties, and protected classes, who are growing rich by the protective system? Perhaps there are some who seek to blind the eyes of the people for partisan purposes and advantages. But for the sake of this argument I will assume that gentlemen supporting the other side of this question are honest in their views, and that they are merely mistaken.

FREE WOOL IN OTHER COUNTRIES.

Fortunately for the friends of this bill the raising of sheep and the manufacturing of woolen goods are not left to the experience of this country. In June, 1887, the population of the United Kingdom of Great Britain was 37,000,000, about two thirds of the population of the United States. The total cultivatable area of land is only 47,874,369 acres, yet there were 29,401,750 sheep in Great Britain at that time raised and supported on land worth from \$500 to \$1,000 an acre. The wool imported into England in 1886 amounted to 596,470,995 pounds, and the amount exported amounted to 312,006,380 pounds; retained for home consumption 248,464,615 pounds. There were in England at that time 2,751 woolen, shoddy, and worsted factories, 6,144,594 spindles, and 282,255 persons employed in woolen manufactories. The exports from Great Britain for 1887 of woolen and worsted goods were valued at a hundred million dollars. Thus have flourished the wool and woolen industries of Great Britain under perfect free trade in wool and woolen goods. Compare this condition of the woolen interests in free-trade England with the same interests in the United States.

Here we had in 1880, the last census on the subject, 2,689 factories; 161,557 persons employed, and no exports worth mentioning of wool or woolen goods, but imports of wool in 1887 valued at \$18,206,000, and of woolen goods valued at \$40,000,000. The number of sheep in this country in 1887 was 44,759,314, or about three-fourths of one sheep to each inhabitant, while in England the number of sheep was 29,401,750, and the population only 37,000,000, or about four-fifths of one sheep to each inhabitant. In this country there were in 1880, according to the census, 536,081,835 acres in farms, of which 284,771,042 acres were improved, or cultivated, or about 6 acres of improved land to each sheep, and about 12 acres of farm lands to each sheep. This does not include an estimate of the ranch sheep that pasture on plains in the Western States and Territories. The cultivatable area of lands in Great Britain is only 47,874,369 acres, or about one and six tenths acres to each sheep.

If free trade in wool and woolen goods in England will support a sheep on every acre and six-tenths of an acre of cultivatable land, what have we to fear in this country if wool is put on the free-list? Under a high protection on wool we have only an average of one sheep on 12 acres of farm lands, while in England, with free wool, the number of sheep has reached one for every acre and six-tenths.

TAXES HIGHEST ON CLOTHING OF THE POOR.

Gentlemen on the other side who are opposing free wool continually assert that tariffs are imposed for the benefit of the workmen; that they are highest on luxuries and lowest on articles of general consumption. Let us examine this claim. Eighty-five per cent. of the women and children of the country, in fact all the laboring classes, wear more or less of worsted and cotton dress goods. I have obtained from a prominent merchant in New York a table showing the rate of duty on this class of goods weighing under 4 ounces to the square yard. A careful examination of this table will prove very interesting. It will be seen that the highest tax is on the lowest-priced goods. Under the old law in force prior to June 30, 1883, the duty on the cheapest qualities of these goods was 125 per cent., and this exorbitant rate was reduced to 110 per cent. by the new law. As the price increases the tax decreases step by step until the highest-priced goods, those worn by the wealthier portion of the community, are reached, where we find the tax only 60 per cent. under the old and 58 under the new law. The goods of the very poorest classes are taxed 100 per cent. more than are the goods worn by the rich. This discrimination against the poor and in favor of the rich is preserved in all the schedules imposing duties on wearing-apparel, except that there is a uniform tax of 60 per cent. on all classes of silk goods. The table to which I have referred is as follows:

Table showing the rate of duty on worsted and cotton dress goods under the old tariff and the act of March 3, 1883—goods 22 inches wide weighing under 4 ounces to the square yard.

Cost in England per yard.	Equal in currency to—	Net cost to land under old tariff.	Being an ad valorem rate of—	Net cost to land under act of March 3, 1883.	Being an ad valorem rate of—	Reduction.
	Cents.	Cents.	Per ct.	Cents.	Per ct.	Per ct.
2 pence.....	4.05	9.32	125	8.72	110	15
2½ pence.....	5.07	10.75	107	10.15	95	12
3 pence.....	6.08	12.17	95	11.57	85	10
4 pence.....	8.11	15.02	80	14.42	73	7
4½ pence.....	9.12	16.43	75	15.83	69	6
5 pence.....	10.14	17.86	71	17.26	66	5
6 pence.....	12.17	20.70	65	20.10	60	5
7 pence.....	14.19	23.47	75	24.85	70	5
8 pence.....	16.22	28.41	70	27.79	66	4
9 pence.....	18.25	31.35	67	30.73	63	4
10 pence.....	20.28	34.29	64	33.67	61	3
11 pence.....	22.30	37.23	62	36.61	59	3
12 pence.....	24.33	40.18	60	39.55	58	2

Five per cent. for freight and charges added to the cost in Europe to make cost to land here.

Before the war the duty on these goods was 19 per cent. ad valorem. I have another table, showing the duty on woolen dress-goods weighing under 4 ounces to the square yard. The same peculiarity is observed in this table as to the rates. The highest tax is on the cheapest goods, those worn by the poor. And not content with imposing a tax of 74½ per cent. under the old law, the protectionists in the last Congress raised this tax to 99½ per cent. But as the goods rise in price the taxes are reduced, until the fine goods of the rich come in at 43 per cent.

This table is worthy of careful examination. It has been prepared by a merchant of long experience and is based upon the actual transactions and prices at the time it was prepared (September 29, 1883). I will print it in the appendix to my remarks. It is worthy of careful consideration.

SHEEP ON THE RANCHES AND IN THE TERRITORIES.

It will be seen from the examination of the tables of statistics which I have furnished that there has been a constant increase of sheep on the ranches and in the Territories, and in the States west of the Missouri and Mississippi Rivers, while in the States east thereof there has been a falling off, since 1867, when high tariffs were enacted to protect wool-growers. The States east of those rivers procured the tariff legislation to protect them not only from foreign wools but also from the wools grown on the ranches and plains west of those rivers. The Western sheep interests were not taken into the protected circle and have received no practical benefit from the tariff. The tariff was intended to keep out the fine wools of Australia, which come in competition with the wools grown in Ohio and the States east of the Missouri River. It would vastly improve the condition of sheep husbandry in the Territories and extreme Western States if the fine wools of Australia could come in free.

This would increase largely the demand for our coarse Territorial and Western wools, to mix with the finer grades in making desirable qualities of cloth. An increased demand would cause an advance in prices, and thus the conditions would be greatly improved by admitting wool free of duty. But there would also be an increased demand for all grades

of wool, as the manufacture of woolen fabrics would be greatly stimulated and increased by lowering the prices of woolen goods and bringing more of them and better qualities within the reach of consumers, who constitute the great mass of our people.

THE WORLD'S SUPPLY OF WOOL.

All calculations in reference to the production and prices of wool should take into consideration the world's supply of that article. In recent years there has been an immense development of this industry in Australasia and South America. By referring to table No. 3, which I will print in the appendix to my remarks, it will be seen that the number of sheep in Australasia in 1860 was only 20,000,000, and the number of pounds of wool exported was less than 70,000,000. The statistics for 1886 show that there were in Australasia at that time 86,352,020 sheep, and that the exports amounted to nearly 400,000,000 pounds of wool.

It will be remembered that there are in Australasia only 3,552,602 inhabitants, showing that there were nearly 25 sheep to each inhabitant. It must also be remembered that there is perfect free trade in wool in all Australasia, and that this vast industry has grown up without the stimulus of a protective tariff. The contribution of Australasia to the wool product of the world is so important that the increase of the industry in that country will be eagerly watched by business interests in all parts of the world.

I will also print a table in the appendix to my remarks showing the wool exported from the Argentine Republic during each year from 1870 to 1886. The number of sheep in that republic in 1885 was estimated at 75,000,000, as appears by a report of the Agricultural Department for January and February, 1887. There is a small tax upon importations of wool into South America, but it does not affect in any way the price of the domestic product, as there is an immense export of wool, as will be seen by a reference to the table already referred to. The number of inhabitants in the Argentine Republic in 1887 was 3,435,283, which shows 21½ sheep to each inhabitant.

The next largest sheep-growing country in the world is Russia, the number in that empire being put down in 1882 at 47,500,000. The United States comes next in order with 44,759,314 sheep in 1887. Great Britain is next in importance so far as the number of sheep is concerned, the number in the United Kingdom being put down for the year 1887 at 25,855,000. There has been a falling off in recent years in Great Britain, attributable to local causes and in no way affected by commercial restrictions as there is perfect free trade in England in reference to wool and the manufactures of wool.

FREE HIDES.

The gentleman from Massachusetts [Mr. RUSSELL] has called the attention of the committee already to the fact that Congress in 1872 placed hides on the free-list, and that the leather and boot and shoe industries of the country had vastly improved since that time on that account, and that the farmers were also benefited by the greatly reduced cost of the leather and boots and shoes they must use. Mr. Switzler, the Chief of the Bureau of Statistics, has furnished me at my request a table showing the vast increase in those industries (see Appendix No. 1). I call attention also to the fact that the number of pairs of boots and shoes made at the factories in 1870, namely, 80,627,244, was increased in 1880 to 125,478,511 pairs, and the number of persons employed in the factories increased from 91,702 in 1870 to 111,052 in 1880, being an increase in ten years of over 55 per cent. in the output and an increase of nearly 20 per cent. in the number of hands employed. So much for free hides.

TAXED WOOL.

Contrast the flourishing condition of the leather and boot and shoe industries, brought about through untaxed hides, with the languishing condition of the wool manufacturers of the country, as shown by the census of 1870 and 1880.

WOOLEN MANUFACTORIES, 1870 AND 1880.

Census reports show the following facts in respect to woollen manufactures in the United States for the above decades:

	1870.	1880.
Establishments.....	2,891	1,990
Capital invested.....	\$98,824,531	\$96,095,564
Hands.....	80,053	86,504
Spindles.....	1,845,496	1,753,740
Wages.....	\$26,877,675	\$25,836,392
Material.....	\$96,432,601	\$100,845,611
Product.....	\$155,405,358	\$160,606,721

Comment on these facts is unnecessary. The facts tell the whole story.

MR. SWITZLER'S LETTER.

Reference in this connection is made to the letter from Mr. Switzler, Chief of the Bureau of Statistics, which I will also print in the ap-

pendix to my remarks, in which it is stated on the authority of Mr. J. R. Dodge, Statistician of the Department of Agriculture, that the price of farming land in Great Britain ranges from \$500 to \$1,000 an acre. It is also stated that the cash rental for lands at this time in Great Britain is 30 shillings per acre, or about \$7.50.

If the people of England with land worth \$500 to \$1,000 an acre, and renting for \$7.50 an acre, can raise sheep profitably without the aid of a protective tariff, why can not the people of the United States do so, also our lands are worth from \$20 to \$75 an acre, and rents from \$3 to \$5 an acre, and we have in addition, west of the Missouri and Mississippi Rivers, immense plains and public lands upon which sheep are grazed the year round. We have also the advantage of a richer soil.

In Russia raw wool pays a customs duty of less than 2 cents a pound—a purely revenue tariff. In Germany and France wool is admitted free. There is no reason, either in the past experience of our country, or in the history and condition of wool-growing in other countries, why the United States can not raise sheep and wool with profit without the aid of protective tariffs.

ADVANTAGES TO FOLLOW.

The putting of wool on the free-list will result in a large reduction, as already stated, in the price of woolen goods. This will create a larger demand for them. A larger demand will cause an advance in prices of raw wools for manufacturing purposes. This increased demand and consequent increase in price of wool will soon restore the prices prevailing under protection without increasing the cost of woolen goods. This statement at first consideration may seem paradoxical, but it is confirmed by the truth of history in England, France, and the United States, as already shown. The reduction of the tariff on wool or its abolition has more frequently resulted in increasing the price of raw wool than in reducing it. The tax or duty being taken off of the foreign product, a greater proportion of free untaxed wool would be used. Better opportunities would be afforded the manufacturer to mix to advantage the native with the foreign wool, fewer adulterants would be used, and a cheaper and better cloth or manufactured article would be produced. With a larger percentage of cheap foreign wools, with free dye-stuffs, with mills running on full time, with quick sales, and with a steadily-increasing demand, woolen manufacturers could well afford to pay the prices they now pay for native wools and still sell their products at lower prices and realize better profits.

Putting wool on the free-list will result in innumerable blessings to the American people. It will bring increased health and comfort to every home in the land. It will bring cheap and abundant woolen clothing to our workmen during the rigors of our Northern winters. It will cover the floors of the poor man's house with a woolen carpet. It will furnish his children with suitable apparel for the school and the church. It will cover the beds of the people with all-wool blankets in the winter time, and furnish the workingman, his wife, daughters, and sons with more solid enjoyment than any other act of legislation that can be devised. It will stimulate manufactures. It will create a demand for labor, for machinery, and for fuel. Every branch of industry will feel the healthful impetus, and new life and vigor will be infused into all trades, professions, and employments.

There will be no falling off in the production of wool in this country; no hands now employed can possibly be thrown out of employment; no wheel that now moves can possibly be checked or hindered. It will result in benefits to all, in injury to none.

Pass this bill and a new era of industrial prosperity will dawn upon us. Factories will spring up in the States of the South and West and in the Territories. Those already in existence in all parts of the country will run on full time and increase their plants from year to year. Instead of importing into this country \$40,000,000 worth of woolen goods, as was done in 1887, we will soon be able to supply the home market with woolen goods and export immense quantities to other nations.

Pass this bill. Let it become the law of the land. It will result in good to all. The people will be better fed, better clothed, and will live in better houses, and sleep in better beds. In after years, when the full measure of its countless blessings shall have been realized, the generations then living and those who may come after them will rise up and invoke the blessings of Providence upon those who originated it and upon those who gave to it the force and power of law! [Great applause.]

APPENDIX.

Following are the tabular statements referred to in the foregoing speech of Mr. SPRINGER, preceded by the letter of the Chief of the Bureau of Statistics transmitting them:

TREASURY DEPARTMENT, BUREAU OF STATISTICS, Washington, D. C., July 16, 1888.

DEAR SIR: In reply to your request of Saturday I transmit to you the following tables:

Table 1, showing the values of imported leather and manufactures of leather, and of hides and skins, other than fur skins, entered for consumption in, and of like domestic products exported from the United States during each year ending June 30, from 1870 to 1887, inclusive.

Table 2, showing the number of sheep in the United Kingdom each year from 1857 to 1887.

Accurate official records of the number of sheep in the United Kingdom were not kept prior to that date.

Table 3, showing the number of sheep and pounds of domestic wool exported from British Australasia for each year from 1860 to 1886, inclusive.

Table 4, showing the number of sheep in the States of the United States east of the Mississippi and Missouri Rivers at various periods since 1860.

I will say with respect to your inquiries in regard to the wool clip of the United Kingdom, Argentine Republic, and Australasia, that no accurate statistics showing the growth or decline of the wool clip of those countries for a series of years can be procured. The best indication of the wool clip of the Argentine Republic and Australasia is the exports, there being very little manufactured in those countries.

I am informed by Mr. J. R. Dodge, Statistician of the Department of Agriculture, that the price of farming land in Great Britain ranges from \$500 to \$1,000 an acre, but inasmuch as the greater portion of the land is under rental, I am unable to procure data which would afford an idea of the approximate value of the land throughout the Kingdom.

Mr. Michael G. Mulhall, fellow of the Statistical Society of London, etc., states that the price of land in the United Kingdom is £33 sterling.

Mr. James Caird, C. B., F. R. S., gives the rent of cultivated land per acre in Great Britain as follows: Thirteen shillings in 1770, 27 shillings in 1850, and 30 shillings in 1878.

Maj. P. G. Craigie, secretary Central Chamber of Agriculture, in an article read before the Statistical Society of London January 16, 1883, states as follows:

"According to Professor Lowe there were 35,000,000 sheep in the United Kingdom in 1845; average weight per fleece, 4½ pounds, giving the weight of clip 157,500,000 pounds. According to Mr. E. Baines, at British Association, Leeds, the wool-clip in 1855 was 190,000,000 pounds. According to Mr. Archibald Hamilton, from Messrs. Hubbard's stables, the wool-clip in 1870 was 159,952,000 pounds. According to Earl Cathcart, from Messrs. Hubbard's stables, the wool-clip in 1875 was 124,000,000 pounds. According to Mr. J. A. Clark, from Messrs. Hubbard's stables, the wool-clip in 1878 was 119,473,000 pounds. According to Sir James Caird the wool-clip in 1878 was 135,000,000 pounds. According to Messrs. Helmut, Segwarze & Co.'s wool circular the wool-clip in 1880 was 157,000,000 pounds. According to Bradford Observer the wool-clip in 1882 was 129,000,000 pounds."

The following information, given by Sir James Caird, in his work entitled "The Landed Interest and the Supply of Food," may be of service to you:

Gross annual value of land assessed to the income tax of 1857 and 1875.

	1857.	1875.	Increase.	Increase.	Capital value on increase at thirty years' purchase.
				<i>Per cent.</i>	
England	£41,177,000	£50,125,000	£8,948,000	21	£268,440,000
Scotland	5,932,000	7,493,000	1,561,000	26	46,830,000
Ireland (from 1862)	8,747,000	9,293,000	546,000	6	16,380,000
Total	55,856,000	66,911,000	11,055,000		331,650,000

Mr. Caird adds:
 "The total rise within a period of eighteen years has been little over 20 per cent.; but, as will be seen by the annexed table, the proportion of increase on the Scotch rental has been greater than that of England. The small rise in Ireland presents a striking contrast to England and Scotland. The capital value of land in this country (the United Kingdom) will be reckoned something prodigious, especially by those of us who are old enough to recall the dismal prophecies of the agricultural ruin which would surely follow the free admission of foreign corn.

"This vast increase in the value of landed property within the short period of twenty years is very remarkable. It has been already shown that the improvement expenditure effected by loans has been fifteen millions. If we assume that even three times as much has been effected during the same period by private capital without loans, we here see that the capital wealth of the owners of landed property has been increased by three hundred and thirty-one millions sterling in these twenty years, at a cost to them which probably has not exceeded sixty millions. This increase, as elsewhere explained, has arisen chiefly from the great advance in the consumption and value of meat and dairy produce, and is thus only in part the result of land improvement.

"But though in the aggregate the land owners of England have become richer by more than one-fifth, and those of Scotland by more than one-fourth, the progress has not been uniform. In the purely corn districts and on the chalk and sands of the drier counties, where grass does not thrive, the increase has been small. On the poor clays there has been none. It has been greatest in the grazing counties and in the West and North. The increase shown in Scotland deserves special attention. In that country the larger proportion of grazing land no doubt partly explains this; but, on the other hand, entails are more strict, and the land is understood to be more heavily mortgaged than in England, so that in these respects Scotland has no advantage."

I am unable to procure any information for a series of years showing the wool clip in Australasia. The best indication, as I have stated above, is the table on raw wool exported, inclosed.

The number of sheep in the Argentine Republic in 1883, according to the Department of Agriculture, was 75,000,000. I am unable to procure data as to the number of sheep in that country for a series of years.

An article on the wool supply read before the Statistical Society of London by Archibald Hamilton, esq., gives an approximate estimate of the number of sheep and lambs and weight of wool in the following countries:

Countries.	Date of returns.	Sheep and lambs.	Weight of wool.
United Kingdom	1867-1870	31,138,000	154,169,000
Australia	1863	37,441,000	152,100,000
Tasmania	1868	1,742,000	6,135,000
New Zealand	1868	8,418,000	28,875,000
River Plate	1866	Unknown.	138,070,000

Respectfully, yours,

WM. F. SWITZLER, Chief of Bureau.

HON. WM. M. SPRINGER, M. C.,
 House of Representatives, Washington, D. C.

No. 1.—Values of imported leather and manufactures of leather and of hides and skins, other than fur skins, entered for consumption in, and of like domestic products exported from, the United States during each year ending June 30, from 1870 to 1887, inclusive.

Years.	Entered for consumption.		Exported.	
	Leather, and manufactures of.	Hides and skins, other than fur skins.	Leather, and manufactures of.	Hides and skins, other than fur skins.
1870	\$10,154,187	\$12,835,477	\$673,331	\$365,212
1871	10,552,155	14,638,463	1,897,395	700,604
1872	11,879,214	14,345,727	3,684,029	1,445,178
1873	11,812,450	18,875,845	5,305,494	3,605,023
1874	10,361,591	16,370,685	4,786,518	2,560,382
1875	9,842,699	18,553,078	7,324,796	4,229,725
1876	8,789,929	13,351,395	10,008,985	2,905,921
1877	8,088,373	14,983,521	8,167,301	2,480,427
1878	7,338,127	17,228,286	8,080,030	1,286,840
1879	7,532,429	15,957,246	7,769,069	1,171,523
1880	11,769,482	29,885,178	6,760,186	649,074
1881	10,522,848	27,529,859	8,088,445	903,464
1882	12,215,417	27,494,396	8,999,927	1,449,737
1883	12,653,723	27,745,697	7,923,662	1,220,158
1884	11,362,919	22,301,485	8,305,779	1,304,329
1885	10,262,966	20,599,132	9,692,408	1,822,058
1886	11,466,481	26,693,230	8,737,882	873,925
1887	10,936,437	24,225,776	10,436,138	765,065

WM. F. SWITZLER, Chief of Bureau.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
 Washington, D. C., July 14, 1888.

No. 2.—Number of sheep in the United Kingdom.

[From official British publications.]

June 25:		
1867.....	33,817,951	
1868.....	35,637,812	
1869.....	34,250,272	
1870.....	32,786,783	
1871.....	31,403,500	
1872.....	32,246,642	
1873.....	33,982,404	
1874.....	34,837,597	
1875.....	33,491,948	
1876.....	32,252,579	
June 4:		
1877.....	32,220,067	
1878.....	32,571,018	
1879.....	32,237,958	
1880.....	30,239,620	
1881.....	27,896,273	
June 5:		
1882.....	27,448,220	
1883.....	28,547,560	
June 4:		
1884.....	29,376,787	
1885.....	30,086,200	
1886.....	28,888,440	
1887.....	25,953,768	

*Ireland not stated.

No. 3.—Number of sheep in and pounds of domestic wool exported from British Australasia for each year from 1860 to 1886, inclusive.

[From official British publications.]

Year.	Number of sheep.	Pounds of wool exported.
1860	*20,135,286	69,305,494
1861	23,741,506	73,294,839
1862	*22,644,294	81,000,757
1863	26,620,123	93,395,263
1864	33,507,009	118,470,567
1865	*29,539,928	126,912,739
1866	*33,989,526	134,370,164
1867	47,284,677	158,368,161
1868	*41,061,625	139,678,933
1869	*40,176,654	184,888,210
1870	51,294,241	177,728,247
1871	49,773,584	224,792,715
1872	51,598,133	198,817,595
1873	45,439,322	209,739,473
1874	61,227,122	231,779,119
1875	53,124,209	232,932,196
1876	52,665,292	279,520,873
1877	46,625,935	290,455,316
1878	62,645,700	301,518,670
1879	53,883,945	297,939,084
1880	75,158,683	345,010,328
1881	65,078,341	325,209,385
1882	67,826,571	341,015,397
1883	83,369,372	401,774,926
1884	75,626,404	415,518,258
1885	77,525,856	404,088,149
1886	86,352,020	394,362,498

*Exclusive of New Zealand.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
 Washington, D. C., July 14, 1888.

No. 4.—Statement showing the number of sheep in States east of the Mississippi and Missouri Rivers during the years named.

States.	1860.	February, 1868.	1870.	1875.	1876.	1877.	1878.	1879.	1880.
Alabama.....	370,156	257,151	241,934	182,300	185,900	195,100	270,000	204,000	214,200
Connecticut.....	117,107	173,243	83,884	88,100	92,500	92,500	92,500	96,200	97,100
Delaware.....	18,857	17,072	22,714	23,200	23,600	23,600	35,000	37,400	38,800
Florida.....	30,188	5,005	26,599	31,500	37,800	40,400	56,500	59,900	59,900
Georgia.....	512,618	314,875	419,465	375,000	371,200	378,600	382,300	374,400	374,400
Illinois.....	769,185	2,736,431	1,568,286	1,380,000	1,311,000	1,258,500	1,258,500	1,089,000	1,110,800
Indiana.....	991,175	2,882,176	1,612,680	1,300,000	1,250,000	1,175,000	1,092,700	1,039,500	1,019,000
Iowa.....	259,041	2,591,379	855,493	1,697,900	1,663,900	1,680,500	560,000	445,500	451,400
Kentucky.....	938,990	896,865	936,765	759,600	683,600	690,400	900,000	1,020,000	1,060,800
Maine.....	452,472	752,542	434,666	491,500	525,900	520,600	525,800	557,300	596,300
Maryland.....	155,765	275,542	129,697	138,500	141,200	144,000	151,200	152,700	152,700
Massachusetts.....	114,829	175,149	78,560	76,300	76,300	61,000	60,300	60,900	63,300
Michigan.....	1,271,743	3,948,191	1,985,906	3,416,500	3,450,600	2,100,000	1,750,000	1,820,000	1,856,400
Minnesota.....	13,044	129,010	132,343	176,200	190,200	209,200	300,000	307,500	307,500
Mississippi.....	352,632	192,960	232,732	147,400	151,800	163,900	250,000	192,600	200,300
Missouri.....	937,445	1,377,547	1,352,001	1,866,200	1,284,200	1,297,000	1,271,000	1,296,400	1,523,300
New Hampshire.....	310,534	529,865	248,780	242,400	242,400	242,400	259,900	235,100	242,100
New Jersey.....	135,228	193,952	120,067	127,100	125,800	125,800	128,300	127,000	127,400
New York.....	2,617,894	4,996,894	2,181,578	1,996,400	1,936,500	1,897,700	1,518,100	2,121,000	2,295,300
North Carolina.....	546,749	325,684	463,435	275,700	283,900	281,000	490,000	425,000	425,000
Ohio.....	3,546,797	6,730,126	4,928,635	4,592,600	4,546,600	3,900,000	3,783,000	4,040,000	4,050,400
Pennsylvania.....	1,631,540	3,422,062	1,794,301	1,674,000	1,640,500	1,607,600	1,607,600	1,666,000	1,649,300
Rhode Island.....	32,624	36,588	25,938	25,300	25,300	25,000	24,500	24,500	23,200
South Carolina.....	233,509	179,864	124,594	147,200	142,700	144,100	175,000	182,000	176,500
Tennessee.....	733,317	234,041	825,783	325,500	341,700	345,100	850,000	858,500	853,500
Vermont.....	752,201	1,043,064	589,347	516,400	490,500	475,700	461,400	466,000	498,600
Virginia.....	1,043,269	658,624	370,145	367,500	356,400	367,000	422,000	417,800	426,100
West Virginia.....		880,600	552,327	539,200	544,500	544,500	549,900	571,900	600,500
Wisconsin.....	332,564	1,880,758	1,069,282	1,211,300	1,162,800	1,151,100	1,323,700	1,313,000	1,316,100
Total.....	19,221,714	*37,864,609	23,397,917	23,690,800	23,279,300	21,113,700	20,529,200	21,201,100	21,712,700

* Total number of sheep of all ages, February, 1868, in the above States and five other States reported, was 38,991,912, and their aggregate value was \$98,407,809, but in the States east of the Mississippi and Missouri Rivers the total number was 37,864,609.

No. 4.—Statement showing the number of sheep in States east of the Mississippi and Missouri Rivers during the years named—Continued.

States.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	1888.
Alabama.....	224,910	354,489	350,944	343,925	343,925	337,047	323,565	310,622
Connecticut.....	98,071	60,025	59,425	58,831	59,419	53,477	53,477	49,199
Delaware.....	38,800	22,077	22,077	22,077	22,519	22,294	22,294	22,294
Florida.....	70,083	58,382	102,000	98,940	97,951	91,094	90,183	92,888
Georgia.....	378,144	538,141	532,760	543,415	532,547	500,594	465,552	442,274
Illinois.....	1,155,232	1,026,702	1,149,906	1,126,908	1,093,101	1,005,653	925,201	814,177
Indiana.....	1,029,570	1,111,516	1,122,631	1,145,084	1,122,182	1,088,517	1,094,091	1,008,068
Iowa.....	463,488	482,681	497,161	497,161	472,303	467,580	425,498	408,478
Kentucky.....	1,020,996	990,266	1,000,169	980,166	950,761	903,223	858,062	797,968
Maine.....	632,078	577,236	577,236	577,236	548,374	537,407	526,659	547,725
Maryland.....	152,700	172,896	173,760	172,022	172,022	188,582	185,210	160,254
Massachusetts.....	65,199	68,659	69,346	69,346	67,959	64,561	63,270	62,637
Michigan.....	1,980,656	2,320,752	2,436,790	2,412,422	2,364,174	2,269,607	2,156,127	2,113,094
Minnesota.....	313,650	278,302	281,085	275,463	272,708	278,162	278,162	283,725
Mississippi.....	202,303	290,571	293,477	293,477	281,738	276,103	242,971	247,830
Missouri.....	1,619,931	1,425,411	1,439,919	1,338,623	1,295,078	1,295,078	1,182,272	1,087,690
New Hampshire.....	246,942	213,943	211,804	209,686	201,299	195,260	195,260	205,023
New Jersey.....	129,748	118,190	117,008	117,008	119,348	107,413	106,339	105,276
New York.....	2,338,148	1,732,332	1,732,332	1,732,332	1,697,683	1,595,824	1,579,866	1,564,067
North Carolina.....	385,900	470,871	466,162	452,176	488,350	468,816	450,063	427,560
Ohio.....	4,243,617	4,951,511	5,050,541	5,000,036	4,900,035	4,753,034	4,562,913	4,106,622
Pennsylvania.....	1,632,807	1,785,481	1,893,336	1,749,236	1,486,857	1,189,481	1,094,323	954,891
Rhode Island.....	28,200	21,514	21,729	21,077	20,866	20,449	20,445	20,852
South Carolina.....	187,090	120,078	120,078	116,476	117,641	112,935	108,418	107,334
Tennessee.....	858,500	675,478	675,478	655,214	635,558	603,780	561,515	516,594
Vermont.....	508,572	444,269	448,712	448,712	385,892	378,174	378,174	393,301
Virginia.....	447,405	502,262	502,262	487,194	477,450	463,127	449,233	444,741
West Virginia.....	660,550	681,517	684,925	671,226	637,665	624,192	593,666	474,933
Wisconsin.....	1,329,261	1,350,175	1,363,677	1,336,403	1,282,947	1,218,800	1,072,544	911,662
Total.....	22,392,551	22,845,727	23,320,730	23,052,629	22,281,897	21,037,984	19,985,153	18,636,719

TREASURY DEPARTMENT, BUREAU OF STATISTICS, July 14, 1888.

WM. F. SWITZLER, Chief of Bureau.

Reference has been made to the following statements taken from the special Treasury report on wool and manufacture of wool 1887:

No. 5.—Statement showing the number of sheep in the States and Territories West of the Missouri and Mississippi Rivers from 1860 to 1887.

States and Territories.	1860.	1870.	1880.	1887.
Louisiana.....	181,253	118,602	135,631	111,730
Texas.....	753,363	714,351	2,411,633	4,761,831
Arkansas.....	202,793	161,077	246,757	224,660
Kansas.....	17,569	109,088	456,671	1,106,852
Nebraska.....	2,385	22,725	199,453	429,700
Colorado.....		120,928	746,443	1,149,178
California.....		1,088,002	4,152,349	6,069,698
Nevada.....		876	133,695	674,486
Oregon.....		318,123	1,083,162	2,593,029
Washington Territory.....		44,063	292,833	555,439
Dakota.....		1,901	30,244	256,209
Idaho.....		1,021	27,326	231,413
Montana.....		2,024	184,277	754,688
New Mexico.....		619,438	2,088,831	4,025,742
Arizona.....		803	76,524	627,201
Utah.....		50,672	233,121	658,285
Wyoming.....		6,409	140,225	534,020
Total.....	3,209,521	5,079,430	12,682,225	24,774,261

No. 6.—Statement showing the quantities of wool produced, imported, exported, and retained for consumption in the United States, from 1839 to 1886, inclusive.

Calendar year.	Production.	Year ending June 30—	Imports.	Total production and imports.	Exports.			Retained for home consumption.	Imports.
					Domestic.	Foreign.	Total.		
1839	Pounds. 35,802,114	1840*	Pounds. 9,898,740	Pounds. 45,700,854	Pounds. 85,523	85,528	Pounds. 45,020,578	Pr. ct. 21.7	
1849	52,516,959	1850	18,695,294	71,212,253	35,898	35,898	71,176,355	26.3	
1859	60,264,913	1860	26,282,935	86,547,848	389,512	133,493	523,005	65,749,635	30.4
1862	106,000,000	1863	75,121,728	181,121,728	355,722	708,850	1,064,572	180,057,156	41.1
1863	123,000,000	1864	91,250,114	214,250,114	155,482	223,475	378,957	213,871,157	42.4
1864	142,000,000	1865	44,420,375	186,420,374	464,182	679,261	1,143,443	185,271,912	23.6
1865	155,000,000	1866	71,287,988	226,287,988	973,075	851,645	1,824,720	224,463,268	33.1
1866	160,000,000	1867	38,158,382	198,158,382	307,418	619,550	926,968	197,231,414	9.4
1867	168,000,000	1868	25,462,197	193,462,197	558,435	2,801,852	3,360,287	190,101,910	12.6
1868	180,000,000	1869	39,275,926	219,275,926	444,387	342,417	786,804	218,489,122	17.9
1869	162,000,000	1870	49,230,199	211,230,199	132,892	1,710,053	1,842,945	209,387,252	23.3
1870	160,000,000	1871	68,058,028	228,058,028	25,195	1,305,311	1,330,506	226,727,522	29.9
1871	150,000,000	1872	126,507,409	276,507,409	140,515	2,266,393	2,406,908	274,100,501	44.9
1872	158,000,000	1873	85,436,049	243,436,049	75,129	7,040,386	7,115,515	236,320,534	35.1
1873	170,000,000	1874	42,939,541	212,939,541	319,600	6,816,157	7,135,757	205,803,784	20.2
1874	181,000,000	1875	54,901,760	235,901,760	178,084	3,567,627	3,745,661	232,156,099	23.3
1875	192,000,000	1876	44,642,836	236,642,836	104,768	1,518,426	1,623,194	235,019,642	18.9
1876	200,000,000	1877	42,171,192	242,171,192	79,599	3,088,847	3,168,556	239,002,636	17.4
1877	208,250,000	1878	48,449,079	256,699,079	347,854	5,952,221	6,300,075	250,399,004	18.9
1878	211,000,000	1879	39,005,155	250,005,155	60,784	4,104,616	4,165,400	245,839,755	15.6
1879	232,500,000	1880	128,131,747	360,631,747	191,551	3,648,520	3,840,071	356,791,676	35.5
1880	240,000,000	1881	55,964,236	295,964,236	71,455	5,507,534	5,578,989	290,385,247	18.9
1881	272,000,000	1882	67,861,744	339,861,744	116,179	3,831,836	3,948,015	335,913,729	20.0
1882	290,000,000	1883	70,575,478	360,575,478	64,474	4,010,043	4,074,517	356,500,961	19.6
1883	300,000,000	1884	78,350,651	378,350,651	10,393	2,304,701	2,315,094	376,035,557	20.7
1884	308,000,000	1885	70,596,170	378,596,170	88,006	3,015,339	3,103,349	375,492,825	18.7
1885	302,000,000	1886	129,084,958	431,084,958	146,423	6,534,426	6,680,849	424,404,109	20.9
1886	285,000,000	1887	114,038,030	399,038,030	257,940	6,728,242	6,986,232	392,051,798	29.1

* Year ended September 30, 1840.

NOTE.—The data as to the production have been furnished by Mr. J. R. Dodge, statistician of the Department of Agriculture.

No. 7.—Statement showing the duties on woolen dress goods weighing under 4 ounces to the square yard, as imposed under the tariff act prior to July 1, 1883, and the act which took effect on that date (act of March 3, 1883).

[The duty on all these goods was 24 per cent. ad valorem before the war.]

Net cost in France per meter.	Width, inches.	Cost in France per yard.	Tariff in force prior to July 1, 1883.		Tariff of July 1, 1883.	
			Rate of duty.	Equal to—	Rate of duty.	Equal to—
50 centimes	21	Cents. 8.829	6 cents per square yard and 35 per cent.	74½ Per ct.	9 cents per square yard and 40 per cent.	99½ Per ct.
55 centimes	21	8.712	do	71	do	94
60 centimes	21	10.595	do	68	do	89½
70 centimes	21	12.360	8 cents per square yard and 40 per cent.	77½	do	82½
80 centimes	21	14.125	do	73	do	77
90 centimes	21	15.892	do	69½	do	73
1 franc	42	17.658	6 cents per square yard and 35 per cent.	74½	do	99½
1 franc 10 centimes	42	19.424	do	71	do	94
1 franc 20 centimes	42	21.19	do	68	do	89½
1 franc 31 centimes	42	23.132	do	65	do	86
1 franc 50 centimes	42	25.487	8 cents per square yard and 40 per cent.	75½	do	80
1 franc 75 centimes	42	30.902	do	70	do	74
2 francs	42	35.316	do	66½	do	69½
4 francs	42	70.632	do	53½	do	55
6 francs	42	105.948	do	48½	do	50
8 francs	42	141.264	do	46½	do	47½
10 francs	42	176.580	do	45½	do	46
20 francs	42	353.16	do	42½	do	43

No. 8.—Quantity of domestic wool exported from the Argentine Republic during each year from 1870 to 1886, inclusive.

[From the fiscal "Estadística de Comercio y de la Navegación de la Republica Argentina."]

Years.	Raw wool.	Washed wool.
1870	Pounds. 144,551,191	300,315
1871	157,681,729	90,766
1872	202,552,077	1,210,984
1873	184,554,197	44,315
1874	176,784,810	38,774
1875	200,002,211	(*)
1876	197,000,500	36,978
1877	214,531,447	73,894
1878	180,134,249	410,007
1879	202,715,782	355,703
1880	214,168,433	820,746
1881	229,007,335	(*)
1882	244,732,596	(*)
1883	261,032,927	(*)
1884	252,083,810	(*)
1885	283,055,910	(*)
1886	291,294,691	(*)

* None enumerated; if exported, included under "miscellaneous articles." The kilo has been computed at 2.2046 pounds.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, July 16, 1883.

No. 9.—Price of fine, medium, and coarse washed clothing fleece wool in the markets of New York (1860-1887) and Philadelphia (1865-1887, inclusive).

[From Manger & Avery's Annual Wool Circular.]

Year.	January.			July.		
	Fine.	Medium.	Coarse	Fine.	Medium.	Coarse.
1860	Cents. 60	50	42	55	50	40
1861	45	40	37	38	30	22
1862	48	50	50	43	47	43
1863	75	68	70	75	70	65
1864	80	78	76	100	100	90
1865	102	100	95	75	73	65
1866	70	65	50	70	67	60
1867	68	53	50	55	49	45
1868	48	43	38	46	45	43
1869	50	50	48	48	48	47
1870	48	46	44	46	45	43
1871	47	46	43	62	60	55
1872	70	72	66	72	70	65
1873	70	68	65	50	48	44
1-74	58	54	47	53	53	46
1875	55	56	47	52	49	45
1876	48	52	42	38	35	31
1877	46	43	36	50	44	37
1878	44	45	38	36	36	32
1879	34	35	32	37	38	34
1880	50	55	48	46	48	42
18 1	47	49	43	42	44	36
1882	44	46	47	42	45	34
1 83	40	43	33	39	41	43
1884	40	40	34	35	34	30
1885	34	33	29	32	31	28
1886	35	36	32	33	33	29
1887	33	38	33	34	38	35

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] has not consumed by five minutes the whole of the time belonging to his side of the House. The Chair will recognize the gentleman from Maine [Mr. REED], if he is in the Hall, to control the time on the other side. If not, the gentleman from Michigan [Mr. BURROWS] will be recognized for that purpose.

Mr. BURROWS. I yield ten minutes to the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. I have listened to the speech of my distinguished friend from Illinois [Mr. SPRINGER], who is always lively if not exact, with a great deal of interest; and I have observed that as the basis of his remarks he assumes that whatever duty may be imposed upon an imported article increases the burden to the consumer not only on the imported article itself, but on all similar products made in this country to the extent of the duty. That was the burden of his argument; and unless the assumption is true, the argument itself falls to the ground. The gentleman was pleased to tell us that the duty upon wool and woolens increased the cost of three hundred millions of woolens manufactured in this country and imported in 1880 to the extent of \$176,000,000, reaching his result by multiplying the total amount imported and the total amount produced in this country by the amount of duty. It was surprising to me that my friend from Illinois had not hesitated for a moment in presenting this argument in view of the possible conclusions that would result from such an assumption.

If it is true that the cost of woolens to the people of this country in 1880 was increased both on the imported articles and on the domestic product to the extent of the duty—namely, \$176,000,000—then the same is true as to every other article manufactured in this country on which duties are imposed—

Mr. SPRINGER. That does not follow.

Mr. DINGLEY. Certainly it does. Indeed my friend from Illinois will remember that he published in the North American Review a few years ago a table, based on this assumption, in which he figured out that the people of the United States paid a tax of over \$600,000,000 in that year by means of duties imposed on articles which we produced in this country. He included cottons, woolens, and iron goods in his tables. A Senator from Texas, on the same assumption, has figured the amount at \$1,000,000,000, and President Cleveland has repeated the assertion.

Mr. WILSON, of West Virginia. Will the gentleman allow me to ask a question?

Mr. DINGLEY. Certainly.

Mr. WILSON, of West Virginia. As I understand, the argument of the gentleman from Maine, both to-day and heretofore, has been that where there is an imported article which comes into competition with an article produced in this country—

Mr. DINGLEY. To the extent of our wants.

Mr. WILSON, of West Virginia. The consumer does not pay the tax.

Mr. DINGLEY. That is, a duty on such an article does not increase the burden of the consumer.

Mr. WILSON, of West Virginia. Then I ask the gentleman why in framing the wool tariff there is allowed to the manufacturer a compensating duty for the duty he has paid on the wool?

Mr. DINGLEY. I will answer that question before I conclude.

I wonder, Mr. Chairman, that my distinguished friend from Illinois did not feel a tinge of suspicion that there was some error in the assumption on which he based his destructive figures, when he compared such fearful burdens imposed by his arithmetic on the tax-payers through protection, with the most prosperous country on the face of the earth. [Laughter.]

Mr. SPRINGER. Will the gentleman allow me a moment?

Mr. DINGLEY. Certainly.

Mr. SPRINGER. I did not state that the proposition applied to all other articles of like character.

Mr. DINGLEY. Why not, if it applies at all?

Mr. SPRINGER. I will tell my friend. The honorable gentleman from Ohio [Mr. MCKINLEY] stated the rule very fairly, and it has been stated here frequently, that where the home product does not equal the home demand for the goods—

Mr. DINGLEY. And where they can not be produced here to the extent of our wants.

Mr. SPRINGER. Where they are not produced, and where the foreign goods must come in to supply the deficiency, the price of the foreign product plus the duty fixes the price in the home market.

Mr. DINGLEY. But the gentleman understands that we can produce all the woolen goods that this country consumes, with our present mills, and are producing 85 per cent.

Mr. SPRINGER rose.

Mr. DINGLEY. I do not desire to yield all my time.

Mr. SPRINGER. I simply wanted to avoid being misrepresented. The principle does not apply as the gentleman states at all.

Mr. DINGLEY. I wonder, too, that it did not flash on my friend's mind that if 47 per cent. of "robbery"—for that is the gentle phrase which our Democratic friends apply to a duty imposed on articles which we can produce here—if 47 per cent. average duty under the present

tariff "robbed" the people of \$176,000,000 on their woolens, and \$600,000,000 on all articles, then the 40 per cent. "average duty" of the Mills bill would "rob" only 7 per cent. less—still leaving the whole "robbery" \$558,000,000. [Laughter.]

I want to ask my friend from Illinois how he justifies 40 per cent. "robbery" in the Mills bill, for if his assumption and the assumption of every gentleman who has spoken on the other side be true—that a duty imposed on an article that can be made here to the extent of our wants increases the cost of both imported and domestic articles to the amount of the duty—then the only difference between the present law and the Mills bill is that the former "robs" six hundred millions and the latter five hundred and fifty-eight millions.

Mr. SPRINGER. Has it not been reduced?

Mr. DINGLEY. You say the whole system is wrong. But this bill puts 40 per cent. on woolens, and how do you justify 40 per cent. of robbery?

Mr. SPRINGER. I justify it in this way: The interests of this country have grown up under this system which was imposed upon the people.

Mr. REED. Why not buy them out? Two years would capitalize the whole of them.

Mr. SPRINGER. We have no power to buy them.

Mr. DINGLEY. But if your assumption is correct how can you justify your 40 per cent. of robbery?

Mr. SPRINGER. This bill is not a free-trade bill; it is for the reduction of excessive duties upon certain articles.

Mr. DINGLEY. On your theory it is a robbery bill. A tariff of 47 per cent. you say is 47 per cent. robbery, and you propose one of 40 per cent. You ought to quit higgling on it. [Applause on the Republican side.] You have put the per cent. at 40, and do not you believe that to be robbery?

Such an excuse as that made by a gentleman who holds that a duty imposed on an article which can be made here to the extent of our wants, is a tax which increases the burdens of the consumer of both imported and domestic articles to the extent of the duty, for cutting down 47 per cent. of "robbery" to only 40 per cent. instead of crushing entirely out of existence such a monstrous imposition, is utterly unworthy the gentleman from Illinois. I can not believe that he would consent to this if he really believed as he says he does. Certainly if I believed what the gentleman from Illinois has declared—what most of the gentlemen who have spoken on the other side have repeated—as to the effect of a protective duty, I never would vote for a duty on any article that can be produced here to the extent of our wants.

Mr. Chairman, I believe, Republicans believe, that a duty imposed on an article which can be produced here to the extent of our wants does not impose burdens upon the consumer. On the contrary, we believe it so encourages home industries by restricting the importations of similar foreign products and holding our own markets for the products of our own labor, that its general effect is to give greater opportunities and better rewards to labor and greater prosperity to the whole people—in short, that all citizens find that it takes less labor, less service, and less of the products of the farm and workshop to buy each of the protected articles than it would cost under free trade. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. BURROWS. I yield two minutes more.

Mr. DINGLEY. And experience has demonstrated the correctness of this view. The present tariff imposes a duty of 40 per cent. on common cotton sheeting and prints; yet any one can buy sheeting or common prints as cheap in any town of the United States as he can buy in Great Britain in the face of 40 per cent. duty. The price here is not the foreign plus the duty, but the lowest price for which the goods can be made here, using our higher cost of labor. The protection to our industry has reduced the cost of these goods 30 per cent. less than they were before the war. So with common clothing. It can be bought nearly as low here as in England; and even where the proportion of labor in any commodity is large such an article can always be bought here for less labor service or products than it could have been if we had free trade.

To apply this principle to the case in hand, Republicans hold that by protecting our wool-growers and wool-manufacturers, we encourage the home production of wool, induce our farmers to improve their breeds, and thus increase the weight and quality of fleece, give them increased prosperity, and make them better customers of every other class of producers, and at the same time so increase the world's supply of wool as to reduce the price all over the world, although still retaining our own markets for our own wool, and thus reduce the cost of clothing. [Applause on the Republican side.]

Thus we see that under the workings of this protective principle we have cheaper wool and cheaper cloth than we had before the war, while at the same time the farmer (until the Mills bill forced down prices by its threat of free wool) obtains more for his wool, because he has been encouraged to improve his flocks and treble the weight of the fleece.

The gentleman from Illinois has quoted part of a statement which I made the other day that the first effect of free wool would be to seriously reduce the price of wool, but he omitted to add the other part of the statement, that after free wool had destroyed our flocks and one-sixth of the world's product had fallen out, then foreigners would advance the price and we should be obliged to pay more than before for wool and for clothing, and more for our mutton, while our farmers would be obliged to curtail their purchases to the extent of loss of revenue from their wool.

The CHAIRMAN. The gentleman's time has expired.

Mr. BURROWS. I will yield to the gentleman five minutes longer.

Mr. DINGLEY. There is another point to which I wish to refer. I have not time to go into any lengthy argument. I wish I had. The gentleman from Illinois [Mr. SPRINGER] has claimed the effect of the duty on wool has been to encourage and to drive our manufacturers into the use of adulterants. Does not my friend know that no countries use a larger proportion of adulterants than England and Belgium, and that we in this country have less adulterants than any other nation on the face of the earth? Our goods are purer and better than any others. That is the experience in reference to the goods which are imported, and the goods which we manufacture here. Goods imported into this country, like chevots, when they came to be thoroughly examined, attention having been called to the fact that they had been valued so much below what was supposed to be the cost, were found to be largely dog's hair.

Now, there is nothing in the experience of our manufacturing interests to support the theory upon which the gentleman from Illinois has made his speech. On the contrary our experience has been that our manufacturing industries have prospered and have been diversified, and our agricultural interests have prospered just in proportion as by our protective policy we have developed and retained our home markets for our industries. In that proportion has our prosperity gone on. More than that. In the same proportion the cost of the articles of clothing consumed by our people measured in labor becomes less than ever before. That is one of the strong reasons why to-day we have the most prosperous country on the face of the earth. It is for that reason we have to-day a home market which furnishes more products of a better quality and at a cheaper rate, measured in labor, than the home markets of Great Britain. It is our protective policy which has accomplished this thing, and it is our protective policy in reference to wool-growing that has developed this industry in this country, and if we continue to protect and support it we will be able to supply all that will be needed by the consumers of this country.

The entire amount of clothing wool imported last year was 23,000,000 pounds, while the production of the country was 250,000,000 pounds. The other wools imported were the coarse carpet wools. There is not a single article produced in this country but can be made of the wool grown here.

The argument is that we can not grow them all, that we must have imported wools to mix with those raised here. That simply means this, that we must have a wool which can be obtained at a cheaper rate to be mixed with our wools for the purpose of deteriorating the quality of the goods and decreasing the cost. There is nothing in that position.

Mr. WILSON, of West Virginia. Let me propound a question to the gentleman.

Mr. DINGLEY. Certainly.

Mr. WILSON, of West Virginia. If the gentleman's contention be true, that the consumer of the article does not pay the tariff tax on it, why in making up that woolen schedule does he always allow the manufacturer of the goods to exact the tax he is supposed to have paid on the wool consumed, and in addition a protective tax for himself?

Mr. DINGLEY. But the gentleman must bear in mind this fact, that the difference in price to-day between this market and any foreign market is constantly maintained. But the foreign price has been reduced by the fact that protection has developed the industry in this country. If this industry had not been developed in this country under a protective system, the foreign price would have been higher.

Mr. WILSON, of West Virginia. But the point is this: If he, as a consumer of wool, has not paid the tariff tax under the law, why do you allow him, or affect to allow him, his protective duty? You give a specific duty first, and that tax he is supposed to have paid; and then you add an ad valorem tax as a further protection. Now, if he has not paid the first tax, why do you allow him the latter?

Mr. DINGLEY. The gentleman goes upon the old assumption that the duty adds to the price to the consumer. For the purpose of protecting against the foreign markets the specific duty is given equal to the value of the imported commodity. It does not follow that when the goods are sold all that is added; because the manufacturer does not import his wool. He uses domestic wool, and the price is hardly ever, I may say almost never, the foreign price with the duty added. It is a price between the two, and made by competition.

Mr. BYNUM. Do I understand the gentleman to hold that the domestic manufacturers do not consume foreign wool?

Mr. DINGLEY. To a certain extent they do.

Mr. BYNUM. I understood his argument to be that they only used the domestic wool.

Mr. DINGLEY. There is but a small percentage of foreign clothing

wool consumed, only 23,000,000 pounds last year, as against 250,000,000 pounds of domestic wool.

Mr. BYNUM. Is it not true that the great complaint of the manufacturers of this country is that a part, and a very large part, too, of the carpet wool goes into the manufacture of clothing?

Mr. DINGLEY. Under the name of "waste" a very considerable amount of "noils" and "wool-tops" has been imported at a duty of only 10 cents a pound. It was imported under the name of waste, and should have paid a duty of 30 cents a pound.

Mr. BYNUM. Well, is it not true that there are about \$45,000,000 of manufactured woolen goods imported?

Mr. DINGLEY. Nearly that amount.

But the gentleman from Illinois [Mr. SPRINGER] stated that he would print with his speech the protest of the woolen-manufacturing association, of which Mr. Whitman is president, against the present tariff.

Mr. SPRINGER. I beg the gentleman's pardon. I said that a statement was made by him to the Secretary of the Treasury in regard to the difficulties under which the woolen manufacturers are now laboring—

Mr. DINGLEY. Yes, and by a regulation of the Treasury Department holding that worsteds are not woolens. Mr. Whitman made an argument to the Secretary of the Treasury, and he ruled that worsteds—and they are simply combed wool, and cassimeres and ordinary goods are carded wool; one is carded and the other combed, that is the only difference between them—but the Secretary of the Treasury ruled that worsteds are not woolen goods.

Mr. BYNUM. That is not the ruling of the Secretary of the Treasury.

Mr. DINGLEY. Well, however that decision came it has been made.

Mr. BYNUM. The Secretary of the Treasury ruled that worsteds are worsteds.

Mr. DINGLEY. Precisely; but a fair interpretation of the ruling is that worsteds are woolens, and if that interpretation had been corrected, instead of forty-four millions of goods imported last year there would not have been twenty millions. And it is in view of that, which all agree ought to have been corrected, that the woolen manufacturers are suffering to such an extent to-day.

Mr. SPRINGER. The statement to which I alluded, and which I will publish in my remarks, did not relate to that subject at all.

Mr. DINGLEY. Oh, I beg the gentleman's pardon, I think it did.

Mr. SPRINGER. It did not. It will appear in the Record.

Mr. DINGLEY. I do not know what the gentleman will print in the Record; but I understood him to say that Mr. William Whitman had presented a memorial to the Treasury Department.

Mr. SPRINGER. We can end the matter at once if the gentleman will just take the trouble to read that speech.

Mr. DINGLEY. I heard what the gentleman said.

Mr. SPRINGER. I hope the gentleman will read and carefully digest the speech. He will find it useful information.

Mr. DINGLEY. Mr. Chairman, the gentleman from Illinois, in closing his speech, spoke in glowing words of the beneficent result which would flow from the Mills bill when enacted into law. According to that gentleman it is to lift heavy burdens from the people, sweep away taxes on food and necessities of life, remove the "restrictions" of commerce, set the wheels of industry into more active motion, and make even our desert places blossom like the rose.

As I listened to the prophecies of my exuberant friend, my eyes fell on the paragraphs in the Mills bill imposing a duty of 68 per cent. on sugar—an article of food as necessary as flour in every poor man's family, and produced to so small an extent in this country that home competition does not materially affect the price, and therefore an article to whose price the duty is inevitably added. Is sugar the article of food to which my friend referred when he spoke of the Mills bill as sweeping away "taxes on food?"

Or perhaps my friend refers to rice, on which the Mills bill places a duty of 100 per cent.

Oh! no. My friend is thinking only of articles which we can produce in this country to the extent of our wants, where the duty is not added to the cost, but has the effect to hold our own markets for the products of our own labor, and to make every one of them cost less in labor, less in service, and less in any kind of products than would have been possible if protective duties had not been imposed.

Mr. WILSON, of West Virginia. We have cut down both these duties more than most things in the bill.

Mr. REED. Cut them down! Why do you not stop "robbery" entirely?

Mr. BYNUM. I wish to ask the gentleman whether the rates fixed in the Mills bill are not far below the rates that were fixed by the Republican party in the revision of 1883?

Mr. DINGLEY. No, not reduced from the equivalent ad valorem rate intended when the revision of 1883 was made. The House first fixed the duty on raw sugar, such as is imported, at a specific rate equivalent to about 44 per cent. The Senate was forced by the fact that a Louisiana Senator held the balance of power to consent to an increase of the rate, supposed then to be but little more than 50 per cent., although, in consequence of the decline of sugar, the ad valorem

equivalent proved a little more than that in the fiscal year ending June 30, 1884. So that in fact the equivalent 68 per cent. duty proposed by the Mills bill on raw sugar, such as is imported, is more than the equivalent ad valorem on such sugar intended in the revision of 1883. No reason can be given for reducing advanced manufactures to 40 per cent. ad valorem, which gives no more protection than 30 per cent. specific, and keeping sugar at 68 per cent. specific.

Mr. BYNUM. Is not what you have stated about sugar true of every other article, and therefore does not the bill which we have reported here contain higher rates of duty than your own party said were high enough in 1883? And yet you are fighting against a reduction of rates which you yourself say are higher than those in your act of 1883. [Applause on the Democratic side.]

Mr. DINGLEY. I am here fighting against reductions that tend to destroy the industries of this country [applause on the Republican side], and I am here fighting to cut down duties on food-products not produced in this country to any considerable extent. In other words, I am here fighting for a protective tariff that will give our home market to our own industries. You are fighting for a tariff that shall allow foreigners to come in here and obtain control of our market. [Applause on the Republican side.]

Mr. WILSON, of West Virginia. Why do you oppose every tariff for the benefit of the farmer and that does not benefit the monopolist and manufacturer?

Mr. DINGLEY. Talk about benefiting the farmer! Here is a bill brought in here to slaughter all the farming interests in the North [applause on the Republican side], and then having slaughtered all our Northern farming interests you impose upon them a tax of 68 per cent. on sugar and 100 per cent. on rice. Do you call that a bill for the interest of the farmer? [Applause on the Republican side.]

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

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

Mr. SOWDEN. The point of order I make is that gentlemen should address themselves to the Chair.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYNUM. He can have more time.

Mr. DINGLEY. If I only had the time I would be very glad to answer all questions that may be put on the other side.

The CHAIRMAN. The time is controlled by the gentleman from Michigan [Mr. BURROWS].

Mr. DINGLEY. What I have said, Mr. Chairman, explains the difference between the Mills bill and such a protective bill as the amendments offered by the Republicans would have changed this bill into—such as will be ultimately framed as a substitute for it.

The Mills bill cuts to the point of danger or places on the free-list articles which we can produce here to the extent of our wants, and thereby invites importations to come in and take the place of domestic products or goods, and places its highest duties on articles which can not be produced here to the extent of our demand, and which are necessary as food.

A Republican protective tariff removes entirely duties on articles which can not be produced here, like tea, coffee, etc.; reduces duties on articles which can be produced here in small proportion of our wants, especially where they are articles of common necessity, like sugar, and places duties on articles which can be produced here to the extent of our wants at such a point as will practically hold our own markets for our own industries and labor.

Gentlemen have held up the fact that the Mills bill bears an "average" duty of 40 per cent., against 47 per cent. under the present tariff, and this rate increased from 41 per cent. by the heavy duties on sugar and rice, as evidence that it is still sufficiently protective. Indeed, within a few days it has been given out that the Mills bill is really a protective tariff, notwithstanding the gentlemen who framed it and have advocated it have all been denouncing protection as "robbery."

Mr. Chairman, I desire to call attention to the fact that a tariff can be easily framed with an "average" duty of 40 per cent. and still be essentially non-protective; in fact, in its essential features carry out the free-trade idea of removing largely restrictions on importations, or another bill may be framed with the same "average" duty and yet be thoroughly protective. The "average" duty indicates nothing; it is how the rates are distributed, and especially how the free-list is made up, that tells the story.

The Mills bill is the first one that I have described, and in its main features it is designed to encourage importations and to move in free-trade directions.

Note, first, that it places on the free-list fifty industries heretofore protected. Among these industries the products of the farm stand first. Wool, meats, beans, pease, and all vegetables except potatoes are given up to free trade. Manufactured lumber, shingles, clapboards, staves, bricks, undressed building stone, jute bags, hoop-iron for ties, and many other articles are also given up to free trade.

Not only this, but the duties on manufactured articles are changed to ad valorem duties, which invite undervaluations and practically make such duties 10 per cent. less than they appear on the face, and then even these are cut to the point where importation will be inevitably in-

creased, and to the extent that they are increased the demand for our own products and our own labor reduced.

And the extent of this cut is skillfully covered up by retaining such large duties as 68 per cent. on sugar and 100 per cent. on rice—twice the rates given articles which we can produce here to the extent of our wants—which serve to keep the "average" up to 40 per cent., while if the duty on these articles should be reduced to 40 per cent. the "average" would go down to 35 per cent.

On the other hand, a truly protective bill which should give an average duty of 40 per cent. would restore to the dutiable list a large part of the articles put on the free-list by the Mills bill, would reduce the duty on sugar and rice to 40 per cent., the average of the protected lists, and would thus yield adequate protection to those industries of our country which can supply our wants; would cut down the enormous duty on necessary articles of food, would discourage importations of goods that we can make ourselves, and increase the prosperity of the people.

Mr. REED. I yield fifteen minutes to the gentleman from Iowa [Mr. GEAR].

Mr. GEAR. Mr. Chairman, I ask the Clerk to read the first three paragraphs of the letter which I send to the desk, the whole of which may be published in the RECORD.

The Clerk read a portion of the following letter:

OFFICE OF ISAAH MEEK, Bonaparte, Iowa, May 21, 1888.

DEAR SIR: In reply to yours of the 19th instant, I would say:

1. That our factory commenced operations in 1854 and was in full blast in 1859, and we have been running continuously since that time, except from July, 1863, to March, 1864, which time, having been burned out, we were rebuilding our factory. We have run continuously since then, except short stops in the winter for repairs.

2. The volume of our business is larger than before the war, because we have a great deal more machinery and better facilities for manufacturing. Taking, however, the amount of machinery we had before the war and our facilities for conducting the business, we had proportionately as large, if not a larger, amount of business then, and I know with more profit to us.

3. Our business was much more profitable before the war than now.

4. If the Mills bill passed with its provisions for the reduction of the wool tariff, it is my opinion it would not reduce the volume of our business, but have a tendency to increase it. It would, if passed, increase our profits, and consequently our ability to increase wages of operatives. In our experience, however, the question of wages is regulated by the law of supply and demand wholly, and not affected by the tariff.

5. In my opinion the number of sheep has largely decreased in Van Buren County since 1860. I am a sheep breeder, and while the sheep industry, taken for a succession of years, is always a profitable business, the profit before the tariff was put on wool was as great, and some years greater than now.

6. With reference to wages paid before the war and now I have forgotten, and am unable to answer. I find on reference to my books that we paid our boss carder in 1885 the same wages we pay now.

Truly yours,

ISAAH MEEK.

Mr. GEAR. Mr. Chairman, that letter covers a period of thirty-four years. It has been read in the House heretofore upon the request of the gentleman from New Hampshire [Mr. MCKINNEY]. He arraigned me, I think, very unfairly and unjustly in regard to the remarks I made some time ago on the subject of the tariff. He intimated that I knew nothing about manufacturing—perhaps not as much as the gentleman who wrote that letter. I do not claim to know very much about manufacturing, although I have had some experience in that direction. But, as I said, that letter covers the long period of thirty-four years, embracing action under the tariff of 1846, the tariff of 1857, and the tariff of 1861—the Morrill tariff. Now, I will undertake to show so clearly that "he who runs may read," that under the tariff of 1846 and the tariff of 1857 Mr. Meeks sold goods higher and bought wool lower than he is doing to-day under the present tariff.

The gentleman from Texas [Mr. MILLS], the chairman of the Committee on Ways and Means, made in my judgment, the most bald and naked statement in regard to the manufacture of blankets that I ever heard in my life from any man on a legislative floor. In my former remarks I illustrated this. He said, in substance, given a pair of blankets of which the cost of manufacture was \$2.55, the "robber baron tariff" added thereto, \$1.90, making the cost \$4.45; and in the case of another pair of blankets which he used as an illustration, he said the cost was \$2.70, and the "robber baron tariff" added to the price \$2.55, making in all \$5.25 the cost, thereby leaving the impression by inference that to these figures he gave, an additional amount was added by way of profit.

But you may look through the gentleman's speech from beginning to end, and you can not find one line where he gives the price at which the blankets were sold by the manufacturer, either at wholesale or retail.

In the illustration which I gave to the House and the country, I took the amount of wool and the cost of the blankets at his own figures, and I showed conclusively, in my judgment, and I think in the judgment of the House, that the wholesale or retail price, adding the tariff, was less than the price given by the distinguished gentleman from Texas, and that the prices clear through, both at wholesale and retail, were less. In evidence of that fact and of the fact that the cost of material was less and the price of the product higher during the period to which I have referred, 1846 to 1861, I send to the desk a dispatch to be read. Before it is read I wish to make this remark: My friend Meeks is an

iron-clad, rock-rooted Democrat. He has voted the Democratic ticket ever since he has been a voter, in season and out of season. He voted the Democratic ticket all through the crucial period of the war. As a matter of course, he would be expected to stand up and vote the Democratic ticket to-day and defend every measure of his party, as he and his friends expect, as I understand, that he will be placed in nomination for Congress this year on that blanket letter. At the time he started he had a poor mill, as he states himself. It was almost the only mill in that country. He had but little or no competition. He had the old-fashioned single looms. (I call the attention of my friend from New Hampshire [Mr. MCKINNEY] to this. He preaches, I understand, the doctrine that in the future there are rewards, but no punishment—a good doctrine—and therefore he is at liberty to make any statement he pleases.) [Laughter.] My friend, Mr. Meeks, had that kind of a mill—poor in quality. He had looms which had in them only one or two harnesses to the loom, as they are known technically to the trade (and I speak whereof I know), throwing one or two shuttles at a time, on which but few varieties of goods could be made—looms which can not compare at all with those of modern times which have six, fifteen, and twenty-seven harnesses, throwing four, six, and eight shuttles, and making a large variety of goods. His goods cost him something more at that time to make than now, but he got for them a much higher price than he gets now, and he bought his material cheaper. Now I ask the Clerk to read that telegram.

The Clerk read as follows:

Hon. JOHN H. GEAR:

Meek and his old clerk examined the firm books and can only find one entry between dates described; one pair blankets sold for \$7.50 in 1857, which was about average price. Weight not given; wool worth that time, 20 to 22 cents.
J. W. ROWLEY.

Mr. GEAR. I ask the Clerk to read this dispatch from another mill in an adjoining county, which gives more specific proof of the truth of my argument.

The Clerk read as follows:

Hon. JNO. H. GEAR, Washington:

The Northfield Woolen Mills in 1859 sold 9-ounce jeans at 70 to 80 cents per yard; 5-ounce flannel, 50 to 60 cents, and 5-pound blankets, \$6.70 per pair, and paid for unwashed wool 15 to 18 cents per pound. Now, 9-ounce jeans 50 to 60 cents per yard; 5-ounce flannel, 35 to 38 cents, and 5-pound blankets, \$5 per pair, and pay for unwashed wool 20 to 24 cents per pound.

ROBINSON & DAVIS.

Mr. GEAR. This Robinson & Davis mill has been in operation longer than has Mr. Meek's. I know the firm well; have known them over forty years. Their telegram shows clearly that under the tariff of 1846 and 1857 they bought their wool at 30 to 40 per cent. less than they do now, and that they sold blankets and other products at 30 or 40 per cent. higher rates than now. This evidence is also confirmed by a letter from D. W. Jones, of Delaware County, Iowa, written to my colleague [Mr. D. B. HENDERSON] in which he states that he is selling blankets and other products of his mill at 33 per cent. less than in 1859-'60. Mr. Jones, my colleague tells me, has been engaged in manufacturing for many years and furnishes at the mills in his section of the State a sure home market for the wool grown in his vicinity. Their statement also proves the truth of the protection theory in a nutshell: that by a fair protection the Iowa and other wool-growers are to-day getting better prices for wool than under the Walker tariff. It also proves conclusively that under the protection theory of giving the American market to the American manufacturer he has, under the stimulus of home competition, introduced better machinery and better methods whereby he has been able to manufacture better goods and sell them at less rates to the consumer than at any time in the history of the country.

Now, Mr. Chairman, this proves the position I took at the start, that the men who grow the wool under protection do get a higher price for their wool product, while, at the same time, the manufacturers of woolen goods are able to sell their goods at a lower price to the consumers.

In the tariff of 1846 wool was 30 per cent. ad valorem. Under the tariff of 1857 it was 24 per cent. It seems to me the argument is clear and conclusive that they who oppose this Mills bill, which my friend from Illinois [Mr. SPRINGER] says is not a free-trade bill, although it puts wool on the free-list, if the effect of protecting the product of wool in this country has been to increase the price of wool to our farmers, while at the same time it has reduced the price of woolen goods to the consumer, then by parity of reasoning, judging from past results, wool being placed upon the free-list, the result will be that while the price of wool will be lower, the price of woolen goods to the consumer will be higher.

Mr. Chairman, the farmers of my district have an interest in this question of free wool. They own nearly one hundred thousand sheep, and the bare threat of passing the Mills bill has already reduced the price of this year's clip of wool over 15 per cent. It naturally follows that the Iowa farmers are not in favor of this measure, and they ask me to oppose it by my vote, which I shall do as long as I am here to protect their interests.

I am necessarily hurried in the limited time allowed me and must pass along rapidly. But I wish to say a word to the House in reference to the tariff of 1846, to which the Speaker of this House referred in words of eulogy in reference to the effect of that tariff upon the country. I will not attempt to analyze his speech, as it was done most forcibly by the gentleman from Wisconsin [Mr. LA FOLLETTE] the other day. But I wish to call attention to this one fact: that during those years that produce was low throughout the West, lower in fact than it had been since the great financial crash of 1837.

During the period of the Walker tariff occurred the terrible famine in Ireland, and the continent of Europe was convulsed by the Crimean war. This state of affairs made an abnormal demand for our breadstuffs and meat products.

Again, Mr. Chairman, during that memorable epoch in American history California was acquired and yielded to the hardy pioneers her untold millions of treasure. Yet, sir, notwithstanding all these adventitious circumstances the balance of trade was largely against us during the years of the Walker tariff. Sir, it required to settle that balance of trade which had accumulated during those fifteen years two hundred and fifty millions of dollars in addition to our exports of farm products.

But our friends on the Democratic side claim that the balance of trade being against us is not a subject worthy of attention.

I was educated in a different school. My business preceptor was a Democrat, a bosom friend of Douglas and the father-in-law of the recently appointed Chief-Justice. He taught me, sir, that the prudent business man, whether merchant or farmer, when he wanted to find out at the end of the year the condition of his business affairs, put down on one side his receipts and on the other side his expenditures. If he found that his receipts were more than his expenditures the result was that he had made money; or, in other words, the balance of trade was in his favor. If, on the contrary, his expenditures exceeded his receipts, the result was that he had lost money and that the balance of trade was against him. Now, Mr. Chairman, what is true in regard to the business of an individual is equally true in regard to the nation.

It seems, therefore, that when the balance of trade is against a nation, as it always has been against this nation from 1832, whenever we had these tariffs for revenue only or a quasi free-trade tariff we have been in debt to foreign nations and have had to export our coin to settle the balance of trade. I am frank to say that I prefer a policy which tends to bring the coin of the world to us in return for our products rather than the policy put in operation by the Democratic tariff of 1846 to 1857.

I had intended to reply to a letter which my distinguished friend from Iowa [Mr. WEAVER] said he received from Mr. Meek, the manufacturer of those blankets. I have asked him again and again to produce the letter, but with that lack of candor which is his political characteristic he has refused to do so every time. [Laughter.]

He charged me in his speech with having changed front on the protection question. I stand here, as I have always stood in my own State as a member of the Republican party, in favor of fair protection to the industries in this country, and in my message sent to the General Assembly of my State some years ago, from which the gentleman quoted, on the question of the reduction of the duty on steel rails, I had investigated that question with some care. I found that we had paid a duty of \$28 a ton on steel rails; that when this duty was levied the manufacture was an experiment in this country. Although many of the establishments which began manufacturing steel rails were unfortunate, yet better methods having been introduced in the manufacture of rails thereby increasing the output and thus cheapening the product and increasing the demand so that under the protection of \$28 per ton rails had declined from \$155 to \$42 or \$44 per ton, therefore it seemed to me that the time had come for a reduction, and that under the stimulus of invention rails and better methods could be produced at less cost. I urged the reduction.

Mr. Chairman, it is not the first time that the voice of Republican Iowa has given tone to Republican legislation on this and other questions; and in accordance with that suggestion a Republican Congress reduced the rate to the existing duty of \$17 per ton. The result has been that the American manufacturers, having the home market for their product, have been enabled by competition to produce the best rail known at the lowest rate ever produced. And this result, Mr. Chairman, is another argument in favor of a fair degree of protection to American industries.

Sir, I am, in common with the Republican party of Iowa, in favor of a fair protection to American industries and productions of all kinds. I am ready by my vote at any time to aid in revising the tariff in such manner as may be found to be both for the interests of the producer, the wage-worker, and consumer; and I am in favor of such an adjustment as will give the American manufacturer the benefit of the American market, and at the same time give the American workman "a fair day's wage for a fair day's work," rather than to adopt a policy that will bring our wage-worker to a level with those of Great Britain or Europe. Sir, the bill under consideration does not do this; on the contrary, it is an assault on many of the industries and productions of the country, which under the protection policy of the Republican party

for the past quarter of a century, have grown and developed and placed us in the front rank of nations in regard to wealth, prosperity, and comfort among all our people.

Mr. WEAVER. Mr. Chairman—

The CHAIRMAN. The gentleman from Maine has control of the time; to whom does he yield?

Mr. REED. I yield five minutes to the gentleman from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. Mr. Chairman, I would not again occupy the time of the committee were it not that the discussion of free wool—on which subject I had intended to submit some observations when it was before under discussion—has been reopened by the Democratic side. Apparently, not content with having already voted to put wool on the free-list, they seem exceedingly anxious to hold a *post mortem* on this important industry which they have done their best to destroy, and have called the gentleman from Illinois to their aid. It is barely possible that they have already heard rumblings from the wool-growers of the Northern States, and have resolved by false figures and deflected logic to attempt to mislead those whose industries are threatened with destruction.

Among others, my colleague [Mr. MCKINNEY] raised his voice for free wool. From a hurried reading of his remarks, he seems to have spoken from the Ohio standpoint, in which State, he says, he was once engaged in wool-growing. I do not know how much of a granger my clerical friend may have been in his early years, or how much correct knowledge he may have on sheep-husbandry in Ohio, but I will venture to call his attention to the fact that New Hampshire is greatly interested in the wool question, having nearly as many sheep per capita as Ohio.

New Hampshire in 1880 had 211,825 sheep, and the wool clip for that year was 1,060,589 pounds.

It is, however, a significant circumstance that out of the 211,825 sheep in the State, only about 30,000 of them are in my colleague's district, the remaining 181,000 being in the district I have the honor to represent.

I will not say that this is the reason why my colleague is so valiant an advocate of free wool, but I will say that whether he knows it or not, the farmers of New Hampshire are almost unanimously against placing wool on the free-list, as will be demonstrated when the question is submitted to them next November.

After advocating free wool my colleague declared that placing that product on the free-list will not cheapen it, but that it will make clothing cheaper. That kind of logic is too much for my obtuse intellect and I will not try to master it.

Mr. Chairman, my colleague's attitude on this question suits me exactly from a political standpoint, and I am gratified to know that, in addition to favoring free lumber, free brick, free agricultural products, and other important industries of New Hampshire, he is also for free wool.

A friend of mine, who travels all over New Hampshire, wrote recently that—

Many farmers who are large wool-growers will vote the Republican ticket this fall for the first time, on account of the tariff question, and there are not a few mechanics similarly situated.

The people of New Hampshire are not indifferent to what is going on in Congress, and will in due time give practical expression to their convictions.

I notice that an importing house in New York City has lately received a consignment of British manufactured woolen goods with the following instructions:

Have these goods deposited in the United States bonded warehouse, there to await the passage of the Mills bill. In case that bill does not become a law, then hold the goods in bond until the re-election of Cleveland and a Congress that will assure us of a free-trade tariff. You will then put them on the market for sale.

Mr. Chairman, American workingmen will have something to say about the "re-election of Cleveland and a Congress that will assure us of a free-trade tariff," and their decision is liable not to please the British manufacturers who are getting ready to flood our country with cheap goods. [Applause.]

On the issue of free lumber, free agricultural products, and free wool I venture to modestly suggest that New Hampshire will not fail to add one additional Republican to the next Congress, and I doubt not that on this issue other sections of the country will give enough gains to make the next Congress politically in harmony with the administration of President Harrison. [Applause.]

The following words of the lamented Garfield, in the last report he made to this House, are timely and significant. Garfield said:

Should it (the removal or unjust change of the wool tariff) become a law, it will be impossible for our farmers to compete in the market with the mestiza wools of South America; and it will be equally impossible for our manufacturers to compete with those of France and England. Of course, any legislation that destroys the woolen manufactures is equally destructive to sheep husbandry, for the farmer would no longer have a market for his wool. The nation can hardly be called independent which does not possess the materials and the skill to clothe its own people.

Mr. Chairman, I prefer Garfield to SPRINGER on this subject, and the

American people are anxiously waiting for an opportunity to so express themselves at the ballot-box. [Applause.]

Mr. BUTTERWORTH. Mr. Chairman, whether it be for good or for ill the discussion on the Mills bill is approaching a termination. Upon next Saturday we will vote upon that measure. It will pass this House, as I am informed and believe, and against the protest of every Republican Representative, with possibly one or two exceptions. It will receive the support of every Democrat in this House, with a very few exceptions.

A MEMBER on the Republican side. Honorable exceptions.

Mr. BUTTERWORTH. I only desire now to call the attention of the House and of the country to one or two facts in that behalf, and to those facts I invite careful consideration. One is that no industry in this country to be affected by this tariff measure has been accorded a hearing by the Committee on Ways and Means, and that although the industry, now prosperous, will be immediately and disastrously affected by its influence should it become a law.

I call attention to the fact again that no workman in this country whose wages are to be reduced by the operation of the Mills bill has been vouchsafed a hearing before that committee. I call attention to the fact also that no class of our people, no interests affected by the proposed legislation, has been accorded an audience to petition for relief or protest against threatened disaster; but, on the contrary, this bill has been framed and passed without the slightest consultation with those who represent the vast and growing interests of the United States. But, Mr. Chairman, the day set apart by the Constitution, not only for a hearing, but for final judgment, is approaching; it will be early in November.

Mr. Chairman, I wish to call attention to another fact. It is this, that it is not pretended that this so-called revision of the tariff has been made except from the standpoint of those who favor a tariff for revenue only, which is merely another name for the doctrine of free trade.

It is known to all members on this floor and to the country that this side of the House has from first to last desired and endeavored to revise the tariff with reference to the maintenance of the protective system, and from the standpoint of protectionists, recognizing what that system has done for the country and for the people. The Democratic majority in this House has denied to us the opportunity and defeated all attempts to secure such revision. And from their decision we now appeal to our masters, the people. The issue is fairly presented, and should not be changed, but be referred to the final arbiters, the voters of the country.

I call attention to the fact that so far from reducing the surplus revenues in the Treasury, that accumulation will be increased under the operation of the Mills bill if it shall ever become a law, since importations will be increased under the influence of the peculiar reduction of duties proposed.

I wish to call the attention of the country to another fact in this same behalf. In November next the people of the United States will sit in judgment upon the issue joined between this side of the House and the Democratic majority who are the authors and finishers of this tariff measure. If it is the desire of the people that the tariff shall be revised, as confessedly it ought to be, from the standpoint of protecting the industries of this country, and in a manner consistent therewith, they will transfer the majority from that side of the House to this. If it is their purpose to strike down these great industries of the country as they have the wool and other industries, they will retain the majority on that side of this central aisle.

Rejecting every proposition of the Republican minority, the Democratic majority, having the power, will vote the Mills bill through next Saturday at the hour appointed, and it will go to the Senate, and there I trust it will be referred to a committee that will sit during the recess, in order that the great interests which are to be affected by this measure, which, in its influence, reaches to every hearthstone in the Republic, may be accorded a full and fair hearing, that those who represent the fields, the shops, the mills, mines, furnaces, and factories may all be heard before that committee, even as they will at the polls, and the bill be reported back at the opening of the next session, so modified and changed as to fairly and fully reflect the will of the people of the United States, and in pursuance of the requests of those whose interests are to be immediately affected; and that then, upon the re-assembling of Congress in its December session, we may truly and properly respond to the requirements of our constituents, for before that assembling we will receive at the polls in November instructions which we can not fail to understand, and which it will not be wise or safe to disregard. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. REED. Mr. Chairman, we have now reached the end of our discussion upon this bill, except in so far as the chairman of the Committee on Ways and Means shall himself in person administer to our enlightenment on next Saturday, and it is very curious to contrast the situation and the appearance of the Democracy at the beginning of the discussion with the utterances which they have made to-day.

Throughout the whole general debate not a single speech that I remember was delivered upon the other side which did not contain the

principles of free trade as plain as they were ever enunciated by the gentleman from New York [Mr. COX], who is to-day, perhaps, alone on that side not afraid to express his sentiments. [Laughter on the Republican side.] There has been no discussion under the five-minute rule which has not involved the principles of free trade. There has never been an opportunity omitted where a Democrat could mouth about "tariff taxes" where he has not put his tongue around it with affectionate attention, and yet we have to-day the gentleman who was chosen to preside over the deliberations of this committee submitting to us some ideas which indicate that he is a little afraid of being a free-trader himself. Why he, the very inventor of the schedule which showed the amount of robbery that was perpetrated by the "tariff tax" is faltering in his weary task of freeing the American people from the bondage of those infamous creatures who manufacture things that can be used by those who can pay for them.

Why is it that this change has come over their feelings? Why are they so anxious to show that they are not much in favor of free trade? Why are detachments sent over to New York to give reassurance to the doubtful brethren? Why is it that the chairman of the Committee on Ways and Means, that lofty and courageous citizen of Texas, who dares to explain his views elsewhere, has gone over to New York and declared that they need not fear any free trade from him? Why is it that he has swallowed words that are only four years old, and why is it that he comes back here where he is known and tries neither to swallow them nor to deny them? Why is it that the entire crowd of Democratic newspapers are to-day endeavoring to explain that after all they have great yearning for 40 per cent. of robbery? [Laughter on the Republican side.] Why is it that the gentleman from Indiana was all agog and shaken with emotion in his eagerness to show that the principle on which this bill was framed is as near protective robbery as ever we were? Why is it that he violated the whole courtesy of parliamentary debate in order to thrust that idea upon the public? Why is it that they give him one minute for debate, one minute to ask a question, and nobody else a minute to make an answer? It is because they have begun to hear from the people of the United States. It is because they recognize the fact that the people of the United States are in favor of the American doctrine of protection [applause on the Republican side]; that they are in favor of having the articles which the people of America use made by American workingmen; and from now until election time their greatest effort on the other side will be to explain away the declarations which they so bravely made, and to say that even Mr. Cleveland himself is a genuine protectionist and never meant anything else. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. SPRINGER. The gentleman from Iowa [Mr. WEAVER] desires me to yield him one minute of my time, which I do.

Mr. WEAVER. Mr. Chairman, I was very much astonished to find my colleague from the first district of Iowa [Mr. GEAR] so perturbed and excited over this debate. In contrast with his usual fairness and courtesy he took occasion while upon the floor, in a perfectly unjustifiable manner, to make a personal allusion to myself. I can say truthfully that I have never treated my colleagues on this floor in any such manner, and the remark of the gentleman was entirely out of place and in bad taste. I did say in the speech which I delivered on the floor that I had written to Mr. Meek about a pair of blankets which the gentleman exhibited, and that I would in my time during the five-minute debate read Mr. Meek's reply. Now, what right has the gentleman to complain that I did not read it? I will read an extract from what the gentleman said in his speech, and then I will read the letter. The gentleman, after exhibiting the pair of blankets, said:

Now, Mr. Chairman, I want to call the attention of this House to the fact that the passage of the pending tariff bill will not only seriously injure the wool-grower of my State, but it will also close up the mill where that blanket was made, and put out of employment the labor engaged in its manufacture.

Before receiving my letter Mr. Meek had already written to a friend of mine concerning the above statement made by my colleague, and a copy of his letter was furnished me. I now print the same without comment:

BONAPARTE, IOWA, May 15, 1888.

DEAR SIR: In reply to yours of the 11th instant, just received, would say that I sold to Mr. John Rowley, editor of the Republican paper at Keosauqua, one pair of blankets, which he informed me were for ex-Governor GEAR. As to my stating to Mr. GEAR, or any one else, that I was opposed to a reduction of the present tariff, I would say that such representation is positively untrue. I did say to him, however, that if the tariff was taken from wool it would greatly benefit me as a manufacturer. I am not only not opposed to the Mills tariff bill, but I hope it will pass and lead to still further reduction of the unnecessary and burdensome war tariff.

In conclusion, I would say that I am heartily in sympathy with the President in his endeavors to reform the administration of the Government, and especially so with all efforts to reduce taxation to the necessities of a Government economically conducted.

Joining with you in desiring the nomination and re-election of Cleveland, I am,

Very truly, yours,

L. A. PALMER, Esq., Washington, D. C.

ISIAH MEEK.

Mr. GEAR. I ask leave to reply, Mr. Chairman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, as stated on the other side, this

debate, long protracted, is now about to come to a conclusion, and I had hoped that in these last moments there would be a feeling of kindness pervading the hearts of gentlemen on both sides of the House. [Laughter on the Republican side.] But on the contrary the gentleman from Maine has shown his usual peculiarity of sneering and scolding at this side of the House. He reminds me of the character of Pooh Bah in the Mikado. He was born with a sneer on him and he kept that peculiar facial expression to the day of his death. [Laughter and applause on the Democratic side.] The gentleman has alluded to this side of the House as if we had not maintained our professions made at the beginning of this debate. I call attention to the fact that the gentleman himself, as a member of the Ways and Means Committee, came into this House at the commencement of this discussion with a minority report signed by all the Republican members of that committee, and with a flourish of trumpets promised the House that they would seek to have the bill modified and amended in Committee of the Whole, and that if those efforts failed they would offer a substitute which would surely diminish the revenues without impairing the American system of protection. [Applause on the Republican side.]

Where, oh where, is that substitute?

Gone glimmering through the dream of things that were—
A school-boy's tale, the wonder of an hour!

[Laughter and applause on the Democratic side.]

If they have ever incubated one, they have not had the courage to bring it to the light of day.

A MEMBER on the Republican side. It will come.

Mr. SPRINGER. Let it come and we will be ready to meet it. And in addition to that we are not afraid to go to the country on this issue. [Applause on the Democratic side.] On Saturday next the roll will be called on the passage of this bill, and that roll-call will be heard around the world. It will indicate to the people of this country that their Representatives have been equal to the great emergency that now confronts them of reducing this "vicious, inequitable, and illogical source of unnecessary taxation." [Applause on the Democratic side.] And when we have passed that bill in this House we will meet you on the hustings, gentlemen; we will go to the country with you, and mark my word that in November next the people's voice will be heard in the triumphant re-election of Grover Cleveland. [Applause on the Democratic side.]

The gentleman from Maine [Mr. REED] spoke about "rumblings" from the people being heard on this subject, and in reply to that suggestion I will have printed as part of my remarks a letter written by Mr. Arthur T. Lyman, treasurer of the Hadley Thread Company, of Holyoke, as well as of the Lowell Manufacturing Company, of Lowell. Mr. Lyman is a Republican and his letter appears in the New York Times. It is as follows:

[New York Times, July 19, 1888.]

IT IS NOT FREE TRADE—AN OLD REPUBLICAN'S SOUND VIEWS OF THE MILLS BILL.

BOSTON, July 18.

The Republicans are not having the best success in soliciting funds from manufacturers. The chairman of the finance committee of the Holyoke Republican Club recently solicited a contribution from Mr. Arthur T. Lyman, who is the treasurer of the Hadley Thread Company, of Holyoke, as well as of the Lowell Manufacturing Company, of Lowell. In reply Mr. Lyman wrote the following letter:

BOSTON, July 13.

"Chairman of the Finance Committee of the Holyoke Republican Club:

"DEAR SIR: I have yours of the 12th, asking for a contribution for the Republican Club. I am of course deeply interested in the tariff as regards the Hadley Company, and also in its bearing on many other cotton and woolen manufactures in which I am interested, but in my opinion the Republican members of Congress from New England and the Home Market Club and the Woolen Manufacturers' Association have practically done more harm to the cause of protection and to the protected (so-called) industries of Massachusetts than the Democratic members of the Ways and Means Committee.

"I have had occasion to see some of the Democratic members of the Ways and Means Committee, and to hear of the plans and views of others, and I am convinced that but for the action of the Republican members of Congress from New England and of the greater part of the Republican manufacturers of New England we could have had in the Mills bill satisfactory schedules for woolens and cottons. As it is, at the request of some manufacturers (Republicans) made through the Democratic members from Massachusetts the Democrats of the Ways and Means Committee altered and advanced rates on some important items, while we were met, I am informed, by Republican members of the House, saying: "Leave the schedule as it is; it is better for the election." The Republicans now refuse to aid in putting raw materials on the free list, and certainly in New England free raw material has been considered as an element in protection almost as essential as the duty on manufactured articles.

"From my business experience in both importing and manufacturing, I am fully aware of the necessity of protection for the maintenance here of certain manufactures, and I very much regret that the Republican party, with which I have acted from its beginning, has, for political success, taken a position which I consider hostile in its practical effects to the protected industries of Massachusetts.

"The Democratic members of the Ways and Means Committee take broad, and on the whole reasonable, views of the tariff question, and while of course they look at the interest of the United States as a whole they do not ignore the fact that many great industries have grown up in this country under the high duties made necessary by the war of the rebellion, and that it is only fair and proper that consideration should be paid to their existence and condition. Neither do they ignore the fact that the working people in the protected industries are very largely members of the Democratic party.

"Besides the consideration that my manufacturing interests have been put at needless risk by the partisan action of the Republicans, I must also take into consideration the interests of the whole country, in which we are all involved, and I can not feel it to be right to vote for any one who can honestly stand on

the Republican platform. Most of the Republicans with whom I have spoken about it have told me that they have not read it. I can readily believe that it would be disagreeable reading to Republicans, who in the past have in all honesty desired to have raw materials and food products on the free-list. But the exigencies of practical politics have forced the party into a false position as regards the tariff, and into many unwise and dangerous relations in regard to the domestic and foreign affairs of the country.

"There is practically no party in this country in favor of free trade in any reasonable sense of the term, and it is as unfair to call the Mills bill a free-trade bill as it is to say that the Republicans are in favor of free drinking of whisky, because the manufacturers of protected articles have several years insisted that all internal taxes should be taken off in order that it should be impossible to alter the duties on imports. While the Mills bill is not a bill that wholly commends itself to me, it is correct, and for the interest of Massachusetts in many particulars, notably in the matter of free wool. Every manufacturing country in the world of any consequence except the United States has wool on the free-list. The position which the Republican party has taken makes it well for the country, as it seems to me, that it should not have the control of the Government for the next four years.

"ARTHUR T. LYMAN."

Mr. MILLS. I move that the committee now rise and report this bill to the House with the recommendation that it do pass.

Mr. MCKINLEY. I ask that there be printed, for the use of the House, the original text of this bill, with the amendments which have been adopted by the Committee of the Whole in italics.

The CHAIRMAN (Mr. SPRINGER). The Chair thinks that should be done in the House.

Mr. MCKINLEY. Then I will make the request there.

Mr. BRECKINRIDGE, of Arkansas. Mr. Chairman, pending the motion of the gentleman from Texas I ask unanimous consent to recur to page 6 of the bill to amend the provision relating to band-iron. I send my amendment to the desk.

Mr. REED. That is some back town just heard from, I suppose. [Laughter on the Republican side.]

The amendment was read, as follows:

Page 6, line 12, add after the word "baling," the words "or other;" so that it will read: "Iron and steel cotton-ties or hoops, for baling or other purposes, not thinner than No. 20 wire gauge."

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas to return to this part of the bill for the purpose indicated by him?

There was no objection.

The amendment was agreed to.

Mr. MILLS. I now move that the committee rise and report the bill with the amendments to the House with the recommendation that it pass.

The motion was agreed to.

The committee accordingly rose; and

Mr. SPRINGER, the Chairman, said: The Committee of the Whole on the state of the Union has had under consideration House bill No. 9051, to reduce taxation and simplify the laws in relation to the collection of the revenue, and has instructed me to report the same back with sundry amendments and with the recommendation that the amendments be agreed to, and the bill so amended passed. [Applause on the Democratic side.]

Mr. MILLS. I desire to move that the further consideration of this bill be postponed until Saturday next, at half past 11 o'clock.

Mr. MCKINLEY. Before that motion is put, I ask unanimous consent that 2,000 copies of this bill, with the amendments adopted by the Committee of the Whole, be printed at once.

Mr. FARQUHAR. I hope the gentleman will accept as an amendment that the printing be done in pamphlet form.

Mr. SPRINGER. That is better.

The SPEAKER. The gentleman from Ohio [Mr. MCKINLEY] asks unanimous consent that of the bill just reported, with the amendments recommended by the Committee of the Whole on the state of the Union, there be printed 2,000 copies.

Several MEMBERS. Five thousand.

Mr. MCKINLEY. I accept the suggestion of several gentlemen, and will say 5,000 copies.

Mr. BUTTERWORTH. How are these to be distributed?

Mr. MCKINLEY. My purpose is to have them distributed equally among members of the House.

Mr. BUTTERWORTH. I think the order should so state.

The SPEAKER. The Chair will state the request. The gentleman from Ohio asks unanimous consent that 5,000 copies of this bill, with the amendments recommended by the Committee of the Whole House on the state of the Union, be printed in document form and furnished to the document-room for distribution among members of the House equally. If there be no objection that order will be made.

There being no objection, it was ordered accordingly.

Mr. MILLS. I now move that the further consideration of this bill, with the amendments reported, be postponed until half past 11 o'clock on Saturday next.

Mr. MCKINLEY. Will the chairman of the Committee on Ways and Means indicate his purpose as to taking a vote on Saturday?

Mr. MILLS. I propose that we shall take a vote as soon as it can be reached—as soon as the debate is closed—to do which I am entitled to one hour under the rules.

Mr. MCKINLEY. On Saturday next?

Mr. MILLS. Yes, sir; on next Saturday I propose that a vote be taken—first on the amendments and then on the bill.

The motion of Mr. MILLS was agreed to.

Mr. MILLS 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.

FILING OF REPORTS.

Mr. MILLS. In moving to go into Committee of the Whole on the state of the Union to-day I omitted to make, and I now make, the usual request that gentlemen having reports to present from committees may file them at the Clerk's desk for appropriate reference.

There being no objection leave was granted.

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

THEODORE C. LEWIS.

Mr. CULBERSON, from the Committee on the Judiciary, reported back favorably the bill (H. R. 10735) for the removal of the political disabilities of Theodore C. Lewis, of Louisiana; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN H. PARKER.

Mr. CULBERSON also, from the Committee on the Judiciary, reported back favorably the bill (H. R. 10621) for the removal of the political disabilities of John H. Parker, of Virginia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JEMIMA STERLING.

Mr. LANE, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 4648) granting a pension to Jemima Sterling; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DANIEL WILLBOURG.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2073) granting increase of pension to Daniel Willbourg; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EUGENIA A. HELSTON.

Mr. LANE also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 10806) granting a pension to Eugenia A. Helston; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY MEYNELL.

Mr. LANE also, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 6000) for the relief of Henry Meynell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RICHARD CLORE.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably the bill (H. R. 8082) for the relief of Richard Clore; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

A. W. HARDIN.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 8081) for the relief of A. W. Hardin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES M. SPEER.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 8079) for the benefit of D. G. and A. P. Perry, administrators of D. G. Perry, and to Thomas Gayle, of Owen County, Kentucky; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS C. YAGER.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with amendment the bill (H. R. 8080) for the benefit of Thomas C. Yager; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PROBATE COURTS, WYOMING.

Mr. SPRINGER, from the Committee on the Territories, reported back favorably the bill (S. 1351) to enlarge the jurisdiction of the probate courts in Wyoming Territory; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

HANNAH CUMMINS.

Mr. BLISS, from the Committee on Pensions, reported back favorably the bill (H. R. 10191) granting a pension to Hannah Cummins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHARLES JURAT.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 10687) granting a pension to Charles Jurat; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

IMPORTATION OF CONTRACT LABOR.

Mr. COX, by unanimous consent, introduced a bill (H. R. 10697) to amend chapter 184 of the laws of 1885, entitled "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia as the same was amended by chapter 22 of the laws of 1887," approved February 23, 1887; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

ROAD TO UNITED STATES CEMETERY, PENSACOLA, FLA.

Mr. MAISH, from the Committee on Military Affairs, reported back the bill (H. R. 3311) making appropriation for the construction of a macadamized road to the United States cemetery near Pensacola, Fla.; which was laid on the table.

Mr. MAISH also, from the Committee on Military Affairs, reported as a substitute for the foregoing a bill (H. R. 10898) to construct a macadamized road from the city of Pensacola to the United States cemetery near Fort Barrancas, Florida; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT ALLENTOWN, PA.

Mr. DIBBLE. I rise to a question of privilege, and call up for present consideration House bill 4357, with the veto message of the President of the United States thereon.

Mr. MILLS. I ask unanimous consent that the House now take a recess until 8 o'clock to-night.

Mr. DIBBLE. I object.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4357) to erect a public building at Allentown, Pa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation or otherwise provide a site, and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the post-office and for other Government uses, at the city of Allentown, in the State of Pennsylvania. The site, and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of \$100,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of \$100,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided,* That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Pennsylvania shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The SPEAKER. This bill was referred to the Committee on Public Buildings and Grounds.

Mr. DIBBLE. That committee has made a report, which is now on the Calendar.

The SPEAKER. The Clerk will read the report.

The report (by Mr. DIBBLE) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the message from the President of the United States returning House bill No. 4357, entitled "An act to erect a public building at Allentown, Pa.," with his objections thereto, have had the same under consideration and respectfully submit the following report:

The efficiency of the postal service depends in a great degree on the condition of the accommodations afforded. The Post-Office Department can only succeed in reducing the percentage of delay, miscarriage, and loss of mail matter if Congress will remove one of the leading causes, the inefficient accommodations. Your committee have again carefully considered the Allentown case, as due respect to the message of the President demands, and have come to the unanimous conclusion that the necessity for a public building exists. The post-office is now located in a building not fire-proof, insufficient in space, and incapable of being so arranged as to properly conduct the service.

Allentown is rapidly increasing in population, and the evidence before the committee is that at the present time a suitable site can not be purchased for less than \$30,000, leaving not more than \$70,000 for the construction of the building. The objections of the President are as to the amount appropriated. Your committee are of the opinion that further delay in the purchase of a site would be false economy, for the price of land is steadily increasing, and that in the construction of the building some regard should be had for the steady increase of the postal business and the certain necessity for more room in the near future. It would be unwise to provide only for the present wants.

Your committee are of the opinion that the amount appropriated in the bill is not excessive and that the efficiency of the public service will be promoted by its passage; and therefore respectfully recommend that the bill be passed notwithstanding the objection by the President.

Mr. DIBBLE. Mr. Speaker, the Committee on Public Buildings and Grounds have given very careful consideration to this case. The message of the President of the United States indicates that the veto is upon the ground that the appropriation is too large. There is nothing in the message to indicate the President would not have signed a bill appropriating a smaller amount of money. The expression used by the President is as follows:

But I am thoroughly convinced that there is no present necessity for the expenditure of \$100,000 for any purpose connected with the public business at this place.

It was to that question the committee directed their attention. They found, Mr. Speaker, from the best information they could obtain, that a site for a public building would cost about \$30,000, which would leave about \$70,000 for the erection of the building. In view of the fact that Allentown is a place of some 30,000 people and is a place now growing very rapidly, it was the opinion of the committee that for the erection of a building providing not simply for the office of Allentown to-day, but for the next ten or fifteen years in the future, which would be wise economy, that the sum of \$70,000 was not too large for the building, and the appropriation, therefore, of \$100,000 did not appear to the committee to be excessive.

Mr. WISE. Is this building required for any other purpose than a post-office?

Mr. DIBBLE. It is not. It is simply required for a post-office. There are other Government offices there, but they are not of such a nature that the Government is obliged to provide accommodation for them, though they are of such a nature as are commonly accommodated when the public building is erected.

Mr. WISE. How many employes are in the post-office at Allentown?

Mr. DIBBLE. I have not the data, but I will get them for the gentleman.

Mr. BLOUNT. What are the gross receipts at this post-office?

Mr. DIBBLE. The gross receipts for the postal year ending June 30, 1887, were \$23,397.54, which was an increase over the receipts of the prior year of about \$2,500. I understand the receipts of the year just closed exceed the receipts of 1887 by some \$4,000.

Mr. HERBERT. How much does the Government pay for rent?

Mr. DIBBLE. The Government is paying \$1,300 rent.

Mr. HERBERT. Do you think we ought to have a \$100,000 building?

Mr. DIBBLE. That lease will expire on 1st day of April, 1889, and at that time we are informed the Government will have to pay a higher rent; of course about a year hence. Does the gentleman desire to know the number of employes?

A MEMBER. The gentleman from Virginia is not now present.

Mr. DIBBLE. The annual receipts of the office have been \$23,000, but are now \$27,000 a year, which is a good deal more than the amount of revenue of some post-offices for which public buildings have been erected. It is clearly within the range of those cases where past Congresses have been in the habit of voting for the erection of public buildings. The other public offices which will be accommodated there are a deputy collector of internal revenue and a board of pension examiners.

That, Mr. Speaker, is about the case; and unless some member desires to discuss the question I will call for a vote.

Mr. TURNER, of Georgia. I should like to have a moment.

Mr. DIBBLE. How much?

Mr. TURNER, of Georgia. I will not take more time than is absolutely necessary.

Mr. DIBBLE. I will yield for five minutes to the gentleman from Georgia.

Mr. TURNER, of Georgia. As a part of my remarks, I ask the message of the President on this matter be read.

The Clerk read as follows:

PUBLIC BUILDING AT ALLENTOWN, PA.

Message from the President of the United States, returning House bill No. 4357, with his objections thereto.

To the House of Representatives:

I return without approval House bill No. 4357, entitled "An act to erect a public building at Allentown, Pa."

The accommodation of the postal business is the only public purpose for which the Government can be called on to provide, which is suggested as a pretext for the erection of this building. It is proposed to expend \$100,000 for a structure to be used as a post-office. It is said that a deputy collector of internal revenue and a board of pension examiners are located at Allentown; but I do not understand that the Government is obliged to provide quarters for these officers.

The usual statement is made in support of this bill setting forth the growth of the city where it is proposed to locate the building and the amount and variety of the business which is there transacted. And the postmaster in stereotyped phrase represents the desirability of an increased accommodation for the transaction of the business under his charge.

But I am thoroughly convinced that there is no present necessity for the expenditure of \$100,000 for any purpose connected with the public business at this place.

The annual rent now paid for the post-office is \$1,300.

The interest at 3 per cent. upon the amount now asked for this new building is \$3,000. As soon as it is undertaken the pay of a superintendent of its construction will begin, and after its completion the compensation of janitors and other expenses of its maintenance will follow.

The plan now pursued for the erection of public buildings is in my opinion very objectionable. They are often built where they are not needed, of dimen-

sions and at a cost entirely disproportionate to any public use to which they can be applied, and as a consequence they frequently serve more to demonstrate the activity and pertinacity of those who represent localities desiring this kind of decoration at public expense than to meet any necessity of the Government.

EXECUTIVE MANSION, May 9, 1888.

GROVER CLEVELAND.

Mr. DIBBLE. I yield five minutes to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. Mr. Speaker, one of the reasons of the Committee on Public Buildings and Grounds for passing this bill over the veto of the President of the United States, which has just been read from the Clerk's desk, is that it is needed on account of the lack of proper postal facilities at that place. I do not know what methods the Committee on Public Buildings and Grounds have resorted to for the purpose of ascertaining that there were not sufficient accommodations for the postal service there. The report does not disclose the facts which would show their familiarity with the service at that place and the inconvenience resulting from the lack of accommodations. My friend was not able to state, although chairman of the committee, the number of employes which were at work in that building. He did state that the gross receipts, obtained from the official statements, were about \$23,000, and there was a conjectural estimate that that would be increased to about \$27,000.

Now, it does not require a very large office to accommodate mail matter which only yields about \$23,000 of gross receipts, and therefore it does not appear in the statement of the receipts or in anything else to indicate that at this small second-class post-office there is any occasion for this House deliberately to condemn the President of the United States by overriding the veto of this measure when he had by his side the officer at the head of the postal service of the United States, who naturally has the best sources of information as to the needs of the service in every part of the country.

I say, sir, that I trust the House will not on the invitation of a committee which has not had consideration of postal questions referred to it, and no peculiar advantages, deliberately adopt such a course, and pass the bill over the veto of the President of the United States.

What says that high official:

The usual statement is made in support of this bill setting forth the growth of the city where it is proposed to locate the building and the amount and variety of the business which is there transacted. And the postmaster in stereotyped phrase represents the desirability of increased accommodation for the transaction of the business under his charge.

This is the language of the Chief Executive, who perhaps gives more attention to the consideration of legislation than almost any of his predecessors, whose high character, whose integrity, and whose wisdom, so far as this side of the House is concerned and the party they represent, have had the highest sanction possible in his renomination to the high office he now holds. But the spectacle is presented here of a unanimous committee of this House on this small matter with its insignificant reasons overriding a Presidential veto.

Mr. Speaker, this House may see fit to adopt that course, but the judgment of the country will not be with us, but with the President; and I trust, sir, gentlemen will pause before they take such a step as this. We all know with what little care these bills have been passed, how lightly they are considered, how much personal interest so many of us have in them, and how likely we are to be misled by those considerations, and how much superior is the attitude of the President to enable him to form a just judgment in regard to them.

[Here the hammer fell.]

Mr. DIBBLE. I now yield five minutes to the gentleman from Pennsylvania [Mr. SOWDEN].

Mr. SOWDEN. Mr. Speaker, I regret very much that the gentleman from Georgia [Mr. BLOUNT] should have introduced politics into this discussion, and that he should have referred to the fact of the renomination by the Democratic party of the President whose veto message is now under consideration as a reason for this side of the Chamber to vote to sustain it.

Politics should have nothing to do with this matter, and the only object the gentleman could possibly have had in introducing them must have been to prejudice the minds of the Democratic members of this body and cause them to vote to sustain the President regardless of the fact as to whether he erred or not.

The question before the House is, whether or not the bill now being reconsidered shall pass, the veto of the President to the contrary notwithstanding. The right of the President to interpose the veto power to prevent profligate and ill-considered legislation no one will dispute. It is one of his constitutional prerogatives. Its exercise, however, should not be invoked unless it is clear that Congress failed to exercise proper care in the passage of the legislation vetoed. When the wisdom of the two Houses is united on a question involving no great constitutional principles nor grave questions of public policy, it seems to me that the President should be slow to use the veto power.

The committee to whom the message and bill now before the House were referred, after a careful examination came to the unanimous conclusion that the President had erred in vetoing this measure, and unanimously recommended its passage over his veto. The language

used by the President in his message may or may not be of very doubtful propriety. I shall make no criticism upon its general tenor, although the gentleman from Georgia [Mr. BLOUNT] has opened the door to it. I shall leave it uncriticized; the only question for our inquiry being whether the President's reasons are sound, and whether the facts involved warrant his conclusion.

The committee to whom the message was referred, in their report to the House find that the facts do not warrant the President in his conclusion, and therefore recommend the passage of the bill over his veto. Who is right—the President or the committee? The only reason urged by the gentleman from Georgia [Mr. BLOUNT] in support of the message is that this side of the House ought to stand by the President because he was renominated for the high office which he so creditably fills. There is neither sense nor logic in this position. To advance such an argument is not only unworthy of the gentleman from Georgia [Mr. BLOUNT], but is an insult to the intelligence of this House. I hope no member will be misled by it.

Allentown is one of the most flourishing manufacturing cities in Pennsylvania and has a population of about 28,000. Its gross postal receipts for the year ending June 30, 1887, were \$23,397.54; the total expenses \$12,547.49, and the net income nearly \$11,000. The receipts were increased nearly \$4,000 during the postal year ending June 30, 1888. There are twelve or fifteen employes in the postal service at the Allentown office. The postmaster has continuously on hand from 200,000 to 300,000 postage-stamps, and from 70,000 to 100,000 postal-cards at this office with no vault in which safely to keep them. This of itself furnishes a strong reason for the necessity of a public building with a fire-proof vault in which safely to keep and protect the public property.

The postmaster is compelled to employ a man to sleep in the office every night to watch and guard the Government's property from theft or destruction by fire.

There is no new departure in the passage of this kind of legislation. It has become the settled policy of this Government to erect public buildings of this character wherever and whenever the necessity of the public service seemed to justify it. A large number of bills similar to that now being reconsidered were passed in the last and present Congresses, and with very few exceptions were approved by the Executive.

If there had been no precedents for the erection of public buildings that were to be used exclusively for the transaction of the postal business, I should not be here advocating the passage of this bill over the veto of the President.

A large number of these measures have passed Congress and been approved by the Executive. The President approved several such bills since he vetoed the one now before the House that were of far less merit. A large number of public buildings are now being built in cities that have less than one-half of the population of Allentown and where the postal receipts are not as large as those of the Allentown office.

There are many cases where the rent paid by the Government for post-office purposes is not nearly so high as that paid for the Allentown office, and where larger sums of money were appropriated for the erection of public buildings than is appropriated in the bill now being reconsidered. I could give many instances of this character if I had the time in which to do so, but I have not.

If the President had adopted the same reasoning he employed in his veto message of the Allentown bill in the Hoboken case, logic would have led him to veto that measure. He approved the bill for the erection of a public building in the city of Lancaster, Pa., since he vetoed this bill. That building, like those in Paterson and Hoboken, is to be used exclusively for the transaction of the postal business. The net postal receipts of the Hoboken office for the fiscal year ending June 30, 1887, were less than \$7,000, and the President approved a bill appropriating \$60,000 for the erection of a public building in that city. It would appear from this that he did not consider an appropriation of \$10,000 too high for every \$1,000 net postal receipts, and had he been governed by the same principle in the consideration of the Allentown bill it could not have escaped his approval. Had the President assigned any well-founded reasons for disapproving this bill the committee to whom his message was referred would surely not have been unanimous in recommending its passage over his veto.

His message and the bill should receive the most careful consideration of this House, and should be fairly discussed since we are called upon to discharge a constitutional duty of the highest possible character. If the gentleman from Georgia had confined himself to the discussion of the merits of the bill and the reasons given by the President for withholding his signature I should not complain, but to interject politics into a discussion of this high constitutional character is most questionable, and should have very little weight with right-thinking men.

I appeal to the members on this side of the House to disregard politics in this matter. It is a plain business proposition and should be so regarded by every member of this House. I hope that every member on this side of the House will support the report of the committee and vote to pass the bill now being reconsidered, the President's veto to the

contrary notwithstanding, if only to show that the Democratic party is grand enough to rise superior to the errors of its leaders.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. DIBBLE. I yield five minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, the question in its first aspect is purely a business one. Here is a proposition to erect a building worth \$100,000 to accommodate a post-office in a city where we now procure a building sufficient for the purposes at a rental of \$1,300 only.

Mr. LEHLBACH. Will the gentleman excuse me?

The CHAIRMAN. Does the gentleman yield?

Mr. HERBERT. I decline to yield.

Mr. LEHLBACH. I merely wish to say that it is not sufficient.

Mr. HERBERT. The gentleman must excuse me. I take it for granted that it is sufficient. A town of 30,000 inhabitants, which this city is said to have, can certainly furnish sufficient accommodations for its post-office; and any postmaster fit for his place will certainly procure, when to be had, proper accommodations; and we have the testimony of this committee that only \$1,300 rental is paid. Now, if this bill proposed an expenditure of only \$45,000 for the erection of this building it could not be justified as a business proposition. The interest on \$45,000 at 3 per cent. would be \$1,250, nearly the rental. The annual repairs would amount to fully \$200 more, and besides this there would follow the appointment of a janitor or some other official to take care of the building, at a cost of \$800 or \$1,000.

A \$100,000 building, a janitor at \$1,000 to take care of it, and two or three hundred dollars a year for repairs! All this for a post-office now obtained for \$1,300. Can any gentleman justify himself to his constituency for such a vote? But there is another, and a political aspect of this case. The President of the United States, when he was elected, was bound by his party platform, bound by his own promises, bound as a Democrat to administer his high office with due regard to economy. Seeing clearly how extravagant it was, and having the courage of his convictions, he has interposed between the Treasury and Congress his veto of this proposition.

Now the question is, will this Democratic House dare to condemn that veto? For one I am glad that the vote is under the Constitution to be taken by yeas and nays. I have no doubt that every Republican on this floor will march up with alacrity to sanction this extravagance and to condemn a Democratic President for arresting it with his veto, but I rejoice to know that the RECORD will show to the constituency of every Democrat how he is to vote on this occasion. What Democrats are there here to march up side by side with Republicans to condemn President Cleveland for this righteous veto, and who are the Democrats that will dodge and shirk this vote?

Mr. DIBBLE. I yield to the gentleman from Kentucky [Mr. MONTGOMERY].

Mr. MONTGOMERY. I agree with the gentleman from Alabama that this is a business proposition. Indeed, all these bills for public buildings ought to be considered as business propositions. To carry out the idea that there ought to be some uniform and just rule which would obviate this great waste of public money and do justice to small as well as larger towns, there has been reported and is now on the Calendar of this House a bill which proposes, if we intend to continue this system of erecting buildings for post-offices, to establish a uniform system in this country for building them.

That bill is on the Calendar with a favorable report of the committee, and I will ask that the second and third sections of that bill be read from the Clerk's desk, in order that the House may have information and understand what, in the judgment of the committee which formulated and reported it, would be a fair expenditure for a building in a town of the size of the one under discussion, where the gross receipts from the post-office amount to less than \$25,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIBBLE. I yield sufficient time for the reading of that bill.

The Clerk read as follows:

SEC. 2. That the Postmaster-General shall cause to be prepared by the Architect of the Post-Office Department, with the assistance of the Supervising Architect of the Treasury, who is directed to furnish his counsel and aid thereto, a design for post-office buildings, which, being adopted, shall be approved by the Secretary of the Treasury, the Postmaster-General, and the Secretary of the Interior; that such design and plans shall be so devised as to enable the construction of post-offices of such variable size as may be required at the Presidential offices, so that additions or extensions to their capacity may be constructed from time to time in the future without injury to the harmony of the design or the usefulness of the constructed portion; that such design and plans shall be of uniform general character and exterior appearance, and, so far as may be most expedient for the service to be performed in them, of interior arrangement; and that all such buildings shall be constructed with a view to being fire-proof.

SEC. 3. That the Postmaster-General is authorized from time to time to construct, in his discretion, post-office buildings in accordance with the general design and plans so to be provided as aforesaid, at any place at which the gross receipts of the post-office for two years or more preceding shall have exceeded the sum of \$3,000 in each year, but not in excess of the amounts which may be from time to time appropriated for such purpose by Congress; and for that purpose the Postmaster-General shall cause the proper working drawings for any such buildings as he shall so determine to construct to be prepared in accordance with the general design and plans aforesaid, and shall determine of what materials any particular building shall be built: *Provided*, That the cost of no such building shall exceed to the United States \$25,000, and that the cost of no such building at any place where the post-office receipts for each of the two pre-

ceding years shall have been no more than \$25,000 shall exceed to the United States \$20,000, and that the cost of no such building at any place where the receipts for each of the two preceding years shall have been more than \$20,000 shall exceed to the United States \$15,000. That all contracts for the construction of such buildings and for materials, fixtures, or apparatus to be used in such construction shall be let to the lowest bidder after such advertisement for proposals as the Postmaster-General shall direct shall have been made for not less than three weeks, at least one of which such advertisements shall be printed in a newspaper published at the place where such building is intended to be constructed, if any such there be.

Mr. MONTGOMERY. The House will see that under that bill \$20,000 would be the amount allowed to build a post-office in this town; and that bill can be passed at any time if the House should so desire, and ought to be passed if we intend to persist in this system of building post-offices.

Mr. DIBBLE. I would ask the gentleman how \$20,000 is going to erect a building where the site will cost \$30,000?

Mr. MONTGOMERY. If the gentleman will examine the fourth section of this bill he will find out how that would be done.

Mr. Speaker, I will never have a better opportunity than this, when the Committee on Public Buildings and Grounds are attempting to pass a bill over the veto of the President, to enter my earnest protest not only to the extravagance but the manner of the expenditures of the public revenues for public buildings intended only to beautify and adorn favored cities. I have been protesting with this side of the House against four-fifths of the taxes that are levied on the consumers of this country under our present tariff never reaching the Treasury but going directly into the pockets of the favored few of favored localities. I now protest against the fifth, that does reach the Treasury, being squandered in extravagant appropriations for public buildings in favored cities. One hundred thousand dollars for a post-office in a town for which only 30,000 inhabitants are claimed looks rather extravagant to a member from an agricultural district in which not one dollar out of the millions wasted under this and similar legislation is ever expended. Those who get no benefit from these expenditures have a right to demand either that this system of public buildings cease or that some uniform system be adopted, in the benefits of which all parts of the country can share alike and in which uniformity, economy, and the demands of the public service shall alone be consulted.

Mr. BUCKALEW. It is with some reluctance that I vote against the passage of this bill, for it would be agreeable to me to accommodate my neighbors in the city of Allentown, who desire a beautiful public building to be erected within its limits, and they can plead, I suppose with truth, that some other towns in the United States with no greater merit than theirs have been so accommodated. But this bill proposes a building for post-office purposes alone, and not for the use of the courts of the United States nor for any more extended purpose, and it therefore does not fall within the class of public buildings which we readily pass, where a double purpose of the Government is to be subserved. In the next place, I am entirely convinced that the reason assigned for the veto in this bill, to wit, an unnecessary amount of expenditure, is true and well taken.

I have no doubt, sir, that a good building, of fair proportions, of beautiful architectural design, and of ample extent for all post-office purposes could be erected for one-half of the money which, under the provisions of this bill, can be devoted to that purpose; and this bill will constitute a scale or standard for other cases which shall hereafter arise. Therefore I think we ought to object to the erection of this standard, and confine ourselves to one more adapted to the purposes of economy and the necessities of the Government. I will conclude by saying, as my time is limited, that with considerable reluctance on account of neighborhood and personal association, but with clear convictions upon public grounds for reasons which apply to this measure, I shall be compelled to vote against it.

Mr. DIBBLE. Mr. Speaker, this is a pure business question. The gentleman from Georgia [Mr. BLOUNT] was pleased to depart from its business aspects and to introduce some political references. Now, sir, on all political questions, I am proud to say to the gentleman from Georgia that I have always found I could conscientiously support the President of the United States. But this is simply a case where the President, in the exercise of his undoubted prerogative, has said to the House of Representatives: "I think you have voted too large an amount for this public building, and I therefore return the bill with that objection."

What is the effect of that, Mr. Speaker? Does it mean that the President of the United States says to his political friends in the House of Representatives, "I tell you to support me in that view?" That certainly is not the position which the President would take; that is not the constitutional position; and no one who has ever been elevated to the high office of President would for a moment take such a position in a message to the Houses of Congress. Is it in violation of party fealty to differ on a business question of dollars and cents involving no political principle, and does the gentleman from Georgia mean to intimate that a Democratic President would attempt in a message to dictate to a House with a Democratic majority? I, for one, would dislike to entertain such a charge against a President in whom I have the confidence that I have in the present Executive of the United States.

The President has simply done what he thinks is his duty. He has asked the House to reconsider this measure, and that is what the Constitution requires the House to do.

And, Mr. Speaker, in what way did the House proceed to reconsider this measure? Hastily? Not at all. They referred it to the committee which had reported the bill, and that committee took it up as a new proposition. They considered the message of the President. The objection which he had stated was that \$100,000 was too much. They devoted themselves to that question irrespective of party, without any intention to do other than to consider it anew as a business proposition, without any prejudice, without any influence from the Executive or from any other source. It is the constitutional prerogative of this House, when a measure is returned by the President, to consider it without influence and on its merits, and in that way only can legislative independence be preserved. As I stated before, the Executive in this veto message does not address instructions to the majority of this House; simply asks the House to reconsider this matter. He says in substance, "I think a hundred thousand dollars is too much for this purpose; reconsider the matter under the Constitution."

The committee took the bill up deliberately and referred it to a subcommittee, that subcommittee investigated, and they found on that investigation that in numerous instances under acts of Congress buildings had been erected which cost more than \$100,000 in places where fewer facilities were required to transact the public business than in Allentown. They found that public buildings had been erected in places where the rental was no more than the rental at Allentown; in fact, they found, Mr. Speaker, that the Allentown bill had numerous precedents in this and in previous Congresses.

They formed their judgment and they have submitted it now to the House for its decision. They came to the conclusion as business men that the amount provided in the bill was not excessive. Their information is that a proper site for this building will cost \$30,000. That leaves \$70,000 for the erection of the building. Now, Mr. Speaker, I have here the report of the Supervising Architect of the Treasury, in which will be found several buildings for post-offices simply, and there is scarcely a public building anywhere in this country that has been erected for so small an amount as \$70,000. There is no public building in the country in a place of the size of Allentown which, whatever the original limit of cost may have been, has been erected for less than \$70,000—I mean within the last twenty years. This bill might have been reported for \$50,000; it might have passed for \$50,000; it might have been approved for \$50,000. Undoubtedly, from the tenor of the President's message, if the bill had been for \$50,000 or \$60,000 he would have approved it.

He has approved at this session a bill for a public building for a much smaller place, involving an appropriation of \$60,000. What would have been the result? This bill, with an insufficient appropriation, would have gone upon the statute-book as a law; \$30,000 of the money would have been expended for the site and only \$30,000 would have remained for the building. Then next session there would be a bill to increase the limit of cost, a foothold having been gained by the first small appropriation of \$50,000 or \$60,000, and on investigation we would have had to report \$30,000 insufficient for the purpose, and the consequence would have been that the building would have cost \$100,000 before it was completed. Now, sir, I am in favor of making these appropriations large enough in the first instance, and then holding the executive officers strictly down to the limit.

It has been the purpose of the committee at this session so to shape their recommendations as to subserve that end; and this amount, according to the experience with all the buildings now being erected and which have heretofore been erected, will not do more than put up such a public building as the city of Allentown requires for the accommodation of the public business in the next ten or fifteen years.

In view of these considerations, Mr. Speaker, we submit the matter to the House, and I call the previous question upon this whole matter.

The previous question was ordered.

The SPEAKER. The question is, Shall this bill pass, the objections of the President to the contrary notwithstanding? According to the requirement of the Constitution, this question must be taken by yeas and nays.

The question was taken; and there were—yeas 140, nays 82, not voting 102; as follows:

YEAS—140.

Adams,	Buchanan,	Dibble,	Guenther,
Allen, Mass.	Bunnell,	Dingley,	Hall,
Allen, Mich.	Butler,	Dorsey,	Harmer,
Anderson, Iowa	Butterworth,	Ermentrout,	Haugen,
Anderson, Kans.	Campbell, Ohio	Farquhar,	Henderson, Ill.
Arnold,	Cheadle,	Finley,	Hermann,
Atkinson,	Clark,	Flood,	Hires,
Baker, N. Y.	Conger,	French,	Hitt,
Bayne,	Cooper,	Fuller,	Holmes,
Bound,	Cox,	Gallinger,	Hopkins, Ill.
Boutelle,	Crouse,	Gay,	Hopkins, Va.
Bowden,	Cutcheon,	Genr,	Hopkins, N. Y.
Brewer,	Dalzell,	Gest,	Hovey,
Brown, T. H. B., Va.	Darlington,	Goff,	Hunter,
Brown, Ohio.	Davis,	Grimes,	Jackson,
Brumm,	De Lano,	Grout,	Johnston, Ind.

Johnston, N. C.	Neal,	Rowell,	Thomas, Ky.
Keen,	Nelson,	Russell, Conn.	Thomas, Wis.
Kennedy,	Newton,	Rusk,	Turner, Kans.
Kerr,	Nichols,	Ryan,	Vance,
Laidlaw,	O'Donnell,	Sawyer,	Vandever,
Laird,	Osborne,	Sculi,	Wade,
Lehbach,	Owen,	Sency,	Warner,
Lind,	Patton,	Seymour,	Weber,
Lodge,	Payson,	Smith,	West,
Long,	Pennington,	Snyder,	White, Ind.
Lynch,	Perkins,	Sowden,	White, N. Y.
McAdoo,	Peters,	Steele,	Whiting, Mass.
McCulloch,	Phelps,	Stephenson,	Wickham,
McKenna,	Plumb,	Stewart, Tex.	Wilber,
McShane,	Post,	Stewart, Vt.	Wilkinson,
Milliken,	Reed,	Struble,	Williams,
Moffitt,	Rice,	Tarsney,	Woodburn,
Morrow,	Rockwell,	Taylor, E. B., Ohio	Yardley,
Morrill,	Romeis,	Taylor, J. D., Ohio	Yost.

NAYS—82.

Abbott,	Cothran,	Hudd,	O'Neill, Ind.
Allen, Miss.	Crisp,	Jones,	O'Neill, Mo.
Anderson, Miss.	Culberson,	Kilgore,	Phelan,
Anderson, Ill.	Cummings,	Landes,	Richardson,
Bacon,	Dargan,	Lane,	Rogers,
Baker, Ill.	Davidson, Ala.	Lanham,	Rowland,
Barnes,	Dockery,	Latham,	Spinola,
Blanchard,	Dunn,	Macdonald,	Springer,
Bland,	Elliott,	Maish,	Stahlnecker,
Blount,	Enloe,	Mansur,	Stewart, Ga.
Breckinridge, Ark.	Forney,	Martin,	Stockdale,
Breckinridge, Ky.	Gibson,	Matson,	Thompson, Cal.
Bryce,	Glass,	McClammy,	Tillman,
Buckalew,	Hare,	McCreary,	Townshend,
Burnett,	Hatch,	McKinney,	Turner, Ga.
Bynum,	Heard,	McRae,	Walker,
Candler,	Hemphill,	Mills,	Washington,
Carlton,	Henderson, N. C.	Montgomery,	Wheeler,
Caruth,	Herbert,	Moore,	Wilson, Minn.
Clements,	Holman,	Morgan,	
Cobb,	Hooker,	Oates,	

NOT VOTING—102.

Bankhead,	Crain,	Laffoon,	Rayner,
Barry,	Davenport,	La Follette,	Robertson,
Belden,	Davidson, Fla.	Lagan,	Russell, Mass.
Belmont,	Dougherty,	Lawler,	Sayers,
Biggs,	Dunham,	Lee,	Scott,
Bingham,	Felton,	Lyman,	Shaw,
Bliss,	Fisher,	Maffett,	Sherman,
Boothman,	Fitch,	Mahoney,	Shively,
Bowen,	Foran,	Mason,	Simmons,
Brower,	Ford,	McComas,	Spooner,
Browne, Ind.	Funston,	McCormick,	Stone, Ky.
Brown, J. R., Va.	Gaines,	McKinley,	Stone, Mo.
Burnes,	Glover,	McMillin,	Symes,
Burrows,	Granger,	Merriman,	Taulbee,
Campbell, F., N. Y.	Greenman,	Morse,	Thomas, Ill.
Campbell, T. J., N. Y.	Grosvenor,	Norwood,	Thompson, Ohio
Cannon,	Hayden,	Nutting,	Tracey,
Caswell,	Hayes,	O'Ferrall,	Weaver,
Catchings,	Henderson, Iowa	O'Neill, Penn.	Whiting, Mich.
Chipman,	Hiestand,	Outhwaite,	Whitthorne,
Clardy,	Hogg,	Parker,	Wilkins,
Cockran,	Houk,	Perry,	Wilson, W. Va.
Cogswell,	Howard,	Pidcock,	Wise,
Collins,	Hutton,	Pugsley,	Yoder.
Compton,	Kelley,	Randall,	
Cowles,	Ketcham,		

So (two-thirds not voting in favor thereof) the bill was not passed. Mr. COWLES. On this bill I am paired with the gentleman from Ohio, Mr. THOMPSON. If he were present, I would vote "no."

Mr. TIMOTHY J. CAMPBELL. I am paired with my colleague, Mr. BELDEN. If at liberty to vote, I should vote "no."

The following-named members were announced as paired on all political questions until further notice:

Mr. BIGGS with Mr. FELTON.
 Mr. BURNES with Mr. HENDERSON, of Iowa.
 Mr. GRANGER with Mr. HOUK.
 Mr. GLOVER with Mr. BROWNE, of Indiana.
 Mr. CATCHINGS with Mr. COGSWELL.
 Mr. BELMONT with Mr. DAVENPORT.
 Mr. COLLINS with Mr. DUNHAM.
 Mr. DAVIDSON, of Florida, with Mr. O'NEILL, of Pennsylvania.
 Mr. PERRY with Mr. HAYDEN.
 Mr. MCKINLEY with Mr. SCOTT.
 Mr. GREENMAN with Mr. THOMAS, of Illinois.
 Mr. TIMOTHY J. CAMPBELL with Mr BELDEN.
 Mr. WHITING, of Michigan, with Mr. HIESTAND.
 Mr. O'FERRALL with Mr. FUNSTON.

The following-named members were announced as paired for this day:

Mr. CRAIN with Mr. MCCOMAS.
 Mr. WEAVER with Mr. RAYNER.
 Mr. FORD with Mr. BROWER.
 Mr. LAWLER with Mr. BINGHAM.
 Mr. SHAW with Mr. BOOTHMAN.
 Mr. COCKRAN with Mr. GAINES.
 Mr. SHIVELY with Mr. SPOONER.
 Mr. TRACEY with Mr. MCCORMICK.
 Mr. SAYERS with Mr. CANNON.
 Mr. CHIPMAN with Mr. KETCHAM.
 Mr. FITCH with Mr. ALLEN, of Michigan.

Mr. PIDCOCK with Mr. PARKER.
 Mr. STONE, of Kentucky, with Mr. NUTTING.
 Mr. TAULBEE with Mr. PUGSLEY.
 The following pairs were also announced:
 Mr. HOGG with Mr. BINGHAM, on this bill.
 Mr. RANDALL with Mr. WISE, on this vote.
 Mr. OUTHWAITE with Mr. SYMES, till Saturday.
 Mr. COWLES with Mr. THOMPSON, of Ohio, on this bill.
 Mr. WILSON, of West Virginia. I am paired for the day with Judge KELLEY, of Pennsylvania.

Mr. WISE. If I were not paired on this question with the gentleman from Pennsylvania [Mr. RANDALL], I would vote "no."

Mr. ALLEN, of Michigan. I observe by the announcements that I am paired with the gentleman from New York, Mr. FITCH. I paired simply on political questions, and supposed my pair was with the gentleman from New York, Mr. BLISS. I have voted on this question, and I want my vote to stand.

Mr. BRECKINRIDGE, of Arkansas. A number of gentlemen on this side of the House who are paired on political questions have refrained from voting, construing this to be such a question. If it is not to be so construed, we ought to know it.

Mr. ALLEN, of Michigan. Without my own knowledge I was paired. I propose, of course, to observe the pair in order to accommodate the gentleman from New York [Mr. FITCH]. I supposed the pair was with the gentleman from New York [Mr. BLISS], but I now find that it is with his colleague [Mr. FITCH] who is, of course, of the same political faith as myself on general principles. But I do not consider this a political question, and I wish my vote to stand as recorded.

Mr. BURROWS. I am paired with the gentleman from Tennessee [Mr. McMILLIN].

The result of the vote was announced as above stated.
 [Applause on the Democratic side.]

EXPLANATION OF A VOTE.

Mr. HATCH. Mr. Speaker, I rise to a question of personal privilege. The SPEAKER. The gentleman will state it.

Mr. HATCH. On yesterday, on the motion to adjourn, on the demand for the yeas and nays I voted, having been informed by the Assistant Sergeant-at-Arms that my pair with the gentleman from Ohio [Mr. PUGSLEY], which had been in operation for some three or four days, had been withdrawn by him. Under that statement I allowed my vote to stand. The RECORD this morning shows that I voted in the affirmative, but that the pair had also been announced from the Clerk's desk, and I want the necessary correction to be made.

The SPEAKER. The correction will be made.

SELECT COMMITTEE ON CONTRACT LABOR, ETC.

Mr. SHAW. Mr. Speaker, I submit a privileged report from the Committee on Accounts.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Committee on Accounts, to whom was referred the accompanying resolution:

Resolved, That the select committee to inquire into the importation of contract laborers, convicts, and paupers be, and they are hereby, authorized to employ such additional messengers and other assistants as may, in the judgment of said committee, be deemed necessary; and that the sum of ——— thousand dollars, or so much thereof as may be necessary, to pay the expenses of said committee shall be immediately available and payable out of the contingent fund of the House on the order of the chairman and one member of said committee, in sums not exceeding \$1,000 at one time; and all vouchers for any such expenditure shall be likewise certified to by the chairman and one member of the committee; and said committee may report at any time"—

having considered the same, report it back, and recommend the adoption of the following amendments:

In line 3, after the word "paupers," insert the words "appointed under resolution of the House passed July 12, 1888;" and in line 3, after the word "of," insert the word "five" to fill the blank.

And as amended the committee recommend its adoption.

The SPEAKER. The question is on agreeing to the report.

Mr. BURROWS. Mr. Speaker, I notice in the reading of the report that the Committee on Accounts has undertaken to change the rules of the House by giving to this select committee the right to report at any time. I make the point of order that the committee can not do so, and that that matter must be referred to the Committee on Rules, the Committee on Accounts having no jurisdiction of the subject.

The SPEAKER. The Chair thinks the point of order is well taken. The only matter referred to the Committee on Accounts, and the only matter over which the committee has jurisdiction, under the rules of the House, is the appropriation out of the contingent fund of the House.

Mr. BURROWS. To that I have no objection, but to the other I have.

The SPEAKER. The Chair begs the indulgence of the gentleman for a moment to examine the resolution. [After a pause.] The Chair finds these words to which the gentleman objects were embodied in the original resolution, a fact which the Chair had overlooked in answering the gentleman's first suggestion, and supposes also that they were overlooked by the House in referring the resolution.

Mr. BURROWS. Undoubtedly it was an oversight. The question is whether they now have jurisdiction of the matter having been referred in that manner.

The SPEAKER. Having been referred to the committee the Chair supposes they have jurisdiction. However, that can be stricken out on the point of order.

Mr. BURROWS. How is it reported at this time as a matter of privilege?

The SPEAKER. Simply because it is an appropriation to pay out of the contingent fund of the House. If, however, the point of order is made that it contains matters not privileged, the Chair would have to hold that the report in that form does not present a question of privilege. If that point of order is made, therefore, the Chair would have to sustain it, because the Chair has frequently decided that reports which contain matters not privileged lose whatever privilege they may otherwise have had.

Mr. BURROWS. I make that point of order.

Mr. SHAW. Can the change not be made by striking out these words?

The SPEAKER. That may be done by consent.

Mr. BURROWS. If that portion of the resolution is stricken out, I shall not object.

The SPEAKER. Without objection, then, those words will be stricken out.

Mr. HOLMAN. What part of the resolution?

The SPEAKER. That portion of the resolution allowing the committee to report at any time.

There being no objection, the following words were stricken from the resolution:

And said committee may report at any time.

Mr. SHAW. I now ask the adoption of the resolution as amended. The resolution was adopted.

Mr. SHAW moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PAYMENT OF FUNERAL EXPENSES.

Mr. BLANCHARD submitted the following resolution; which was read and referred to the Committee on Accounts:

Resolved, That the Clerk of the House of Representatives be authorized and directed to pay out of the contingent fund of the House, to the widow of James K. Edwards, deceased (late one of the Official Reporters of the House), the expenses of his last illness and funeral, not to exceed the sum of \$500.

ORDER OF BUSINESS.

Mr. BLAND. I move that the House do now adjourn.

Mr. TOWNSHEND. I hope that motion will not be entertained. Tonight has been set apart for the consideration of matters reported from the Committee on Military Affairs.

Mr. McMILLIN. I would suggest to the gentleman from Illinois to try to get an arrangement for a day session now, in lieu of this evening. It would seem from the present condition of the business of the House that the matters to which he refers might be considered during the day instead of at night. The House is wearied out by the long strain upon it, the officers of the House, and especially the reporters, are tired out, and I hope the gentleman will consent to such an arrangement.

Mr. TOWNSHEND. I have consulted the members of the Committee on Military Affairs, and we are unanimously of the opinion that it would not be wise to adopt that course. The various conference reports will be coming in on appropriation and other bills and other matters which will take up every day.

Mr. McMILLIN. I am satisfied the gentleman can get time for the consideration of his bills.

Mr. TOWNSHEND. I think not.

Mr. BLAND. I insist on the motion.

Mr. TOWNSHEND. I hope the gentleman will either withdraw the motion, or that the House will vote it down.

The question being taken on the motion of Mr. BLAND, there were, on a division—ayes 87, noes 72.

Mr. TOWNSHEND. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. BURROWS. It is now 4 o'clock, and it will take over half an hour to call the roll; I therefore ask unanimous consent to vacate the order for the yeas and nays and that the House now take a recess until 8 o'clock. [Cries of "That is right."]

Mr. BLAND. Regular order.

The SPEAKER. The regular order is the question on the motion to adjourn, and the Clerk will call the roll.

The question was taken, and it was decided in the negative—yeas 24, nays 184, not voting 116; as follows:

YEAS—24.

Abbott,	Clements,	Grimes,	McMillin,
Allen, Mass.	Cobb,	Hall,	Mills,
Allen, Miss.	Davidson, Ala.	Hatch,	Oates,
Bankhead,	Dunn,	Hopkins, N. Y.	Turner, Ga.
Bland,	Elliott,	Lane,	Walker,
Buckalew,	Forney,	Latham,	West.

NAYS—184.

Adams,	Davis,	Lanham,	Russell, Conn.
Allen, Mich.	De Lano,	Lehbach,	Ryan,
Anderson, Iowa	Dibble,	Lind,	Scully,
Anderson, Miss.	Dookery,	Lodge,	Seney,
Anderson, Ill.	Dorsey,	Long,	Shaw,
Anderson, Kans.	Enloe,	Macdonald,	Smith,
Arnold,	Ermentrout,	Maish,	Snyder,
Atkinson,	Farquhar,	Mansur,	Sowden,
Baker, N. Y.	Felton,	Martin,	Spinola,
Baker, Ill.	Flood,	Mason,	Springer,
Barnes,	French,	McAdoo,	Stahlnecker,
Bayne,	Fuller,	McClammy,	Steele,
Blanchard,	Gallinger,	McCreary,	Stephenson,
Blount,	Gay,	McCulloch,	Stewart, Ga.
Bound,	Gear,	McKenna,	Stewart, Vt.
Boutelle,	Gest,	McRae,	Stockdale,
Bowden,	Gibson,	McShane,	Stone, Ky.
Breckinridge, Ark.	Glass,	Milliken,	Stone, Mo.
Breckinridge, Ky.	Grout,	Moffitt,	Struble,
Browne, T. H. B., Va.	Guenther,	Montgomery,	Tarsney,
Brown, Ohio	Hare,	Morgan,	Taylor, J. D., Ohio
Bryce,	Haugen,	Morrill,	Thomas, Ky.
Buchanan,	Heard,	Morrow,	Thomas, Wis.
Bunnell,	Hemphill,	Neal,	Thompson, Ohio
Burnes,	Henderson, N. C.	Nelson,	Thompson, Cal.
Burnett,	Henderson, Ill.	Newton,	Tillman,
Burrows,	Herbert,	Nichols,	Tracey,
Butler,	Hermann,	Norwood,	Townshend,
Bynum,	Hires,	O'Donnell,	Vance,
Campbell, Ohio	Hitt,	O'Neill, Ind.	Vandever,
Campbell, T. J., N. Y.	Holman,	O'Neill, Mo.	Wade,
Candler,	Holmes,	Osborne,	Warner,
Carlton,	Hooker,	Owen,	Washington,
Caruth,	Hopkins, Ill.	Patton,	Weaver,
Cheadle,	Hopkins, Va.	Peel,	Weber,
Clark,	Hovey,	Penington,	Wheeler,
Conger,	Hunter,	Perkins,	White, Ind.
Cothran,	Jackson,	Phelan,	White, N. Y.
Cox,	Johnston, N. C.	Post,	Whitthorne,
Crouse,	Jones,	Rayner,	Wickham,
Culberson,	Kean,	Rice,	Wilber,
Cummings,	Kennedy,	Richardson,	Williams,
Cutcheon,	Kerr,	Richardson,	Wilson, Minn.
Dalzell,	Kilgore,	Rogers,	Wise,
Dargan,	Laidlaw,	Rowell,	Wardley,
Darlington,	Landes,	Rowland,	Yoder.

NOT VOTING—116.

Bacon,	Davenport,	Ketcham,	Plumb,
Barry,	Davidson, Fla.	Laffoon,	Pugsley,
Belden,	Dingley,	La Follette,	Randall,
Belmont,	Dougherty,	Lagan,	Reed,
Biggs,	Dunham,	Laird,	Robertson,
Bingham,	Finley,	Lawler,	Romeis,
Bliss,	Fisher,	Lee,	Russell, Mass.
Boothman,	Fitch,	Lyman,	Rusk,
Bowen,	Foran,	Lynch,	Sawyer,
Brewer,	Ford,	Maffett,	Sayers,
Brower,	Funston,	Mahoney,	Scott,
Brown, Ind.	Gaines,	Matson,	Seymour,
Brown, J. R., Va.	Glover,	McComas,	Sherman,
Brumm,	Goff,	McCormick,	Shively,
Butterworth,	Granger,	McKinley,	Simmons,
Campbell, F., N. Y.	Greenman,	McKinney,	Spooner,
Cannon,	Grosvenor,	Merriman,	Stewart, Tex.
Caswell,	Harmer,	Moore,	Symes,
Catchings,	Hayden,	Morse,	Taulbee,
Chipman,	Hayes,	Nuttin,	Taylor, E. B., Ohio
Clardy,	Henderson, Iowa	O'Ferrall,	Thomas, Ill.
Cockran,	Hiestand,	O'Neill, Pa.	Turner, Kans.
Cogswell,	Hogg,	Outhwaite,	Whititz, Mich.
Collins,	Houk,	Parker,	Whiting, Mass.
Compton,	Howard,	Payson,	Wilkins,
Cooper,	Hudd,	Perry,	Wilkinson,
Cowles,	Hutton,	Peters,	Wilson, W. Va.
Crain,	Johnston, Ind.	Phelps,	Woodburn,
Crisp,	Kelley,	Pidcock,	Yost.

So the House refused to adjourn.

During the roll-call.

On motion of Mr. HOPKINS, of New York, by unanimous consent, the reading of the names was dispensed with.

The following additional pair was announced:

Mr. BARRY with Mr. JOHNSTON, of Indiana, for the balance of the day.

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

Mr. McMILLIN. I move that the House take a recess until 8 o'clock.

Mr. BAKER, of New York. Pending that motion, I ask unanimous consent to offer a bill for present consideration.

The SPEAKER. That can only be done by the withdrawal of the motion to take a recess.

Mr. HOPKINS, of New York. I call for the yeas and nays on the motion for a recess.

The yeas and nays were refused.

Mr. McMILLIN's motion was agreed to; and accordingly (at 4 o'clock and 20 minutes p. m.) the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House, at 8 o'clock p. m., was called to order by Mr. MCCREARY, Speaker *pro tempore*, who directed the Clerk to read the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., July 19, 1888.

SIR: HON. JAMES B. MCCREARY is designated to preside as Speaker *pro tempore* at the session of the House this evening.

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

J. G. CARLISLE, Speaker.

The SPEAKER *pro tempore*. The Clerk will now read the special order.

The Clerk read as follows:

Resolved, That on Thursday of next week the House take a recess at 5 p. m. until 8 p. m., the evening session being set apart for the consideration of bills reported from the Committee on Military Affairs.

Mr. TOWNSHEND. I move that the House go into Committee of the Whole House on the Private Calendar.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. TOWNSHEND] moves that the House go into Committee of the Whole to consider bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole, Mr. DOCKERY in the chair.

GENERAL WILLIAM F. SMITH.

The first business in order was the bill (H. R. 9396) for the relief of General William F. Smith; which was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint William F. Smith, late major-general United States Volunteers, to the position of major-general in the Army of the United States, and to place him on the retired-list of the Army as of that grade, the retired-list being thereby increased in number to that extent; and all laws and parts of laws in conflict herewith are suspended for this purpose only: *Provided*, That from and after the passage of this act no pension shall be paid to the said William F. Smith, but this proviso shall be no bar to any claims for pension that the widow or children or other heirs of said William F. Smith may have after his decease.

The report (by Mr. TOWNSHEND) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 9396) for the relief of General William F. Smith, have carefully examined the same and submit the following report:

William F. Smith graduated at West Point in July, 1841, and was assigned to duty in the Corps of Topographical Engineers, with which he served continuously till it was consolidated with the Corps of Engineers, when he resigned his commission of major, in 1857. His service included duty on the survey of the Northern Lakes, at West Point as assistant professor of mathematics, in Texas on explorations, as engineer of the eleventh light-house district, and as engineer secretary of the Light-House Board.

At the outbreak of the rebellion he served as mustering officer in New York, on the staff of General Butler at Fort Monroe, and on that of General McDowell. He was appointed colonel of the Third Vermont Volunteers in July, 1861, and took part in the battle of Bull Run and the defense of Washington.

He was appointed brigadier-general of volunteers in August, 1861, and as such commanded a division of McClellan's army from March to August, 1862, being engaged in the siege of Yorktown, the skirmish of Lee's Mills, the battles of Williamsburgh, Fair Oaks, White Oak Swamps, Savage Station, Glendale, and Malvern Hill.

He was breveted lieutenant-colonel United States Army, June 28, 1862, for gallant and meritorious services in the battle of White Oak Swamp, Virginia.

He was appointed major-general of volunteers July 4, 1862, and as such commanded a division in the Antietam campaign, taking part in the battles of South Mountain and Antietam, and was breveted colonel for gallantry and meritorious services in the last-mentioned battle. He commanded the Sixth Corps in the Rappahannock campaign and the Ninth Corps in the Fredericksburgh campaign. He commanded a division in the Department of the Susquehanna, taking an active part in the pursuit of Lee's army on its retreat from Gettysburg.

In October, 1863, he was transferred to the West, where he in turn became chief engineer of the Department of the Cumberland, on the staff of General George H. Thomas, and of the military division of the Mississippi, on the staff of General Grant. As such he devised the plan of operations by which the Army of the Cumberland was saved from starvation and capture at Chattanooga, and was duly credited with the same by General Thomas. He also devised the plan of operations by which Bragg's army was overthrown and driven back from Missionary Ridge, for which services he was again appointed and (this time) confirmed as major-general of volunteers, also as brevet brigadier-general United States Army.

When General Grant was appointed Lieutenant-General and assigned to the command of all the loyal armies, he took General Smith East with him and assigned him to the command of the Eighteenth Army Corps, with which he took part in the battles of Cold Harbor and the siege of Petersburg.

He was assigned to special duty under the Secretary of War in November, 1864, and continued thereon till December, 1865, and finally resigned from the Army in 1867, after twenty-two years' continuous service. At that time he held the rank of major of engineers and brevet major-general United States Army.

In civil life he was president of the International Ocean Telegraph Company, president of the board of police commissioners New York, and now holds the position of Government agent in charge of a district of internal improvements in Delaware and Maryland, of which (the former) State he is a citizen.

General Smith is now past the age of retirement, and is fully entitled to that favor at the hands of the Government, for a lifetime of hard and conspicuous service in which he has always displayed the most incorruptible honesty, the most outspoken patriotism and devotion, and the highest ability.

It has been the good fortune of but few men in any age or in any country to save an army and direct it to victory from a subordinate position. Such a service in Europe would secure honor and riches: in ours it should certainly result in assignment to a place on the retired-list of the Army with the rank of major-general and the appropriate pay for the remaining years of his life.

The committee therefore unanimously recommend the passage of the bill.

The CHAIRMAN. The question is on laying aside the bill with the recommendation that it do pass.

Mr. McMILLIN. Let the bill be read again.

The bill was read again.

Mr. McMILLIN. I would like to ask the gentleman from Illinois, as I did not catch it in the reading of the report, on account of the confusion around here, what his rank is now.

Mr. TOWNSHEND. He is out of the service.

Mr. McMILLIN. How did he get out?

Mr. TOWNSHEND. He resigned in 1867.

Mr. McMILLIN. Then he has been out of the service twenty years all but one?

Mr. TOWNSHEND. I will say to my friend from Tennessee that no man served his country more effectively during the late war than did General "Baldy" Smith. He entered the Army in 1841 as a West

Point graduate, and continued in the service until 1867. Prior to the war he was a teacher at West Point, and rendered distinguished service in the Engineer Corps. At the beginning of the war he entered the Army as a colonel, and during the war he was brigade commander, he was division commander, he was corps commander, and he commanded the army of the James. It was believed by General Thomas, and it has been stated by others, that General Smith planned the campaign which saved the army at Chattanooga. He is now an old man, beyond the age for retirement; he is poor and is in need of the assistance of his Government, and it does seem to me that an officer who has rendered his country such great service, who was in at the beginning of the war and served from the beginning to the end, is certainly entitled in his old age to be placed on the retired-list and to receive the small pay that will thus come to him to save himself and his family from want.

Mr. STEWART, of Georgia. What will be his pay?

Mr. TOWNSHEND. He will be retired as a major-general.

Mr. SENEY. Where is he employed now?

Mr. TOWNSHEND. He is employed by the Government on engineering work.

Mr. SENEY. At what compensation?

Mr. TOWNSHEND. I do not know, but the compensation is very small.

Mr. MATSON. Can the gentleman tell us whether General Smith is now drawing a pension?

Mr. TOWNSHEND. He is not. He is now in the civil employment of the Government in connection with engineering work.

Mr. MATSON. Does the gentleman say that he has no information as to the amount of pay that General Smith would receive under this bill?

Mr. TOWNSHEND. I believe it is two-thirds of the regular pay.

Mr. McMILLIN. No, it is three-fourths. But what is the regular pay?

Mr. SPINOLA. It amounts to between \$5,000 and \$6,000 a year.

Mr. TOWNSHEND. And the amount that he would receive under this bill would be only three-fourths of that.

Mr. McMILLIN. Would he not receive about that amount under this bill?

Mr. SPINOLA. No. That is about the pay of a major-general.

Mr. MATSON. What was his rank in the regular Army?

Mr. TOWNSHEND. He was appointed a brigadier-general and breveted major-general of volunteers during the war.

Mr. MATSON. But in the regular Army, I believe, he was never more than a colonel.

Mr. TOWNSHEND. He was a colonel in the regular Army, but for gallant services on the battle-field he was promoted as I have stated. It would take too much time to enumerate all the battle-fields on which General Smith commanded. He was with McClellan when he first moved from Richmond, and he was with Meade at Gettysburg.

Mr. MATSON. Mr. Chairman, I move to amend by striking out the word "major-general" where it occurs and inserting "colonel."

Mr. TOWNSHEND. I hope the gentleman will not do that. The distinguished services of General Smith certainly entitle him to be retired with the rank of major-general, the rank which he held when he resigned. I do not believe there is another instance in the history of this country where a particular man saved an army as General Smith did at Chattanooga. If he had been serving a foreign country he would have been rewarded far beyond our power to reward him here. He would have been promoted to the highest rank, and would probably have had nobility conferred upon him.

Mr. McMILLIN. That is the difference between a republic and a despotism.

Mr. TOWNSHEND. Another difference is that republics are often found to be very ungrateful, and, no matter what services a man may have rendered, he is often turned out to suffer in poverty and in want in his old age. I do not believe any officer has ever received recognition from this Government who deserved it more richly than does General "Baldy" Smith.

The CHAIRMAN. The gentleman from Indiana [Mr. MATSON] moves to strike out the word "major-general," where it occurs in the bill, and insert the word "colonel."

Mr. TOWNSHEND. Will my friend allow me, before he insists upon that motion, to read an extract from a letter from General Corse? We all know who General Corse is. He writes:

I remember hearing General Grant say that "Baldy Smith" (as we knew him more familiarly) was the only man he knew competent to succeed him in the command of the Army.

I have another letter from a gentleman, saying that he remembers hearing General Thomas say that General "Baldy" Smith saved the Army at Chattanooga. Now, Mr. Chairman, here is a man who saved an army, a man who enjoyed the rank of major-general when he retired from the service, and I do not think it is the proper thing to degrade him now to the rank of colonel in his old age.

I ask leave to present the following statements of the services rendered by General Smith during the campaigns at and near Gettysburg and Chattanooga. These statements have been furnished to me by gentlemen who participated in those campaigns.

MOVEMENT OF A MILITIA DIVISION UNDER THE COMMAND OF BRIG. GEN. WILLIAM F. SMITH, UNITED STATES VOLUNTEERS, DURING THE GETTYSBURGH CAMPAIGN.

Toward the end of June, 1863, Brig. Gen. W. F. Smith was in command of a division of militia assembled on the right bank of the Susquehanna River opposite Harrisburg, Pa. The Army of Northern Virginia, under General R. E. Lee, was invading Maryland and Pennsylvania, its destination being then unknown. On the afternoon of June 30 the right of General Smith's position was assailed by a force of the enemy, showing cavalry, infantry, and artillery. This movement at the time was thought by some to be made by the advance guard of General Lee's army. General Smith thought otherwise, and made dispositions to capture the force, but the enemy evidently discovering this in time hastily departed. It proved to be General Imboden's command.

Permission to make an advance was granted by General D. N. Couch, the department commander, and the command started July 1 for Carlisle, General Smith reaching that point with an advance guard of about eighteen hundred men, shortly before General Fitzhugh Lee's division of Confederate cavalry arrived; dispositions were at once made for defending the town; the advance guard was shortly after cut off from the main body of militia; several demands for surrender were made, but were declined; the town was shelled during the night (July 1, 2), and Carlisle barracks, a lumber yard, and a gasometer, were fired by the enemy, the illumination from which increased the alarm at Harrisburg; some loss was suffered by the militia; the enemy left on the morning of July 2.

General Smith soon brought together his command, and without wagon-trains, moved toward the South Mountain; up to his arrival at the foot of the mountains he had no knowledge of the whereabouts of General R. E. Lee's main army, or of the battle of Gettysburg having been commenced, no sound of battle even having been heard; on the morning of the 4th of July he learned for the first time, through an unofficial source, that a battle was in progress at or near Gettysburg; he sent me at once to find General Meade and tell him that he "would be at Watt's Furnace (Pine Grove) with four brigades of militia, with artillery, that day;" a glance at the accompanying relief map will show that Pine Grove was in the rear of Lee's army, and a force there seriously threatened that army and its communications over the main road by which it had advanced. I found General Meade at his headquarters that afternoon and reported, in accordance with my instructions.

At his request I pointed out on the map the position of General Smith's command. The topography of that region admitted of concealing a small force, or of displaying it so it might appear an immense one. General Meade was made aware of General Smith's desire to plant his command across the Chambersburg road. He ordered me to ride back at once to General Smith and "tell him to get out of there," saying, "I never ordered him there. He will be captured." Having been in the saddle many hours, my horse was played out, and I asked General Seth Williams, adjutant-general Army of Potomac, for an order for a remount. There were several general officers present, one of whom (Sedgwick, I think) remarked that Smith could take care of his command; whereupon, after a short consultation, General Meade directed me to remain in calling distance, which I did. I reported early on the 5th, but the retreat of Lee was announced shortly afterward, and I returned to General Smith, but General Meade sent written orders to him as well by a shorter road (covered by the enemy when I started), and which reached him before I did, preventing him from effecting his purpose of seizing the Chambersburg road.

During this trip to the Army of the Potomac, on the 4th of July, I saw nothing at headquarters or anywhere else that indicated to me that an assured victory had been gained, and I had had previous experience with that army in several campaigns, and knew the feelings engendered by success or reverse. On the morning of the 5th, after word had been received of General Lee's retreat, and not until then, did I notice any elation, such as assured victory occasions to the successful army.

General Lee's main army retreated through the Fairfield Pass and a part under Imboden, with wagon trains, by the Chambersburg road; the former was followed by Neill's brigade of the Sixth Corps, and General Smith moved down the mountains, reaching Waynesborough before Neill. For the first time after leaving Harrisburg rations were drawn, and from Neill's command; Smith's command subsisting during the march in such irregular ways as to barely prevent starving.

At Waynesborough the militia were associated with the Army of the Potomac, and a portion of them were engaged in battle at Hagerstown, losing men, but behaving well; after Lee crossed into Virginia they returned north.

The merits of this campaign may be summed up in the boldness of General Smith's advance immediately after General Imboden's attack at Harrisburg, in the midst of the consternation and alarm, which prevailed there as well as through the entire North, which nothing but his scientific military judgment would seem to justify; his defense of Carlisle, with a small force of raw militia, against a large command of veteran troops; his refusal to surrender (in fact, the militia at Carlisle was the magnet that attracted the sabers of Lee's army and kept them away at a time when, many writers on Gettysburg admit, General R. E. Lee needed them most; General Smith held them there by refusing to surrender, and "with his nose between their teeth," as it were); his movement toward a large army in a position at first unknown to him; his occupying a position of great strategical and tactical importance in the rear of that army when its position was known to him; his avowed purpose of planting his command across the line of Lee's communications, from which he was prevented only by direct orders from General Meade; his reaching Waynesborough, in pursuit of Lee, in advance of the Army of the Potomac, and all this without subsistence trains and with half-starved men.

He undoubtedly made an earnest endeavor to render to the Army of the Potomac and the country the best service that could be rendered with the militia under his command during a very trying period.

PRESTON C. F. WEST,
Formerly Captain, A. D. C., and Topographical Engineer,
Staff of General William F. Smith.

THE CAPTURE OF LOOKOUT VALLEY, TENNESSEE, BY THE SURPRISE AT BROWN'S FERRY, AND THE OPENING OF THE TENNESSEE RIVER, OCTOBER 27, 1863.

Of the condition of affairs at Chattanooga in October, 1863, General Grant in his Memoirs, says: "A retreat at this time would have been a terrible disaster. It would not only have been the loss of a most important strategic position to us, but it would have been attended with the loss of all the artillery still left with the Army of the Cumberland, and the annihilation of that army itself either by capture or demoralization."

All supplies for Rosecrans had to be brought from Nashville. The railroad between this base and the army was in possession of the Government up to Bridgeport, the point at which the road crosses to the south side of the Tennessee River; but Bragg, holding Lookout and Raccoon Mountains, west of Chattanooga, commanded the railroad, the river, and the shortest and best wagon roads both south and north of the Tennessee, between Chattanooga and Bridgeport. The distance between these two places is but 25 miles by rail, but owing to the position of Bragg all supplies for Rosecrans had to be hauled by a circuitous route north of the river, and over a mountainous country, increasing the distance to over 60 miles.

"This country afforded but little food for his animals, nearly ten thousand of which had already starved, and not enough were left to draw a single piece of

artillery or even the ambulances to convey the sick. The men had been on half rations of hard bread for a considerable time, with but few other supplies, except beef driven from Nashville across the country. * * * Nothing could be transported but food, and the troops were without sufficient shoes or other clothing suitable for the advancing season. What they had on was well worn. The fuel within the Federal lines was exhausted, even to the stumps of trees. There were no wagons to draw it from the opposite bank where it was abundant.

"If a retreat had occurred at that time it is not probable that any of the Army would have reached the railroad as an organized body if followed by the enemy."

Of the plan for recovering the short line of supplies between Bridgeport and Chattanooga, Van Horne, the able historian of the Army of the Cumberland, in his "Life of General George H. Thomas," says that on the night of the 23d of October after the arrival of General Grant, General Thomas "made known to General Grant at once the scheme which had been devised for the relief of the Army. The plan had been perfected in all the details and needed only the approval of General Grant."

General Hooker had been ordered by General Rosecrans to concentrate all his available troops at Bridgeport, with a view to moving on the passes of Raccoon Mountain; but says Van Horne, "General Hooker could not move with safety from Bridgeport until measures had been taken to drive the enemy from the left bank of the Tennessee River. Had his command moved into Lookout valley before support was practicable from Chattanooga, General Bragg could have sent an overwhelming force against him, and the Army at Chattanooga would only have witnessed the failure of the effort to avert starvation."

General W. F. Smith made a reconnaissance of the river below Chattanooga on the 19th of October, and on the morning of the 20th submitted to General Thomas a plan for a co-operative movement by Hooker and forces from Chattanooga. This plan for the capture of Lookout Valley, if successful, allowed the Army of the Cumberland to strike in flank any force sent by Bragg to dispute the possession of the passes in Raccoon Mountain, and when Hooker entered Lookout Valley he would be in reality connected with the Army of the Cumberland by the bridge at Brown's Ferry and the troops holding the bridge head. Hooker was to move from Bridgeport at daylight on the 27th of October. Van Horne says this plan "provided that fifteen hundred men with a sufficient force of pontoniers should embark on pontoons, and at night glide past Lookout Mountain, held almost to the edge of the water by the enemy's pickets, and embark on the left bank of the river just above Brown's Ferry."

For this service a part of General Hazen's brigade, under his own command, was taken. The remainder of this brigade, General Turchin's brigade, and the artillery were ordered to march across the peninsula formed by the course of the river, and take position on the wooded hill near the ferry to cover the troops on the pontoons, should they fail to land on the left bank, or to join them on that bank in the event of their success. This expedition was eminently successful. The pontoons hugging the right bank of the Tennessee glided by the frowning mountain, gleaming here and there with the evening's camp-fires, and the troops with slight opposition gained the left bank at the designated place.

A ponton bridge has soon thrown * * * and fortifications for the two brigades were constructed on the enemy's side of the river. Having accomplished all that the plan of operations required of them, these troops were in position to welcome Hooker's column to Lookout Valley in the evening. And then the Tennessee River from Bridgeport to Chattanooga was held by the co-operating forces. * * * The problem of supplies was thus brilliantly solved. The boldness of the plan, the nice adjustment of all its details, and the importance of the results place these operations among the prominent achievements of the war.

TO WHOM BELONGS THE CREDIT.

Van Horne, in his Life of General Thomas, says: "The definite plan was so evidently originated by General Smith that General Thomas gave him credit for its conception and execution. In his report to the Joint Committee on the Conduct of the War, he said: 'To Brig. Gen. W. F. Smith should be accorded great praise for the ingenuity which conceived, and the ability which executed the movement at Brown's Ferry. The preparations were all made in secrecy, as was also the boat expedition which passed under the overhanging cliffs of Lookout, so much so that when the bridge was thrown at Brown's Ferry, on the morning of the 27th, the surprise was as great to the army within Chattanooga as it was to the army besieging it from without.' General Bragg did not at first discover its full significance. * * * An open river and short lines of supply. * * * General Grant was as explicit as Thomas in denying any connection with the plan beyond approval. On the 26th of October he sent the following dispatch to Washington:

"MAJOR-GENERAL HALLECK: * * * General Thomas had also set on foot, before my arrival, a plan for getting possession of the river from a point below Lookout Mountain to Bridgeport. If successful, and I think it will be, the question of supplies will be fully settled."

"U. S. GRANT, Major-General."

Two days later he again telegraphed in relation to this plan:

"General Thomas's plan for securing the river and south side road hence to Bridgeport has proved eminently successful."

"U. S. GRANT, Major-General."

In a late criticism on the "Civil War in America," a most impartial work by the Comte de Paris, John C. Ropes, the able lawyer and distinguished military writer and critic, says: "For instance, in the account of the operations which resulted in the storming of Missionary Ridge, we are pleased to see that the count has adhered strictly to the exact facts, and has not been induced by his admiration of General Grant to overstate, as have some of his admirers, the part which that distinguished officer played in the success of the Federal Army. We find a cordial recognition of the important services rendered by General W. F. Smith in the planning and carrying out of the Brown's Ferry movement, which alone rendered it possible, not only to maintain the Army of the Cumberland at Chattanooga, but to bring to its assistance, first the corps of Hooker, and then that of Sherman. We find due recognition of the sound and sure judgment of the commanding general in availing himself at once of this skillful plan."

Mr. MATSON. Mr. Chairman, I admit all that my friend from Illinois [Mr. TOWNSHEND] has said in relation to the distinguished services and great merits of General Smith. It may all be properly admitted, because it can not be denied. But General Smith at the time of his resignation, which was a voluntary act on his part, was holding the rank of colonel.

Mr. TOWNSHEND. And brevet brigadier-general.

Mr. MATSON. Which was complimentary of course, but not a rank. If he had remained in the service, it is possible, as my friend has well said, that he would have become a major-general. But he did not remain in the service. The Government has not had his services since

he was colonel. It seems to me it is a great deal to do to put him on the retired-list as a colonel, the rank which he held when he resigned from the Army. After all the distinguished service he rendered, that was his rank; and I submit that if this be done, it is doing a very great deal.

I think, Mr. Chairman, that distinguished officers, soldiers, and others who have rendered great service to the country ought to be treated well. But to put a man on the retired-list means a great deal more than giving him even a very large pension. It means in this case a pension (for it is nothing more nor less than a pension) of about \$500 a month. If General Smith is placed on the retired-list as a colonel his retired pay will, I suppose, amount to \$4,000 a year, at least \$3,600—\$300 a month—which is very large pay.

Mr. TOWNSHEND. A retired officer gets only three-quarters of the regular pay.

Mr. MATSON. I know that. But it seems to me the provision I have just suggested would be quite generous. I have no disposition to be captious. I think if General Smith be placed on the retired-list as a colonel he will have been very well treated by the Government.

Mr. McMILLIN. Mr. Chairman, I do not believe it proper or wise to pass this bill in any form, for the reason that, in my judgment, when a soldier whom the Government has educated sees fit after some years given to its service to be lured out into the walks of private employment to spend there the flower of his life, it is improper after twenty-one years' absence on his part from the service of the Government to discriminate between him and all other citizens, to lift him up and put him back nominally in the service as a barnacle on the remainder of the community.

In saying this I do not mean any offense toward this soldier. I have no doubt he was a good soldier; I have no doubt he is a gentleman; I have no doubt he has that fine sense of honor and patriotism which is characteristic of so many of our people, and which is the great boast of American citizenship. Sir, the way to keep high the standard of American citizenship is to let every citizen feel that in the struggle of life he has an equal advantage with every other citizen, and that his Government is not going to tax a citizen who is making \$300 or \$400 a year by the sweat of his brow to pay a salary not earned in service to some other citizen at the rate of \$4,000 or \$5,000 or \$6,000 a year.

It is wrong in principle; and if such a practice had never been adopted in any case it would have been better for the country. Having been adopted, the sooner it is abandoned the better.

In saying this I feel no opposition toward this soldier. This is the position I have taken in every one of these cases, because I believed it was sound. I opposed General Grant's retirement on the same ground. For similar reasons I opposed taking General Pleasanton from private life and bringing him forward for a position on the retired-list. There is no principle upon which a proceeding of this kind can be justified.

How many citizens of the United States are there who do not earn and can not earn \$600 per annum, even if they should work their fingers off? Yet we are asked to come forward here and take one citizen, put him in this favored position above the mass of other citizens, and pay him a salary of \$4,000 or \$5,000 per annum as holding a rank that he never held in the regular Army. You are putting him back into the Army, not for service but for retirement, for nothing else but that he may draw a large salary from the people. I do not believe this is right; I do not think patriotism demands it.

I listened with interest to the remarks of my distinguished friend from Illinois [Mr. TOWNSHEND] when he spoke of what would have been this man's experience if he had lived in some of the countries of Europe. Sir, our ancestors fought and bled and many of them died to break down the effete systems of Europe, where governments were pinned together with bayonets and manhood stood no chance.

I do not think this measure right, and for one I shall not favor it. If it is to be passed, certainly all that can be reasonably asked is that the amendment offered by the gentleman from Indiana [Mr. MATSON] be adopted. And there is another amendment, to which I shall call attention later on, which ought to be adopted. But, as I have remarked, I do not believe measures of this kind right in principle. I think we should stop at the threshold. This House may not agree with me in the position I take. Members here may conclude that it is right to put one class of citizens on the necks of others and let them go riding over those who have to labor for their living. For one I do not favor any such principle. I think we ought to stop such a system quickly and effectually here, now, and forever.

The question recurred on Mr. MATSON's amendment.

Mr. TOWNSHEND. I demand a division.

The committee divided; and there were—ayes 48, noes 1.

So the amendment was agreed to.

Mr. McMILLIN. I move to strike out the provision which increases the retired-list to that extent.

Mr. TOWNSHEND. That would simply defeat the purpose of the bill if adopted.

Mr. McMILLIN. The law fixes the number to go on the retired-list.

Mr. TOWNSHEND. It would utterly destroy the bill. I do not wish to take up the time of the committee. Let the vote be taken.

Mr. McMILLIN. The question is whether the retired-list shall be settled beyond its present proportions.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee [Mr. McMILLIN] to strike out these words: "the retired-list being thereby increased in number to that extent."

Mr. McMILLIN. I ask for a division on that amendment.

The committee divided; and there were—ayes 22, noes 49.

So the amendment was rejected.

Mr. McMILLIN. I move to strike out the words on the second page, which the Clerk will read.

The Clerk read as follows:

But this proviso shall be no bar to any claim for pension that the widow or children or other heirs of said William F. Smith may have after his decease.

Mr. McMILLIN. My reason for offering this amendment is this: Under existing law the widow of a retired officer is not entitled to pension; but here it is proposed by this bill to reverse the whole policy of the law, to reverse the action heretofore taken by the Government, and I do not think it wise or proper.

Mr. TOWNSHEND. To save the bill I will accept the amendment of the gentleman from Tennessee.

The amendment was agreed to.

Mr. TOWNSHEND. I move the bill be laid aside to be reported to the House with the recommendation that it do pass.

Mr. McMILLIN. I ask for a division.

The committee divided; and there were—ayes 50, noes 19.

So the motion was agreed to, and the bill was laid aside to be reported to the House with the recommendation that it do pass as amended.

Mr. TOWNSHEND. The next bill is not in the Committee of the Whole. I therefore move the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McCREARY having resumed the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House on the Private Calendar had, according to order, had under consideration the bill (H. R. 9396) for the relief of General William F. Smith, and had directed him to report the same back to the House with amendments.

Mr. McMILLIN. Let this bill lie over for a little while.

Mr. TOWNSHEND. I would rather have it disposed of. It is where it can be voted on.

Mr. McMILLIN. It will retain its present status.

Mr. TOWNSHEND. I understand it comes up as unfinished business.

Mr. McMILLIN. I only want it passed over for the present.

Mr. TOWNSHEND. What is its status? Does it hold its place?

The SPEAKER *pro tempore*. It retains its status at this evening session. The Chair hears no objection, and it is passed over for the present.

ORDER OF BUSINESS.

Mr. TOWNSHEND. In order to save time I move that the bills be considered in the House as in Committee of the Whole.

Mr. ROGERS. The gentleman can not appreciate the work which this imposes upon the clerks at the desk. It confuses everything.

The SPEAKER *pro tempore*. Does the gentleman ask for a vote on his motion.

Mr. TOWNSHEND. No, I do not.

Mr. STEELE. I call up for consideration the bill (H. R. 9298) releasing the estate of Asher R. Eddy, late lieutenant-colonel and quartermaster-general United States Army, deceased, and George W. Gibbs and R. L. Ogden, sureties on his official bond.

The SPEAKER *pro tempore*. The bill is in Committee of the Whole.

Mr. STEELE. I ask unanimous consent to consider these bills in the House.

Mr. McMILLIN. I suggest to the gentleman that we are simply working our clerks well-nigh to death at the very best we can do, and it increases their labor a great deal to consider these bills in the House. For the relief of the clerks I ask that we consider them in the proper way, in the Committee of the Whole.

Mr. TOWNSHEND. That is the reason I made the motion—

Mr. DOCKERY. Let me suggest to the gentleman that a good part of this evening's session will be taken up by going in and out of committee. I would suggest, therefore, that all the bills in Committee of the Whole be considered before the committee rises.

Mr. TOWNSHEND. That will somewhat disarrange our plans.

Mr. McMILLIN. My suggestion is to save the clerks from the amount of work in journalizing the business. We are working them very hard.

Mr. STEELE. Then I move that the House resolve itself into Committee of the Whole House on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the Private Calendar, Mr. DOCKERY in the chair.

ESTATE OF ASHER R. EDDY.

Mr. STEELE. I now call up for present consideration the bill (H. R. 9298) releasing the estate of Asher R. Eddy, late lieutenant-colonel and quartermaster-general United States Army, deceased, and George W. Gibbs and R. L. Ogden, sureties on his official bond.

The bill was read, as follows:

Be it enacted, etc., That the estate of the late Asher R. Eddy, late lieutenant-colonel and deputy quartermaster-general United States Army, deceased, and George W. Gibbs and R. L. Ogden, sureties of the said late Asher R. Eddy on his official bond to the United States, bearing date September 5, A. D. 1872, be, and they are hereby, released from any liability that may have accrued in the office of said lieutenant-colonel and deputy quartermaster-general United States Army during his term of service, and the proper officer of the United States Treasury Department be, and he is hereby, authorized and directed to cancel and discharge said liability, whether the same be pending in court or has become a judgment.

Mr. McMILLIN. Let us have the report.

The report (by Mr. STEELE) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 9298) for the relief of the estate of Asher R. Eddy, late lieutenant-colonel and deputy quartermaster-general United States Army, have carefully considered the same and agree with the Secretary of War and the Quartermaster-General of the Army that the passage of the bill "would be but an act of simple justice."

WAR DEPARTMENT, Washington City, June 2, 1888.

SIR: I have the honor to acknowledge the receipt of your letter of the 25th ultimo, inclosing a communication from the Department of Justice, and Department letter of the 30th of April last, on the subject of House bill 9298, Fiftyeth Congress, first session, to release the estate and sureties of the late Col. A. R. Eddy, and requesting an opinion as to the advisability of the passage of the bill.

In reply I beg to invite attention to the inclosed copy of an additional report on the subject from the Quartermaster-General, dated the 31st ultimo, and to inclose a copy of General Orders No. 10, Headquarters of the Army, Adjutant-General's Office, 1887.

I am of the opinion that under the circumstances of this case as they appear of record, the passage of the bill in question is desirable as an act of justice.

The papers accompanying your letter are herewith returned.

Very respectfully,

WILLIAM C. ENDICOTT,
Secretary of War.

HON. R. W. TOWNSHEND,
Chairman Committee on Military Affairs,
House of Representatives.

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., May 31, 1888.

Respectfully returned to the honorable the Secretary of War.

In the opinion of the undersigned, the bill relieving the bondsmen of Lieutenant-Colonel Eddy should pass as an act of simple justice. I am strengthened and confirmed in this opinion by the fact that Order No. 10, 1877, of the War Department, practically exonerated the principal, Lieutenant-Colonel Eddy, when the subject was under review and the facts were fresh in the minds of the authorities. Further, by the fact that a sum of money was secured by the Government from the real offender in the case exceeding in amount the liabilities of the bondsmen who seek relief under this bill.

S. B. HOLBIRD,
Quartermaster-General, United States Army.

Mr. MATSON. I would like to know as to the facts on which this report is based. What was the charge against this officer and his sureties?

Mr. STEELE. Colonel Eddy was a department quartermaster of the Army of California. Under him was a military storekeeper, and under the storekeeper was a clerk. The clerk got the checks for transportation, forged the signatures of the parties to whom they were made payable, and drew the money.

Mr. MATSON. What is the amount, about, of the deficit?

Mr. STEELE. I can not give the exact amount.

Mr. PERKINS. The Quartermaster-General says that more money was recovered by the Government than the amount of the claim.

Mr. MATSON. I am satisfied with the explanation.

Mr. COBB. I do not think there is a single fact disclosed in this report why it is that it is just and equitable to release these parties.

Mr. JOSEPH D. TAYLOR. Did not the gentleman notice the statement that a larger amount had been recovered than the claim itself. Is that not enough?

Mr. MORROW. It is a formal release merely.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

NATIONAL CEMETERY, FLORENCE, S. C.

Mr. TOWNSHEND. I now yield to the gentleman from South Carolina [Mr. TILLMAN.]

Mr. TILLMAN. I move to take up the bill (H. R. 10869)—

The CHAIRMAN. The Chair is advised that this bill is in Committee of the Whole House on the state of the Union.

Mr. TOWNSHEND. Can we not consider it now, as we are in Committee of the Whole?

The CHAIRMAN. We are in Committee of the Whole on the Private Calendar. It could not be done now even by unanimous consent.

Mr. TOWNSHEND. Then, if necessary, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McCREARY having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House, having had under consideration the bill

H. R. 9298, had directed him to report the same to the House with the recommendation that it do pass.

Mr. TOWNSHEND. I hope, in order to avoid going back into Committee, that we may have unanimous consent to consider these bills as in Committee of the Whole. The clerks tell me that it will convenience them by that arrangement.

Mr. McMILLIN. What is the bill? I will not agree to the request as to all of these bills.

The SPEAKER *pro tempore*. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 10869) to construct a road from Florence, S. C., to the national cemetery adjacent thereto.

Mr. McMILLIN. I have no objection to considering that in the House as in Committee of the Whole.

The SPEAKER *pro tempore*. Is there further objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the sum of \$15,000, or so much thereof as may be necessary, is hereby appropriated, to be used in the construction of a macadam or gravel road leading from the town of Florence, S. C., to the national cemetery in the vicinity of said town, the same to be expended under the direction of the Secretary of War: *Provided*, That no part of the money so appropriated shall be expended until the town of Florence shall, by proper ordinances, grant to the United States the right, without expense, to grade and macadamize the streets along the route selected for the construction or repair of said road, and also provide in said ordinance that when said road is constructed that said town will keep the same in repair within the incorporated limits of said town: *And provided further*, That no part of said money shall be expended until the county of Darlington shall, by proper orders duly entered of record in the proper court, widen the county road, if any, along the route selected, so as that it shall correspond in width to such streets of said town as may be selected for the purpose aforesaid: *And provided further*, That the contract to construct said road shall be awarded to the lowest bidder, after due advertisement, the Secretary of War to have authority to reject any and all bids.

Mr. McMILLIN. Let the report be read.

The Clerk proceeded to read the report (by Mr. TILLMAN), as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 9744) appropriating \$10,000 for building a road from the town of Florence, S. C., to the national cemetery near said town, having had under consideration said bill, find that there are buried in the national cemetery at Florence, S. C., 3,005 Union soldiers. The grounds are inclosed within a brick wall, and embrace 3½ acres of land, and are located about ¼ miles southeast of the railroad station. The civil engineer of the Quartermaster's Department reports that one of two routes is suggested: "The first being from the railway station via Church street, and the second is from the railway station via post-office and Dargan street."

The first route is 7,700 feet long; the second about 10,000. The last is preferred by the citizens of Florence. There would be somewhat less grading to do on it, but the cost would be about in proportion to the distance, as the cost of grading is a small item.

The total cost of the road on the first route suggested, it is estimated, would cost \$18,000, and on the second route \$22,200, as will be seen by the following letter from Quartermaster-General of the United States Army:

Mr. TILLMAN. I will simply say that the Quartermaster-General and the Secretary of War have recommended the passage of this bill. Only \$15,000 is appropriated, whereas \$18,000 was supposed to be the lowest estimate for building a good macadam or gravel road. I do not think it necessary, therefore, to consume the time of the House to have the letters of the Quartermaster-General and Secretary, which are appended to the report, read.

Mr. McMILLIN. The bill is ambiguous in one respect; that is, as to the construction of the road inside of the corporate limits of the town. Who does that, the Government or the town?

Mr. TILLMAN. Why, the town, of course; and the town is required to keep that portion of the road in repair.

Mr. McMILLIN. I saw as to the keeping in repair, but was uncertain as to the original construction.

Mr. TILLMAN. The original construction is also imposed upon the town.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ESTATE OF ASHER R. EDDY.

Mr. STEELE. I now call up the bill (H. R. 9298) releasing the estate of Asher R. Eddy, late lieutenant-colonel and quartermaster-general United States Army, deceased, and George W. Gibbs and R. L. Ogden, sureties on his official bond, reported from the Committee of the Whole House.

The SPEAKER *pro tempore*. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. STEELE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

STATE HOMES.

Mr. TOWNSHEND. I yield to the gentleman from Nebraska [Mr. LAIRD].

Mr. LAIRD. I ask that the Committee of the Whole be discharged from the consideration of the bill (S. 2116) to provide aid to State homes for the support of disabled soldiers and sailors of the United States, and that the same be considered in the House. It is a substitute for the bill H. R. 7939, which has been reported by the Committee on Military Affairs and is identical with it. I ask that the House bill lie on the table and that the Senate bill be considered.

The SPEAKER *pro tempore*. The gentleman from Nebraska asks that the Committee of the Whole be discharged from the further consideration of the bill (S. 2116).

Mr. McMILLIN. The bill makes a considerable appropriation and I think it ought to receive consideration.

The SPEAKER *pro tempore*. Does the gentleman object?

Mr. LAIRD. I move that the House resolve itself into Committee of the Whole to consider the bill.

The motion was agreed to; and the House accordingly resolved itself into the Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That all States which have established, or which shall hereafter establish, State homes for disabled soldiers and sailors of the United States who served in the war of the rebellion, or in any previous war, who are disabled by age, disease, or otherwise, and by reason of such disability are incapable of earning a living, provided such disability was not incurred in service against the United States, shall be paid for every such disabled soldier or sailor who may be admitted and cared for in such home at the rate of \$100 per annum. The number of such persons for whose care any State shall receive the said payment under this act shall be ascertained by the Board of Managers of the National Home for Disabled Volunteer Soldiers, under such regulations as it may prescribe, but the said State homes shall be exclusively under the control of the respective State authorities, and the Board of Managers shall not have nor assume any management or control of said State homes. The Board of Managers of the National Home shall, however, have power to have the said State homes inspected at such times as it may consider necessary, and shall report the result of such inspections to Congress in its annual report.

Sec. 2. That the sum of \$250,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act, and payments to the States under it shall be made quarterly by the said Board of Managers for the National Home for Disabled Volunteers to the officers of the respective States entitled, duly authorized to receive such payments, and shall be accounted for as are the appropriations for the support of the National Home for Disabled Volunteer Soldiers.

Amend the title so as to read: "A bill to provide aid to State homes for the support of disabled soldiers and sailors of the United States."

The House report on the Senate bill (by Mr. LAIRD) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 2116) to provide aid to State homes for the support of soldiers and sailors of the United States, having considered the same, report:

The bill (S. 2116) as amended and passed by the Senate is precisely identical with H. R. 7939, reported by this committee; therefore your committee recommend that S. 2116 be substituted for H. R. 7939 and passed, and that H. R. 7939 lay on the table.

Mr. LAIRD. The report in this instance is quite lengthy and contains a number of tables. If I can have the consent of the House I could state the substance in one fourth of the time that it will take the House to hear it read.

Mr. McMILLIN. I think it is a matter of so much importance and makes an appropriation of so much money that it ought to be read. We do not know how much.

Mr. LAIRD. We do know how much.

Mr. McMILLIN. How much?

Mr. LAIRD. Twenty-five thousand dollars.

Mr. McMILLIN. I do not think the time of the House will be wasted by the reading of the report.

Mr. COBB. Have we passed beyond the point of objection?

The CHAIRMAN. Objections can not be made to the consideration of bills under the order on which we are acting to-night, but such orders have been adopted heretofore. Under the order of to-night there is no such provision.

Mr. LAIRD. I ask that the report of the House bill be read, but there are a number of tables, the substance of which is contained in the body of the report, and I ask that the Clerk may be excused from reading these tables, which will take almost as much time to read as the reading of the body of the report.

Mr. McMILLIN. I have no desire to consume the time of the House by reading tables if the information contained in the body of the report is given.

The report (by Mr. LAIRD) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 7939) to provide aid to State homes for the support of disabled soldiers and sailors of the United States, their widows and orphans, having considered the same, submit the following report:

There are now in existence, supported by appropriations by the General Government, the following national homes for the care of volunteer ex-soldiers and sailors of the United States, disabled in any war, namely: Dayton, Ohio; Milwaukee, Wis.; Leavenworth, Kans.; Togus, Me.; Hampton, Va., and the recently-located branch of the National Home at Los Angeles, Cal.

The following report, taken from the 1887 report of the Board of Managers of these homes, shows the number of soldiers furnished from the various States and Territories of the Union during the war, and the number of the survivors thereof now being cared for at the National Homes:

Comparative statement of the number of men furnished by the States during the civil war and the number cared for by the National Home from date of organization to June 30, 1887.

Whole number furnished by the States..... 2, 778, 304
 Whole number cared for by the National Home..... 42, 605
 Percentage of whole number furnished by the States cared for by the National Home..... 1, 533

States, Territories, etc.	Furnished by States.		Cared for by National Home.			
	Enlisted in.	Percentage.	Enlisted in.	Percentage.	Admitted from.	Percentage.
Alabama.....	7, 545	0. 272	3	0. 007	15	0. 035
Arizona.....	1	0. 002	1	0. 002	4	0. 012
Arkansas.....	13, 815	0. 497	8	0. 019	59	0. 138
California.....	15, 725	0. 566	131	0. 307	98	0. 230
Colorado.....	4, 998	0. 180	44	0. 103	77	0. 184
Connecticut.....	55, 864	2. 011	667	1. 566	620	1. 455
Dakota.....	206	0. 007	2	0. 005	67	0. 157
Delaware.....	12, 284	0. 442	136	0. 319	171	0. 401
District of Columbia.....						
Florida.....	16, 534	0. 595	573	1. 345	845	1. 983
Georgia.....	2, 34	0. 084			1	0. 002
Idaho.....	3, 486	0. 125	2	0. 005	5	0. 012
Illinois.....			1	0. 002	3	0. 007
Indiana.....	259, 092	9. 326	2, 580	6. 056	2, 941	6. 903
Indian Territory.....	196, 363	7. 068	2, 662	6. 248	2, 330	5. 469
Iowa.....			1	0. 003	7	0. 016
Kansas.....	76, 242	2. 744	568	1. 192	562	1. 319
Kentucky.....	20, 149	0. 725	286	0. 671	803	1. 884
Louisiana.....	75, 760	2. 727	869	2. 040	796	1. 868
Maine.....	29, 276	1. 053	82	0. 192	109	0. 256
Maryland.....	70, 107	2. 523	1, 103	2. 589	1, 036	2. 432
Massachusetts.....	46, 638	1. 679	670	1. 573	737	1. 730
Michigan.....	146, 730	5. 281	3, 513	8. 246	3, 345	7. 851
Minnesota.....	87, 364	3. 145	1, 169	2. 744	1, 419	3. 331
Mississippi.....	24, 020	0. 865	201	0. 473	296	0. 695
Missouri.....	18, 414	0. 663	5	0. 012	41	0. 098
Montana.....	109, 111	3. 927	1, 062	2. 493	1, 227	2. 880
Nebraska.....			17	0. 039	17	0. 039
Nevada.....	3, 157	0. 115	43	0. 100	208	0. 488
New Hampshire.....	1, 080	0. 039	1	0. 003	5	0. 012
New Jersey.....	33, 937	1. 223	588	1. 380	529	1. 242
New Mexico.....	76, 814	2. 765	1, 157	2. 716	1, 017	2. 387
New York.....	6, 561	0. 236	4	0. 009	12	0. 028
North Carolina.....	448, 850	16. 155	8, 045	18. 881	6, 617	15. 529
Ohio.....	8, 191	0. 295	2	0. 005	17	0. 039
Oregon.....	313, 180	11. 272	7, 990	18. 754	7, 436	17. 454
Pennsylvania.....	1, 810	0. 065	14	0. 033	22	0. 051
Rhode Island.....	337, 936	12. 164	5, 728	13. 445	5, 878	13. 797
South Carolina.....	23, 236	0. 836	484	1. 134	474	1. 112
Tennessee.....	5, 462	0. 196	1	0. 003		
Texas.....	51, 225	1. 844	69	0. 161	91	0. 211
Utah.....	2, 012	0. 073	10	0. 023	66	0. 155
Vermont.....			2	0. 005	8	0. 019
Virginia.....	33, 288	1. 198	181	0. 425	150	0. 352
Washington Territory.....	5, 723	0. 206	200	0. 469	220	0. 516
West Virginia.....	964	0. 035	14	0. 033	15	0. 035
Wisconsin.....	32, 068	1. 154	191	0. 448	136	0. 320
Wyoming.....	91, 237	3. 284	1, 600	3. 756	2, 050	4. 812
At large.....	9, 426	0. 339	2	0. 005	11	0. 026
Total.....	2, 778, 304	100. 000	42, 605	100. 000	42, 605	100. 000

From this it appears that in the period covered by the table the number so cared for amounts to 42,605.

The following statement, taken from the same authority, shows the increase and the ratio of the increase in the number cared for at the homes from 1883 to 1887:

"The average numbers of members present during the last five fiscal years are as follows:

Year ending June 30--	Members
1883.....	6, 738
1884.....	7, 494
1885.....	8, 118
1886.....	8, 758
1887.....	9, 718

"It appears, therefore, that the actual number present through the whole year has increased in five years 2,980, or 44 per cent. The number present and absent has increased in the same period from 8,480 during the year ending June 30, 1883, to 12,168 for the year ending June 30, 1887."

An inquiry into the capacity of the present homes to care for those entitled to admission therein under existing law shows that at the present time every branch home, unless it be the Western Branch, is so crowded that inmates are compelled to sleep on the floors. And this is true notwithstanding the fact that the capacity of the homes has been increased by the erection during the last year of temporary barracks for the accommodation of 1,000 additional men.

Speaking on the subject of the number of ex-soldiers and sailors entitled under the law to admission to the homes and to the want of capacity to care for them, the Board of Managers, in their report for 1885, say this:

"The increase in the membership of the National Home (and branches) has been constant, and for reasons referred to hereafter the percentage of increase has been greater than it has been for many years. * * *

"Four branches of the Home (all except that at Leavenworth) now contain more than double the number of men for which they were originally built. The capacities of these branches should not, in the opinion of the Board, be further increased, and the limit of size of the branches now existing should be considered to have been reached, a membership of 1,500 being, from the experience of the Board, as large as any branch should have."

"It is impossible to tell how long the membership of the Home will increase under the present law. It is safe to say, however, that it is not probable that the number will begin to diminish for at least ten years, and that there will be an increase up to that time at least. There are now fully one thousand men who have applied for admission to the Home who are fully entitled to admission under the law. They can not be admitted, first, because there are no places for them; and, second, because there is not enough money appropriated for their support."

Again the board, in their report for 1886 (June 30), says:

"The question, how long the membership of the Home will increase, still re-

mains unsolved. Under the law every soldier who is disabled and who can not earn his living is entitled to admission to the home whether his disability can be traced to service in the Army or not. This law was enacted on July 5, 1884. During the past three years the number of those admitted on account of wounds received in action or disability incurred in service has materially fallen off.

"On the other hand, the number admitted on account of age and disability incurred since the war has increased, so that the annual number of admissions continually increases. These causes of increase will continue as the soldiers grow older, and the membership of the Home must increase for an indeterminate series of years so long as Congress furnishes the means for such increase. The existing branches of the Home are now filled to their utmost capacity, and, in the opinion of the board, only one, or at most two, of them should be further enlarged."

It will be remembered in connection with the above extract that until the passage of the act of July 5, 1884, no sailor, however wounded or helpless, could be admitted to any home for disabled soldiers; and, indeed, could be cared for only at one place in the United States, and that the marine hospital in Philadelphia. Nor could any soldier be received into a home except for disabilities contracted in the line of duty in the service.

So overcrowded are the national homes at present that the managers, at their annual meeting for 1888, recommended the appropriation of \$150,000 to be used in the construction of temporary barracks at the several branches of the Home, humanity in their judgment demanding that some additional effort be made by the Government to care for the disabled veterans, as it had agreed to do by law. This bill has passed the Senate of the United States, and is now pending on the Calendar of the House, having been unanimously reported from this committee.

The data so far presented demonstrates the incapacity of the present homes to provide for the increasing demand under existing law for hospitality. A reference to the extracts cited from the various board reports shows, first, that the number of those dependent and entitled to care under the law will increase for at least five to seven years yet; and second, that an increase in the number of dependents at the demonstrated rate stated by the board would add some twenty thousand to the list of those now received into, or known to be entitled to be received into, the homes under existing law.

In the opinion of your committee the number above stated will not cover the number of those entitled to relief, and is less than the actual number will be, by thousands; and we base our conclusion on this fact, that of the 2,700,000 men enrolled for the war at least 1,000,000 are now alive. Taking the average age of a soldier at the expiration of the war to be thirty years, these survivors are now fifty-three years of age, and upon them, from this age to the end of life, time, aided by the hardships of war, will tell terribly upon constitutions undermined in the service of the country, and as a consequence drive them, where dependent, to seek the protection which a great Government ought justly and generously to give.

Two facts, in a very marked degree, confirm the conclusion of your committee that the country is now entering upon the period when it is to see the maximum of the suffering of its defenders, and must, in consequence, widen its policy to meet the increasing demand, or narrow it, and deserting the men that saved it, leave them to the mercy of private or municipal charity. Your committee do not believe the lives of these patriots were spared for such a fate. This is a Christian and civilized nation, and it will do its duty by these men as they did their duty by it.

The first of the facts referred to is the number of veterans dependent on public charity in the several States and Territories, as shown by the following table:

Veterans in charitable institutions because of their poverty, and dependents, at noon October 15, 1886.

	Veterans.	Dependents.	Total.
Arkansas.....			6
California.....	274	1	275
Colorado.....	11	4	15
Connecticut.....	274	91	365
Dakota.....	15	2	17
Delaware.....	17	1	18
District of Columbia.....	21	51	72
Florida.....	3	1	4
Georgia.....	14	6	20
Idaho.....			2
Illinois.....	827	167	994
Indiana.....	208	116	324
Iowa.....	229	119	348
Kansas.....	66	9	75
Kentucky.....	100	50	150
Louisiana.....	8	6	14
Maine.....	1, 097	113	1, 210
Maryland.....			36
Massachusetts.....	8, 798	112	8, 910
Michigan.....	473	96	569
Minnesota.....	77	15	92
Mississippi.....			7
Missouri.....	138	62	200
Nebraska.....	16	1	17
Nevada.....			1
New Hampshire.....	266	95	361
New Jersey.....	346	15	361
New Mexico.....			7
New York.....	1, 782	206	1, 988
North Carolina.....	12	2	14
Ohio.....	732	480	1, 212
Oregon.....			10
Pennsylvania.....	721	2, 958	3, 679
Rhode Island.....	15	4	19
Tennessee.....	27	20	47
Texas.....	12	5	17
Vermont.....	99	75	174
Virginia.....	12	2	14
Washington Territory.....	11	1	12
West Virginia.....	44	14	58
Wisconsin.....	125	45	170
Wyoming.....			1
Deduct Massachusetts.....	16, 856	4, 945	21, 801
	*8, 000		*8, 000
Add national homes.....	8, 856		13, 801
Total.....			15, 152
			28, 953

* Eight thousand are deducted, being those receiving State aid in Massachusetts who are not actual inmates of the poor-houses.

And the second is the necessity which has impelled the various States to expend the following sums of money in providing local State protection for the disabled veterans residing within their limits:

In California	\$75,000
For support, probably annually	15,000
In Connecticut, buildings and support for only two years	147,000
In Illinois, annually, for support	430,000
And that State has expended on Soldier's Orphan Home and support thereof	1,155,446
In Iowa, for buildings	100,000
And for buildings and support of orphans	1,188,555
In Kansas, for orphans of and soldiers, and for buildings (and has but just opened a Soldier's home; no figures at hand)	80,000
In Michigan, for buildings	160,000
For support, annually	145,000
In Minnesota, Orphans' Home and support (has just erected a State home)	110,000
In Missouri (no State home) for orphans	42,500
In New Jersey, Newark State home	695,000
For a new State home building	125,000
In New York, buildings and grounds	203,000
For support per annum, about	100,000
In Ohio, buildings and grounds	150,000
In Pennsylvania, buildings, State home	250,000
For support, per annum (estimated)	230,000
And for orphans	625,000

To this can be added Nebraska, which is just completing a home for its veterans at a cost of \$75,000.

In addition to these sums, aggregating over \$6,000,000, expended in plants by the States named, it appears from data that has come under your committee's observation that the State of Massachusetts has expended in providing for her veterans, their widows and orphans, the sum of \$18,000,000, and Wisconsin, for the same purpose, \$11,000,000. These facts not only tell the story of the needs of the class in question, but they demonstrate by example the duty of the General Government. The argument of these millions points, if not to the neglect, then to the oversight of the General Government, and its force should hasten considerate action. When the patriotism of the States answers the appeal of its soldier citizens for relief to the extent of from \$30,000,000 to \$40,000,000 in payment of an obligation resting primarily upon the people as a nation, it is time for Congress, representing the whole people, to act, and assume at least a part of a responsibility wholly national.

Your committee believe that both justice to the soldier and the tax-payer demand that the nation should charge itself with the protection of these men in their need, who in its need protected it. Nor will this obligation of honor and patriotism ever be lessened in the estimation of high-minded persons by the fact that the beneficiaries of this bill, while defending their country, were often overtaken by disaster in their business, which now, through years of varying struggle and lapsing powers of mind and body, has at last ripened into utter and hopeless ruin, leaving them stricken with age and the infirmities begotten of exposure and service, stranded and desolate, with no hand, save that of chance or public charity, to stay them as they totter down the slope of life toward the grave.

Your committee dismisses at once any thought that Congress will refuse to adopt some policy of relief, and submits that if it proposes to meet the responsibilities of the occasion and provide for such soldiers as are entitled to admission to the homes under existing law, legislation is required—

1. To establish additional branches of the Home; or
2. To materially enlarge existing branches; or
3. To encourage the States to establish State homes; or
4. To make appropriations for outdoor relief to those who can not be admitted to existing homes.

Of these obvious alternatives, your committee has selected the one which in their considerate judgment promises the most satisfactory, as well as the speediest, solution of the problem, namely, "To encourage the States to establish State homes."

In this conclusion the committee has the unqualified support of the present Board of Managers of the National Homes, all of whom concurred in the opinion expressed by General Franklin, its president, which is as follows:

"The board, is opposed, totally opposed, to the construction of other permanent homes, provided Congress will relieve existing homes and care for those entitled to care under the law, by granting aid to State homes. And it is the unanimous judgment of the board that national aid to the States is the true policy."

As early as June 30, 1836, the Board of Managers outlined the policy of aid to States as follows:

"The survivors of the war are growing old, their disabilities are severer, and the number who are unable to support themselves is for these reasons rapidly increasing. Notwithstanding the fact that a new home, capable of providing for 1,500 additional members, has recently been completed at Leavenworth, Kans., there are yet many disabled and destitute soldiers cared for in the almshouses of the country. Several of the States have endeavored to provide for this emergency by the erection of State homes. Illinois, Ohio, Iowa, Michigan, and Pennsylvania have recently established State homes, and such homes have for some time been established in New York, California, Massachusetts, Vermont, New Jersey, Connecticut, and in a few other States. If Congress should provide by law for assisting in maintaining the soldiers admitted to these State homes by authorizing the Board of Managers to pay one-half of the cost of supporting each soldier thus provided for, the necessity of building additional homes might be avoided, except in the case of that recommended for the Pacific slope."

In recommending the adoption of this policy and the passage of this bill your committee is not unmindful of the important evidence and opinion bearing on the matter furnished to this committee through exhibits attached to the Senate report on this subject, and which are hereto attached and made a part hereof.

As the provisions for the distribution of the sum covered in this bill would be complex and intricate, your committee have decided to leave that matter to the Board of Managers of the existing soldiers' homes, whose experience and accountability guaranty safety to the fund, and its practical application to the object sought.

For the reasons set forth herein, your committee recommend that the bill do pass with the following amendments:

- Amend the title by striking out the words "their widows and orphans."
- Amend line 6 of the bill by adding, after the word "war" therein, the words "who are disabled by age, disease, or otherwise, and by reason of such disability are incapable of earning a living, provided such disability was not received in service against the United States."
- Amend line 7 by striking out the following words therein, "and widow and orphan thereof."
- Amend line 8 by striking out the words "for one year the sum" where the same appear therein, and insert in lieu thereof the following: "At the rate of."
- Amend line 9 by adding, after the word "dollars" therein, the words "per annum."

APPENDIX.
EXHIBIT A.

STATE OF CONNECTICUT, ADJUTANT-GENERAL'S OFFICE,
Hartford, March 16, 1888.

DEAR SIR: Your letter of March 1, to his excellency Governor Lounsbury of Connecticut, inclosing copy of Senate bill No. 2116, has been referred to me by the governor for reply.

This State has a soldiers' home, which was first established by private benevolence for soldiers and children of soldiers. It was incorporated by the Legislature of this State in 1874, and was continued in a small way until 1883, when it was first aided by the State paying weekly board for inmates and so continued until the State assumed control. In 1886 the sum of \$15,000 was appropriated for additional buildings. In January, 1887, the Legislature provided for the transfer of the management to the State, appropriating \$17,000 for additional land and buildings, and in addition thereto appropriated \$147,000 for the care of soldiers in home and State hospitals for two years, ending June 30, 1889.

The home was transferred to State control May 1, 1887, and is managed by a board called the Soldiers' Hospital Board, composed of the governor, adjutant-general, surgeon-general *ex officio*, and three Grand Army of the Republic veterans nominated by the department commander and appointed by the governor. The governor and all present members of the board, except surgeon-general, are members of the Grand Army of the Republic.

The average number present at the home during the first four months of the year 1887, under the old management, was 103; for the last nine months of the year the average was 125. In addition to the above the State supported in hospitals during the year an average of 50 at a cost of \$6 per week each, and an average of 20 in the State Hospital for Insane. This State makes no provision for the care of soldiers outside of the above-named institutions.

A fund of \$20,000, which came from private benevolence, is kept as a permanent fund, the income to be used for the benefit of the home.

The foregoing information comprises, I think, all that is asked for in your letter, but as you requested suggestions from the governor, I take the liberty of offering a few for your consideration.

Your bill is, in my opinion, an eminently just one, placing the cost of caring for the disabled veteran on the General Government, where it rightly belongs, and making the States lately in rebellion, who caused all the expense, pay a portion (a very small one it is true) of the cost.

1. I wish that the sum appropriated might be increased to \$150 per man. The cost to this State at the home for last six months of 1887 was about \$3 per week per man, which included board, clothing, tobacco, and medicines.

2. The cost for those in hospitals as stated above was \$6 per week, and I think whatever amount is fixed upon the bill should be made to include those supported in hospitals as well as in the homes.

3. The inmates of the Home are transient, the number being much larger in winter than in summer, and comparatively few remain steadily a year.

Should not the bill be made to pay so much per average number present during each quarter?

I have the honor to be, very respectfully, your obedient servant,
FREDERICK E. CAMP,
Adjutant-General and Executive Officer Soldiers' Hospital Board.

Hon. CHARLES F. MANDERSON,
United States Senate.

STATE OF ILLINOIS, EXECUTIVE OFFICE,
Springfield, March 5, 1888.

DEAR SIR: Your communication of the 1st instant, inclosing copy of a bill "to provide aid to State homes for the support of disabled soldiers and sailors of the United States and their widows and orphans," has been received.

I have this day directed the superintendent of the Soldiers' and Sailors' Home at Quincy, Ill., Maj. J. G. Rowland, to transmit to you at the earliest practicable day the information you desire in regard to the date of the establishment of the home, the number of its inmates, etc. I think the passage of such a bill would be a judicious appropriation of public moneys, especially any surplus revenue which may be lying idle in the Treasury at the present moment.

The United States could in no more acceptable way testify its regard for the soldiers of the Republic than by such a measure. I ought perhaps to state that the act of our Legislature of 1885, creating the home, makes no provision for caring for the widows and orphans of soldiers. We have provided excellent cottages for their accommodation, and therefore have an excellent home admirably equipped in every respect for the purpose for which the Legislature created it. It is very prudently and economically managed, and all of our Illinois soldiers find comfortable homes there.

My impression is that the number present and absent is not far from 600. I believe there are over 500 present in the institution at this time. Major Rowland will, however, communicate with you on the subject.

Yours, respectfully,
R. J. OGLESBY.

Hon. CHARLES F. MANDERSON,
United States Senator, Washington, D. C.

ILLINOIS SOLDIERS AND SAILORS' HOME,
Quincy, Ill., March 7, 1888.

SIR: The governor of Illinois has referred to me your letter of 1st instant concerning this home, with the request that I supply the desired information. The Illinois Soldiers and Sailors' Home was established by act of general assembly June 26, 1885. It was opened for reception of soldiers March 15, 1887, and is supported exclusively by State appropriations.

Total number of members admitted to date	700
Present enrollment	598
Members present	525

I will cheerfully furnish any other information which may be deemed of service to you.

Very respectfully, yours,
J. G. ROWLAND, Superintendent.

Hon. CHARLES F. MANDERSON,
United States Senate, Washington, D. C.

IOWA EXECUTIVE OFFICE,
Des Moines, March 7, 1888.

DEAR SIR: I am instructed by Governor Larrabee to acknowledge the receipt of your letter of the 1st instant, and to state in reply that our general assembly of 1886 passed a bill for the establishment of an Iowa Soldiers' Home. The home was subsequently located at Marshalltown; it was completed last year and formally opened for the reception of inmates on the 30th of November. The report of the commandant for January shows that 91 inmates were being cared for in the home on the last day of that month.

The home was built at a cost of about \$75,000, and it is supported by a direct appropriation made by the State.

I am also instructed to assure you that the governor is in hearty sympathy

with the object of your bill, and that he hopes you may succeed in having it enacted into law.

Very respectfully, yours,

Hon. CHAS. F. MANDERSON,
United States Senate, Washington, D. C.

FRED'K W. HOSSELD,
Private Secretary.

STATE OF KANSAS, EXECUTIVE DEPARTMENT,
Topeka, March 5, 1888.

MY DEAR SIR: I acknowledge the receipt of your letter of March 1, inclosing a copy of Senate bill No. 2116.

There is no State home for soldiers in Kansas. We have established a home for soldiers' orphans, and it now has about 100 inmates. But we have no home for soldiers that is maintained by the State.

I heartily approve of your bill to provide aid for State homes for the support of disabled soldiers and sailors of the United States. The Board of Managers has recommended such action in its annual report to Congress. This recommendation was made at my suggestion and on my motion. I had noticed that homes have been established in a number of States, and it seemed to me unjust that the State should be taxed to support men who were disabled in the service of the United States.

Yours, very respectfully,

JOHN A. MARTIN.

Hon. CHARLES F. MANDERSON,
United States Senator, Washington, D. C.

COMMONWEALTH OF KENTUCKY, EXECUTIVE DEPARTMENT,
Frankfort, March 10, 1888.

DEAR SIR: Your letter of 1st instant, inclosing copy of Senate bill No. 2116, was duly received. For reply I would state that Kentucky has no "State Soldiers' Home." While I sympathize with the soldiers of our Republic who may have incurred any of the various forms of disability incident to military service, I think such persons are peculiarly the wards of the nation, and as such should be liberally provided for at the national expense.

I have the honor to be, very respectfully,

S. B. BUCKNER,
Governor of Kentucky.

Hon. CHARLES F. MANDERSON,
United States Senate, Washington, D. C.

MINNESOTA SOLDIERS' HOME, St. Paul, Minn., March 9, 1888.

DEAR SIR: Your letter of March 2 to Governor McGill has been referred to me for reply.

The State of Minnesota has a State Soldiers' Home, established by a law passed in March, 1887. It is now located in temporary quarters at Minnehaha Falls (between St. Paul and Minneapolis), and near the permanent grounds on which buildings will at once be erected. The temporary home was opened November 15, 1887, and now has fifty-eight inmates, its full capacity of accommodation. We have at least forty more applications, which we have been obliged to decline on account of lack of room, but we are helping the applicants from our "outside relief fund," at various places, until we can provide for them.

It is safe to say that there are at least one hundred and fifty homeless ex-soldiers (without families) in this State, who should be immediately gathered into our State home, and will be as soon as buildings can be provided. And the number will rapidly increase. We shall build with a view to a maximum capacity of eight hundred or one thousand men. The State does not regard it as primarily its duty to care for these veterans, but the National Homes can not take them, and as soon as it was found that many of them were drifting into poor-houses the Grand Army of the Republic took the matter up, and this is the result.

I inclose copies of the report of the secretary of our board. From this you will see that we have an outside relief fund from which we are caring for hundreds of men living at home with their families, who would otherwise be eligible for admission to the home. It is a very valuable feature, but is also doing the work which should be done by the National Government, and which we will be largely released from if the Senate pension bill becomes a law.

Both the governor and myself think very highly of the principle of your law. But we think that the allowance to the States should be increased to at least \$150 per annum for each inmate. Even then it would reach less than half the cost of maintenance, counting interest and repairs of buildings, etc. We are keeping these men comfortably, not as paupers to be starved, but as invalids to be nourished. The average age of our inmates is about sixty years, and 40 per cent. of them are fit subjects for medical treatment.

The report of the secretary, which I inclose, was made February 13. Since then the number of inmates has increased, as stated, to fifty-eight, and the applications for outside relief and disbursements of same have increased in still greater proportion. The fact is that the facts as to the law and its operation have only just begun to be disseminated throughout the State, and it is only when the work is fully organized in every county that its full necessity and benefits will be appreciated.

I will be glad at any time to furnish any information in my power on this subject.

Very truly, yours,

HENRY A. CASTLE.

Senator C. F. MANDERSON.

STATE OF NEBRASKA, EXECUTIVE DEPARTMENT,
Lincoln, March 7, 1888.

DEAR SIR: Your favor of the 2d instant, inclosing copy of bill to provide aid for State homes for support of disabled soldiers, sailors, etc., has been received. In reply to your inquiries I have the honor to state that the Legislature of this State one year ago enacted a law providing for the establishment of a soldiers' home at Grand Island, Nebr. The main building is now nearly completed. No one has yet been received into it. When occupied the inmates are to be supported by appropriations from the State.

The act provides for receiving into the institution all soldiers and sailors "who have become disabled 'by reason of such service' in the late war of the rebellion," old age, or other causes, from earning a livelihood, and who would be dependent on public and private charity; and also wives of such soldiers and sailors, and their children under the age of fifteen years, and the widows, and children under the age of fifteen years, of soldiers, sailors, and marines who died while in the service of the United States, or who were honorably discharged from such service and who have since died, etc.

The act establishing this home contemplates the erection of cottages, each on a lot of 2½ acres, so that the veterans who are able may do a little in the way of cultivation.

The act creating the home was approved March 4, 1887.

I have no suggestions to make in reference to the bill, except to call attention to the word "disabled." I trust that that word as used in this act does not refer alone to soldiers disabled by wounds, but to such also as are disabled by rea-

son of service in the war of the rebellion, or by old age and other causes, from earning a livelihood.

I most heartily indorse this measure, and trust that in the interest of justice this will become a law.

Very truly, yours,

JOHN M. THAYER.

Hon. C. F. MANDERSON,
United States Senator, Washington, D. C.

STATE OF OHIO, EXECUTIVE DEPARTMENT,
OFFICE OF THE GOVERNOR,
Columbus, March 14, 1888.

SIR: Answering your communication of the 2d instant, the State of Ohio is now building a Soldiers' and Sailors' home at Sandusky, Ohio. We are building on what is known as the cottage plan. The administration building and a number of cottages will be completed and ready for occupation by June 1 next. It was provided for by act of the General Assembly of date April 30, 1886. The State has appropriated for its construction \$150,000. More will be appropriated as needed until it is finished, at which time it is expected to accommodate about 1,200 inmates.

We have also at Xenia, Ohio, a home for the orphans of soldiers and sailors, which accommodated during the year 1887 about seven hundred inmates.

Allow me to suggest that your bill should be amended so as to reimburse each State for each soldier's orphan it is supporting in a home such as ours at Xenia.

I have the honor to be, very respectfully,

J. B. FORAKER.

Hon. CHAS. F. MANDERSON,
Washington, D. C.

COMMONWEALTH OF PENNSYLVANIA, EXECUTIVE CHAMBER,
Harrisburg, March 3, 1888.

MY DEAR SENATOR: Your letter of the 2d instant, inclosing copy of Senate bill 2116, entitled "A bill to provide aid to State homes for the support of disabled soldiers and sailors of the United States and their widows and orphans," has been received. We have a State home in Pennsylvania, located in the city of Erie. It was established in pursuance of the provisions of the act of June 3, 1885. It has been in active operation for nearly two years. The number of inmates at present is about 250. Of these some 10 to 15 are absent on leave, making the actual number present in the home about 240.

We are making large additions to the buildings just now, so that we expect to be able to accommodate within the next six months about six hundred in all. It is a distinctively State institution, built with State funds, managed by a board of trustees provided for in the original act establishing the home, and is maintained by State appropriations. No one is admitted to the home except those who served in Pennsylvania regiments during the war of the rebellion and have been honorably discharged from the service and are without means of livelihood. Great care is exercised when admitting the inmates to see that their record of service is all right. I can not see, under the circumstances, why the General Government should not provide for the men who are there assembled, and it seems to me that the provisions of your bill are entirely proper.

We will probably expend \$250,000 in buildings and equipment, in addition to the value of the ground and buildings which the State had on hand, and which had been intended originally for a marine hospital.

The provisions of your bill do not, as far as I can see, conflict in any way with the proper management of our home, or of any other which may have been or may hereafter be established under State supervision and authority. The beneficial effects of the bill will, in my judgment, be better than an indiscriminate service pension, or even a general dependent pension bill, inasmuch as the bounty of the Government will go to the men who are in actual and pressing need of it.

Whilst our State will not hesitate to provide for these men in the manner in which it is now doing it, it is nevertheless true that the provision should be made by the General Government, and the State in contributing toward this worthy object is simply lifting so much of legitimate burden from the shoulders of the Government.

Very cordially, yours,

JAMES A. BEAVER.

Hon. CHARLES F. MANDERSON,
United States Senate, Washington, D. C.

EXECUTIVE OFFICE, MICHIGAN, Lansing, March 9, 1888.

DEAR SIR: Yours of the 1st instant, making inquiries in relation to the Michigan Soldiers' Home, at hand. A home for disabled Michigan soldiers and sailors was established by act of our Legislature in June, 1885. It was completed and dedicated on the 31st of December, 1886. The building, furniture, and equipments have cost \$160,000. It has provisions for three hundred and eighty inmates, but is now overcrowded, and four hundred are accommodated.

About \$145,000 for the current expenses of 1887 and 1886 were appropriated, making an annual average expense of about \$200 each. The plan works to the general satisfaction of the old soldiers and citizens of the State.

Very truly, yours,

C. G. LUCE, Governor.

Hon. CHARLES F. MANDERSON,
Washington, D. C.

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT,
Trenton, March 6, 1888.

MY DEAR SENATOR: I send you the last annual report of the managers of the New Jersey Home for Disabled Soldiers. It was organized under an act passed in 1866, and has a permanent annual appropriation of \$25,000 for its support. An additional amount of \$10,000 has been appropriated this year for its proper maintenance.

The State has made an appropriation of \$125,000 for the purchase of property and the erection of suitable buildings, which are now about completed, and will be occupied in the spring.

I also send extracts from my annual message and from the report of the comptroller, which will give you more in detail the statistics.

Very truly, yours,

ROBERT S. GREEN.

Hon. CHARLES F. MANDERSON,
Washington, D. C.

[Extract from message.]
SOLDIERS' HOME.

By the report of the managers it appears that there were 323 inmates on the 31st of October, 1887. There were admitted during the year 329; discharged, 269; expelled, 12; died, 35. The average number of inmates was 329 per day. Of the inmates of the home during the year 513 served in New Jersey regiments.

Fourteen thousand seven hundred and twenty-five have been cared for since the home was opened. The total receipts for the year, including the balance on hand October 31, 1886, was \$33,814.29. The expenses for the same time were \$32,592.79. Balance on hand October 31, 1887, \$1,221.50. The value of farm and dairy products consumed was \$1,557.22. The additional amount needed for the proper maintenance of the home during the present fiscal year is \$20,000.

One hundred and twenty-five thousand dollars was appropriated for the purpose of the erection of a Home for Disabled Soldiers, and the purchase of the necessary property on which to build the same. The managers, to whom this important work was intrusted, secured an excellent plot of ground upon the banks of the Passaic River, and have been engaged during the year in the erection of the buildings necessary for that purpose.

The care of those who are disabled from earning their own livelihood, in consequence of wounds received or of sickness contracted in the service of their country in time of war, is a sacred trust upon the people of the State. They gave up all the comforts of home, abandoned the pursuit of business, and devoted their lives, health, and energies to the defense of the Union. They should be the wards of the State, and it should be our care, when they become and are unable to provide for themselves or their families, to look after them, make their future pathway in life as pleasant as possible, and do all that we can to secure their comfort and alleviate their suffering.

[The New York State Soldiers' and Sailors' Home, Bath, Steuben County, New York.]

BATH, STEUBEN COUNTY, NEW YORK, March 12, 1888.

DEAR GENERAL: Absence at Albany on official business has prevented an earlier reply to your favor of the 2d instant, and I take pleasure in answering your queries in their order, namely:

The New York State Soldiers' and Sailors' home is a State institution and was originally organized by the Grand Army of the Republic, Department of New York, and the original building erected under its auspices by voluntary contributions from members of the order and citizens of the State.

It was opened on Christmas day in the year 1878, and early in 1879 was turned over to the State on condition that the Legislature would provide for its maintenance, which it has done liberally up to this time.

Three years ago an appropriation of \$50,000 was also made for the construction of additional barracks. Previous to the erection of the new barracks the capacity of the home was about 700. We can now accommodate 1,000, with a number of applications which we have been compelled to deny.

We have applied to the Legislature for an appropriation for additional buildings, which will no doubt be granted.

The number present and absent September 30, 1887, was.....	924
Present September 30, 1887.....	759
Discharged and dropped during year ending September 30, 1887.....	498
Died during year ending September 30, 1887.....	68
Admitted during year ending September 30, 1887.....	554
Average number present daily during year ending September 30, 1887.....	852
Present and absent March 12, 1888.....	1,062
Present March 12, 1888.....	991

Number of acres of land, 360; value.....	\$21,600.00
Cost of buildings.....	182,305.50

Total..... 203,905.50

The appropriation by the Legislature for the fiscal year ending September 30, 1888, for maintenance and ordinary repairs was \$110,000.

As your bill provides that the sum to be awarded to the State homes shall be made under such regulations as may be established by the Board of Managers of the National Home, I have no suggestions to offer. I have no doubt they will carry out the intent of Congress in a satisfactory manner.

I have the honor to be, general, very respectfully, your obedient servant,
WM. F. ROGERS, Superintendent.

Hon. CHARLES F. MANDERSON,
Senate Chamber, Washington, D. C.

STATE OF VERMONT, EXECUTIVE CHAMBER,
Brandon, March 15, 1888.

DEAR SIR: Your favor having reference to and making inquiry as to the subject of soldiers' home in Vermont, with inclosure, was duly received, and in reply I have to say that there is a soldiers' home at Bennington, in this State, established and maintained by the State, the same having been established under the provisions of act No. 180 of the session laws of Vermont, A. D. 1884, entitled "An act to incorporate the trustees of the soldiers' home in Vermont," and by act No. 228 of the same session of the Legislature, entitled "An act making appropriation for the trustees of the soldiers' home," the sum of \$10,000 was appropriated by the State for the use of said trustees, and by act No. 214 of the session laws of 1886 a further appropriation of a like sum for the same purpose was made by the State.

Through the generosity and liberality of individuals the State has a home, a fine farm containing about 200 acres, formerly the residence of a retired gentleman, which makes a pleasant and beautiful place for our disabled and needy veterans. Nearly all of the first appropriation was required to reconstruct, repair, and furnish the building. The home was not in condition to receive applicants until May, 1887, when it was opened. Up to this time there have been thirty-nine inmates, two of whom have died, one furloughed, and one discharged, so that there are now thirty-five inmates, with a large number of applicants who can not be received, only as vacancies occur, for want of room.

The trustees intend to so enlarge the accommodations by erecting additional buildings by early summer that they can accommodate from eighty to one hundred in all. It is my opinion that by next summer we shall be in great need for room and accommodations to the full extent contemplated by the trustees, *i. e.*, from eighty to one hundred, and it seems to me that the number must increase from year to year for from fifteen to twenty-five years to come, unless the pension laws of the United States shall be so changed as to include a class not now covered by laws having reference to pensions.

It is gratifying, indeed, to see a move in the direction contemplated by Senate bill 2116. Our veterans should and must be so provided for as to keep them from the doors of the poor-house, and this duty can not be in better hands than that of the General Government they helped to save. You ask me to make suggestions. Very well. Let me call your attention to the language in section 1, line 7, "and widow or orphan thereof who may be admitted and cared for in such home," etc. I am at a loss to conclude what is meant or intended by this language. Is it intended to render this aid for the "widow or orphan" at the home? If not, then wherein and under what regulations, etc., is the proposed act broad enough to accomplish the purpose in view, having reference to the "widows and orphans?"

I am, sir, very truly, yours,

EBENEZER J. ORMESBEE,
Governor of Vermont.

Hon. CHAS. F. MANDERSON,
United States Senator.

STATE OF WISCONSIN,
STATE BOARD OF CHARITIES AND REFORM,
Madison, March 23, 1888.

DEAR SIR: At the request of the governor's private secretary, I write you in relation to the Wisconsin Veterans' Home. He tells me that you have introduced a bill in the Senate giving aid to State soldiers' homes.

The Wisconsin Veteran's Home was proposed by the department encampment of the Grand Army of the Republic February 15, 1887. I was a member of the committee to which the subject was referred of asking for a State soldiers' home. As secretary of the State Board of Charities and Reform I was able to assure the committee that no State institution of any kind would be built during this financial period on account of the condition of the State finances and the demands of the State University. On my advice it was decided to establish a home of our own, asking for State aid. We secured such legislation without any difficulty.

We now have 70 acres of land on a beautiful lake at Waupaca, and buildings which now contain 51 inmates, nearly the full capacity at present.

We received \$3 a week from the State for each inmate who was an honorably discharged soldier, sailor, or marine of the civil war, or for a woman who was the wife of such during the war. We shall ask to have this extended to the wives and widows of soldiers who were married since the war, with some precautions to prevent imposition.

We have a fair sized central building, and six cottages for two each, usually a soldier and his wife. We expect to enlarge this summer by adding cottages, which will be contributed by posts of the Grand Army of the Republic and corps of the Woman's Relief Corps. We hope to build twenty-five such cottages this summer.

The appropriation from the State is ample to cover all current expenses and make some minor improvements, but not to put up buildings. For these we expect to rely upon the Grand Army of the Republic, the Woman's Relief Corps, and citizens like Senators SAWYER and SPOONER, who have each contributed liberally.

We expect to make it a home as nearly as it is possible to make any institution a home. Our specialty will be to receive the soldiers with their wives. Single men are well provided for in the national homes, except for two evils, the overcrowding and the unnecessary expense in providing elegance rather than comfort, which is the great fault of most public institutions. But married men must leave their wives to enter a national home. We shall also receive the widows of soldiers, most of whom do not get pensions.

Will you do us the favor to so arrange your bill as to include us in it, if we are not already so included? The title to the property is in a corporation called the Wisconsin Veterans' Home. The members of the Department Encampment of Wisconsin, Grand Army of the Republic, are members of the corporation, which is managed by a board of trustees, elected by them.

Yours, respectfully,

A. O. WRIGHT, Secretary Trustees.

Hon. C. F. MANDERSON.

Letters have also been received from many other governors of States where State soldiers' homes have not been established, and it is a fact worthy of note that in no instance has there been adverse criticism of the bill herewith reported.

General W. B. Franklin, president of the Board of Managers of the National Home for Disabled Volunteer Soldiers, in a letter dated January 31, 1888, to Senator HAWLEY, says:

"Some legislation is necessary in the direction of increasing the number of the branches of the national homes or in giving national aid to State homes, with such restrictions as to the expenditures of the money as may be found to be proper. But the legislation should not be confined to a home in one State. It should be general, and apply to all of the State homes, and there are now many of them. It seems to me, therefore, that legislation giving money to one State home is objectionable, considering the large number of State homes that have been long established and supported at the cost of the various States which have hitherto received no help from Congress."

In another letter, dated February 2, 1888, to General T. S. Peck, of Burlington, Vt., General Franklin says:

"We have 12,500 old soldiers in the National Home to-day. Every foot of space is occupied, and yet hundreds are kept out from want of room. I believe the best way to supplement the National Home is to assist the State homes, but I think the assistance should be given to all of them and be a general law."

General M. T. McMahon, of New York, writes as follows to General Peck:

"OFFICE OF THE UNITED STATES MARSHAL,
SOUTHERN DISTRICT OF NEW YORK,
New York, February 2, 1888.

"MY DEAR GENERAL: Your letter of the 31st is received. I expect to see General Franklin and go with him to Washington in a few days, and will do what I can to carry out your views. The trouble as to the State homes has been that with the exception of the State of New York the appropriations necessary for their support are not to be counted on, and I have frequently, in conversation with General Franklin and other members of the board, discussed the matter, and I think the sentiment of the board is in favor of an act of Congress authorizing the board to pay a certain sum towards the support of those institutions per capita for the number of the men maintained in them."

"The National Homes are overcrowded, and while I think myself it would be better that a larger number of branches of the National Home should be created, yet while the States are willing to establish and maintain homes for their own soldiers it would be wise for the General Government to render them certain assistance."

"Very sincerely, yours,

"M. T. McMAHON.

"General T. S. PECK."

During the reading of the above report the following occurred:
Mr. MAISH. I ask unanimous consent that the further reading of this report be not insisted on.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the further reading of the report be dispensed with.
Mr. MAISH. It will simply have the effect of defeating the bill, for the bill will be withdrawn.

Mr. McMILLIN. I simply wanted to know the facts. This is a new process of caring for the soldiers. It is quite a lengthy report, and I think the facts upon which it is made should be read.

Mr. MAISH. All of that could have been stated in five minutes; there is nothing new in it.

Mr. McMILLIN. Why was the report so long, then?

Mr. MAISH. I did not write the report, or it would have been brief.

Mr. McMILLIN. I think that it ought to be read. The gentleman

from Pennsylvania has stated that it interferes with the business of the House. I have no desire to do that, and on that account I withdraw the demand for the further reading; but it ought to be inserted in the RECORD. Let the gentleman make his statement, if it can be made in five minutes, and let us have the grounds upon which this action is sought.

Mr. LAIRD. This report, if it had the attention of the House, will be seen to demonstrate from the figures presented by the Board of Managers of Soldiers' Homes that there were two million seven hundred and odd thousand soldiers enrolled in the Army of the United States during the war. It appears that there are at least one million of them surviving. It states that forty-two thousand of these soldiers have been entertained at these homes established by law. There are five, and the one at Los Angeles makes the sixth, but it is not yet completed. It shows the average of these soldiers to be about ten thousand who are received and cared for at these five homes.

The report of the managers demonstrates that either we must build additional homes, we must enlarge the capacity of those in existence, or we must grant aid to the States and encourage them in caring for these veterans, or refuse to do anything, and let these men take care of themselves to the end of life.

I have not been the champion of reckless legislation in the committee, but have favored this bill as a means of escaping from the expenditure of vast sums of the public money for the erection of flats called soldiers' homes, the usefulness of which must diminish in a short time—about ten years—and leave upon the hands of the Government vast properties that either will be valueless or lessened in value, when the necessity for caring for the soldiers in them is diminished.

The recommendation of the Board of Managers is clear, distinct, and practical. They ask us to give them as much money to add to the capacity of the present soldiers' homes, or to pass this law and encourage the States to care for their own men. And from the statements of the officers and governors of the States it appears that there had been expended in all the States for the caring of soldiers, which, I submit, belongs to the Government of the United States, as a matter of public spirit and patriotism, the extraordinary sum of \$40,000,000. The great State of Massachusetts leads with an expenditure, creditably in her favor, of \$18,000,000. The State of Wisconsin follows with an expenditure of \$11,000,000; and so on until the vast sum of \$40,000,000 has been expended for the caring of these men by the States.

So, then, the proposition comes down to this, and is fairly presented to the House, as to whether we shall pursue a policy which will encourage the States to care for these soldiers or expend this sum in enlarging the present capacity of the soldiers' homes now in existence, or refuse to do anything.

Mr. MATSON. Does the bill apply only to homes now established?

Mr. LAIRD. It applies to those established now and those to be established hereafter.

Mr. PERKINS. I will ask the gentleman from Nebraska [Mr. LAIRD] whether it will not cost the Government under this proposed plan about one-quarter of what it would cost to construct national soldiers' homes and maintain them?

Mr. LAIRD. I will answer that in this way. The original cost of the maintenance of a soldier at the soldiers' homes is upwards of \$200 a year, so the Government here assumes but one-half of the responsibility it would have to assume if it proposes to continue to support the soldiers at the national homes.

Mr. ROGERS. Before the gentleman sits down there are one or two points that I would like some information about. Do I understand that soldiers who are disabled but who are drawing pensions from the Government are entitled also to the privileges of these homes?

Mr. LAIRD. If the pension is over \$24, no. If it is under \$24, then, under the rules of the Board of Managers, it is subject to distribution to the families of the men, if they have families; otherwise it is paid into the treasury of the home.

Mr. ROGERS. By the rules of the Board of Managers, the gentleman says.

Mr. LAIRD. Yes.

Mr. ROGERS. Then, if the limit is fixed at \$24 by the authority of the Board of Managers, what reason is there why they should not change it and extend it to \$54 or \$504, or any other figure?

Mr. LAIRD. It is the law that fixes the limit. The law provides that if a soldier receives a pension above that amount, \$24, he can not go into a home.

Mr. ROGERS. I understood you to say a moment ago that it was fixed by authority of the Board of Managers.

Mr. LAIRD. No. The character of the disability and the class of men who shall receive the benefit of this aid are determined by the regulations of the Board of Managers.

Mr. ROGERS. I have my friend's construction of that, and now, if he will pardon me, I will read the provision of the bill:

That all States which have established, or which shall hereafter establish, homes for disabled soldiers and sailors of the United States who served in the war of the rebellion, or in any previous war, who are disabled by age and by reason of such disability are incapable of earning a living.

Thus the disability may be the result of habitual drunkenness, it

may be the case of some young man who was twenty-five or thirty years of age when the war closed, and who by a reckless life has become an inebriate or otherwise diseased or disabled, and such a man will have the benefit of the home under this bill.

Mr. CUTCHEON. That is the language of the existing law in regard to admission to the National Homes.

Mr. ROGERS. The gentleman will pardon me a moment. I can not grind two axes at once. The bill proceeds:

And by reason of such disability are incapable of earning a living.

Your bill has no sort of limitation whatever. It would embrace within its terms a man who had become a complete wreck by reason of drunkenness or any other vice.

Mr. CUTCHEON. The language which the gentleman has read is the existing law.

Mr. MAISH. This bill does not propose to change the existing law. What the gentleman has read is the law as it now exists in relation to admission to national soldiers' homes for disabled soldiers, and this bill simply recites the law as it exists.

Mr. ROGERS. I do not know what the committee think this bill proposes; I am looking at the bill.

Mr. MAISH. But what I am trying to impress upon the gentleman is that this bill does not propose to change the existing law which applies to national homes for disabled soldiers.

Mr. ROGERS. What does the gentleman mean by the "existing law?"

Mr. MAISH. I mean that the language which you have read is the existing law.

Mr. ROGERS. Do I understand that under the existing law a man who has become disabled and incapable of taking care of himself, by reason of his own recklessness, drunkenness, or other vice or crime, may be admitted to the home and cared for there?

Mr. MAISH. If that is the interpretation of the law, I say yes.

Mr. HOPKINS, of Illinois. You mean that that is the gentleman's interpretation.

Mr. ROGERS. Well, if that is the general law now, I do not see any necessity for enacting this bill.

Mr. MAISH. That is another of the gentleman's mistakes. We propose simply to admit into the State homes for disabled soldiers upon the same terms on which they are now admitted to the national homes and at the same time save the Government \$100 a year in each case.

Mr. TOWNSHEND. This is a measure of economy to the General Government.

Mr. ROGERS. Well, with me it is not a matter of economy; it is a matter of principle.

Mr. WARNER. If the gentleman from Arkansas will allow a suggestion, this law was amended in 1884, when Congress authorized the establishment of the soldiers' home at Leavenworth. What the gentleman has read is the general law, and if this bill simply read that the same class of soldiers with the same disabilities should be admitted into the homes which the States establish as are admitted into the national homes for disabled soldiers, the effect would be the same. The language of the existing law is simply copied in this bill.

Mr. LAIRD. Let me call the attention of the gentleman from Arkansas to a provision which I think checks the danger that he seems to anticipate. I read, beginning in the twelfth line of the bill:

The number of such persons for whose care any State shall receive the said payment under this act shall be ascertained by the Board of Managers of the National Home for Disabled Volunteer Soldiers under such regulations as it may prescribe.

Now, if any fault is to be found with the possible abuse of power by the board, that of course is not a thing for which the Committee on Military Affairs or the Congress of the United States is responsible.

Mr. ROGERS. I do not want to consume time, but I have just a word or two to say. There are many provisions in this bill which do not meet my approbation. In the first place, I dislike very much to see Congress enter into a co-partnership with the States. In my judgment we had better keep the lines between the States and the General Government well delineated. The second objection that I have to the bill is that we make a surrender of the money of the General Government to the States, without any such control of the management of these homes as will enable the General Government to see that the money is properly expended and the parties properly taken care of.

On the other hand, if a power of regulation and control on the part of the General Government be asserted, then you are doing a thing which the Constitution does not warrant; you are undertaking to control the institutions of a State. So that upon either horn of the dilemma this matter is to me seriously objectionable.

It is true I do not profess to know anything about the management of these homes, and I have had very little to do with matters connected with the military arm of the service. It is with much diffidence that I consume a moment upon a matter of this kind. But to my mind this bill is seriously objectionable from every aspect in which it can be viewed, and I can not vote for it.

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

Mr. GIFFORD. There are two or three formal amendments which I would like to offer.

Mr. TOWNSHEND. I want to say to my friend from Dakota [Mr. GIFFORD] that by submitting amendments now he is simply imperiling the bill, because according to the understanding among members of the committee this bill must be withdrawn unless it be acted upon very shortly.

Mr. GIFFORD. I only desire to insert the word "Territory."

The CHAIRMAN. Does the gentleman offer that amendment?

Mr. GIFFORD. At the suggestion of gentlemen of the Military Committee, who think the bill may be imperiled by offering amendments, I withhold my amendment.

Mr. ADAMS. I wish to call the attention of the gentleman from Nebraska [Mr. LAIRD], who, I believe, has control of this bill, to what seems to me to be a very awkward and inaccurate wording in the first section. The language is: "Provided such disabilities were not incurred in any war against the United States," or words substantially like those.

Now, the gentleman knows, and I know—

Mr. TOWNSHEND. My colleague [Mr. ADAMS] will allow me to make a suggestion. There is an understanding on the part of the Committee on Military Affairs that any bill, the consideration of which shall occupy more than fifteen minutes, shall be withdrawn. This bill has now occupied half an hour, and if the time is to be consumed by continued argument or inquiry I shall feel it incumbent upon me, in the interest of many other bills which I think will meet with no serious opposition, to withdraw the bill.

Mr. ADAMS. I do not propose to make any argument. If my colleague had waited patiently for a moment he would have found—

Mr. LAIRD. I appreciate the point of the gentleman. My answer is that under our instructions we have made this bill in accordance with the Senate bill.

Mr. ADAMS. Well, it is inaccurately drawn.

Mr. MACDONALD. Then, it ought not to be passed.

Mr. LAIRD. It is not so inaccurate as to be objectionable.

Mr. Chairman, I desire to offer an amendment. Under the bill in its present form the State of Massachusetts, which has expended, in caring for its soldiers, something like \$18,000,000, may not be comprehended. I therefore move to amend by inserting, in line 4, after the word "establish," the words "or which support wholly or in part."

Mr. BAKER, of New York. I wish to ask the gentleman from Nebraska whether this bill in its terms applies to the Territories?

Mr. GIFFORD. That is the amendment I desired to offer.

Mr. LAIRD. That does not affect this amendment.

Mr. McMILLIN. What is the object of this amendment?

Mr. LAIRD. The object is this: It allows the State of Massachusetts to receive such benefit as it may be entitled to receive under the general provisions of this bill, but which without the amendment it might not receive or which it might be questionable whether it would receive. It does not enlarge the bill at all. [Cries of "Vote!" "Vote!"]

Mr. McMILLIN. I do not understand yet the evil which the gentleman seeks to correct. What is the remedy desired?

Mr. LODGE. The State home of Massachusetts was established largely by private benevolence, in the first place, and afterwards chartered by the State, there being over \$200,000 of private subscriptions to establish the home. It was established as a private home at first. The State gives to the home \$20,000 a year, but the bill would exclude it because \$200,000 were given by private subscriptions.

Mr. McMILLIN. Is that the object of the amendment?

Mr. LODGE. Yes; that is the object of the amendment.

Mr. LAIRD's amendment was agreed to.

Mr. BAKER, of New York. I move to insert, after the word "States" wherever it occurs, the words "or Territories."

The amendment was agreed to.

Mr. STEELE. I move, after line 4, to insert "and orphans of soldiers and sailors."

The amendment was agreed to.

The CHAIRMAN. The question recurs on laying the bill aside with the recommendation that it do pass as amended.

The committee divided; and there were—ayes 69, noes 13.

Mr. KILGORE. No quorum has voted.

Mr. TOWNSHEND. The point of no quorum practically destroys the session for this evening, and if it is insisted upon I must withdraw the bill and take up some other business.

Mr. DORSEY. The gentleman from Texas agrees to let the committee rise, when he will ask for a vote in a full House.

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

Mr. KILGORE. I do, with the understanding that the bill shall go over to be voted on in a full House.

Mr. LAIRD. Let the bill be reported to the House.

Mr. KILGORE. I do not object to that.

So the motion to lay the bill aside to be reported to the House with the recommendation that it do pass as amended was agreed to.

The CHAIRMAN. There being no objection, the bill (H. R. 7939) to provide aid to State homes for the support of disabled soldiers and sailors of the United States, their widows and orphans, will be re-

ported to the House with the recommendation that it be laid on the table.

There was no objection, and it was ordered accordingly.

Mr. TOWNSHEND moved that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McCREARY having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House had had under consideration the special order, and had directed him to report back with amendments the bill (S. 2116) to provide aid to State homes for the support of disabled soldiers and sailors of the United States; and also the bill (H. R. 7939) to provide aid to State homes for the support of disabled soldiers and sailors of the United States, their widows and orphans, with the recommendation that it be laid on the table.

ALFRED PLEASANTON.

Mr. TOWNSHEND. I will yield now to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER. I call up for consideration the bill (H. R. 2972) authorizing the President to appoint and retire Alfred Pleasanton a brigadier-general, with the rank and grade of colonel, which has been returned from the Senate with an amendment. I propose to move to non-concur in the amendment of the Senate and agree to the conference asked on the disagreeing votes of the two Houses.

The amendment of the Senate was read, as follows:

Page 1, line 5, strike out all after the word "States," down to and including the word "State," in line 6, and insert "major." Page 1, line 8, strike out "colonel" and insert "major;" also amend the title.

Mr. HOOKER. This bill which comes from the Senate with an amendment is precisely the same sort of a bill the House has passed in reference to General P. F. Smith. Both were generals in the Army at the close of the war. General Pleasanton served forty-four years and was retired as major-general of volunteers precisely as in the case just passed.

Mr. McMILLIN. I have examined the case which has passed, and I find when he resigned he was only a major.

Mr. TOWNSHEND. The gentleman is mistaken.

Mr. McMILLIN. That is in the report.

Mr. HOOKER. I refer to the case of General Pleasanton. I concede he was a major at the time he entered into the Army, but was retired as a major-general at the close of the war. He served from his graduation at West Point up to the conclusion of the war.

When the bill left the House it proposed to retire him as a colonel. It came back from the Senate with an amendment to retire him as a major.

Mr. HOPKINS, of Illinois. What was his rank at the time he retired from the Army?

Mr. HOOKER. He was a colonel at the time he retired, but he was a major-general in the volunteers.

Mr. HOPKINS, of Illinois. I understand the Military Committee of the Senate have a rule which governs them in these matters, and that is the reason it has changed it from colonel to major.

Mr. HOOKER. Precisely; and exactly the same might apply to the other case which has just been acted upon.

Mr. HOPKINS, of Illinois. That may be—

Mr. HOOKER. And I insist, as the House passed a bill retiring him with the rank of colonel for his long service, that whatever may be the rule of the Senate in regard to these matters, as suggested by the gentleman, I hope the House will insist upon its own action and non-concur. The Senate has appointed a committee of conference, and asked a conference with the House. This shows that it is an open question to be considered between the two Houses. [Cries of "Vote!" "Vote!"]

Mr. HOPKINS, of Illinois. If the Senate has passed upon the matter and the statement is correct that this gentleman only held the rank of major at the time of retiring, it seems to me that is as high a rank as he should hold under this bill.

Mr. HOOKER. Well, let it be settled in the conference.

Mr. HOPKINS, of Illinois. Why not settle it right here?

Mr. KEAN. I move that the House concur in the Senate amendment.

The SPEAKER *pro tempore*. That motion takes precedence.

Mr. HOOKER. The Senate asks a conference with the House upon the amendment.

Mr. HOPKINS, of Illinois. But that will be done away with if the House concurs in the Senate amendment; and I see no reason why he should not be retired simply as a major.

Mr. HOOKER. This is not an isolated case. We have retired many other officers upon a higher rank than they had at the time of leaving the Army. We have retired them on the rank they held in the volunteer service.

Mr. HOPKINS, of Illinois. Well, if we have done wrong before I hope we will not repeat it now.

Mr. O'NEILL, of Missouri. As I understand it, this will grant some measure of relief in conference.

Mr. HOPKINS, of Illinois. I move to concur in the Senate amendment.

The SPEAKER *pro tempore*. The gentleman from New Jersey has already submitted that motion.

Mr. HOOKER. I hope the House will vote the proposition down.

Mr. HOPKINS, of Illinois. I hope the House will not. There is no reason why he should be retired at a higher grade than he held in the regular Army.

The question was taken on the motion of Mr. KEAN to concur in the Senate amendment.

The House divided; and there were—ayes 39, noes 49.

So the motion was rejected.

Mr. HOOKER. I now renew my motion to non-concur in the Senate amendment and agree to the conference asked by the Senate.

The motion was agreed to.

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

The latter motion was agreed to.

AID TO STATE HOMES FOR SUPPORT OF DISABLED SOLDIERS.

Mr. TOWNSHEND. I now yield to the gentleman from Michigan [Mr. CUTCHEON].

Mr. LAIRD. Let me first dispose of the bill (S. 2116) to provide aid to State homes for the support of disabled soldiers and sailors of the United States, reported from the Committee of the Whole a few moments ago.

Mr. SPINOLA. Let that come up with the rest of the batch. I object to taking up any further time in its consideration now.

Mr. LAIRD. It will take but a few moments. Let it pass its third reading, and after the previous question is ordered upon its passage, let it go over to the full House on the objection made by the gentleman from Texas. I ask unanimous consent that that course be pursued.

Mr. KILGORE. I desire to reserve the right to amend this bill also.

Mr. LAIRD. Then I ask unanimous consent that this bill may be taken up, read the third time, and the previous question be ordered upon its passage, accompanied with the right of amendment, and then go over.

Mr. KILGORE. I understand that when the bill passes to its engrossment and third reading, the right of amendment is cut off.

Mr. LAIRD. But I ask consent to have that right granted to the gentleman, notwithstanding the operation of the previous question. That will be reserved.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Nebraska that this bill be now ordered to a third reading?

There was no objection.

The bill was read the third time.

The SPEAKER *pro tempore*. The question now recurs on the passage of the bill; and the gentleman from Nebraska asks unanimous consent that the previous question be considered as ordered upon the bill, and that it go over to be called up hereafter with the right of amendment. Is there objection?

There was no objection, and it was so ordered.

The SPEAKER *pro tempore*. If there be no objection, the bill H. R. 7939, of the same title with the bill just acted upon, will be laid upon the table.

There was no objection, and it was so ordered.

BONDS OF DISBURSING OFFICERS.

Mr. CUTCHEON. By direction of the committee I now call up the bill (H. R. 8873) in relation to bonds of disbursing officers and to monthly payments of the Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War may accept a personal bond, or the bond of an incorporated guaranty company, for the faithful discharge of the duties of any disbursing officer of the Army, and such bond shall be in lieu of former bonds of such officer in respect to liabilities accruing subsequent to date of approval of said bond.

Sec. 2. That the number of paymasters in the Army with the rank of major shall be fixed at forty, and the Army shall hereafter be paid monthly, whenever the Secretary of War shall in his discretion so direct.

Mr. CUTCHEON. The report in this case is quite lengthy, covering four closely-printed pages; but I think I can make a statement of one minute that will cover the entire case.

Mr. ABBOTT. I ask for the reading of the report.

Mr. CUTCHEON. This is urgently recommended by the Secretary of War and the Paymaster-General in their last annual reports, and specially recommended in letters shown in the report. It will take fifteen minutes to read the report, at least.

Mr. TOWNSHEND. I hope the gentleman from Texas will allow a statement to be made in place of the reading of the report.

The SPEAKER *pro tempore*. The gentleman from Texas has demanded the reading of the report.

The report (by Mr. CUTCHEON) was read, as follows:

The bill in question has been submitted to the Secretary of War, and the responses of the Secretary and the Paymaster-General are herewith submitted.

Section 1 provides for the substitution of a bond of an incorporated guaranty company for the personal bond of such officer, and that the said bond shall be in lieu of former bonds.

At present all bonds are cumulative, and no matter how many bonds may be subsequently given the original bondsmen are still held.

This seems to be an unnecessary hardship on disbursing officers. The Government can fully protect itself by having a full settlement with the officer on accepting a new bond.

The present system makes it almost impossible for an Army disbursing officer to procure bonds.

The second section fixes the number of paymasters in the Army at forty, which was the number at the beginning of this year. On March 9, one paymaster was retired, leaving thirty-nine in service.

Attention is directed to the report of the Paymaster-General.

By the act of July 5, 1884, it was provided that the number of paymasters with the rank of major should be limited to twenty-nine, and that no vacancies should be filled until the number is reduced to twenty-eight.

The Paymaster-General says: "This Department is crippled by the reduction of its force." He concludes by saying, "I earnestly recommend the passage of the bill."

The provision in regard to monthly payments is not mandatory, but permissive only; and, in fact, is no more than a legislative approval of a power already conferred upon the Secretary of War.

In this connection the following extracts from the annual report of the Paymaster-General are appended:

"As there seemed to be a constant and pressing demand from the enlisted men of the Army for more frequent payments, and it was urged by many officers that payments to the troops at short intervals would tend to check desertion and improve the morale of the Army, I addressed a letter to the Adjutant-General of the Army, requesting that the necessary orders directing that the troops at the twenty-nine following-named posts be mustered for pay on July 31, 1887, and monthly thereafter:

"List of posts to be paid monthly.

- "1. Fort Wood, New York Harbor.
- "2. Fort Columbus, New York Harbor.
- "3. Fort Wadsworth, New York Harbor.
- "4. Fort Hamilton, New York Harbor.
- "5. Fort Schuyler, New York Harbor.
- "6. David's Island, New York Harbor.
- "7. Willet's Point, New York Harbor.
- "8. Sandy Hook, New Jersey.
- "9. Fort Warren, Boston Harbor, Massachusetts.
- "10. Fort Niagara, New York.
- "11. Fort Porter, New York.
- "12. Fort Wayne, Michigan.
- "13. Newport Barracks, Kentucky.
- "14. Washington Barracks, District of Columbia.
- "15. Fort Leavenworth, Kansas.
- "16. Leavenworth Military Prison.
- "17. Jefferson Barracks, Missouri.
- "18. Fort Omaha, Nebraska.
- "19. Salt Lake City Barracks, Utah.
- "20. Fort Douglas, Utah.
- "21. Fort Snelling, Minnesota.
- "22. Post of San Antonio, Texas.
- "23. Fort Bliss, Texas.
- "24. San Diego Barracks, California.
- "25. Fort Lowell, Arizona.
- "26. Fort Mason, California.
- "27. Presidio of San Francisco, California.
- "28. Vancouver Barracks, Washington Territory.
- "29. Fort Walla Walla, Washington Territory.

"To this list at subsequent dates were added the following six posts:

- "30. Fort Myer, Virginia;
- "31. Watertown Arsenal, Massachusetts;
- "32. Angel Island, California;
- "33. Alcatraz Island, California;
- "34. Fort McHenry, Maryland;
- "35. Fortress Monroe, Virginia;

"and the various recruiting rendezvous.

"The posts selected were those in the vicinity of the stations of paymasters, and were so chosen because the additional payments could be made without any additional cost to the Government except a slight outlay in a few instances where a small amount of travel expenses would be incurred.

"Since the system has been inaugurated I have had numerous requests to extend it to the more isolated posts, where it was claimed that the advantages to be derived from it would be more sensibly felt, but I was forced to deny them, as with my present available force of officers it would be impossible to pay all the posts so situated owing to time necessarily consumed in traveling to and from them.

"If it is deemed to be in the interests of the service that the system of monthly payments be extended to the entire Army, I would recommend that the act of July 5, 1884, be so amended as to limit the number of paymasters to forty, the number now in the Department. I would further recommend that the proviso of said act be amended so as to read: 'That hereafter any paymaster of the rank of major who has served twenty years in the United States Army as a commissioned officer shall, upon his own application, or by direction of the President, be placed upon the retired-list of the Army.'

"I would again invite attention to a recommendation in a former report in the matter of paymasters' bonds. It is held by the accounting officers of the Treasury that each bond given by a paymaster is a continuing bond from the date of its approval so long as the officer is in service under his current commission, notwithstanding a new bond is required from him every four years or oftener if the interests of the service demand it. Under such a ruling paymasters experience great difficulty in obtaining sureties.

"While a person may be willing to assume a responsibility which will extend through a limited period, he will hesitate to assume one to which no limit is fixed, and from which he can obtain no release. The legislation which has been enacted to remedy this evil in the matter of bonds of collectors of internal revenue (20 Statutes, page 327) and of postmasters (Revised Statutes, 3527) should be extended to the bonds of paymasters. I would further recommend, as a matter of relief to paymasters, that the bond of an approved guaranty company be accepted as security.

"The bonds of such companies are accepted by very many of our leading railroad and express companies, banking and insurance institutions, for the faithful discharge of the financial trust of their employes. If this facility to bond were extended to paymasters, the Department could then with propriety ask the enactment of the legislation necessary to require the paymaster to re-bond within a specified date, or in the event of his failure to do so to declare his commission vacated. As the law now stands, the Department has no option in case an officer declines to bond beyond placing him on waiting orders with full pay."

The following extracts from the annual report of the Secretary of War are also appended:

"[Extracts from the annual report of the Secretary of War, 1887.]

"On the subject of paymasters' bonds, I quote the remarks of the Paymas-

ter-General, with the recommendation that the change be extended to all officers of the Department and the Army who are required to give bond.

"It is held by the accounting officers of the Treasury that each bond given by a paymaster is a continuing bond from the date of its approval so long as the officer is in service under his current commission, notwithstanding a new bond is required from him every four years, or oftener, if the interests of the service demand.

"Under such a ruling paymasters experience great difficulty in obtaining securities. While a person may be willing to assume a responsibility which will extend through a limited period, he will hesitate to assume one to which no limit is fixed, and from which he can obtain no release. The legislation which has been enacted to remedy this evil in the matter of bonds of collectors of internal revenue (20 Stats., page 327) and of postmasters (Rev. Stat., sec. 3827) should be extended to the bonds of paymasters. As a matter of relief to paymasters, I would further recommend that the bond of an approved guaranty company be accepted as security."

"For many years it has been the custom to pay the Army on the bi-monthly muster. Numerous requests have been made for more frequent payments, and in order to comply as far as practicable with this expressed desire, monthly payments were made at thirty-five posts in the vicinity of the stations of paymasters, and there appears to be a general wish that this system be extended to the more isolated posts. The service of forty paymasters will be required to carry out this recommendation."

In view of the recommendations of the Paymaster-General and the approval thereof by the Secretary of War, and believing that the relief provided by the bill is just and sound in policy, the committee recommend that the bill do pass.

The communications with the War Department are attached as a part hereof.

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,
Washington, March 16, 1888.

SIR: I have the honor to return herewith the letter of Hon. B. M. CUTCHEON, of the 12th instant, inclosing a copy of a proposed bill providing for monthly payments to the Army and fixing the number of paymasters at forty, referred to this office, with the following remarks:

The number of paymasters in service January 1, 1888, was forty. On the 9th instant, by retirement of one, this number was reduced to thirty-nine.

The act of July 5, 1884, limits the number to twenty-nine majors, and provides that no vacancies can be filled until that number is reduced to twenty-eight.

The effect of section 2 of the proposed bill will be to stop further depletion in the number, and permit the appointment, when vacancies occur, of such numbers as will be required to maintain the number of majors at forty.

This Department is crippled by the reduction of its force. It is not possible, with the number reduced, to pay the Army promptly each month and to supply the other demands upon it.

The available force is now actively employed on disbursing duty. While all other bureaus of the War Department have from one to four officers on bureau duty in this city the pay department has none.

The only available officer who could, without injury to the service, be taken from the duty paying troops is now overburdened with his disbursing duties in paying claims for back pay and bounty under the recent deficiency bills.

There are now over 12,000 of these claims, recently received from the auditor, who has notified the claimants that the pay department is now ready to pay them. All these claimants expect immediate remittance.

It is not within the range of possibilities for the single officer available for this duty to pay these claims until late in the coming summer.

I earnestly recommend the passage of the bill, as the efficiency of the Department can not be maintained if the act of July 5, 1884, continues in force.

Very respectfully, your obedient servant,

WM. B. ROCHESTER,
Paymaster-General, United States Army.

The SECRETARY OF WAR.
Official copy.

WM. B. ROCHESTER,
Paymaster-General, United States Army.

WAR DEPARTMENT, Washington City, May 2, 1888.

SIR: In reply to your request of the 24th ultimo for the views of this Department upon House bill 8873, Fifty-fifth Congress, first session, "in relation to bonds of disbursing officers and to monthly payments of the Army," I have the honor to invite attention to the inclosed report of the 30th ultimo, on the subject, with its accompanying papers, from the Paymaster-General, expressing the opinion that the provision for accepting from disbursing officers personal bonds, or the bonds of incorporated guaranty companies, would afford a much needed relief to those officers, which view is concurred in by this Department.

In regard to fixing the number of paymasters, as provided by section 2 of the bill, I inclose a copy of Department letter of the 23d of March last to Hon. B. M. CUTCHEON, expressing the views of the Department on the subject.

It may be added that legislation to effect monthly payments of the Army is unnecessary, as it is in the power of the Secretary of War to direct such payments, as has been done in many cases.

Very respectfully,

S. V. BENÉT,

Brigadier-General, Chief of Ordnance, and Acting Secretary of War.

Hon. R. W. TOWNSHEND,
Chairman Committee on Military Affairs, House of Representatives.

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,
Washington, April 30, 1888.

SIR: I have the honor to return herewith H. R. 8873, a bill in relation to bonds of disbursing officers; fixing the number of paymasters in the Army at forty, and paying the Army monthly, referred to me for report.

I am of opinion that the legislation asked in relation to the bonds of disbursing officers will afford a much-needed relief to the disbursing officers of this Department. I have in repeated reports urged that the attention of Congress should be called to this subject, and would invite attention to my remarks thereon in my last annual report (page 5), and to your recommendation that the benefits be extended to all disbursing officers of the War Department and the Army in your report for 1887, page 23.

In the matter of monthly payments to the Army, I inclose a copy of my letter in reply to the letter of Hon. B. M. CUTCHEON on this subject, and to pages 2 and 3 of my last report.

Very respectfully, your obedient servant,

WM. B. ROCHESTER,
Paymaster-General, United States Army.

The Hon. SECRETARY OF WAR.

WAR DEPARTMENT, Washington City, March 23, 1888.

SIR: I have the honor to return herewith the proposed bill providing for monthly payments to the Army, and fixing the number of paymasters at forty, sent me on March 12 for information with regard to the second section.

The report of the Paymaster-General, which accompanies this, will, it is believed, explain this section fully.

As in the course of the reduction called for by the act of July 5, 1884, the Pay Department has only recently been reduced below the number at which it is proposed by this bill to fix it, longer experience will be wanted before report can be made as to whether the extreme limit of reduction consistent with efficiency has been reached.

Very respectfully, your obedient servant.

WILLIAM C. ENDICOTT,
Secretary of War.

Hon. B. M. CUTCHEON,
House of Representatives.

Mr. ROGERS. I want to ask the gentleman how many paymasters we have now in the Army?

Mr. TOWNSHEND. Thirty-nine.

Mr. CUTCHEON. There were forty, but there are now thirty-nine.

Mr. ROGERS. I will yield to the gentleman from Tennessee.

Mr. McMILLIN. If I may be indulged one moment, I would like to state that I remember when I first came to Congress, about nine years ago, there was an effort to reduce the number of these paymasters. It was attempted by many, and claimed by a portion at least, and I am not sure but the majority, of the Committee on Military Affairs that forty were not needed. We struggled and struggled along and never could repeal the law; they had too much influence to permit that to be done. Finally we did repeal it, and there was a provision made that when, on account of accidents, deaths, or retirements, there were any vacancies occurring, they should not be filled until it reached the limit of twenty-eight. Now, this bill proposes to break that limit and to put it back to forty. I suppose the object is not on the part of the committee, but on the part of others, and that the War Department may want to fill vacancies. There is a vacancy there, and if this limit can be removed any vacancies will be filled.

The gentleman from Missouri will remember the struggle we had to get that limit cut down, and it could not be claimed by any military man in the United States that it will take forty men to pay twenty-odd thousand soldiers.

Mr. ROGERS rose.

Mr. CUTCHEON. As I called up the bill and have made no statement concerning it, perhaps the gentleman from Arkansas [Mr. ROGERS] will permit me to make a statement.

Mr. ROGERS. I yield to the gentleman to make a statement.

Mr. CUTCHEON. This bill attempts to do two things: First, to relieve paymasters of the Army in respect to their bonds. At the present time paymasters' bonds are cumulative. He may be required to give an addition as often as the Department may call upon him.

Under the present system he gives bonds when he enters upon the service, and a few years afterwards he gives another bond, and then a few years later another, but all the time the first bond remains in force, even to the end of his period of service, and there is no possibility of being relieved of it. By reason of this it has become very difficult indeed for paymasters and other disbursing officers of the Army to secure bonds. The first feature of the bill is that it allows a paymaster, instead of giving a personal or individual bond, to give the bond of an indemnity corporation.

That is recommended by the Paymaster-General and assented to by the Secretary of War. The second feature of the bill is in respect to monthly payments instead of bimonthly payments. Heretofore for a long period of time the Army has been paid bimonthly, once in sixty days. Within the past two or three years a movement has been inaugurated in favor of monthly payments, and the Secretary of War has tried that plan with great satisfaction to the Army and to all concerned.

Last year, as will be seen by the statement of the Department, such payments were made at thirty-five posts, and it is now proposed to extend the system of monthly payments to all the posts; in other words, to double the amount of work heretofore done by the paymasters of the Army. That is the second feature of the bill, and it is desired by the Army, by the Paymaster-General, and by all concerned. Following that, the third feature is to retain the number of paymasters at forty. At the time the act of 1884 spoken of by the gentleman from Tennessee [Mr. McMILLIN] was passed, I think the number of paymasters in the service was fifty-two, and it was proposed by that bill that no vacancies should be filled until the whole number had been reduced to twenty-nine.

Mr. MACDONALD. What is the present number of the Army?

Mr. CUTCHEON. The present number is limited to twenty-five thousand men—forty regiments besides the posts.

Mr. SPINOLA. There are eighteen thousand on the rolls.

Mr. CUTCHEON. The Army is scattered, of course, over a vast extent of territory. I was about to say that at the beginning of this year the number of paymasters was forty. Since the beginning of the year, and before this report was prepared, one had been retired, leaving the number thirty-nine. The Paymaster-General in his response to the committee says:

It is not within the range of possibility for the single officer available for this duty to pay these claims until late in the coming summer. I earnestly recommend the passage of the bill, as the efficiency of the Department can not be maintained if the act of July 5, 1884, continues in force.

Mr. ROGERS. What is that act?

Mr. CUTCHEON. The one that forbade filling of vacancies until

the total number of paymasters should have been reduced to twenty-nine.

Mr. ROGERS. I want to ask one question for information, because, as I said before, I am not very familiar with the military arm of the Government. Are these paymasters officers in the Army?

Mr. CUTCHEON. They are majors in the Army.

Mr. ROGERS. And their salaries are increased by reason of their acting as paymasters?

Mr. CUTCHEON. I think not. They have the rank of major.

Mr. ROGERS. But their pay is increased, is it not, by reason of their acting as paymasters?

Mr. MAISH. No; they are appointed from civil life.

Mr. McMILLIN. But they are put on the retired-list.

Mr. TOWNSHEND. I am satisfied this bill will not pass to-night; and I therefore ask my friend from Michigan not to insist upon its present consideration.

Mr. ROGERS. With two amendments, I should not object to the bill.

Mr. CUTCHEON. I think that to a part of the bill there will be no objection whatever—the feature in regard to the bond, and the enactment of that will be a great relief.

Mr. ROGERS. Let us go on with the bill for a moment. Would not the gentleman from Michigan [Mr. CUTCHEON] accept an amendment inserting, after the word "company," in section 1, the words "or both," so as to allow the Department to take the bond of an indemnity company or an individual bond, or both?

Mr. CUTCHEON. I will accept that. It will then be in the discretion of the Secretary.

Mr. ROGERS. Then I propose to amend section 2 so as to make it read: "That the Army shall hereafter be paid monthly whenever the Secretary of War, in his discretion, shall so direct."

Mr. CUTCHEON. I would rather accept that than not have any legislation on this subject.

Mr. SPINOLA. Does this bill propose to increase the number of paymasters?

Mr. ROGERS. It makes an increase of one, as I understand it.

Mr. SPINOLA. I am opposed to it if it increases the number a single one.

Mr. CUTCHEON. With the amendment it would not affect the number at all.

The CHAIRMAN. The Clerk will report the first amendment proposed by the gentleman from Arkansas [Mr. ROGERS].

The Clerk read as follows:

In section 1, after the word "company," insert the words "or both."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Strike out in section 2, the words "the number of paymasters in the Army with the rank of paymaster shall be fixed at forty and;" so as to make it read: "That the Army shall be paid hereafter monthly whenever the Secretary of War in his discretion shall so direct."

The amendment was agreed to.

Mr. BAKER, of New York. I move to amend by inserting after the word "disbursing," in line 5, of section 1, the words "or other." Other officers than disbursing officers are required, as I understand, to give bonds. Let them have the same privilege of giving a personal bond, or the bond of a guaranty company.

The amendment of Mr. BAKER, of New York, was agreed to.

Mr. MACDONALD. I wish to inquire what is the necessity of authorizing the Secretary of War to acquire a personal bond, or the bond of an incorporated guaranty company? Does that change the existing law? Can he not do so now?

Mr. CUTCHEON. This provision is in the alternative; the Secretary of War may accept either or may require both.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CUTCHEON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BAKER, of New York. I move to amend the title of the bill by inserting, after the word "disbursing," the words "or other."

The amendment was agreed to.

GENERAL WILLIAM F. SMITH.

Mr. TOWNSHEND. I now ask that final action be taken on the bill (H. R. 9396) for the relief of General William F. Smith.

The amendments reported from the Committee of the Whole were read, as follows:

In line 6 strike out "major-general" and insert "colonel."

Strike out the last three lines of the bill, as follows:

"But this proviso shall be no bar to claims for pension that the widow or children or other heirs of said William F. Smith may have after his decease."

The amendments were adopted.

The bill as amended was ordered to be engrossed for a third reading.

Mr. KILGORE. I call for the reading of the engrossed copy of the bill.

Mr. TOWNSHEND. I hope the gentleman will not stop our proceedings by making such a demand. He knows very well that the bill is not engrossed, and can not be engrossed to-night.

Mr. KILGORE. I think a bill of this importance ought to be considered by the House when a quorum is present.

Mr. TOWNSHEND. If the gentleman raises the question of a quorum, we may as well know it now. I did not suppose the gentleman would stop our proceedings in this way.

Mr. KILGORE. I am willing to let the bill go over to be voted on when a quorum is present.

Mr. TOWNSHEND. If the previous question may be recognized as ordered on the passage of the bill, I am willing that the vote be taken to-morrow morning in the House.

Mr. KILGORE. Reserving the right to present amendments.

Mr. TOWNSHEND. With the understanding that the previous question is ordered on the passage of the bill, if the gentleman wants to offer an amendment in the House, I will even consent to that.

The SPEAKER *pro tempore*. Will the gentleman from Texas [Mr. KILGORE] state the proposition?

Mr. KILGORE. The gentleman from Illinois can state it.

Mr. TOWNSHEND. As I understand, the gentleman is willing that the previous question be considered as ordered upon the passage of the bill, provided he may have the right to offer an amendment, and that the vote be taken in the House to-morrow.

The SPEAKER *pro tempore*. As the Chair understands, the demand for the reading of the engrossed bill is withdrawn.

Mr. KILGORE. Yes, sir.

The bill was read the third time.

The SPEAKER *pro tempore*. The question is now on the passage of the bill.

Mr. TOWNSHEND. On that question it was the understanding that the previous question be ordered—

The SPEAKER *pro tempore*. The gentleman from Illinois moves the previous question—

Mr. KILGORE. Reserving the right to amend.

Mr. TOWNSHEND. And that the previous question be considered as ordered upon such amendment as may be offered by the gentleman from Texas.

The SPEAKER *pro tempore*. In the absence of objection that order will be made. The Chair hears no objection.

GENERAL ALFRED PLEASANTON.

The SPEAKER *pro tempore* announced the appointment of Mr. HOOKER, Mr. TOWNSHEND, and Mr. GEAR as conferees on the part of the House upon the bill (H. R. 2972) authorizing the President to appoint and retire Alfred Pleasonton a brigadier-general.

WILLIAM W. AVERELL.

Mr. MAISH. I move that the Committee of the Whole House be discharged from the further consideration of the bill (S. 1650) for the relief of Maj. Gen. W. W. Averell, and that the House now consider the same as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER *pro tempore*. The question is on discharging the Committee of the Whole House from the further consideration of this bill.

Mr. MACDONALD. Let us hear the bill read.

The Clerk read as follows:

Be it enacted, etc. That in view of the long and faithful services of Bvt. Maj. Gen. William W. Averell, United States Army, before and during the late war, and of severe wounds received by him in battle, the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint William W. Averell, brevet major-general United States Army and late brigadier-general United States Volunteers, to the position of captain in the Army of the United States, and to place him on the retired list of the Army as of that grade, the retired list being thereby increased in number to that extent; and all laws and parts of laws in conflict herewith are suspended for this purpose only: *Provided*, That from and after the passage of this act no pension shall be paid to the said William W. Averell, nor shall any compensation be paid to him for any period prior to his appointment under this act; but this proviso shall be no bar to any claims for pension that the widow or children or other heirs of the said William W. Averell may have after his decease.

Mr. MACDONALD. I desire to say something upon this question.

Mr. MAISH. I do not surrender the floor.

Mr. MACDONALD. I will make my remarks very brief.

Mr. MAISH. Before the gentleman proceeds, I desire to explain briefly that the bill on this subject reported by the House committee proposed to retire General Averell with the rank of colonel. This Senate bill proposes to retire him with the rank of captain. We are satisfied to allow the Senate bill to pass, retiring General Averell with the rank of captain, the rank which he had when he entered the volunteer service and the rank which he held in the regular Army.

Mr. MACDONALD. I wish to say a word in explanation of my position here. In the early part of the session I introduced a bill in the nature of a general law providing for placing distinguished officers on the retired-list. That bill has not been reported to the House. Neither has the bill of a general nature introduced by the gentleman from New York [Mr. SPINOLA]. In the mean time several bills have been introduced here in favor of particular officers and passed. I give notice that I shall insist hereafter that there shall be a general law covering all

these cases, so that there can be no partiality shown to any particular officer.

Mr. MAISH. Mr. Chairman, this case has merits not possessed by others. General Averell retired from the Army in 1865 from wounds received in battle. At the time he resigned there was no retired-list in the Army. In less than one year and three months afterwards a law was passed providing for placing distinguished officers, as General Averell when he resigned, on the retired-list.

In my judgment General Averell has a right to ask to be retired. He resigned from wounds received in the service of his country. He asks to be put in the same position he would have been in if he had postponed his resignation for one year and three months longer.

There is a principle in this case which does not exist in the other bills which have been passed to-night. The case of General Averell presents merits not possessed by other cases, and I hope he will be accorded the same consideration at least which has been granted to the cases of other officers to-night. I am willing that this case shall be put upon the same footing with the other cases and that it shall go over if necessary. I think it is unjust, however, not to allow this to go through when the other bills were permitted to pass.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania moves to discharge the Committee of the Whole from the further consideration of the bill indicated. Is there objection?

There was no objection, and it was ordered accordingly.

Mr. McMILLIN. I rise for the purpose of offering the same amendment to this bill which I have offered to the other. I do not think it would be well to vary from the custom of not allowing pensions to widows of officers on the retired-list.

Mr. MAISH. Let the gentleman indicate his amendment.

Mr. McMILLIN. I move to strike out the words which I ask the Clerk to read.

The Clerk read as follows:

Strike out the following words:

"But this proviso shall be no bar to any claim for pension that the widow or children or other heirs of the said William W. Averell may have after his decease."

The amendment was agreed to.

The SPEAKER *pro tempore*. The question is on ordering the bill as amended to a third reading.

Mr. MACDONALD. Is it proposed to press this bill to-night notwithstanding what I have said?

The SPEAKER *pro tempore*. It is.

Mr. MACDONALD. I give notice, then, that I shall call for a quorum.

Mr. MAISH. As a matter of course if the gentleman persists in treating this bill differently from other bills he can do so; but it seems to me it should have as much consideration as bills in the other cases which have not as great merits as is possessed by the case of General Averell.

Mr. MACDONALD. I supposed when I heard the case of General Pleasanton that that would be the only one which would be pending. The next case was that of General Smith. Now we have the case of General Averell. As soon as that has been gotten rid of I am appealed to in behalf of the case of General A. J. Smith. I must object to the whole Smith family getting in and the favorites of others, when my friends, having as gallant a record as any, are left out.

Mr. SPINOLA. Will the gentleman give way to me for a moment?

Mr. MACDONALD. Yes, sir.

Mr. SPINOLA. I will state for the information of the gentleman that the Committee on Military Affairs has authorized me to report a general bill. It is now being prepared and will be submitted to the House in a few days. I will advise my friend from Minnesota when it will be ready.

Mr. MACDONALD. By that time all of these favorites of gentlemen here will be through.

Mr. SPINOLA. Oh! bless your soul, no; not a quarter of them.

Mr. MACDONALD. This bill has been pending for two months.

Mr. SPINOLA. Well, let poor old Averell get through this time. We will take care of the rest in the general bill.

Mr. MACDONALD. Well, I have stated my objections.

The SPEAKER *pro tempore*. The question is on the third reading of the bill.

The question was taken, and on a division there were—ayes 50, noes, 5.

Mr. MACDONALD. No quorum.

Mr. MAISH. Mr. Speaker, let me ask if the gentleman objects to the same order being made in reference to this bill as in the others; that is, that the previous question be considered as ordered, and that the bill go over with the right to amend?

Mr. MACDONALD. I will let that go, but I give notice that I will object to all the rest.

The SPEAKER *pro tempore*. Does the gentleman withdraw the point of no quorum?

Mr. MACDONALD. I do.

The SPEAKER *pro tempore*. Then the ayes have it, and the bill is ordered to a third reading.

The bill was read the third time.

The SPEAKER *pro tempore*. The question is on the passage of the bill.

The bill was passed.

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

Mr. MATSON. I understood that the previous question was to be considered as ordered, but that the vote on the passage of the bill was not to be taken to-night.

The SPEAKER *pro tempore*. That was the understanding.

Mr. WEAVER. The previous question to be ordered and the vote to be taken to-morrow.

The SPEAKER *pro tempore*. Then the gentleman must move to reconsider the vote by which the bill was passed.

Mr. MAISH. If my friend insists—

Mr. MACDONALD. I did not agree that this bill might be voted on, and did not suppose that that action was being taken.

Mr. MAISH. Then I will ask that the other order be made.

The SPEAKER *pro tempore*. Without objection, the vote by which this bill was passed will be reconsidered.

There was no objection, and it was so ordered.

Mr. MAISH. Now, I ask unanimous consent that the same order be made with reference to this bill, that is to say, that the previous question be considered as ordered on the final passage of the bill with the right to amend.

Mr. TOWNSHEND. It is understood that the previous question is to be ordered upon the bill and upon such amendments as may be offered by the gentleman from Minnesota.

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

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. STEELE. The agreement was that amendments might be offered by any gentleman, not alone by the gentleman from Minnesota.

The SPEAKER *pro tempore*. The Chair understands that to have been the order made. Is there objection?

There was no objection, and it was so ordered.

The SPEAKER *pro tempore*. The bill H. R. 5239 of the same title will be laid on the table.

ANDREW J. SMITH.

Mr. TOWNSHEND. I yield to the gentleman from Iowa [Mr. GEAR].

Mr. GEAR. I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the bill (H. R. 2579) authorizing the President to appoint and retire Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers; and that the same be considered in the House.

Mr. MACDONALD. I object to that.

Mr. GEAR. Then I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

Mr. GEAR. I now ask that the bill which I have called up may be read.

The bill was read, as follows:

Be it enacted, etc., That the laws regulating appointments in the Army be, and they are hereby, suspended, and suspended only for the purposes of this act; and the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, appoint Andrew J. Smith, late colonel of the Seventh United States Cavalry and a major-general of volunteers, a brigadier-general in the Army of the United States, and thereupon to place him, the said Andrew J. Smith, upon the retired-list of the Army as such brigadier-general without regard and in addition to the number now authorized by law of said retired-list.

Mr. McMILLIN. I ask for the reading of the report.

The report (by Mr. GEAR) was read, as follows:

Andrew J. Smith as a soldier is well known to the entire country. Nothing that can be said in this report can add to his distinguished name. He is now over seventy-three years of age. His military service is given in the following communication from the Adjutant-General, United States Army:

"WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, February 8, 1886.

"Statement of the military service of Andrew J. Smith, late of the United States Army, compiled from the records of this office.

"He was graduated at the United States Military Academy at the age of twenty-three years and two months, and was appointed second lieutenant First Dragoons July 1, 1833; was promoted first lieutenant March 4, 1845; captain, February 16, 1847; major, May 13, 1861, and lieutenant-colonel Fifth Cavalry May 9, 1864; appointed colonel Seventh Cavalry July 28, 1865.

"He was mustered in as colonel Second California Cavalry October 2, 1861, and resigned November 13, 1861.

"He was appointed brigadier-general United States Volunteers March 17, 1862, and major-general United States Volunteers May 12, 1864.

"He received the brevet of colonel United States Army April 10, 1864, 'for gallant and meritorious services at the battle of Pleasant Hill, La.,' of brigadier-general United States Army March 13, 1865, 'for gallant and meritorious services at the battle of Tupelo, Miss.,' and of major-general United States Army March 13, 1865, 'for gallant and meritorious services at the battle of Nashville, Tenn.'

"He served with his regiment on the Western frontier and Pacific coast, excepting short intervals of detached duty and leaves of absence, from 1833 to 1861; with the Second California Cavalry October 2, 1861, to November 13, 1861, when he resigned and was ordered to report to the Adjutant-General United States Army, under his commission as major Fifth United States Cavalry.

"He served as chief of cavalry, Department of the Missouri, from February 11 to March 11, 1862, and of the Department of the Mississippi to July 11, 1862, being engaged in the advance upon and siege of Corinth, April 15 to May 30,

1862; commanding troops at Covington, Ky., and vicinity, September 9 to October 9, 1862; commanding Tenth Division, Thirteenth Army Corps, in movements through Kentucky, October to November, 1862; at Memphis, Tenn., November 25 to December 21, 1862; on expedition with General Grant's army to the Yazoo River, Mississippi, December, 1862, being engaged in the assault of Chickasaw Bluffs, December 27-29, 1862, and on the expedition to Arkansas Post, to January 11, 1863; in the Vicksburg campaign and operations against Jackson, Miss., to August 5, 1863; commanding the Sixth Division, Sixteenth Army Corps, and District of Columbus, Kentucky, to January 21, 1864, and Third Division, Sixteenth Army Corps, to March 6, 1864; commanding detachments (two divisions), Sixteenth and Seventeenth Army Corps, in the Red River campaign, to May 22, 1864; commanding right wing Sixteenth Army Corps, in Mississippi and Tennessee, to September, 1864, and in pursuit of the rebel General Price, in Missouri, to November, 1864; commanding detachment of the Army of the Tennessee to February, 1865, participating in the operations about Nashville Tenn., under Major-General Thomas; commanding Sixteenth Army Corps (in the Mobile campaign and siege of Spanish Fort, Alabama), to August 8, 1865, District of Montgomery, Ala., to October 25, 1865, and District of Western Louisiana until honorably mustered out of the volunteer service, January 15, 1866; on leave of absence and permission to delay joining his command (Seventh United States Cavalry), to November 26, 1866; commanding regiment and District of Upper Arkansas, at Forts Riley and Harker, Kansas, to September 14, 1867; commanding Department of the Missouri to March 2, 1868; on leave to May 6, 1869, when he resigned.

"R. C. DRUM, *Adjutant-General.*"

It will be seen that at the date of his resignation (May 6, 1869) he had served thirty years and ten months.

On the 15th of July, 1870, the law was amended, providing that—

"Where an officer has been thirty years in the service, he may, upon his own application, in the discretion of the President, be so retired and placed on the retired-list." (Sec. 1243.)

Had General Smith remained in the Army until the passage of that law he would have served over thirty-two years and could have been placed upon the retired-list on his own application.

At the time of his resignation an act of Congress reduced the Army from 45 colonels and 45 lieutenant-colonels to 25 colonels and 25 lieutenant-colonels.

"It was the most ungrateful task imposed upon us by Congress," writes General W. T. Sherman. Then it was that General A. J. Smith, with a soldier's generosity, to make way for younger men, resigned as colonel of the Seventh Cavalry.

The following letter from General W. T. Sherman needs no explanation:

"St. Louis, Mo., March 3, 1886.

"DEAR WARNER: Having been requested to bear testimony as to the value of the services rendered to the Government by General Andrew J. Smith, now a citizen of St. Louis, I beg to state that I have had special opportunities to observe his conduct during the past fifty years.

"He was a cadet at West Point when I went there in 1836. He graduated in 1838 and went to the frontier, where he served till the Mexican war, 1846, when he came out to California with Cooke's battalion, and continued there and in Oregon up to the civil war, which he was quick to enter; and came to us at Shiloh in April, 1862, as a brigadier-general of volunteers, and marched with us to Corinth, from which time to the end of the war he was one of the pluckiest and best fighters of our western army.

"For details I refer to Cullum's Register (volume 1, pages 566 and 567). Not a soldier of the western army but remembers "Old A. J." He was with me at Chickasaw and Vicksburg on my Meridian march, and after was sent by me in command of the two divisions detached to General Banks up Red River. His conduct there is described as peculiarly brilliant. After coming out of Red River he was sent to Tupelo, Miss., where he fairly defeated Forrest, and then was called to Missouri to drive Price out of the State, immediately after which he hastened to Nashville, where he gave material help to General Thomas in the great victory of Nashville. Without rest he was sent to Mobile, which he assisted to capture, and at the end of the war was found at Montgomery, Ala. His service in the civil war was simply invaluable and can not be measured by dollars and cents.

"As soon as the war was over he returned to his rank in the regular Army as colonel of the Seventh Cavalry, on the plains, fighting the Cheyennes, Arapahoes, and Kiowas to clear the way for the Kansas Pacific Railroad.

"I do not remember that General Smith ever lost a day in the field from sickness; and in California, in Oregon, on the plains, and throughout the civil war he had the reputation of being the hardest worker and hardest fighter in the army.

"I believe a million of men would sign a petition that this now old, but most honest, faithful, uncomplaining soldier and gentleman should be restored to his old place on the Army Register, and retired with any rank Congress may think appropriate. He was a corp commander, which the world over is that of lieutenant-general, but I am told he will be satisfied with that of brigadier-general. I surely recommend it.

"Yours, very truly,

"W. T. SHERMAN, *General.*

"HON. WILLIAM WARNER,
"Member of Congress, of Missouri, Washington, D. C."

Your committee report the bill back, with the recommendation that the same do pass with the following amendment, namely:

To strike out in line 11 the words "as such brigadier-general," and insert the following words in lieu thereof: "With the rank and grade of colonel."

Mr. MATSON. I wish to know what the rank is.

Mr. GEAR. He had the rank of colonel of the Seventh Cavalry.

Mr. MATSON. But I mean the rank provided by this bill.

Mr. GEAR. The same rank that he had in the regular Army.

The CHAIRMAN. The bill as amended provides for that.

The question is on agreeing to the amendment reported by the Committee.

Mr. McMILLIN. I believe a colonel gets \$3,600 a year?

Mr. WARNER. No; \$2,600.

Mr. CHEADLE. Twenty-six hundred and twenty-five.

Mr. McMILLIN. I believe that the rates of wages show that the average earning capacity of men in this country, taking the laboring people together, is about or not above \$300. Some get more of course, but taking the farmers and laboring people generally, if I remember accurately, the census report places the average at about that figure. Has this House thought at that rate of the number of men, American citizens, that are to be set to work to keep one man in luxury? If not, it is very well for them to think of it now. There is no man in whose behalf I believe a legislator of the United States will be justified in assigning fifty or seventy-five other citizens of the United States to labor

for his support, especially after he gets out of the Army and spends a good part of the active portion of his life in callings looking to his own financial and other advantages. I do not believe it is right.

Mr. GEAR. He spent the days of his youth in behalf of his country.

Mr. MACDONALD. I will not make the point of no quorum in reference to this or insist further upon the objections I have heretofore made. I do not wish to appear captious, because I favor bills of this kind in meritorious cases, but I hope that the bill will take the same course as the others acted upon recently.

Mr. WARNER. Certainly; I do not want the bill to have any advantage over the others, and I am willing for that.

Mr. ROGERS. I only wish to submit a single word. The record shows to-night that I am here, and I do not care to be captious and put obstacles in the way of measures. I have not voted for any one of these bills, believing it a bad principle, and I am going to vote against this and all others of a like character.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MONUMENT AT FORT GREENE, BROOKLYN.

Mr. SPINOLA. I have got in quite late, and I am going to ask the indulgence of the committee to call up the bill H. R. 1687. You have heard all about the rebellion and other wars, and now I propose to call the attention of the committee for a few minutes to the war of the Revolution.

The Clerk read as follows:

Be it enacted, etc., That the sum of \$50,000 be, and the same is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the erection and completion of a monument to the memory of the victims of prison-ships, to be placed at Fort Greene, Brooklyn, State of New York: *Provided*, That the money appropriated as aforesaid shall be expended under the direction of the Secretary of War, and the plans, specifications, and design for such monument shall, before any of the money so appropriated is expended, be first approved by the Secretary of War.

Mr. ROGERS. I do not ask for the reading of the report, but I wish my distinguished and venerable friend would state the facts.

Mr. SPINOLA. I will state the facts, but will first offer an amendment to restore the amount in the bill to one hundred thousand dollars, the sum that was in the bill when it was first reported, instead of fifty thousand, as it is now; and then I have one or two other amendments that I wish to offer.

The CHAIRMAN. The Chair will state to the gentleman from New York that this bill seems to have been considered April 3 in Committee of the Whole House on the state of the Union, and amended by striking out "one hundred thousand" and inserting "fifty thousand."

Mr. SPINOLA. I want to move to reconsider the vote by which that amendment was made.

The CHAIRMAN. The committee will have to rise before that motion can be considered, as this bill is on the Calendar of the Committee of the Whole on the state of the Union.

Mr. TOWNSHEND. I move that the committee do now rise.

The committee accordingly rose; and Mr. McCREARY having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House had had under consideration the bill (H. R. 2579) and had directed him to report the same back with an amendment.

ANDREW J. SMITH.

Mr. TOWNSHEND. The question is now on the amendment.

Mr. MACDONALD. I understood that these bills were to go over until to-morrow.

The amendment was agreed to.

Mr. TOWNSHEND. I move that, by unanimous consent, the previous question be considered as ordered upon the bill and such amendments as may be offered, the right to amend to be reserved.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. TOWNSHEND] moves that the previous question be considered as ordered on this bill, and that the right to amend be reserved. Is there objection? The Chair hears none, and it is so ordered.

Mr. KILGORE. I move that the House do now adjourn.

The motion was disagreed to.

MONUMENT AT FORT GREENE, BROOKLYN.

Mr. SPINOLA. I move that the House go into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1687) for the erection and completion of a monument to the memory of the victims of the prison-ships at Fort Greene, Brooklyn.

Mr. TOWNSHEND. The bill is in the House, and I will ask the House to resolve itself into Committee of the Whole.

Mr. STEELE. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. TOWNSHEND. I withdraw my motion.

The SPEAKER *pro tempore*. Is there objection? The Chair hears none; and it is so ordered.

Mr. FELIX CAMPBELL. As one of the Representatives in this honorable body, I had the honor to present this bill. This is the only bill I have had the honor to present in the Fiftieth Congress, and it was done on solicitation, and on a resolution passed by the senate and

assembly of the State of New York, signed by the governor, unanimously petitioning Congress in its favor. I also have the honor of stating that it was passed by the board of aldermen of the city of Brooklyn, a city containing nearly a million of population, and it was also passed by the board of supervisors of that city, and by the Association of old Brooklynites, numbering four or five hundred. I would state that no man can enter that society unless he has been a resident of Brooklyn for fifty years.

This petition was procured by going from house to house and being signed by the tax-payers and other citizens of King's County. The most of the old Brooklynites are tax-payers; and I presume out of the 17,000 tax-payers in the city of Brooklyn and the County of Kings it is fair to say that some 8,000 or 10,000 of those tax-payers have put their names to the petition that these gentlemen send here, numbering nearly 20,000. Now, I do not wish to occupy the time of the committee.

The bones of 11,500 men are lying there, and I think it is a standing disgrace to this great country that these 11,500 veterans during that memorable war should lie there without any monument to cover their bones.

The city has procured an elegant site on Fort Greene, that old place where the last battle on Long Island was fought under Washington, and where he made that celebrated retreat in the fog in the early morning. They have procured this place, and it is requested of this honorable body to make this appropriation in order that we may have a suitable monument to cover the place where these veterans lost their lives; and in a more inhuman way lives were never lost in this world.

I will not occupy the time of the House any further, as my colleague [Mr. SPINOLA] and other gentlemen want to be heard on this question, but I will ask leave to print with my remarks a letter from my colleague [Hon. S. S. COX] and a petition of the "Society of Old Brooklynites," on this subject. [Applause.]

The letter and petition are as follows:

1408 NEW HAMPSHIRE AVENUE, July 19, 1888.

MY BELOVED COLLEAGUE: RICHARD TOWNSEND, Mr. FORD, and others of the Military Committee were anxious to-day that I should accede to your wish and come up to the House to-night to preside. Mr. Speaker CARLISLE indicated the same wish. One inducement these gentlemen presented, namely, to assist in passing your splendid tribute to the Revolutionary soldiers, who were only prevented from fighting by the cruel imprisonment within the precincts of your district.

A hundred years have gone, and you propose to honor those suffering patriots by a fit and tasteful monument. I trust that you will have no impediment for so patriotic and laudable a measure.

I was sorry to hear that you intended after this Congress to retire from public life. If your intention be not reconsidered, I give you my heart, and vote for a retrayct with such a patriotic "act" as the monument you propose.

It will forever commemorate your memory also among the good people you have served so faithfully.

You may not know, and no one may care to know, that all the blood I have is from Revolutionary folk.

When some one asked Joseph Hopkinson, the author of "Hail, Columbia," what was the inspiration of that national lyric, he replied "that it was to inspire an American spirit which should be independent of and above the interests and passion and policy of parties, so that we might look and feel exclusively for our honor and our rights."

This song, which, I may say with pride, was penned by one of my own blood, although written for a theatrical representation in Philadelphia, had much to do with harmonizing the American spirit and the American Congress, which was sitting in that city at the time. It is even said that it was sung by members of Congress in the streets at night, to show their devotion to the one great thought of the American unity.

Without inquiring into the lyric and other habits of early Congressmen, may I hope that the members of the Fiftieth Congress—the centenary Congress, in fact—if they can not to-night sing my ancestral "Hail, Columbia," will think in all gentleness of the miseries of the imprisoned patriots, and build by your law a monumental thought in enduring material, that will serve to glorify our elder patriotism.

It is only a previous engagement, which I can not break, that prevents my presence to aid your generous wishes.

With esteem,

S. S. COX.

Hon. FELIX CAMPBELL.

To the Senate and House of Representatives
of the United States in Congress assembled:

Your petitioners, an incorporated society of the city of Brooklyn, under the title of the "Society of Old Brooklynites," would respectfully represent:

That the remains of more than 11,500 martyrs to the cause of liberty lie entombed in this city who died during our Revolutionary war on board the prison-ships of the British at the Wallabout, and which were buried on our shores during that memorable struggle, many of which were by the action of the waves washed out of their shallow graves, their bones scattered along the beach, exposed to the summer's sun and winter's storms, until the year 1808, when the Tammany Society of Columbia Order, of the city of New York, had them collected and buried with imposing ceremonies, in which the governors of several States, mayors of cities, and civil, military, and ecclesiastical dignitaries from all parts of the country took part.

The place of burial was on Jackson street, in this city, and the tomb, a temporary wooden structure, in which they were placed, became so dilapidated by reason of changes made in the surroundings and from natural decay that the sacred remains were again exposed to the gaze of the multitude, until the park commissioners of this city, with the sanction of the city government, prepared with great care and expense a permanent and imperishable tomb for their reception on the historic ground of Fort Greene, a charming elevation in Washington Park, in this city, overlooking the scene of their sufferings and death, to which the sacred remains were carefully removed and deposited.

Those devoted patriots, from every one of the original thirteen States, were prisoners of war, taken by the British army and navy, and numbered more than were killed in all the battles, both by sea and land, in that long and desperate struggle for freedom.

When it is remembered that constant and unremitting efforts were made by the British officers to induce these prisoners to purchase their freedom and save

their lives by enlisting in the service of the enemy; that many, probably the majority of them, had families who were suffering by reason of their absence; that to remain in these horrible prisons was almost certain death, and that under all these circumstances they remained faithful to the cause in which they had enlisted, and preferred death to dishonor, we must concede that they earned the title of "Martyrs of the Prison Ships," and deserve such recognition from the Government, to aid in the establishment of which they sacrificed their lives, as will show to the world that republics are not ungrateful, but that we cherish their memories, honor their devotion to their country, and will erect such an enduring monument to commemorate their virtues as will stimulate future generations to emulate their patriotism.

We therefore most respectfully ask that your honorable body will make an appropriation of not less than \$100,000 toward the erection of a suitable monument to be erected at or near the spot where their sacred remains now lie, the site for which will be donated for that purpose by the city of Brooklyn.

This society will most cheerfully give all the aid in their power toward the accomplishment of the object of this petition.

Very respectfully,

JOHN W. HUNTER,
President.
SAMUEL A. HAYNES,
Secretary.

BROOKLYN, January 5, 1888.

To the Senate and House of Representatives in Congress assembled:

Your petitioners, citizens of the United States, do respectfully and earnestly pray your honorable body to hear and grant the petition of the Society of Old Brooklynites, and to cause the erection of the long-delayed monument to the "Martyrs of the Prison-Ships."

Descendants of Timothy Dorgan, patriot, and martyr of prison-ship Old Jersey:

REBECCA D. MANNIE,
ANDREW D. HOBDAV,
CHARLES HOBDAV.

Great-grandchildren.

GEORGE A. MANNIE,
FRANK MANNIE,
LOUISE MANNIE,
JOSEPHINE HARTT,
ROSALIE BURT.

Great-great-grandchildren.

Mr. SPINOLA. I wish to offer an amendment to the bill.

The amendment was read, as follows:

Insert in line 7, after the words "memory of," the words "the British;" and after "ships," in line 8, insert "at New York during the war of the American Revolution."

Mr. SPINOLA. Mr. Speaker, history establishes the fact that there were more lives sacrificed in the prison-ships in which the British confined the prisoners of the American Revolution than were lost in all the battles of that war. Eleven thousand and five hundred were sacrificed, men who had their liberty at command on any day when they would consent to abandon the cause of the colonies and enter the British army. There was no one day during their long confinement and suffering but the provost guard approached them and offered them their freedom if they would embrace the British cause; and, to the credit of twenty thousand American patriots who suffered on board those prison-ships, there never was but a single one who betrayed his country and left his associates and joined the British service. [Applause.] Now, sir, I will ask attention for a minute or two while I read from the history of the Wallabout prison-ships and the martyrs who died there.

I will cite one case where the British had captured a company of American soldiers in South Carolina, and the Hessian captain who commanded the enemy offered those men their freedom if they would go into the British service. Said he, after they had refused his offer:

Go, then, to your dungeons in the prison-ships where you shall perish and rot. But first let me tell you that rations which have been hitherto allowed to your wives and children shall from this moment cease forever, and you shall die assured that they are starving in the public streets and that you are the authors of their fate.

That was the declaration of that British officer to the company of American patriots that had been captured in South Carolina. A sentence so terribly awful appalled the firm soul of every listening hero.

A solemn silence followed the declaration. They cast their wondering eyes one upon the other, and valor for a moment hung suspended between love of family and love of country. Love of country at length rose superior to every other consideration, and, moved by one impulse, this glorious band of patriots thundered in the astonished ears of their persecutors: "The prison-ships and death, or Washington and our country!"

[Applause and cries of "Vote!" "Vote!"]

Mr. Speaker, I think if I had the time I could get a unanimous vote to put the sum back to \$100,000, although we will accept temporarily the \$50,000. [Laughter and cries of "Vote!" "Vote!"]

I propose to read a little further before we vote. I will pass over several things which I had intended to refer to, and I will tell you how and why it is that the remains of these patriots are in the possession of the General Government. They are to-day the property of the United States.

Perhaps, however, before I come to that point I had better state that the bones of these patriots were strewn along the shores of Wallabout Bay, in the East River, where the tide had washed them out of the narrow and shallow trenches into which the British had thrown them. They were there exposed, and the Tammany Society of New York, in 1808, took the necessary steps to gather them up and see that they were properly entombed. There was a grand procession on the day on which the interment took place. There were thirteen immense coffins, each representing one of the thirteen original States, and eight pallbearers surrounded each coffin, men who had served in the war of the Revolution.

The bones were put in a temporary tomb which was erected by Ben-

jamin Romaine, the grand sachem, who had been instrumental in gathering them together and who owned the ground on which the tomb was erected. In 1842 the city of Brooklyn asked to have the bones turned over to it for appropriate sepulture. In reply to that application Mr. Romaine wrote:

I have guarded these sacred remains, with a reverence which perhaps at this day all may not appreciate or feel for more than thirty years. They are now in their right place, near the Wallabout and adjoining the navy-yard. They are my property. I have expended more than \$900 in and about their protection and preservation. I commend them to the protection of the General Government. I bequeath them to my country.

Thus it will be seen he gave them to the United States; he gave them to his country.

This concern is sacred to me. It lies near my heart. I suffered with those whose bones I venerate. I fought beside them. I bled with them.

This man belonged to the Army himself; he went through the whole seven years' service under Washington. He has given the remains of these men to the American Republic. If they had not died the martyrs' death that they did, we would have had, in my humble judgment, no American Republic to-night. Those men died to create the Union. We respect and venerate those who, in later years have died to protect and preserve the Union; why should we not remember those by means of whose sufferings the Republic itself was established?

This monument, where it is proposed to erect it, will overlook the very spot on which these men died. It will overlook the battle-field of Long Island; it will overlook the place where the gallant Maryland Regiment suffered death when the British drove them into the water. It will overlook New York Bay, the East River, and the Sound. There is no more fitting place on earth for such a monument to be erected than that proposed by the bill under consideration. I appeal to the generosity and patriotism of the American people. I ask gentlemen here to-night, in the name of justice and right, to join in perpetuating the memory of these men who died as martyrs for their country.

There is nothing so indelibly fixed on my mind as that which was painted there the first time I saw the tomb of these men. It was over sixty years ago, when I was a small boy. For fifty years the society which gathered these bones raised the flag over them on the Fourth of July. That ceremony ceased to be observed because the city of Brooklyn took possession of these remains, and they are in its charge now. I believe that the American people, if this question were submitted to them, would vote almost unanimously for any sum which might be named for this purpose. We are paying to-day \$160,000 a year for the maintenance of the cemeteries in which sleep our Union dead. That is right. We are paying \$40,000 or \$50,000 to provide monuments or gravestones for those who have died in the service of the country. We are spending \$60,000 or \$80,000 a year for the construction and maintenance of roads by which those cemeteries can be approached.

All this is right. Sir, on the passage of this bill, if the thing were possible, I would have the name of George Washington called. He would vote "ay." So would his compatriot, Lafayette. [Applause.] Everybody will vote for this measure, except that British officer in the corner yonder [pointing to the picture on one side of the Hall], and the Hessians who stand behind him. They will not vote with us. I do not believe there is a Hessian on the floor of this House; therefore I expect a unanimous vote in favor of the passage of this bill. [Applause.]

Mr. FITCH. Mr. Speaker, after the presentation that my friend [Mr. SPINOLA] has made of the claim upon us of these soldiers who have no votes behind them, who have nobody to speak here as their representatives; after all that we have done for the soldiers of every war who have any friends in our districts, I think it unnecessary for me to say another word.

I am glad that my veteran colleague has presented the claims of these men in his eloquent and soul-stirring remarks, and I join my appeal to his that no gentleman will object to the recognition of the claims of these men who, a hundred years ago, served us so faithfully. We have voted pensions for the men who served us in the last war against England; we have voted pensions to the men who served us in Mexico; we have voted pensions generously to the men who served us in the last war. All we can do for these men is to put a monument over their bones, and for God's sake let us do that.

Mr. ROGERS. I ask unanimous consent that such gentlemen as desire to do so may print remarks on this subject in the RECORD.

There was no objection, and leave was accordingly granted.

Mr. SPINOLA. I ask unanimous consent that the sum named in the bill be made \$100,000. Let us make the appropriation one worthy of the object.

The SPEAKER *pro tempore*. There is already one amendment pending, the amendment heretofore offered by the gentleman from New York [Mr. SPINOLA].

The amendment was agreed to.

Mr. WHITE, of New York. On the proposition of my colleague [Mr. SPINOLA] that this appropriation be made \$100,000, I desire to make a statement of the circumstances under which the amount just proposed was reduced; and I believe that after the statement presented by my colleague, General SPINOLA, there will be no possibility of any one objecting to his proposition. At the time this matter came up before a suggestion was made by gentlemen who felt opposed on prin-

ciple to giving away money for an object of this kind, that if the sum were reduced to \$50,000 no objection would be interposed. That suggestion as a compromise was adopted. Then there was objection made by one gentleman that there was no quorum; and so the bill failed for want of a quorum.

Mr. TOWNSHEND. I think we can reach the object of the gentleman from New York [Mr. SPINOLA] in this way: The amendment reducing the appropriation to \$50,000 was adopted in Committee of the Whole. If that amendment be now voted down, the original provision for \$100,000 will stand.

The SPEAKER *pro tempore*. The Clerk will report the amendment.

The Clerk read as follows:

In line 3, strike out "\$100,000" and insert "\$50,000."

The question being taken on agreeing to the amendment, it was rejected.

Mr. BAKER, of New York. As I understand it, the appropriation now stands at \$100,000.

The SPEAKER *pro tempore*. The bill will be read as it has been amended.

The bill was read as amended.

The question recurred on ordering the bill to be engrossed and read a third time.

Mr. KILGORE. I demand a division.

The House divided; and there were—ayes 54, noes 1.

Mr. KILGORE. No quorum.

Mr. SPINOLA. I appeal to the gentleman from Texas to allow this bill to go over and follow the same course as other bills, the previous question being ordered and the bill to be voted on in a full House.

Mr. KILGORE. No, sir.

Mr. SPINOLA. Then I move there be a call of the House.

Mr. WILLIAMS. I move that the House adjourn.

Mr. TOWNSHEND. I hope that motion will be withdrawn.

The motion to adjourn was withdrawn.

The SPEAKER *pro tempore*. It is proper that the Chair should allow the Journal Clerk to call attention to just what was done, as stated in the Journal, in reference to the pending measure.

The Clerk read as follows:

On motion of Mr. FITCH, by unanimous consent, the Committee of the Whole House was discharged from the further consideration of the bill of the House (H. R. 1687) for the erection and completion of a monument to the memory of the victims of prison-ships at Fort Greene, Brooklyn, and the amendment reported from the Committee on Military Affairs, and also an amendment submitted by Mr. BRECKINRIDGE, of Arkansas, was agreed to.

The SPEAKER *pro tempore*. The Chair stated on the information of the Clerk that the amendment reducing the amount from \$100,000 to \$50,000 had only been adopted in the Committee of the Whole, but on examining the record it is found that it was also adopted in the House.

Mr. SPINOLA. I move to reconsider the vote by which the amount was reduced from \$100,000 to \$50,000.

The motion was agreed to.

Mr. SPINOLA. If we are to die let us die with our flags flying.

The SPEAKER *pro tempore*. The question recurs on the amendment reducing the amount from \$100,000 to \$50,000.

The amendment was rejected.

The question recurred on ordering the bill to be engrossed and read the third time.

Mr. KILGORE. Division.

Several MEMBERS. Let the vote be taken on the engrossment of the bill.

Mr. KILGORE. Very well.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question recurred on the passage of the bill.

Mr. KILGORE. Division.

The House divided; and there were—ayes 54, noes 1.

Mr. KILGORE. No quorum.

Mr. WILSON, of Minnesota. Is there not a possibility of having some understanding so this bill may go over as in the other cases with the previous question ordered?

Mr. MATSON. The bill is already on its passage.

Mr. TOWNSHEND. I understand the gentleman from Texas will withdraw his point of no quorum if the amount is reduced to \$50,000 and the bill is allowed to go over with the previous question ordered on the passage of the bill.

Mr. SPINOLA. I move the previous question on the passage of the bill. I do not agree to the reduction of the amount. I ask for a vote on my demand for the previous question.

Mr. WHITE, of New York. Pending that I move that the House do now adjourn.

Mr. TOWNSHEND. I hope the gentleman from New York will give me his attention for a moment. The Committee on Military Affairs adopted a resolution that after fifteen minutes had been bestowed upon any contested bill the chairman should have the power of withdrawing the bill from the further consideration of the House if there was further objection made to it.

The gentleman from Texas proposes a compromise, which I am willing on behalf of the committee should be accepted, and I hope my

friend will accept that compromise, or else I shall be compelled, in view of the action of the committee and in obedience to its order, to withdraw the pending bill. The gentleman from Texas proposes that it may go over with the previous question ordered upon its passage, with the right to amend, provided that the sum is reduced to \$50,000.

Mr. SPINOLA. I am perfectly willing to wait here for a week, if it be necessary, to pass this bill.

Mr. WARNER. I rise to a parliamentary inquiry. I understand the point of order is raised by the gentleman from Texas that no quorum is present. In view of this point can any business be transacted?

Mr. WEAVER. But that point has been withdrawn conditionally.

Mr. WARNER. But can any business be transacted until a quorum is obtained in the House, save a call of the House or an adjournment?

The SPEAKER *pro tempore*. It can not.

Mr. TOWNSHEND. The gentleman is willing to withdraw the point of order on the conditions suggested.

Mr. SPINOLA. I understand he is willing to withdraw the point of order for the present, but—

[Cries of "Regular order!"]

The SPEAKER *pro tempore*. The gentleman from Texas makes the point of order that no quorum has voted, and the Chair will appoint tellers.

Mr. TOWNSHEND. One moment, Mr. Speaker. I am placed in a position where I shall be compelled, in compliance with the order of the committee, to withdraw this bill.

Mr. SPINOLA. I raise the point of order that it is too late to withdraw the bill.

Mr. TOWNSHEND. I submit to the Chair that the previous question has not been ordered upon the bill.

Mr. ROGERS. Regular order.

Mr. TOWNSHEND. The previous question has not been ordered, and no vote has been taken upon it. It is in order, I think, to withdraw the bill, and I trust that my friend from New York will not wish me to disregard the order of the committee, which he and all of the other members agreed to. Good faith, I think, demands that such action should be taken. We have already exhausted more than the time allowed by the committee on this bill.

Mr. SPINOLA. You spent an hour and a quarter here on one bill.

Mr. TOWNSHEND. Well, there has been a great deal more time taken up on this one. I withdraw the bill.

Mr. SPINOLA. And I make the point of order that it can not be done.

The SPEAKER *pro tempore*. The Chair sustains the point of order.

Votes have been taken upon the bill and amendments, and it has been ordered to its third reading, and it can only be withdrawn now by unanimous consent.

Mr. TOWNSHEND. Then I appeal to the gentleman from New York to aid me in carrying out the order of the committee. We have obtained as good a compromise as we can obtain, and I trust the gentleman will allow the bill to go over under that order.

Mr. SPINOLA. I can not consent to that.

Mr. CARUTH. If I rightly understood the extract read by the venerable gentleman from New York, a proposition was made to these persons imprisoned in the ships to desert the cause of their country and enlist under the British flag in order to escape the privation of prison life—

Mr. WHEELER. And death.

Mr. CARUTH. And death; and that it was to the credit of the prisoners, that out of all the number, but one man was willing to desert his country's flag. Now, let it go into the history of this country that when it was proposed by the American Congress to erect a monument over the bones of the dead patriots, but one man in the American Congress raised his voice in opposition to it. [Loud applause.]

Mr. KILGORE. I withdraw my proposition for a compromise.

Mr. CARUTH. Yes; withdraw it and let the people know it.

Mr. KILGORE. Yes; I do it.

Mr. FITCH. I move that the House do now adjourn.

Mr. TOWNSHEND. I rise to a parliamentary inquiry. Do I understand the Chair to hold that it is not in order to withdraw the bill at this time?

The SPEAKER *pro tempore*. The Chair so holds, except by unanimous consent.

Mr. TOWNSHEND. In order to keep faith with the committee, I ask unanimous consent to withdraw the bill.

Mr. SPINOLA and other members objected.

The question being taken on the motion to adjourn, it was rejected.

Mr. MATSON. I move a call of the House.

The question being taken, there were on a division—ayes 43, noes 12. So a call of the House was ordered.

Mr. DOCKERY. Mr. Speaker, I renew the motion to adjourn, in view of the fact that it is evident no other business can be transacted here to-night.

Several MEMBERS. Go on with the call.

The SPEAKER *pro tempore*. Does the gentleman from Missouri insist upon his motion?

Mr. DOCKERY. In deference to the wishes of members around me I will withdraw it.

The SPEAKER *pro tempore*. The Clerk will call the roll.

The roll was called, and the following members failed to answer to their names:

Adams,	Dargan,	Jones,	Rayner,
Allen, Mass.	Darlington,	Kelley,	Reed,
Allen, Mich.	Davenport,	Kennedy,	Rice,
Allen, Miss.	Davidson, Ala.	Kerr,	Richardson,
Anderson, Iowa	Davidson, Fla.	Ketcham,	Robertson,
Anderson, Ill.	Davis,	Kilgore,	Romeis,
Anderson, Kans.	De Lano,	Laffoon,	Rowell,
Arnold,	Dibble,	La Follette,	Russell,
Atkinson,	Dingley,	Lagan,	Russell, Conn.
Baker, Ill.	Dougherty,	Laidlaw,	Rusk,
Bankhead,	Dunham,	Lane,	Ryan,
Barnes,	Dunn,	Lanham,	Sawyer,
Barry,	Elliot,	Latham,	Sayers,
Bayne,	Enloe,	Lawler,	Scott,
Belden,	Ermentrout,	Lee,	Scull,
Belmont,	Farquhar,	Lehbach,	Senev,
Biggs,	Finley,	Long,	Seymour,
Bingham,	Fisher,	Lyman,	Shaw,
Blanchard,	Foran,	Lynch,	Sherman,
Bland,	Forney,	Macdonald,	Shively,
Blount,	French,	Maffett,	Simmons,
Boothman,	Fuller,	Mason,	Snyder,
Bound,	Funston,	McAdoo,	Sowden,
Boutelle,	Gaines,	Gay,	Spooer,
Bowden,	Gest,	McComas,	Springer,
Bowen,	Gibson,	McCormick,	Stahlnecker,
Breckinridge, Ark.	Glass,	McCulloch,	Stephenson,
Breckinridge, Ky.	Glover,	McKenna,	Stewart, Tex.
Brewer,	Goff,	McKinley,	Stewart, Ga.
Brower,	Granger,	McKinney,	Stewart, Vt.
Browne, Ind.	Greenman,	McRae,	Stockdale,
Brown, Ohio	Grosvenor,	Merriman,	Stone, Ky.
Brown, J. R., Va.	Grout,	Milliken,	Stone, Mo.
Brumm,	Guenther,	Mills,	Symes,
Buchanan,	Hall,	Moore,	Tarsney,
Buckalew,	Hare,	Morgan,	Taulbee,
Bunnell,	Harmer,	Morse,	Taylor, E. B., Ohio
Burnett,	Hatch,	Neal,	Taylor, J. D., Ohio
Burrows,	Haugen,	Nelson,	Thomas, Ky.
Butler,	Hayden,	Newton,	Thomas, Ill.
Butterworth,	Hayes,	Nichols,	Thomas, Wis.
Campbell, Ohio	Heard,	Norwood,	Thompson, Ohio
Campbell, T. J., N. Y.	Hemphill,	Nutting,	Thompson, Cal.
Candler,	Henderson, Iowa	Oates,	Turner, Ga.
Cannon,	Henderson, Ill.	O'Donnell,	Turner, Kans.
Caswell,	Herbert,	O'Ferrall,	Wade,
Chipman,	Hermann,	O'Neill, Pa.	Walker,
Clardy,	Hiestand,	Osborne,	West,
Clark,	Hires,	Outwaite,	Whiting, Mich.
Clements,	Hitt,	Owen,	Whiting, Mass.
Cobb,	Hogg,	Parker,	Whitthorne,
Cockran,	Holman,	Patton,	Wickham,
Cogswell,	Holmes,	Payson,	Wilber,
Collins,	Hopkins, Ill.	Peel,	Wilkins,
Compton,	Hopkins, Va.	Pennington,	Wilkinson,
Cooper,	Hopkins, N. Y.	Perry,	Wilson, W. Va.
Cothran,	Houk,	Peters,	Wise,
Cowles,	Hovey,	Phelps,	Woodburn,
Cox,	Howard,	Pidcock,	Yardley,
Crain,	Hudd,	Plumb,	Yost,
Crisp,	Hutton,	Post,	
Crouse,	Jackson,	Pugsley,	
Culbertson,	Johnston, Ind.	Randall,	
Cutcheon,	Johnston, N. C.		
Dalzell,			

The SPEAKER *pro tempore*. The Sergeant-at-Arms will close the doors.

Mr. BAKER, of New York. Mr. Speaker, first stating that I am authorized by the gentleman from Texas [Mr. KILGORE] to withdraw the point of no quorum, I ask unanimous consent that the action in relation to the \$100,000 shall be reconsidered—

The SPEAKER *pro tempore*. The Chair will state to the gentleman that that is not in order during a call of the House.

Mr. BAKER, of New York. Not by unanimous consent?

Mr. MORRILL. I move to dispense with further proceedings under the call.

The motion was agreed to; and further proceedings under the call were dispensed with.

Mr. BAKER, of New York. Now, Mr. Speaker, I am authorized by the gentleman from Texas [Mr. KILGORE] to withdraw the point of "no quorum," provided unanimous consent be given that the action upon the \$100,000 may be reconsidered; that the yeas and nays may be considered as ordered upon it; that the previous question may be considered as ordered, and the whole subject go over until to-morrow morning.

Mr. TOWNSHEND. I accept that.

Mr. MATSON. Mr. Speaker, I make the point of order that no business of any kind is in order until a quorum is present.

Mr. TOWNSHEND. The point of no quorum has been withdrawn.

Mr. MATSON. It can not be withdrawn after the record shows no quorum present until the record again shows that there is a quorum.

The SPEAKER *pro tempore*. The Chair will state that the record shows that there is not a quorum present.

Mr. GEAR. I make the point of order that the roll does not disclose the fact that there is not a quorum present, because the roll has not been called a second time.

The SPEAKER *pro tempore*. The Chair will state that when a call of the House is ordered it requires only one call of the roll. The roll has been called and 61 members have answered to their names,

Mr. GEAR. But the roll has not been called a second time.
The SPEAKER *pro tempore*. The rule does not require that the roll shall be called a second time when there is a call of the House.

Mr. GEAR. The absentees must be called.

The SPEAKER *pro tempore*. The Chair will have the rule read.

Mr. GEAR. I will not give the Chair that trouble. I withdraw the point.

Mr. MAISH. If the second roll-call is proceeded with, and then further proceedings under the call are dispensed with—

The SPEAKER *pro tempore*. The Chair has distinctly stated that it is not necessary to call the roll a second time.

Mr. MAISH. I understand that; but if, notwithstanding the statement of the Chair, we are in the process of calling the second roll, and the proceedings under the call are then dispensed with, the fact that there is not a quorum present will not be disclosed prior to the completion of the call. If, under the custom of the House, we proceed to call the roll a second time, and in the midst of that second roll-call the proceedings under the call of the House are dispensed with, the call will not disclose the fact that there is no quorum present.

Mr. MATSON. I make the point of order that after the record shows that there is no quorum present no business can be transacted, even by unanimous consent.

The SPEAKER *pro tempore*. That point of order was sustained by the Chair.

Mr. MATSON. Then we must either proceed with the call or adjourn, and I move that the House adjourn.

The motion was rejected.

Mr. MAISH. Now we can proceed with the second roll-call.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Pennsylvania [Mr. MAISH] that all proceedings under the call have been dispensed with.

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

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. WEAVER. A vote was taken by a division and it was ascertained that there was not a quorum present, and the point of no quorum having voted was made. Then a call of the House was ordered, and then all further proceedings under the call were dispensed with. It does not appear now to the Chair that there is no quorum present, because other business has intervened, and it is perfectly proper for the House to proceed at this time with any other business, until it again appears that there is not a quorum present.

Mr. BAKER, of New York. The point of no quorum has been withdrawn.

Mr. MATSON. The point was withdrawn, and other business has intervened.

The SPEAKER *pro tempore*. There has been no intervening business.

Mr. SPINOLA. I move that the House take a recess until to-morrow morning at 11 o'clock.

A MEMBER. Ten o'clock.

The SPEAKER *pro tempore*. A quorum is necessary to take a recess; and there is no quorum present.

Mr. FITCH. I move a call of the House.

Mr. BAKER, of New York. I wish to inquire whether if we should suspend further proceedings under the call and adjourn, this bill would not come up to-morrow morning as unfinished business immediately after the reading of the Journal?

The SPEAKER *pro tempore*. In accordance with the uniform usage the Speaker, who will occupy the chair in the morning, will pass upon the question as to what is then in order. The present occupant of the chair will, however, remark that the House to-night is acting under a special order; and to-morrow, being Friday, is set apart for the consideration of private business.

Mr. FITCH. I call for the regular order.

The SPEAKER *pro tempore*. The regular order is to vote upon the motion for a call of the House.

Mr. McSHANE. I suggest that this special session of the House, not being limited as to duration, may extend over to-morrow.

A MEMBER. If we continue to sit here.

Mr. McSHANE. We can take a recess to any time that may be named. [Cries of "Regular order!"]

Mr. WEBER. I rise to a parliamentary inquiry. The last motion on which we voted I believe was a motion to adjourn.

The SPEAKER *pro tempore*. It was.

Mr. WEBER. And under the rule another motion to adjourn is not in order until business has intervened.

The SPEAKER *pro tempore*. One motion to adjourn having been negatived, another motion to adjourn is not in order until there is some intervening business.

Mr. WEBER. In order to bring properly before the House a motion to adjourn, it is necessary that a vote be taken on this motion for a call of the House; and if we vote down the motion, it will then be in order, as I understand, to move to adjourn.

The SPEAKER *pro tempore*. It will be. The question is on the motion of the gentleman from New York for a call of the House.

The question being taken, there were—ayes 27, noes 6.

So the motion for a call of the House was agreed to.

Mr. STEELE. Can we not take a recess by unanimous consent until to-morrow?

The SPEAKER *pro tempore*. The rule is imperative—

Mr. TOWNSHEND. There is no doubt whatever that the ruling of the Chair is absolutely correct and that there are now but two things we can do—either order a call or adjourn. I think for the benefit of all who are here we should determine which course we are going to pursue and adhere to it. My own judgment is that nothing will result from a call of the House.

Mr. WEAVER. I desire to suggest that as no quorum has voted and a call of the House has been ordered—

Mr. GALLINGER. I think we had better have the regular order.

Mr. WEAVER. I hope the gentleman will let me go on.

The SPEAKER *pro tempore*. The gentleman from New Hampshire calls for the regular order, which is the call of the roll.

The roll was called, and the following members failed to answer to their names:

Adams,	Culberson,	Jackson,	Randall,
Allen, Mass.	Cutcheon,	Johnston, Ind.	Rayner,
Allen, Mich.	Dalzell,	Johnston, N. C.	Reed,
Allen, Miss.	Dargan,	Jones,	Rice,
Anderson, Iowa	Darlington,	Kelley,	Richardson,
Anderson, Miss.	Davenport,	Kennedy,	Rockwell,
Anderson, Ill.	Davidson, Ala.	Kerr,	Rogers,
Anderson, Kans.	Davidson, Fla.	Ketcham,	Romeis,
Arnold,	Davis,	Laffoon,	Rowell,
Atkinson,	De Lano,	La Follette,	Rowland,
Baker, Ill.	Dibble,	Lagan,	Russell, Conn.
Bankhead,	Dingley,	Laidlaw,	Rusk,
Barnes,	Dockery,	Landes,	Ryan,
Barry,	Dunham,	Lane,	Sawyer,
Bayne,	Dunn,	Lanham,	Sayers,
Belden,	Elliott,	Latham,	Scott,
Belmont,	Enloe,	Lawler,	Seull,
Biggs,	Ermentrout,	Lee,	Seney,
Bingham,	Farquhar,	Lind,	Seymour,
Blanchard,	Finley,	Long,	Sherman,
Bland,	Fisher,	Lyman,	Shively,
Blount,	Foran,	Lynch,	Simmons,
Boothman,	Ford,	Macdonald,	Snyder,
Bound,	Forney,	Maffett,	Sowden,
Boutelle,	French,	Mason,	Spooner,
Bowen,	Fuller,	McAdoo,	Springer,
Breckinridge, Ark.	Funston,	McClammy,	Stephenson,
Breckinridge, Ky.	Gaines,	McComas,	Stewart, Tex.
Brewer,	Gay,	McCormick,	Stewart, Ga.
Brower,	Gest,	McCulloch,	Stewart, Vt.
Browne, Ind.	Gibson,	McKenna,	Stockdale,
Brown, Ohio	Glass,	McKinley,	Stone, Ky.
Brown, J. R., Va.	Glover,	McKinney,	Stone, Mo.
Brumm,	Goff,	McRae,	Struble,
Buchanan,	Granger,	Merriman,	Symes,
Buckalew,	Greenman,	Milliken,	Tarsney,
Bunnell,	Grosvenor,	Mills,	Taulbee,
Burnes,	Grout,	Moore,	Taylor, E. B., Ohio
Burnett,	Guenther,	Morgan,	Taylor, J. D., Ohio
Burrows,	Hall,	Morse,	Thomas, Ill.
Butler,	Hare,	Neal,	Thomas, Wis.
Butterworth,	Harmer,	Nelson,	Thompson, Ohio
Bynum,	Hatch,	Newton,	Thompson, Cal.
Campbell, Ohio.	Haugen,	Nichols,	Turner, Kans.
Campbell, T. J., N. Y.	Hayden,	Norwood,	Turner, Ga.
Candler,	Hayes,	Nutting,	Vandever,
Cannon,	Heard,	Oates,	Wade,
Carlton,	Hemphill,	O'Donnell,	Walker,
Caswell,	Henderson, Iowa	O'Ferrall,	West,
Catchings,	Henderson, Ill.	O'Neill, Ind.	White, Ind.
Chipman,	Herbert,	O'Neill, Pa.	White, N. Y.
Clark,	Hermann,	Osborne,	Whiting, Mich.
Clements,	Hiestand,	Outhwaite,	Whiting, Mass.
Cobb,	Hires,	Owen,	Whithorne,
Cockran,	Hitt,	Parker,	Wickham,
Cogswell,	Hogg,	Patton,	Wilber,
Collins,	Holman,	Payson,	Wilkins,
Compton,	Holmes,	Peel,	Wilkinson,
Conger,	Hopkins, Ill.	Pennington,	Wilson, Minn.
Cooper,	Hopkins, Va.	Perkins,	Wilson, W. Va.
Cottrhan,	Hopkins, N. Y.	Perry,	Wise,
Cowles,	Houk,	Peters,	Woodburn,
Cox,	Hovey,	Phelps,	Yardley,
Crain,	Howard,	Pidcock,	Yost.
Crisp,	Hudd,	Plumb,	
Crouse,	Hunter,	Post,	
	Hutton,	Pugsley,	

The SPEAKER *pro tempore*. Fifty-one members have answered to their names. The Clerk will now note the absentees; and the Sergeant-at-Arms will close the doors.

Mr. TOWNSHEND. The Clerk has called over the names but once. Should there not be a second call, which is usually had before the roll-call is considered as concluded?

The SPEAKER *pro tempore*. The regular practice is being followed. The Digest states—

At the conclusion of the call of the roll—which is called but once—the absentees are noted, and the doors closed; the names of the absentees are called over, and a list of those for whom no sufficient excuse is made is furnished the Sergeant-at-Arms by the Clerk.

The names of the absentees will now be called for the presentation of excuses.

Mr. ADAMS: No excuse offered.

Mr. ALLEN, of Massachusetts: No excuse offered.

Mr. ALLEN, of Michigan: No excuse offered.

Mr. ALLEN, of Mississippi: No excuse offered.

Mr. ANDERSON, of Iowa: No excuse offered.

Mr. ANDERSON, of Mississippi: No excuse offered.
 Mr. ANDERSON, of Illinois: No excuse offered.
 Mr. ANDERSON, of Kansas: No excuse offered.
 Mr. ARNOLD: No excuse offered.
 Mr. ATKINSON: No excuse offered.
 Mr. BAKER, of Illinois: No excuse offered.
 Mr. BANKHEAD: No excuse offered.
 Mr. BARNES: No excuse offered.
 Mr. BARRY: No excuse offered.
 Mr. BAYNE: No excuse offered.
 Mr. BELDEN: No excuse offered.
 Mr. BELMONT: No excuse offered.
 Mr. BIGGS.
 Mr. MANSUR. I desire to ask that Mr. BIGGS be excused. He boards at the same house with myself, and I know that he is sick. He has been so for four or five days. Indeed, I advised him to-day not to think of coming here to-morrow, but to wait until Saturday. I think his condition is such that it would seriously imperil his health if he should be brought here to-night. I move that he be excused.
 There being no objection, Mr. BIGGS was excused.
 Mr. BINGHAM: No excuse offered.
 Mr. BLANCHARD: No excuse offered.
 Mr. BLAND: No excuse offered.
 Mr. BLOUNT: No excuse offered.
 Mr. BOOTHMAN.
 Mr. YODER. My colleague [Mr. BOOTHMAN] is not able to be here to-night. I ask that he be excused.
 There being no objection, Mr. BOOTHMAN was excused.
 Mr. BOUND: No excuse offered.
 Mr. BOUTELLE: No excuse offered.
 Mr. BOWEN: No excuse offered.
 Mr. BRECKINRIDGE, of Arkansas: No excuse offered.
 Mr. BRECKINRIDGE, of Kentucky: No excuse offered.
 Mr. BREWER: No excuse offered.
 Mr. BROWER: No excuse offered.
 Mr. BROWNE, of Indiana: No excuse offered.
 Mr. BROWN, of Ohio.
 Mr. CHEADLE moved that Mr. BROWN, of Ohio, be excused, and there being no objection, it was agreed to.
 Mr. JOHN R. BROWN: No excuse offered.
 Mr. BRUMM: No excuse offered.
 Mr. BUCHANAN: No excuse offered.
 Mr. BUCKALEW: No excuse offered.
 Mr. BUNNELL: No excuse offered,
 Mr. BURNES: No excuse offered.
 Mr. BURNETT: No excuse offered.
 Mr. BURROWS: No excuse offered.
 Mr. BUTLER: No excuse offered.
 Mr. BUTTERWORTH: No excuse offered.
 Mr. BYNUM: No excuse offered.
 Mr. CAMPBELL, of Ohio: No excuse offered.
 Mr. TIMOTHY J. CAMPBELL: No excuse offered.
 Mr. CANDLER: No excuse offered.
 Mr. CANNON: No excuse offered.
 Mr. CARLTON: No excuse offered.
 Mr. CASWELL: No excuse offered.
 Mr. CATCHINGS: No excuse offered.
 Mr. CHIPMAN: No excuse offered.
 Mr. CLARDY: No excuse offered.
 Mr. CLARK: No excuse offered.
 Mr. CLEMENTS: No excuse offered.
 Mr. COBB: No excuse offered.
 Mr. COCKRAN: No excuse offered.
 Mr. COGSWELL: No excuse offered.
 Mr. COLLINS: No excuse offered.
 Mr. COMPTON: No excuse offered.
 Mr. CONGER: No excuse offered.
 Mr. COOPER: No excuse offered.
 Mr. COTHRAN: No excuse offered.
 Mr. COWLES: No excuse offered.
 Mr. HENDERSON, of North Carolina. My colleague, Mr. COWLES, has been detained from the House by the sickness of his wife, and I move he be excused.
 The motion was agreed to.
 Mr. COX.
 Mr. MAHONEY. I move that my colleague, Mr. COX, be excused.
 The motion was agreed to.
 Mr. CRAIN: No excuse offered.
 Mr. CRISP: No excuse offered.
 Mr. CROUSE.
 Mr. WILLIAMS moved that Mr. CROUSE be excused.
 The motion was agreed to.
 Mr. CULBERSON: No excuse offered.
 Mr. CUTCHEON.
 Mr. TRACEY moved that Mr. CUTCHEON be excused.
 The motion was agreed to.

Mr. DALZELL: No excuse offered.
 Mr. DARGAN: No excuse offered.
 Mr. DARLINGTON: No excuse offered.
 Mr. DAVENPORT: No excuse offered.
 Mr. DAVIDSON, of Alabama.
 Mr. WHEELER. I move my colleague be excused.
 The motion was agreed to.
 Mr. DAVIDSON, of Florida.
 Mr. DOUGHERTY. I move my colleague be excused.
 A MEMBER. For what reason?
 Mr. DOUGHERTY. The gentleman asks for what reason. I am not aware he knows there has been a call of the House. [Laughter.] I will not state to this House my colleague is unwell, but I will state that he is usually in attendance on the meetings of this House when his presence is necessary. I make the motion and leave the House to do as it pleases.
 Mr. TRACEY. I object.
 The CHAIRMAN. The noes seem to have it.
 The House divided; and there were—ayes 20, noes 12.
 So the motion was agreed to.
 Mr. DAVIS: No excuse offered.
 Mr. DE LANO: No excuse offered.
 Mr. DIBBLE: No excuse offered.
 Mr. DINGLEY: No excuse offered.
 Mr. DOCKERY: No excuse offered.
 Mr. DUNHAM: No excuse offered.
 Mr. DUNN: No excuse offered.
 Mr. ELLIOT: No excuse offered.
 Mr. ENLOE: No excuse offered.
 Mr. ERMENTROUT: No excuse offered.
 Mr. FARQUHAR: No excuse offered
 Mr. FINLEY: No excuse offered.
 Mr. FISHER: No excuse offered.
 Mr. FORAN: No excuse offered.
 Mr. FORD: No excuse offered.
 Mr. FORNEY: No excuse offered.
 Mr. FRENCH: No excuse offered.
 Mr. FULLER: No excuse offered.
 Mr. FUNSTON: No excuse offered.
 Mr. GAY.
 Mr. ROBERTSON. I move my colleague be excused.
 The motion was agreed to.
 Mr. GAINES.
 Mr. BOWDEN. I move Mr. GAINES be excused.
 The motion was agreed to.
 Mr. GEST: No excuse offered.
 Mr. GIBSON: No excuse offered.
 Mr. GLASS: No excuse offered.
 Mr. GLOVER: No excuse offered.
 Mr. GOFF: No excuse offered.
 Mr. GRANGER: No excuse offered.
 Mr. GREENMAN: No excuse offered.
 Mr. GROSVENOR: No excuse offered.
 Mr. GROUT: No excuse offered.
 Mr. GUENTHER: No excuse offered.
 Mr. HALL: No excuse offered.
 Mr. HARE: No excuse offered.
 Mr. HARMER: No excuse offered.
 Mr. HATCH: No excuse offered.
 Mr. HAUGEN: No excuse offered.
 Mr. HAYDEN: No excuse offered.
 Mr. HAYES: No excuse offered.
 Mr. HEARD: No excuse offered.
 Mr. HEMPHILL: No excuse offered.
 Mr. HENDERSON, of Iowa: No excuse offered.
 Mr. HENDERSON, of Illinois: No excuse offered.
 Mr. HERBERT: No excuse offered.
 Mr. HERMANN: No excuse offered.
 Mr. HIESTAND: No excuse offered.
 Mr. HIRES: No excuse offered.
 Mr. HIT: No excuse offered.
 Mr. HOGG: No excuse offered.
 Mr. HOLMAN: No excuse offered.
 Mr. HOLMES: No excuse offered.
 Mr. HOPKINS, of Illinois: No excuse offered.
 Mr. HOPKINS, of Virginia: No excuse offered.
 Mr. HOPKINS, of New York: No excuse offered.
 Mr. HOUK: No excuse offered.
 Mr. HOVEY: No excuse offered.
 Mr. HOWARD: No excuse offered.
 Mr. HUDD: No excuse offered.
 Mr. HUNTER: No excuse offered.
 Mr. HUTTON: No excuse offered.
 Mr. JACKSON: No excuse offered.
 Mr. JOHNSTON, of Indiana: No excuse offered.
 Mr. JOHNSTON, of North Carolina: No excuse offered.

Mr. HENDERSON, of North Carolina, Mr. JOHNSTON has been unwell for several weeks and not able to attend the session of the House this evening, and I ask he be excused.

The motion was agreed to.

Mr. FELTON. I ask my colleague, Mr. BIGGS, be excused. The SPEAKER *pro tempore*. He has been excused.

Mr. JONES: No excuse offered.

Mr. KELLEY: No excuse offered.

Mr. KERR: No excuse offered.

Mr. KETCHAM: No excuse offered.

Mr. LAFFOON: No excuse offered.

Mr. LA FOLLETTE: No excuse offered.

Mr. LAGAN: No excuse offered.

Mr. LAIDLAW: No excuse offered.

Mr. LANDES: No excuse offered.

Mr. LANE: No excuse offered.

Mr. LANHAM: No excuse offered.

Mr. LATHAM: No excuse offered.

Mr. LAWLER: No excuse offered.

Mr. LEE: No excuse offered.

Mr. LIND: No excuse offered.

Mr. LONG: No excuse offered.

Mr. LYMAN: No excuse offered.

Mr. LYNCH: No excuse offered.

Mr. MACDONALD: No excuse offered.

Mr. MAFFETT: No excuse offered.

Mr. GEAR. I ask that my colleague, Mr. LYMAN, be excused on account of sickness.

There was no objection.

Mr. MASON: No excuse offered.

Mr. MCADOO: No excuse offered.

Mr. MCCLAMMY: No excuse offered.

Mr. MCCOMAS: No excuse offered.

Mr. MCCORMICK: No excuse offered.

Mr. MCCULLOGH: No excuse offered.

Mr. MCKENNA.

Mr. MORROW. I ask that my colleague, Mr. MCKENNA, be excused.

There was no objection.

Mr. MCKINLEY.

Mr. WILLIAMS. I ask that Mr. MCKINLEY be excused.

Mr. TRACEY. I object.

Mr. WILLIAMS. I move that he be excused.

The motion was agreed to.

Mr. MCSHANE. Is it in order to move to dispense with further proceedings under the call?

The SPEAKER *pro tempore*. That motion is in order.

Mr. WILLIAMS. I move to dispense with further proceedings.

Mr. MCSHANE. If in order, I desire to submit that motion. I move that all further proceedings under the call be dispensed with.

The question was taken; and on a division there were—ayes 12, noes 21.

So the motion was rejected.

Mr. MCSHANE. My object in dispensing with the call was to move an adjournment.

Mr. MCKINNEY: No excuse offered.

Mr. MCRAE: No excuse offered.

Mr. MERRIMAN: No excuse offered.

Mr. MILLIKEN: No excuse offered.

Mr. MILLS.

Mr. ABBOTT. I ask unanimous consent that my colleague, Mr. MILLS, be excused. He has not been well lately.

There was no objection.

Mr. MOORE: No excuse offered.

Mr. MORGAN: No excuse offered.

Mr. MORSE: No excuse offered.

Mr. NEAL: No excuse offered.

Mr. NELSON: No excuse offered.

Mr. NEWTON: No excuse offered.

Mr. NICHOLS: No excuse offered.

Mr. NORWOOD: No excuse offered.

Mr. NUTTING: No excuse offered.

Mr. OATES: No excuse offered.

Mr. O'DONNELL: No excuse offered.

Mr. O'FERRALL: No excuse offered.

Mr. O'NEALL, of Indiana: No excuse offered.

Mr. O'NEILL, of Pennsylvania: No excuse offered.

Mr. OSBORNE: No excuse offered.

Mr. OUTHWAITE: No excuse offered.

Mr. OWEN: No excuse offered.

Mr. PARKER: No excuse offered.

Mr. PATTON: No excuse offered.

Mr. PAYSON: No excuse offered.

Mr. PEEL: No excuse offered.

Mr. PENINGTON: No excuse offered.

Mr. PERKINS: No excuse offered.

Mr. PERRY: No excuse offered.

Mr. PETERS: No excuse offered.

Mr. PHELPS: No excuse offered.

Mr. PIDCOCK: No excuse offered.

Mr. PLUMB: No excuse offered.

Mr. POST: No excuse offered.

Mr. PUGSLEY: No excuse offered.

Mr. RANDALL.

Mr. BACON. I do not know whether Mr. RANDALL is excused on account of illness or not; but I ask that he be excused.

There was no objection.

Mr. RAYNER: No excuse offered.

Mr. REED: No excuse offered.

Mr. RICE: No excuse offered.

Mr. RICHARDSON: No excuse offered.

Mr. ROCKWELL: No excuse offered.

Mr. ROGERS: No excuse offered.

Mr. ROMEIS: No excuse offered.

Mr. ROWELL: No excuse offered.

Mr. ROWLAND: No excuse offered.

Mr. RUSSELL, of Connecticut: No excuse offered.

Mr. RUSK: No excuse offered.

Mr. RYAN: No excuse offered.

Mr. SAWYER: No excuse offered.

Mr. SAYERS: No excuse offered.

Mr. SCOTT: No excuse offered.

Mr. SCULL: No excuse offered.

Mr. SENEY: No excuse offered.

Mr. SEYMOUR: No excuse offered.

Mr. SHERMAN.

Mr. GEAR. I ask unanimous consent that Mr. SHERMAN be excused on account of sickness.

There was no objection.

Mr. SHIVELY: No excuse offered.

Mr. SIMMONS: No excuse offered.

Mr. SNYDER: No excuse offered.

Mr. SOWDEN: No excuse offered.

Mr. SPOONER: No excuse offered.

Mr. SPRINGER: No excuse offered.

Mr. STEPHENSON: No excuse offered.

Mr. STEWART, of Georgia: No excuse offered.

Mr. STEWART, of Texas: No excuse offered.

Mr. STEWART, of Vermont: No excuse offered.

Mr. STOCKDALE: No excuse offered.

Mr. STONE, of Kentucky.

Mr. STEELE. I ask that Mr. STONE, of Kentucky, be excused.

There was no objection.

Mr. STONE, of Missouri.

Mr. WILLIAMS. I ask that Mr. STONE, of Missouri, be excused.

I know personally his health is very poor.

There was no objection.

Mr. SYMES: No excuse offered.

Mr. TARSNEY: No excuse offered.

Mr. TAULBEE.

Mr. WHEELER. Mr. TAULBEE, I understand, is quite ill, and I ask that he be excused.

There was no objection.

Mr. WARNER. I did not think of it when the name was called, but I ask that Mr. BROWN, of Ohio, be excused.

The SPEAKER *pro tempore*. He has been already excused.

Mr. EZRA B. TAYLOR.

Mr. WILLIAMS. I ask that Mr. EZRA B. TAYLOR be excused.

He is a man advanced in years.

Mr. RUSSELL, of Massachusetts. I object.

Mr. WILLIAMS. Then I move that he be excused.

Mr. GEAR. He is quite feeble.

Mr. RUSSELL, of Massachusetts. So is Mr. RICE.

The House divided; and there were—ayes 17, noes 10.

So the motion of Mr. WILLIAMS was agreed to.

Mr. JOSEPH D. TAYLOR: No excuse offered.

Mr. THOMAS, of Kentucky: No excuse offered.

Mr. THOMAS, of Illinois.

Mr. STEELE. I ask that Mr. THOMAS, of Illinois, be excused.

There was no objection.

Mr. THOMAS, of Wisconsin: No excuse offered.

Mr. THOMPSON, of Ohio: No excuse offered.

Mr. THOMPSON, of California: No excuse offered.

Mr. TURNER, of Kansas: No excuse offered.

Mr. TURNER, of Georgia: No excuse offered.

Mr. VANDEVER: No excuse offered.

Mr. WADE.

Mr. WARNER. I ask that Mr. WADE be excused.

Mr. STEELE. On what account?

Mr. WARNER. On account of sickness in his family.

Mr. RUSSELL, of Massachusetts. I object. If he is sick I am willing he shall be excused.

Mr. WARNER. He is not ill himself, but there is sickness in his family.

Mr. RUSSELL, of Massachusetts. I withdraw the objection.

The SPEAKER *pro tempore*. Is there further objection?

There was no objection.

Mr. MORROW. I ask that my colleague, Mr. VANDEVER, be excused.

There was no objection.

Mr. WEST: No excuse offered.

Mr. WHITE, of Indiana: No excuse offered.

Mr. WHITE, of New York: No excuse offered.

Mr. WHITING, of Michigan: No excuse offered.

Mr. WHITING, of Massachusetts: No excuse offered.

Mr. WHITTHORNE: No excuse offered.

Mr. WICKHAM: No excuse offered.

Mr. WILBER.

Mr. MOFFITT. I ask that my colleague, Mr. WILBER, of New York, be excused on account of illness.

There was no objection.

Mr. WILKINS: No excuse offered.

Mr. WILKINSON: No excuse offered.

Mr. WILSON, of Minnesota: No excuse offered.

Mr. WILSON, of West Virginia: No excuse offered.

Mr. WISE: No excuse offered.

Mr. WOODBURN: No excuse offered.

Mr. YARDLEY: No excuse offered.

Mr. YOST: No excuse offered.

Mr. ABBOTT. I ask that Mr. CULBERSON be excused. I saw him this afternoon at the hotel and he told me that he was not well.

Mr. FITCH. I object.

Mr. HENDERSON, of North Carolina. I know he is not well.

Mr. ABBOTT. I move that he be excused.

The question was taken; and there were on a division—ayes 20, noes 0.

So the motion was adopted.

Mr. MORROW. I am requested to ask for the excuse of Mr. ATKINSON, of Pennsylvania.

There was no objection.

Mr. MOFFITT. I ask that Mr. MCCORMICK, of Pennsylvania, be excused. He was called home yesterday on business.

There was no objection.

Mr. McSHANE. Mr. Speaker, there have been excuses given to about 35 members. There are nearly 100 members absent from the city, so that it is impossible to secure a quorum at this time. It requires the enforced attendance of 112 members. Now it is very easily seen that it is impossible to secure the attendance, in addition to the number here present, of 112 members, or anything like that number, and therefore I move that the House adjourn.

Mr. FITCH. Is debate in order?

The SPEAKER *pro tempore*. It is not.

Mr. FITCH. The gentleman has stated his reasons.

The SPEAKER *pro tempore*. The Chair did not understand the statement of the gentleman from Nebraska.

Mr. McSHANE. I made a motion that the House adjourn.

The SPEAKER *pro tempore*. The motion is in order. The question is upon the motion to adjourn.

The House divided; and there were—ayes 18, noes 21.

So the House refused to adjourn.

Mr. LEHLBACH. Is it in order to call for tellers?

Mr. FELIX CAMPBELL. There is a resolution on the Clerk's desk I wish to offer.

The Clerk read as follows:

Resolved, That the Sergeant-at-Arms take into custody, and bring to the bar of the House, such of the members as are now absent without leave of the House.

The SPEAKER *pro tempore*. The question is on the resolution or the gentleman from New York.

Mr. KILGORE. I make the point of order on this. [Cries of "Regular Order!"] Does it require an order of the House for the Sergeant-at-Arms to enforce the attendance of members?

Several MEMBERS. It does.

The SPEAKER *pro tempore*. The question is upon the resolution of the gentleman from New York.

The resolution was adopted.

Mr. SHAW. Is it in order to move that further proceedings under the call be dispensed with?

The SPEAKER *pro tempore*. It is.

Mr. SHAW. I make that motion, and trust that it will be agreed to.

The question was taken; and there were—ayes 20, noes 24.

So the House refused to dispense with further proceedings under the call.

Mr. McSHANE. I move that the House do now adjourn.

Tellers were demanded, but were not ordered, only 16 voting in favor thereof.

On the motion to adjourn there were—ayes 22, noes 21.

So the motion was agreed to; and accordingly (at 12 o'clock and 45 minutes a. m., Friday, July 20, 1888) 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. BACON: A bill (H. R. 10899) granting a pension to James Corcoran—to the Committee on Invalid Pensions.

By Mr. BOUTELLE: A bill (H. R. 10900) granting a pension to John Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10901) granting a pension to Sarah Boden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10902) granting a pension to Melvina Greenya—to the Committee on Invalid Pensions.

By Mr. FELIX CAMPBELL: A bill (H. R. 10903) for the relief of John H. Percival—to the Committee on Invalid Pensions.

By Mr. COMPTON: A bill (H. R. 10904) to provide an American register for the steamer Saginaw, of New York—to the Committee on Merchant Marine and Fisheries.

By Mr. GAY: A bill (H. R. 10905) for the relief of Odon Deucatte—to the Committee on War Claims.

By Mr. MATSON: A bill (H. R. 10906) granting a pension to Fidel Gates—to the Committee on Invalid Pensions.

Mr. McRAE: A bill (H. R. 10907) granting a pension to Henry Mitchell Youngblood—to the Committee on Pensions.

By Mr. WEBER: A bill (H. R. 10908) granting a pension to Mrs. Elmira J. Towner—to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 10909) granting a pension to Moses A. Smith—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 10910) granting a pension to Abraham A. Fowler—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. BANKHEAD: Petition of 156 citizens of Jefferson County, and of 10 citizens of Fayette County, Alabama, for amendments to the interstate-commerce law—to the Committee on Commerce.

By Mr. BAYNE: Petition of Knights of Labor, Local Assembly No. 1630, in favor of House bill 8716—to the Committee on Labor.

Also, resolution of Association of Disabled Veterans of Pittsburgh, Pa., for the passage of Senate bill 1127—to the Committee on Invalid Pensions.

By Mr. W. C. P. BRECKINRIDGE: Petition of the Woman's Christian Temperance Union of Kentucky, for a prohibitory amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of Henry M. Barrett & Co. and others, against the Mills bill—to the Committee on Ways and Means.

By Mr. BUNNELL: Petition of Rev. B. F. Larabee and 30 others, citizens of the Fifteenth district of Pennsylvania, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BURNETT: Petition of citizens of Middlesex County and of Worcester County, Massachusetts, in favor of pure food—to the Committee on Agriculture.

By Mr. CLARDY: Petition of citizens of De Soto, Mo., asking that dentists' instruments be admitted free of duty—to the Committee on Ways and Means.

By Mr. COBB: Memorial of Harry White and 50 others, of Bibb County, Alabama, for certain amendments to the interstate-commerce act—to the Committee on Commerce.

By Mr. CONGER: Memorial of Garfield Assembly, of Dallas County, Iowa, for certain amendments to the interstate-commerce law—to the Committee on Commerce.

By Mr. DALZELL: Petition of North Side, Lincoln, Dravosburgh, General Marion, Sherwood, Birmingham, General Putnam, Wilkinsburgh, Laurel, Duquesne, and Eureka Councils, Junior Order of United American Mechanics, in favor of the passage of Senate bill 553, to regulate and restrict immigration—to the Committee on Foreign Affairs.

By Mr. GROUT: Petition of 160 manufacturers and drawers of wire in the United States, without regard to party, for a duty of three-tenths of 1 cent per pound on all iron and steel wires—to the Committee on Ways and Means.

By Mr. HEARD: Petition of citizens of the Sixth district of Missouri, in favor of amendments to the interstate-commerce law—to the Committee on Commerce.

Also, petition of citizens of the Sixth district of Missouri, for removal of tariff on dentist's tools, goods, etc.—to the Committee on Ways and Means.

By Mr. HOVEY: Petition of J. M. White and 57 others, of Pike County, Indiana, in favor of House bill 2165—to the Committee on Invalid Pensions.

By Mr. LEE: Papers in the case of Edwin C. Fitzhugh, for relief—to the Committee on War Claims.

By Mr. MANSUR: Petition of 38 citizens, and of D. S. Scott and others, citizens of Missouri, for removal of duty on dental supplies and instruments—to the Committee on Ways and Means.

By Mr. OSBORNE: Resolution of Association of Fully-disabled Vet-

erans of the Union Army and Navy, of Pittsburgh, Pa., for immediate passage of Senate bill 1127 and of House bill 4356—to the Committee on Invalid Pensions.

By Mr. RICE: Petition of the Woman's Christian Temperance Union of Minnesota, for prohibitory amendment to the Constitution—to the Committee on the Judiciary.

By Mr. RICHARDSON: Petition of T. W. Turner, of Coffee County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROCKWELL: Petition of woolen manufacturers and wool dealers against the Mills bill—to the Committee on Ways and Means.

By Mr. SCULL: Resolutions of the Turnverein of Johnstown, Pa., urging that the existing law prohibiting the importation of contract labor, criminals, insane or paupers, be enforced—to the Committee on Labor.

By Mr. SIMMONS: Memorial of H. L. Lassiter and 31 others, of Northampton County, North Carolina, for certain amendments to the interstate-commerce act—to the Committee on Commerce.

Also, petition of Gray Newsom and others, of Wilson, N. C., for certain amendments to the interstate-commerce law—to the Committee on Commerce.

By Mr. STEELE: Petition of Ed. S. Stewart and 100 other glass manufacturers and laboring men of Marion, Ind., for restoration of the tariff of 1883, and especially that the Mills schedule on glass be not passed—to the Committee on Ways and Means.

Also, papers in the case of James A. Russell—to the Committee on the Post-Office and Post-Roads.

By Mr. CHARLES STEWART: Memorial of J. P. Wolf and 86 others, of Tyler, Tex., for certain amendments to the interstate-commerce law—to the Committee on Commerce.

By Mr. A. C. THOMPSON: Petition for the passage of House bills for increase of pensions, and to pay arrears, etc.—to the Committee on Invalid Pensions.

By Mr. J. B. WHITE: Petition of Rev. J. N. McCurdy and 25 others, citizens of the Twelfth district of Indiana, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. W. L. WILSON: Petition of W. A. Donaldson, in favor of House bill 9517—to the Committee on Military Affairs.

The following petition for the more efficient protection of agriculture, by means of certain import duties, was received and referred to the Committee on Ways and Means:

By Mr. JACKSON: Of M. A. Wilson and 31 others, of Buffalo, Pa.

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. BAYNE: Of veterans of Pittsburgh and of citizens of Allegheny County, Pennsylvania.

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. CANDLER: Of the board of education and 171 citizens of Gwinnett County, Georgia.

SENATE.

FRIDAY, July 20, 1888.

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

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

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of May 8, 1888, papers containing certain information in relation to employes in the internal-revenue service, district of Maryland; which, with the accompanying papers, was referred to the Select Committee to Examine into the Condition of the Civil Service, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of June 25, 1888, a statement showing the full complement of officers and the full complement of men which will be required for the Chicago and each of the other fourteen vessels, and for the Puritan and each of the other iron-clads mentioned in the Department's report for 1887; which, on motion of Mr. HALE, was, with the accompanying papers, referred to the Committee on Naval Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of citizens of Jefferson County, Alabama, praying for certain amendments of the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. QUAY presented petitions of the Junior Order of United Ameri-

can Mechanics, of Industry Council, No. 163, of Reading, Pa.; of Chester Council, No. 36, of Chester, Pa.; of Washington Council, No. 1, of Germantown, Pa.; of Phillipsburgh Council, No. 24, of Water Cure, Pa.; of Rochester Council, No. 140, of Rochester, Pa.; of American Council, No. 30, of Philadelphia, Pa.; of Belmont Council, No. 190, of Philadelphia, Pa.; of Lackawanna Council, No. 81, of Taylorport, Pa.; of Alliquippa Council, No. 67, of McKee's Rocks, Pa.; of Schuylkill Council, No. 12, of Philadelphia, Pa.; of Farragut Council, No. 146, of Bellevue, Pa.; of Reliable Council, No. 90, of Allegheny, Pa.; of Bainbridge Council, No. 128, of Pittsburgh, Pa.; of Summit Council, No. 173, Lemont Furnace, Fayette County, Pennsylvania; of Susquehanna Council, No. 89, of Wrightsville, Pa.; of Mayflower Council, No. 159, of Derry, Pa.; of Iron City Council, No. 171, of Pittsburgh, Pa.; of Riverside Council, No. 87, of Pittsburgh, Pa.; of Penn Council, No. 106, of Penn's Station, Pa.; of Tarentum Council, No. 91, of Tarentum, Pa.; of Smoky City Council, No. 119, of Pittsburgh, Pa.; of Scranton Council, No. 197, of Scranton, Pa.; of Hazel Glen Council, No. 208, of Pittsburgh, Pa., and of American Council, No. 218, of Pittsburgh, Pa., praying for the passage of Senate bill 553, to regulate immigration; which were referred to the Committee on Foreign Relations.

He also presented a petition of citizens of Schuylkill County, Pennsylvania, praying for certain amendments of the interstate-commerce law; which was ordered to lie on the table.

Mr. COCKRELL presented the petition of Dr. M. V. Johnson, Dr. A. B. Peak, and Dr. Frank Y. Herbert, citizens of Holden, Johnson County, Missouri, engaged in the practice of dentistry, praying for the removal or reduction of duties on dental instruments, teeth, gold foil, alloys, cements, and other articles used in the dental profession; which was referred to the Committee on Finance.

He also presented the petition of John M. Sneed, J. S. Stephens, J. M. Palmer, and other citizens of Pettis County, Missouri, praying for the passage of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. VANCE presented a petition of citizens of Wayne County, North Carolina, praying for certain amendments of the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. SHERMAN presented a petition of 58 citizens of Logan County, Ohio; a petition of 108 citizens of Noble County, Ohio; a petition of 51 citizens of Mitchell, Kans.; a petition of 32 citizens of San Francisco, Cal.; a petition of 14 citizens of Karnes, Tex.; a petition of 14 citizens of Kendall, Tex.; a petition of 14 citizens of Lake, Ill.; a petition of 30 citizens of Hamilton, Tex.; a petition of 32 citizens of Kenosha, Wis.; a petition of 36 citizens of Bandera, Tex.; and a petition of citizens of El Paso, Tex., praying for the passage of legislation affording protection to the wool-growing and woolen-manufacturing industries of the country; which were referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. HOAR, from the Committee on the Library, reported an amendment intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. MANDERSON, from the Committee on Military Affairs, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 2998) for the relief of Lieut. Col. Charles G. Sawtelle, Deputy Quartermaster-General, United States Army; and

A bill (H. R. 7452) for the relief of the Southern Illinois Normal University.

Mr. FARWELL, from the Committee on the District of Columbia, to whom was referred the bill (S. 441) to amend the Revised Statutes relating to the District of Columbia, for the protection of girls and for the punishment of the crime of rape, reported adversely thereon and the bill was postponed indefinitely.

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

A bill (H. R. 7160) granting an increase of pension to A. W. Rose;

A bill (H. R. 8677) granting a pension to Mary E. Forren;

A bill (H. R. 817) granting a pension to Mary Foster;

A bill (H. R. 8574) granting a pension to Sallie T. Ward, widow of the late W. T. Ward; and

A bill (H. R. 8794) granting a pension to Levi Little.

Mr. VANCE, from the Committee on the District of Columbia, to whom was referred the bill (S. 1620) for the relief of Esther A. Keyser, reported it with an amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (S. 1917) for the relief of John R. Reynolds, reported it with amendments.

Mr. HALE. I report from the Committee on Appropriations with amendments the bill (H. R. 10556) making appropriations for the naval service for the fiscal year ending June 30, 1889, and for other purposes. I ask that the bill may be printed as reported, and I give notice that I shall call it up at an early day.