

pendent candidate for re-election, and a Democrat, published in the New Orleans Pelican of April 28, 1888, which he closes thus: "The governor of the State proclaimed that the law should be suspended until what that official was pleased to term 'the danger was passed.'" Following this remarkable utterance of the chief executive of the State armed men were introduced into the parish and have been kept here ever since without, so far as I could see, the slightest cause or necessity, the negroes being perfectly quiet and seeming to seek nothing but to be protected. My only chance to succeed would be to follow the advice of his excellency the governor of the State and suspend the law until after the election, and meet force with force. In short, by bringing on civil war. Rather than do this I have concluded to give up my rights and withdraw from the race."

Now, bear in mind this is a Democrat who wrote the above. With such a state of affairs it is to be wondered that not a single Republican vote was returned? This fraud or violence or both was practiced all over the State, especially in all the parishes where the negroes largely outnumbered the white voters, and the unprecedented majority of 83,200 for the Democratic ticket was returned. Now, what is the North going to do about it? What are the Republicans and the patriotic citizens of other parties, even outsiders of the Southern States, going to do?

Will they rest content with Senator EUSTIS's reply that it is none of their business?

Is it none of their business that the rights of the millions of American citizens in these States are denied them and that liberty and freedom of speech is a farce? Is it none of their business that by these illegal and un-American methods a Democratic majority in Congress is made possible?

Is it none of their business that the vote of one Democrat in the South calls for as much as that of ten in the other States of the Union?

Is it none of their business that by these frauds and this suppression of the Republican votes the electoral votes of States like Louisiana, Mississippi, etc., are prevented from being cast for the Republican candidates, where they of right belong?

Is it none of their business that the guaranties under the United States Constitution are ruthlessly violated, and the protection which that document is supposed to cast around each and every American citizen, is, in the South, a vain mockery?

Senator INGALLS believed it was some of the business of the people outside of Louisiana, and the spirit manifested at the Chicago convention, together with the platform, shows that the nation thinks so, too!

In closing now, I desire to distinctly say that I do not wish it to be inferred that all the people of Louisiana approve or condone this lawlessness and these outrages. On the contrary, there are hundreds, yea, thousands of good law-abiding citizens, and Democrats, too, who are not in favor of such methods, but because they fear that any open opposition will draw on themselves the displeasure of this organized autocratic minority and injure their business, or because they lack the moral courage to openly resist, they remain silent and inactive—as they did in 1860, when, notwithstanding the State voted largely against secession, it was carried out of the Union.

I believe that this class of citizens will be glad to see a change occur, be glad to see law and order prevail, and will be glad to see the time come when a free ballot and a fair count shall be had, because they know that this above all other inducements will bring to Louisiana's fair domain that wealth, energy, and enterprise that come with capital and immigration, and which her unparalleled soil, her delightful climate, and her unlimited resources entitle her to.

W. HERMAN DINKGRAVE.

I now come to the parish of Terre Bonne—

Mr. EDMUNDS. If the Senator from New Hampshire will yield, I will move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Vermont.

The motion was agreed to; and (at 5 o'clock and 4 minutes p. m.) the Senate adjourned until to-morrow, Thursday, August 23, 1888, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, August 22, 1888.

The House met at 12 o'clock m. Prayer by Rev. J. H. CUTHBERT, D. D., of Washington, D. C.

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

LEAVE OF ABSENCE.

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

To Mr. T. H. B. BROWNE, for two days, on account of important business.

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

To Mr. HAYES, indefinitely, on account of important business.

To Mr. THOMAS, of Kentucky, indefinitely, on account of ill health.

To Mr. BROWER, indefinitely.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled the bill (H. R. 11062) for the removal of the political disability of Gustavus W. Smith; when the Speaker signed the same.

PERSONAL EXPLANATION.

Mr. DIBBLE. I ask unanimous consent to make a personal explanation.

The SPEAKER. Is there objection? The Chair hears none.

Mr. DIBBLE. Mr. Speaker, in replying yesterday to the gentleman from Ohio [Mr. SENEY], who stated that some member on the floor had been attorney for some French spoliation claimants, I stated that I "represented none of them." I intended to convey the idea that I was not attorney for any of them, not that there were no persons among my constituency who were interested in the matter. I am satisfied that some of my constituency have presented claims to the Court of Claims under the act of 1885. I know nothing of the particulars of

their claims as I have not been their attorney; but I make this statement so that my remark may not be misinterpreted.

ORDER OF BUSINESS.

Mr. HERMANN. I ask unanimous consent to call up for present consideration House bill 5009.

Mr. MARTIN. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

ARMY APPROPRIATION BILL.

Mr. TOWNSHEND. I desire to present a conference report, which I send to the desk.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10234) "making appropriations for the support of the Army for the fiscal year ending June 30, 1889, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 18, 19, 22, 24, and 27.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 23, 26, 28, 29, 30, 31, 32, and 34, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Insert, after the word "change," in line 19, page 5 of the bill, the words "or over any of the bond-aided Pacific railroads;" strike out, in line 21, same page, the words "last-named railroad" and insert in lieu thereof the word "railroads;" and in lieu of the matter proposed to be inserted by said Senate amendment insert the following:

"And provided further, That the transportation furnished by the Quartermaster's Department to officers traveling without troops shall be limited to transportation in kind, not including sleeping or parlor car accommodations, over said free roads, over bond-aided Pacific railroads, and by conveyance belonging to the said Department."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$42,000;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Strike out, in line 5 of said amendment, the words "and increased facilities for their manufacture;" and strike out, in line 12, the word "six" and insert in lieu thereof the word "five;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: Strike out, in lines 12 and 13 of section 2 of said amendment, the words "three Army officers and three;" and insert in lieu thereof the words "the superintendent of the Military Academy and two;" and strike out, in lines 20 and 21 of said section, the words "War Department" and insert in lieu thereof the word "Army;" strike out all after the words "New York;" in section 3 of said amendment, down to the end of said section, and insert in lieu of the matter stricken out the words "\$700,000, or so much thereof as may be necessary;" in lieu of the sum named in section 4 of said amendment insert "\$3,500,000;" insert, after the word "shall" where it occurs the second time, in line 8 of section 5 of said amendment, the words "have or;" strike out section 6 of said amendment; change the number of section 7 of said amendment to section 6; and strike out section 8 of said amendment and insert in lieu thereof the following:

"Sec. 7. The appropriations provided for in sections 3, 4, 5, and 6 shall be available until expended, and shall be expended under the direct supervision of a board, to consist of the commanding general of the Army, an officer of ordnance, and an officer of artillery, to be selected by the Secretary of War; and said board shall be under the direction and control of the Secretary of War and subject to his supervision in all respects."

R. W. TOWNSHEND,

LEVI MAISH,

JAMES LAIRD,

Managers on the part of the House.

W. B. ALLISON,

P. B. PLUMB,

A. P. GORMAN,

Managers on the part of the Senate.

The statement of the House conferees, submitted under the rule, was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10234) making appropriations for the support of the Army for the fiscal year ending June 30, 1889, and for other purposes, submit the following written statement in explanation of the effect of the action recommended on the Senate amendments as compared with the bill as it passed the House:

On amendments numbered 1, 2, 3, and 4: Limits the pay and traveling expenses of contract surgeons, hospital matrons, and veterinary surgeons to not exceeding \$50, \$160, and \$14, respectively, and reduces the appropriation therefor from \$100,000, as provided by the House, to \$85,000.

On amendment numbered 5: Limits the number of paymasters' messengers to not exceeding thirty.

On amendment numbered 6: Restores the House provision for payment of a clerk attendant on the collection and classification of military information from abroad, \$1,500, and authorizing the officers detailed to obtain the same to receive mileage and transportation and commutation of quarters while on this duty.

On amendments numbered 7, 8, and 9: Limiting the mileage to officers when traveling on duty without troops to cases where authorized by law only, and to the shortest usually-traveled routes, and makes the appropriation \$150,000 instead of \$100,000, as provided by the House.

On amendments numbered 10 and 11: Provides for limiting the transportation to be furnished by the Quartermaster's Department to officers traveling without troops to transportation in kind over free railroads and bond-aided Pacific railroads and by conveyance belonging to said Department.

On amendment numbered 12: Makes a verbal change only.

On amendments numbered 13, 14, and 15: Strikes out the provision providing for commutation in lieu of rations to enlisted men competing in rifle contests at places of contest, and limits the amount for payment of civilian employes of the Subsistence Department to \$110,000 instead of \$120,000, as provided by the House.

On amendments numbered 18 and 19: Restores the provision of the House allowing the hire and transportation of the necessary agents and employes of the Army.

On amendment numbered 20: Reduces the amount for Army transportation from \$2,800,000 to \$2,700,000.

On amendment numbered 21: Strikes out the following proviso in House bill: "That no expenditure authorized by this act from the appropriations made herein for the Quartermaster's Department of the Army, including the transportation of troops and their supplies, and the expenses incident thereto, shall be made except by the Quartermaster-General, under the direction of the Secretary of War, unless an emergency exists that demands immediate action; and in such case the expenditure necessary to meet the emergency may be made upon the order in writing of the general commanding the Army, or upon the order in writing of a division or department commander in whose jurisdiction the emergency arises; but every such order from a division or department commander shall certify that an emergency exists requiring immediate expenditure, stating the emergency necessary to be met."

On amendments numbered 22, 23, 24, and 25: Provides under the medical and hospital department for general sanitation instead of limiting to post sanitation, includes medical supplies for the Army and Navy Hospital at Hot Springs, reduces the appropriation for Medical Department from \$205,000 to \$200,000, and limits the amount which may be expended for civilian employees to \$12,000.

On amendment numbered 26: Provides an appropriation of \$2,500 for repairs to sea-wall and wharf at Willets Point, New York.

On amendment numbered 27: Strikes out the proposed appropriation of \$1,000 for repairs to the works on old Fort Barrancas, Florida.

On amendment numbered 28: Provides for horse equipments for artillery as well as for cavalry.

On amendment numbered 29: Provides for the manufacture, repair, and issue of arms at national armories, instead of the National Armory.

On amendment numbered 30: Provides that the cost to the Ordnance Department of all ordnance and ordnance stores issued to the States, Territories, and District of Columbia, under the act of February 12, 1887, shall be credited to the appropriation for "manufacture of arms at national armories," which appropriation for 1889 and thereafter shall be available until exhausted.

On amendment numbered 31: Provides that the pneumatic dynamite guns and carriages to be purchased shall be all complete and mounted in place ready for military use.

On amendment numbered 32: Excludes from examination and test of the ordnance, etc., provided for in the amended paragraph, plants for gun-carriages, etc., and includes aerial torpedoes.

On amendment numbered 33: Makes provision for the following:

For the manufacture, or purchase, and test of cannon and carriages, including two 10-inch carriages maneuvered by power, one of which shall be a disappearing carriage, and also including those for the field and siege services; for the alteration of carriages on hand to adapt them to improved service guns; for projectiles, powders, fuses, and implements, their trial and proof; for experiments in the means of protecting torpedo lines; for compensation of draughtsmen while employed in the Army Ordnance Bureau on ordnance construction, and for the necessary expenses of ordnance officers while temporarily employed at the proving-ground and absent from their proper stations, at the rate of \$2.50 per diem while so employed, \$500,000: *Provided*, That all purchases of materials under this provision, excepting samples, shall be of American manufacture: *Provided*, That of the above sum \$10,000 may be used for increasing facilities for the manufacture of projectiles.

On amendment numbered 34: Provides for an appropriation of \$5,000 for the Signal Service of the Army in lieu of \$3,000 as proposed by the House.

On amendment numbered 35: Makes provision for the following purposes:

Sec. 2. That the Secretary of War be authorized to enter into negotiations for the purchase of the 225 acres of land on the Hudson River, directly south of the military reservation at West Point, belonging to the estate of Edward V. Kinsley, or so much thereof as he may deem necessary for the purposes of the Military Academy, and to receive offers for the sale of their interest in such land from such of the heirs of said Kinsley as are competent and willing to sell such interests; and the Secretary of War is authorized to submit all offers so made and the question of the value of said 225 acres to a board to consist of the Superintendent of the Military Academy and two competent civilians, who shall make due investigation and report concerning said value; and the Secretary of War shall submit said offers and the report of said board, with his opinion, to Congress, at its next session. The expenses of said board and compensation at the rate of \$10 a day for not more than ten days for each of the civilian members shall be paid from the appropriation for contingencies of the Army.

Sec. 3. For the erection, purchase, or manufacture of the necessary buildings and other structures, machinery, tools, and fixtures for an army gun factory for finishing and assembling heavy ordnance, to be erected at the Watervliet arsenal, West Troy, N. Y., \$700,000; or so much thereof as may be necessary.

Sec. 4. For the purchase of rough-finished, oil-tempered, and annealed steel for high-power coast-defense guns of 8, 10, and 12 inch caliber, in quality and dimensions conforming to specifications, subject to inspection at each stage of the manufacture, and including all the parts of each caliber, \$3,500,000: *Provided*, That no money shall be expended except for steel accepted and delivered.

Sec. 5. The material for the guns provided for in section 4 shall be purchased in accordance with section 3703, Revised Statutes, for which purpose the Secretary of War is authorized to make contracts with responsible steel manufacturers, after proper advertisement, continuing not less than thirty days in the newspapers most likely to reach the said manufacturers: *Provided*, That each bidder with whom such contracts shall be made shall have or agree to erect in the United States a suitable plant, including the best modern appliances, capable of making all the steel required, and of finishing it in accordance with the contracts, and shall further agree to deliver yearly a specified quantity of each caliber, the time of the delivery of the steel for the smaller calibers of heavy guns to commence at the expiration of not more than eighteen months, and that for the largest calibers specified in the advertisement, at the expiration of not more than three years from the date of the acceptance of the contracts; and that all the material for said guns shall be manufactured in the United States.

Sec. 6. For the purchase of submarine controllable torpedoes or torpedoes and torpedo-boats controllable from shore and adapted to coast defense, \$100,000.

Sec. 7. The appropriations provided for in sections 3, 4, 5, and 6 shall be available until expended, and shall be expended under the direct supervision of a board, to consist of the Commanding General of the Army, an officer of ordnance, and an officer of artillery, to be selected by the Secretary of War, and said board shall be under the direction and control of the Secretary of War, and subject to his supervision in all respects.

Amount of the bill as passed the House.....	\$24,639,300
Amount of the bill as passed the Senate.....	31,531,800
Amount of the bill as agreed to in conference.....	29,381,300

Mr. BLAND. Mr. Speaker, is not this subject to be considered in Committee of the Whole?

The SPEAKER. It is not.

Mr. BLAND. I hope the gentleman from Illinois will agree that the report shall be printed and go over.

Mr. TOWNSHEND. I believe I have the floor.

The SPEAKER. The gentleman from Missouri has the right to make a point of order.

Mr. BLAND. I desire to make the point of order that this matter ought first to be considered in Committee of the Whole.

The SPEAKER. The point of order is overruled. This is a conference report. And these amendments have all been considered in Committee of the Whole.

Mr. BLAND. Then I hope that the gentleman will agree that the report be printed and go over till to-morrow.

Mr. TOWNSHEND. I hope the gentleman from Missouri will not interrupt me except by a point of order.

Mr. BLAND. I simply desired to ask unanimous consent.

Mr. TOWNSHEND. I have not yielded the floor for that purpose.

The SPEAKER. The gentleman from Illinois will proceed.

Mr. TOWNSHEND. I move the adoption of the report. Before proceeding to debate it, I will say that if no other gentleman desires to enter upon its discussion, I shall move the previous question.

Mr. BLAND. I move to postpone the consideration of the subject—

The SPEAKER. The gentleman from Illinois has the floor for the present.

Mr. TOWNSHEND. I repeat that unless there be a disposition to discuss the report, I shall move the previous question. If no other member desires to discuss it, I certainly shall do so.

Mr. SAYERS. I ask the gentleman from Illinois whether he will not consent to have the report published in the RECORD for the information of the House, and that this matter may be considered to-morrow morning. It is a privileged question and can be called up at any time.

Mr. HOLMAN. I hope that proposition will be agreed to. This is a long report.

Mr. TOWNSHEND. If my friend from Texas wishes to discuss it—

Mr. SAYERS. I would have no objection to discussing the question awhile to-day; but I desire that the report be published in the RECORD before it is finally acted on.

Mr. HOLMAN. I hope the gentleman from Illinois will consent to that course, and I also trust that there will be some agreement as to the length of time during which the matter shall be considered to-morrow—say, a couple of hours.

The SPEAKER (after a pause). The question is upon agreeing to the report.

Mr. TOWNSHEND. I have no desire to press this matter at present, if it is the desire of gentlemen here that it shall go over till to-morrow, so that members may see the report in print. I, however, desire that some agreement be made as to the length of time to be occupied.

Mr. SAYERS. I would suggest that at least three hours be allowed for the discussion of this report.

Mr. HOLMAN. An hour and a half on each side.

Mr. SAYERS. Yes.

Mr. BLAND. I do not know why we should undertake to limit the discussion before we enter upon it. We can determine to-morrow the time that shall be occupied in discussion.

Mr. TOWNSHEND. I am willing that an agreement be made—

The SPEAKER. The gentleman from Missouri objects, as the Chair understands, to any agreement in advance as to limitation of discussion.

Mr. SPRINGER. I rise to a parliamentary inquiry. This report will be printed in the RECORD; will it not?

The SPEAKER. It will be.

Mr. SPRINGER. And this being a privileged matter, it can be called up at any time?

The SPEAKER. The Chair has so decided repeatedly.

Mr. SPRINGER. So that if the report be now withdrawn, it can be called up at any time hereafter.

The SPEAKER. The gentleman from Illinois does not propose to withdraw the report, but simply to let it lie over.

Mr. SPRINGER. I hope the time fixed for the consideration of this report will be Friday next, so that notice can be given to the country, as a yea-and-nay vote will undoubtedly be demanded upon it, and if forced to a vote in the present condition of the House the fact of no quorum will most likely be developed. I also desire, there being to-morrow, as I hope, no appropriation bill in the way, to proceed with the consideration of the bill providing for the organization of the Territory of Oklahoma. That bill has been pending for some time, and to-morrow it will be the regular order except as to appropriation bills. I suggest, therefore, that the time fixed for the consideration of this report on the Army bill will be such as not to interfere with the Oklahoma bill.

Mr. SAYERS. After a conference with the gentleman from Illinois in regard to the consideration of this report, we have agreed, for the purpose of submitting it to the House for its ratification, that a limited discussion will take place upon the report this morning, and that the report shall then be printed in the RECORD, and go over to be called up to-morrow morning.

Mr. ROGERS. Why not say Friday?

Mr. SAYERS. We have agreed on to-morrow.

The SPEAKER. The Chair did not understand the gentleman from

Texas to indicate what length of time was to be consumed this morning, or whether there was any intimation of the time.

Mr. TOWNSHEND. The understanding between the gentleman from Texas and myself is to the effect that the debate is to proceed for a limited time, not to exceed an hour, neither of us having much desire to occupy the attention of the House this morning more than to make a brief explanation of the views we entertain about the various amendments adopted in conference.

The SPEAKER. The gentleman means to limit the time this morning?

Mr. TOWNSHEND. I think my friend from Texas and myself will be able to agree upon that without any further controversy. I shall make but a brief statement myself. It is agreed between us that there shall be debate not exceeding one hour this morning, and the bill then go over until to-morrow morning after the reading of the Journal.

The SPEAKER. Being a privileged report, it can be called up at any time.

Mr. TOWNSHEND. The gentleman from New York [Mr. TRACEY] desires thirty minutes of the hour this morning.

The SPEAKER. Is there objection to the suggestion of the gentleman from Illinois with reference to the disposition of this report?

There was no objection, and it was so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed House bills of the following titles, with amendments in which the concurrence of the House was requested:

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

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

A bill (H. R. 165) for the relief of H. C. Markham;

A bill (H. R. 1604) to change the time of the sessions of the circuit court of the western division of the western district of Missouri;

A bill (H. R. 8074) to provide for allotment of land in severalty to United Peorias and Miamies in Indian Territory;

A bill (H. R. 8087) for the relief Thomas Strodder;

A bill (H. R. 7013) to place the name of Delia Newman on the pension-roll; and

A bill (H. R. 6371) granting a pension to Jesse M. Stilwell.

The message further announced that the Senate had passed without amendment House bills of the following titles:

A bill (H. R. 204) granting a pension to Frederick C. Shaw;

A bill (H. R. 217) granting a pension to C. F. Maphet;

A bill (H. R. 333) granting a pension to Catharine Bussey;

A bill (H. R. 549) granting a pension to Joseph S. Wilson;

A bill (H. R. 775) granting a pension to John D. Jones;

A bill (H. R. 783) granting a pension to Mrs. Nancy E. Spencer;

A bill (H. R. 793) for the relief of William Collins;

A bill (H. R. 889) granting a pension to Ishmael Jones;

A bill (H. R. 2176) granting a pension to Alexander J. Collinge;

A bill (H. R. 2507) granting a pension to Russel L. Doane, of Peck, Saline County, Michigan;

A bill (H. R. 2710) for the relief of Mathew H. Fulton;

A bill (H. R. 2908) to increase the pension of W. B. Stokes;

A bill (H. R. 3710) granting a pension to Samuel Piercy;

A bill (H. R. 4504) granting a pension to Nancy Baldwin;

A bill (H. R. 4575) granting a pension to Michael Hargain;

A bill (H. R. 4792) to pension J. W. Porter;

A bill (H. R. 4855) granting a pension to Jacob Newhard;

A bill (H. R. 5123) to increase the pension of Charles Ritchey;

A bill (H. R. 5232) granting a pension to Andrew Mucklin;

A bill (H. R. 5446) granting a pension to William H. Dowdall;

A bill (H. R. 5503) granting a pension to Charles Webster;

A bill (H. R. 5516) for the relief of John H. Weeks;

A bill (H. R. 5525) granting a pension to Mrs. Jane Potts;

A bill (H. R. 5529) granting a pension to Flora Heath;

A bill (H. R. 6001) granting a pension to Sarah J. Frailly;

A bill (H. R. 6344) granting a pension to William J. Toncray, of Tennessee;

A bill (H. R. 6501) to grant a pension to Joseph F. Garrett;

A bill (H. R. 6848) for the relief of Elizabeth A. South;

A bill (H. R. 7508) granting a pension to Julia E. Ambrose;

A bill (H. R. 7717) granting a pension to Mrs. Catharine Reed;

A bill (H. R. 8076) granting a pension to the minor children of Orison S. Baldwin;

A bill (H. R. 8494) granting a pension to Gilbert Reed;

A bill (H. R. 8534) granting a pension to Jacob Copes;

A bill (H. R. 8545) for the relief of Samuel Purcell;

A bill (H. R. 8571) granting a pension to Margaret J. McQuary;

A bill (H. R. 8617) granting a pension to Henry Crotley;

A bill (H. R. 8697) to increase the pension of Martin McLaughlin, a

survivor of the Mexican war and late a private in Company D, Third United States Infantry;

A bill (H. R. 8885) granting a pension to Eliza A. Woods;

A bill (H. R. 8889) granting a pension to Charles Malseed;

A bill (H. R. 8912) granting an increase of pension to Almeron J. Patchin;

A bill (H. R. 8931) for the relief of Samuel E. Wilson;

A bill (H. R. 9130) granting a pension to Susan Singleton;

A bill (H. R. 9228) for the relief of Nathan Cook;

A bill (H. R. 9253) granting an increase of pension to Richard Hogan;

A bill (H. R. 9372) granting a pension to John Dean;

A bill (H. R. 9387) for the relief of Emanuel H. Custer;

A bill (H. R. 9399) granting a pension to Albert O. Robb;

A bill (H. R. 9463) granting a pension to Lucy A. Jordan;

A bill (H. R. 9653) granting a pension to Henry Alward, dependent father of Henry M. Alward;

A bill (H. R. 9672) granting a pension to Eliza A. Williamson;

A bill (H. R. 9684) granting a pension to William J. Brown;

A bill (H. R. 9697) granting a pension to Mrs. Helen B. Brown;

A bill (H. R. 9704) granting a pension to Martha F. Lee;

A bill (H. R. 9792) to increase the pension of Charles T. Baker;

A bill (H. R. 9795) to restore Nathaniel Francis to the pension-roll;

A bill (H. R. 9824) for the relief of Albert Watson;

A bill (H. R. 10275) granting a pension to Joseph Hunter, M. D.;

A bill (H. R. 10356) granting a pension to John T. Vincent;

A bill (H. R. 10418) granting a pension to Hannah L. Irwin;

A bill (H. R. 10525) to increase the pension of Edward Jardine;

A bill (H. R. 10607) granting a pension to Rachel Morgan;

A bill (H. R. 10789) granting a pension to Philip Newman;

A bill (H. R. 10906) granting a pension to Fidel Gates;

A bill (H. R. 8012) for the relief of M. M. Gibson;

A bill (H. R. 3902) for the relief of Sophia B. Moore;

A bill (H. R. 3055) for the relief of A. F. Saint Sure Lindefelt; and

A bill (H. R. 3480) for the relief of John D. Munnerlyn.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 2590) granting a pension to George L. Sanders;

A bill (S. 2765) granting a pension to Adaline A. Smyth;

A bill (S. 3047) granting a pension to William Bittinger;

A bill (S. 3083) restoring to the pension-roll the name of Florian Lischewsky;

A bill (S. 3085) restoring to the pension-roll the name of James Monohan, minor child of Richard Monohan, deceased;

A bill (S. 3086) granting a pension to Victor, Gertrude, Margaret, and Helen, minor children of Lieut. George R. McGuire;

A bill (S. 3087) granting a pension to Mary A. Pfeiffer;

A bill (S. 3091) granting a pension to John Corr;

A bill (S. 3109) granting a pension to D. G. Rummel;

A bill (S. 3112) granting an increase of pension to William H. Marston;

A bill (S. 3114) granting a pension to Joseph H. Harwood;

A bill (S. 3201) granting a pension to Elizabeth Wilson;

A bill (S. 3208) granting a pension to William S. Bradshaw;

A bill (S. 3236) granting an increase of pension to George A. Washburn, late major Sixteenth Connecticut Volunteers;

A bill (S. 3249) for the relief of Zo. S. Cook;

A bill (S. 3269) granting a pension to Theresa Fichter;

A bill (S. 3283) granting a pension to Reuben Ash;

A bill (S. 3306) granting a pension to Mary K. Richards;

A bill (S. 3325) granting an increase of pension to Julia M. Edie;

A bill (S. 3335) granting a pension to Thompson D. Hatfield;

A bill (S. 3339) granting an increase of pension to Charles H. Moore;

A bill (S. 3349) granting a pension to David Myers;

A bill (S. 3358) for the relief of M. S. Hellman, of Canyon City, Oregon;

A bill (S. 3414) granting a pension to Emma Matilda Selfridge;

A bill (S. 3421) granting a pension to Mary B. McVean;

A bill (S. 3422) granting a pension to Kate C. Van Arnum;

A bill (S. 2110) granting the right of way for the construction of a railroad through the Hot Springs reservation, State of Arkansas;

A bill (S. 2863) to provide for the erection of a public building in the town of Smyrna, Del.; and

A bill (S. 3420) authorizing the Secretary of War to ascertain what amount of money has been expended by the States of California, Oregon, and Nevada for military purposes in aid of the Government of the United States during the war of the rebellion.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House, by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed on the 21st instant bills of the following titles:

An act (H. R. 8592) for the erection of a public building at Jackson, Mich.;

An act (H. R. 6233) for the relief of Jesse Coe;

An act (H. R. 422) for the relief of William Gray;

An act (H. R. 6110) for the relief of William Lavery; and

An act (H. R. 6232) for the relief of Nancy G. Alexander. The message also announced that the bill (H. R. 10165) for improving the mouth of the Brazos River, Texas, had been presented to the President on the 9th instant, and not having been returned by him to the House in which it originated within the ten days prescribed by the Constitution, had become a law without his signature.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the joint resolution (S. R. 102) appropriating \$200,000 to suppress infection in the interstate commerce of the United States.

The message also requested that the House return to the Senate bill H. R. 4792, to pension J. W. Porter.

ARMY APPROPRIATION BILL.

Mr. TOWNSEND. Mr. Speaker, at this time I shall state very briefly the facts in regard to the amendments which were discussed and disposed of in the conference on the Army appropriation bill, so that the House may learn the nature of the amendments and the agreements which have been reached in regard to them.

This bill when it left the House made an appropriation of \$24,639,300, which is somewhere in the neighborhood of a half million dollars more than the amount appropriated last year.

The bill as it passed the Senate provided an appropriation of \$31,531,800, being an increase of \$6,892,500 on the bill as it left the House. The House conferees were successful in securing a reduction of the amount placed on the bill in the Senate to the extent of \$2,150,000, reducing thereby the total appropriations of the Senate to \$29,381,300. As the bill stands now there is an increase over the amount as it left the House of \$4,742,000. The increase to which I have referred is entirely occasioned by the amendments which were attached in the Senate relating to the establishment of a gun factory and the purchase of steel forgings for the manufacture of heavy ordnance. There were thirty-five amendments placed upon the bill by the Senate, of which number four, I think, relate to the question of the gun foundry and the steel forgings referred to. The other amendments relate to the ordinary details of the military establishment, and upon them—thirty-one in number—the bill as it stands now makes a reduction of \$58,000 in the amount that it carried when it went to the Senate; so that there is practically a reduction upon the bill, outside of the ordnance amendments, of the amount I have named.

The ordnance amendments, as I have stated, aggregate \$4,742,000. Those amendments provide for the establishment of the gun foundry and the purchase of the steel forgings. The Senate appropriated \$750,000 in one of its amendments for a gun factory, upon which a reduction was obtained in conference of \$50,000. Another amendment that was attached to the bill by the Senate provided for the purchase of \$5,000,000 of steel forgings out of which heavy ordnance should be fabricated. The House conferees secured a reduction of that to \$3,500,000. My desire, I can say, acting for myself, was that the amount should be reduced at least \$1,000,000 more, leaving the appropriation for this purpose at \$2,500,000. But the final amount agreed upon in conference, after full discussion, was \$3,500,000, which is now recommended for adoption.

I have no desire further to occupy the time of the House this morning, but will wait until I hear from the gentleman from Texas [Mr. SAYERS] and others who may participate in the debate.

I now yield thirty minutes to the gentleman from New York [Mr. TRACEY].

Mr. TRACEY. Mr. Speaker, if we analyze the opposition to the acceptance of this report, we will find it composed, first, of those who see with regret that this subject is being intrusted to any other than the Appropriations Committee; second, by those who dislike to vote for large appropriations for any purpose; third, by those who believe there is no likelihood of our being attacked, and who think we may as well trust to the chances of getting on without coast defenses; and, fourth, by those who are willing that large sums be expended, but want private enterprises encouraged especially, and who profess to have no confidence in the ability of the Ordnance Department of the Army. During the discussions which have already taken place the members of the Committee on Military Affairs have called the attention of the House to the fact that the amendments practically originated here, and are but portions of a bill which early in the session was unanimously presented with a favorable report by the House Committee on Military Affairs. It was further urged that since to that committee were referred questions of public defense and appropriations, therefore the House could with propriety permit the committee to at once dispose of this vexatious subject by settling it in conference if possible, for these several amendments certainly have to do with public defense.

To the gentlemen who oppose large appropriations, and to those who think that we should run along taking the chances of no war coming on, and to those who, living at a distance from the coast, are disposed to feel but little concern about this question as not being one of interest to their constituents, I extend an earnest request for attention to the reasons which may be given why their duty to the entire country calls upon them to accept this report.

It is probable that in all the cities on the coast and throughout the country adjacent to these cities the entire population will gratefully appreciate action by this body that will at once give some relief from the anxiety felt as to possible losses in case of any foreign government sending war-ships to bombard our ports.

I can not understand why so many of our members feel that there is practically no danger. Were we in a position to be defiant it would be natural to have this sense of security. But why should we assume that other powers who are well aware of our defenseless condition and their ability to work us injury will readily yield on any point? Will any one assert that our people would be satisfied if the Government, knowing our danger, were from timidity to concede all questions in dispute? We know well that an outburst of indignation throughout the whole country would follow close upon the action indicating want of courage on the part of our Government. No, Mr. Speaker, we must admit that if the honor of our country is at stake, this very House of Representatives must even vote to declare war. In that event do we discover danger from attack? We do indeed. England, France, Germany, Russia, Italy, Turkey, Austria, Denmark, Holland, Spain, Brazil, Japan, and Chili, each has war ships that could destroy our cities, and we could do nothing to prevent.

What consolation would it be for us to march into Canada or capture Cuba as an offset to great disasters? Let us estimate the possible losses that could be inflicted upon us by hostile fleets. In New York City property could be destroyed worth more than \$1,800,000,000; Jersey City, \$100,000,000; Portland, Me., \$33,000,000; Boston and Cambridge, \$531,000,000; Baltimore, \$220,000,000; San Francisco, \$181,000,000; Newport, \$24,000,000; Philadelphia, \$790,000,000; New Orleans, \$175,000,000; and in New London, Wilmington, Savannah, Mobile, Galveston, Portsmouth, New Haven, Norfolk, Charleston, St. Augustine, San Diego, Portland, Oregon, and important points on the Great Lakes an aggregate of about two billions more, making about \$6,000,000,000 worth of destructible property.

Many will claim that these comparatively small amounts we are appropriating will not give means to effect any formidable defense. Mr. Speaker, we must do the best we can. I have given careful examination to this subject and can see that, while a perfect system of fortifications would necessitate an expenditure of more than a hundred millions, it will not require many millions to provide guns and other instruments of defense mentioned in this bill in sufficient quantity to place our coast cities in comparative security and to make the several governments heretofore alluded to cautious in pressing unreasonable demands.

I want to give some attention to those who are opponents of these amendments and who distrust the Army. The assertion is made that the Ordnance Department discourages private enterprises, and that measures should be taken to have this subject handled by commissions independent of the War Department. I find by investigation that a few years ago the enemies of the Ordnance Department stated that both the Navy and Army were unfortunate in not having capacity to do the work of finishing and assembling the guns at Government gun factories. It was then asserted that private enterprise was alone competent to give the Government a complete gun.

These establishments, to be sure, wanted a little help. They asked that the Government issue bonds, as it had done in the cases of the Pacific railroads, and that it thus supply funds to the private establishments.

This did not find favor with the Army officials, and the Gun Foundry Board, in its report in 1884, page 49, says:

With Government gun factories established for both the Army and the Navy, there will be still needed the hearty co-operation of the private industries of the country. This can not be aroused unless there is held out to them a fair prospect of remuneration. The board does not approve of a partnership in business between the Government and private firms. All history warns against such a course. But it does believe that joint, and at the same time independent, action between them can be made to work harmoniously towards the common national purpose.

Later on, following vigorous efforts made by my friend from Tennessee [Mr. WHITTHORNE], gentlemen, among whom was my friend from Texas [Mr. SAYERS], secured such amounts on the Navy appropriation bill as enabled the Navy Department to give satisfactory evidence that its ordnance officers were competent to attend to all duties assigned them. This once demonstrated, the advocates of independent private enterprises ceased their attacks and centered all their abuse upon the Army.

It would be quite extraordinary if this corps were not well adapted to attend to all ordnance duties. The officers are gentlemen who graduate at West Point, serve a time in some other branch of the Army, and after passing a severe competitive examination, are placed in the Ordnance Department. They are obliged, in line of their duty, to often report upon proposals made to the Department, give evidence before Congressional committees and to faithfully report the result of their investigations and tests of new inventions.

In the performance of these duties it has not been possible to avoid offending disappointed inventors and persons seeking to force the Government to adopt schemes which would not benefit it, but would enrich the proposers. The consequence has been that malicious reports

have been spread, and even members of Congress have been induced to charge waste and inefficiency upon this department. It has been stated that many millions have been appropriated during the past twenty years and no guns made. The facts are that during the period of twenty years from July 1, 1866, to July 1, 1886, there was expended by the War Department less than \$1,500,000 for the manufacture and purchase of cannon, including field guns and all larger calibers. This includes the cost to the Government for the procurement, preparatory to test, of the very considerable number of experimental guns authorized by Congress during the period, and also the cost of three hundred and eighteen cannon which are now in use or available for service, to wit:

One 20-inch and twenty-six 15-inch Rodman smooth bores; one 12-inch muzzle-loading rifle, tubed; five 11-inch, one 10-inch and two hundred and ten 8-inch muzzle-loading converted rifles, tubed with wrought iron or steel; four 8-inch breech-loading converted rifles; one 12-inch muzzle-loading rifled mortar; one 8-inch breech-loading steel rifle; seven 3 $\frac{1}{2}$ -inch breech-loading converted rifles; twenty-five 3 $\frac{1}{2}$ -inch breech-loading steel rifles; thirty-six Hotchkiss breech-loading mountain guns, steel.

The millions referred to were judiciously expended for the purposes to which they were only applicable. The money could not be used in any other ways than those specifically stated, as I here give the statement:

Amounts appropriated in general appropriation bills to be expended under the direction of Ordnance Bureau.

ORDNANCE SERVICE.

1868.....	\$300,000.00	1880.....	\$110,000.00
1869.....	200,000.00	1881.....	110,000.00
1870.....	200,000.00	1882.....	110,000.00
1871.....	150,000.00	1883.....	125,000.00
1873.....	200,000.00	1884.....	115,000.00
1874.....	200,000.00	1885.....	100,000.00
1875.....	125,000.00	1886.....	100,000.00
1876.....	125,000.00	1887.....	90,000.00
1877.....	100,000.00	1888.....	80,000.00
1878.....	100,000.00		
1879.....	100,000.00		
		Total.....	2,740,000.00

For current expenses of the ordnance service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordnance supplies; of police and office duties; of rents, tools, fuel, and lights; of stationery and office furniture; of tools and instruments for use; incidental expenses of the ordnance service, and those attending practical trials and tests of small-arms, and ordnance supplies, including payment for mechanical labor in the office of the Chief of Ordnance.

ORDNANCE, ORDNANCE STORES AND SUPPLIES.

1873.....	\$383,000.00	1882.....	\$310,000.00
1874.....	700,000.00	1883.....	395,000.00
1875.....	370,000.00	1884.....	400,000.00
1876.....	370,000.00	1885.....	400,000.00
1877.....	330,000.00	1886.....	405,000.00
1878.....	315,000.00	1887.....	255,000.00
1879.....	315,000.00	1888.....	255,000.00
1880.....	320,000.00		
1881.....	310,000.00		
		Total.....	5,833,000.00

For manufacture of metallic ammunition for small-arms.
For overhauling, cleaning, and preserving new ordnance stores on hand at the arsenals.

For purchase and manufacture of ordnance stores, to fill requisitions of troops. For mounting and dismounting guns and removing the armament from forts being modified or repaired, including heavy carriages returned to arsenals for alteration and repairs, and other necessary expenses of the same character, and for repairing ordnance and ordnance stores in the hands of troops and for issue at the arsenals and depots, and for extra-duty pay for enlisted men detailed for ordnance service.

For infantry, cavalry, and artillery equipments, consisting of clothing-bags, haversacks, canteens, and great-coat straps, and repairing horse equipments for cavalry troops.

MANUFACTURE OF ARMS AT NATIONAL ARMORIES.

1873.....	\$150,000.00	1882.....	\$300,000.00
1874.....	100,000.00	1883.....	400,000.00
1875.....	100,000.00	1884.....	401,000.00
1876.....	150,000.00	1885.....	400,000.00
1877.....	100,000.00	1886.....	400,000.00
1878.....	100,000.00	1887.....	400,000.00
1879.....	150,000.00	1888.....	400,000.00
1880.....	250,000.00		
1881.....	300,000.00		
		Total.....	4,101,000.00

For manufacture, at national armories, of the new model breech-loading musket and carbine, adopted for the military service on recommendation of the board of officers convened under act of June 6, 1872.

Nothing.

PURCHASE OF GUNPOWDER AND LEAD.

TESTS OF HEAVY RIFLED ORDNANCE.

1873.....	\$270,000.00
1874.....	50,000.00

Total..... \$320,000.00

For testing three models of heavy ordnance selected by a board under act of June 6, 1872. Statutes at Large, volume 17, page 261.

TESTS OF IRON AND STEEL.

1874.....	\$25,000.00
-----------	-------------

Applied to the purchase of the testing machine now at Watertown arsenal.

EXAMINATION OF HEAVY ORDNANCE AND PROJECTILES.

1882.....	\$25,000.00
-----------	-------------

Expenses of the Board on Heavy Ordnance under act of March 3, 1881.

MACHINE GUNS.

1884.....	\$20,000.00	1887.....	\$1,246.57
1885.....	20,000.00		
1886.....	50,000.00	Total.....	94,246.57

Purchase of Gatling guns, caliber .45 inch, and Hotchkiss guns, caliber 1.5 inches.

ARMAMENT OF FORTIFICATIONS.

1877.....	\$165,000.00	1884.....	\$400,000.00
1878.....	175,000.00	1885.....	400,000.00
1879.....	187,500.00	1886.....	450,000.00
1880.....	182,500.00	1887.....	38,219.17
1881.....	400,000.00		
1882.....	325,000.00	Total.....	2,823,219.17
1883.....	100,000.00		

For the armament of seacoast fortifications, including heavy guns, Gatling guns, and howitzers for flank defense, carriages, projectiles, fuses, powder and implements, their trial and proof, and all necessary expenses incident thereto.

ARMING AND EQUIPPING THE MILITIA.

[Permanent appropriation.]

1866, to and including 1887, twenty-two years, at \$200,000 per annum.....	\$4,400,000.00
1888.....	400,000.00

Total..... 4,800,000.00

Section 1661, Revised Statutes, provides that—

"The annual sum of \$200,000 is appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms and equipments for the whole body of the militia, either by purchase or manufacture, by or on account of the United States." (Act 23d April, 1808.)

SUMMARY OF APPROPRIATIONS 1866 TO 1888, BOTH INCLUSIVE.

Ordnance service.....	\$2,740,000.00
Ordnance, ordnance stores, and supplies.....	5,833,000.00
Manufacture of arms at national armories.....	4,101,000.00
Purchase of gunpowder and lead.....	
Tests of heavy rifled ordnance.....	320,000.00
Tests of iron and steel.....	25,000.00
Examination of heavy ordnance and projectiles.....	25,000.00
Machine guns.....	94,246.57
Armament of fortifications.....	2,823,219.17
Arming and equipping the militia (permanent appropriation).....	4,800,000.00

Grand total..... 20,761,465.74

I wish to call to the attention of the committee that the desire of the Army is in this matter of gun-making to do precisely what is being done by the Navy, i. e., to purchase the steel forgings from manufacturers and to only finish and assemble the guns at the gun foundry. A different impression may have been given by gentlemen speaking carelessly in opposition to this bill.

The extract I read from the Gun Foundry Board report shows that objection is not made to encouraging private enterprises nor to outside establishments finally being allowed to make complete guns; but it is of the utmost importance that the Government should be in a position not to allow private parties to obtain excessive profits. At times, in emergencies, the Government may deem it wise to pay an extra amount to obtain necessary work, as, for instance, at present the Navy Department is having some guns finished and assembled on trial at a cost of \$3,600 each, while it does the same work itself at an expense of but \$2,000 a gun.

Two draughts of fortifications bills have been pressed upon the Senate and House committees. One was introduced in the Senate as an amendment to this Army appropriation bill, but voted down. In both these bills among other provisions we find the following:

That if any gun or guns made principally of steel or principally of cast-iron shall be provided which withstand the prescribed test of two hundred rounds with the prescribed weight and velocity of the projectile, at least twenty rounds of which were fired consecutively within two hours, all such guns shall, if the producer of the gun desires, be further tested at the expense of the Government, under the joint direction of the party producing such gun or guns and the said board, until it is fully determined which of the steel guns and which of the cast-iron guns are the most durable and serviceable, and that the steel gun so selected and the cast-iron gun so selected as the best of its kind shall be contracted for by the said board with the party or parties producing such steel gun and such cast-iron gun, the contracts to be for fifty of the steel guns and thirty of the cast-iron guns. And the test of the trial gun or guns so selected must be such as to make it reasonably certain that firing from service guns made on any such system twenty rounds in two hours, of the standard weight of projectiles, with a velocity of 2,000 feet per second, would not disable the service gun. In case of two guns of equal endurance, as shown by their tests, that one shall have preference for contract which has shown the best degree of accuracy as determined by the test for accuracy at different ranges, while being tested for accuracy, range, and endurance. The contract for the fifty steel guns to be made at a price not exceeding \$75,000 each, with a carriage suitable for each gun, to be delivered therewith, the price of the carriage to be one-third that of the gun, the carriage to be bought of the party who produces the gun, provided he or they will furnish such carriages suitable in all respects for use therewith. The contracts to include some projectiles for each of these guns, to be of such kind and number as the board shall determine, and shall be furnished by the party who furnishes these service guns, on condition that the board can make satisfactory contract therefor.

That when the tests for endurance of guns, which may be made for test under the provisions of this section, have been completed for the guns of any of the specified 14-inch, 16-inch, or 20-inch calibers, a contract shall be made by the said board with that party or parties who shall have made the best 14-inch, 16-inch, or 20-inch guns, respectively, which gun or guns has been fired at least two hundred rounds with the prescribed charges, and as shown, by all the tests thereof for endurance and accuracy, made as herein provided, that it is superior to all other competing guns of its class. The contract for these guns of either class to be for twenty, which shall be equal in all respects to the trial gun tested, on which test the contract is or may be based. And the said board shall also contract for a gun-carriage suitable for use for each such gun contracted for, and

for a few projectiles for each of said guns. The carriages shall be furnished by the party or parties who furnish the guns for which they are made, provided such party or parties will furnish carriages suitable for use of their guns; and that party furnishing any such service gun shall furnish the projectiles therefor, provided the said board can make suitable contract with them therefor.

That the prices of said service guns shall be as follows: For 14-inch rifle guns, not to exceed \$135,000 each; for 16-inch rifle guns, not to exceed \$225,000 each; and for 20-inch rifle guns, not to exceed \$510,000 each; and the prices of the carriages for each of these respective guns shall be one-third of the price of the gun for which it is or shall be furnished.

It will be clear to all that the gun having been accepted the maker could demand the maximum price.

The Ordnance Corps having been called upon for a criticism of this draught produced it; and I find that, after touching matters generally, it gives the following

CONCLUDING REMARKS.

Twenty-inch guns are not considered a necessity to-day. Indeed, for most purposes, the 12-inch gun is sufficient; although in exceptional cases and for the most important ports they should be supplemented by 16-inch guns. This was the verdict of the Fortifications Board. The maximum thickness of armor afloat to-day does not exceed 24 inches of wrought iron, the belt of the Inflectible; or 21.7 inches of steel, the belt of the Duilio. There are under construction two ships having 29.5 inches thickness of steel on the turrets for Italy.

The penetration of the 12-inch rifle is about 26 inches of wrought iron at the muzzle, 23 inches at 1,000 yards, and 17.5 inches at 3,500 yards; the penetration of the Krupp 154-inch gun is about 35 inches of wrought iron at muzzle and 30 inches at 3,500 yards.

To commence at once with the fabrication of the largest calibers means that the Government shall bear the total expense, and all at once, for the entire plant, probably for the production of the steel as well as the finishing of the guns. On the other hand, should the work begin with the smaller calibers in the gradual development of the plant, much outside work would be done, as the production of shafting, marine work, etc., so that the cost of the plant would be more evenly distributed amongst the consumers.

Taking the highest price for gun-steel to-day, say from 38 to 40 cents per pound, and allowing about two-fifths of the cost of the material as the proportional cost for finishing, we obtain for the cost of 14-inch, 16-inch, and 20-inch guns of the weights named in the bill the following, namely:

	14-inch.	16-inch.	20-inch.
Cost	\$93,632	\$144,000	\$289,000
The prices named in the bill are	135,000	225,000	510,000
Differences.....	41,368	81,000	221,000

Making a total difference for the sixty guns proposed in the bill of \$6,867,000 (nearly), which allows about (more) than three times what the Foundry Board estimated was necessary for the establishment of the two separate plants for the production of the steel and the finishing of the guns.

Thus the effect of this bill is to compel the Government to erect expensive steel and gun plants largely for the benefit of private manufacturers, besides being at the additional expense of establishing a gun factory for the Navy and another for the Army, while it is believed that the creation of the board proposed in the bill is tantamount to the creation of a new Ordnance Bureau.

The prejudice against the Army is so strong on the part of some members that they might be disposed to dispute the accuracy of these figures. I have therefore procured estimates from the Navy Department, and they corroborate the statements of the Army experts.

COMMENTS ON A PROPOSED FORTIFICATIONS BILL, DATED JULY 7, 1888.

The Navy estimates on steel guns, as based on the manufacture of the 10-inch steel gun at Washington navy-yard, are as follows: For assembling and finishing guns at the navy-yard gun factory, the steel being furnished at about 33 cents per pound—the present price for 12-inch rifle forgings under the Navy contract with the Bethlehem Works—in the following quantities, and to be completed within five years, namely:

Caliber.	Number.	Cost per gun.
12 inches.....	10	\$50,700
14 inches.....	6	80,300
16 inches.....	6	119,900
20 inches.....	3	235,800

The estimated cost, if the work is done by outside parties—the steel being procured as before at about 33 cents per pound, the plant valued at \$1,500,000 and allowing the high rate of 6 per cent. interest thereon—would be as follows:

Caliber.	Number.	Cost per gun.
12 inches.....	10	\$69,800
14 inches.....	6	106,200
16 inches.....	6	153,900
20 inches.....	3	288,900

The difference in cost arises from the fact that the Government is assumed to own a plant, with all facilities for working, and to pay no rent, taxes, or insurance; receive no profit or interest on money invested—all of which is directly the reverse with private parties.

The Navy estimate \$22,000 per gun as an approximate price for 12-inch breech loading cast-iron guns, as against \$20,000 per gun estimated by the Ordnance Department.

The estimates for steel guns, furnished by the Ordnance Department to the House subcommittee on the fortifications bill, were as follows:

Caliber.	Number.	Cost per gun.
12 inches.....	50	\$55,000
14 inches.....	20	93,632
16 inches.....	20	144,000
20 inches.....	20	289,000

The above price for the 12-inch steel gun was based on the price of the 12-inch Krupp rifle, which has been published as about \$53,000. The prices for the larger calibers were arrived at as follows:

To the finished weight of the gun 20 per cent. was added for the weight of the rough-finished forgings; the price per pound was assumed at about 33 cents, or a little more than that paid for 12-inch rifle forgings under the Navy contract with Bethlehem, and which allows for a good profit on the rough-finished forgings; then to the cost of the rough forgings was added two-fifths, or 40 per cent., of their cost for the finishing and assembling. These figures are thought to be fair, for the allowance on gross weight is much greater than the actual—it being only 17 per cent. of the finished weight for a 12-inch gun, and much less as the caliber increases. The cost per pound is about the same price as was bid under a call by the Navy Department, involving the small sum of only about \$852,000* for gun forgings, and under which the bidders were obliged to erect the necessary plant for its production; the price allowed for finishing is probably nearly double the actual cost, or 40 per cent., against 25 per cent., of the cost of rough forgings. The figures given are therefore believed to cover all risks, etc., and to insure fair profits.

The estimates of the Department, on which the House fortifications bill is based, were even more liberal than the above, and are as follows:

Caliber.	Number.	Cost per gun.
12 inches.....	50	\$64,346
14 inches.....	20	105,177
16 inches.....	20	154,405

which are almost identical for the 14-inch and 16-inch guns with the estimates furnished by the Navy Department, where the work was to be done by outsiders, but where a very much less number of guns, namely, twelve against forty, were involved.

But attention is invited to the much lower cost of the guns, as shown by the Navy estimates, when made at a Government factory than at private shops. It is, for the different calibers, as follows:

Caliber.	Difference in cost per gun.	Number of guns required in bill.	Total difference in cost for number of guns required in bill.
12 inches.....	\$19,100	50	\$955,000
14 inches.....	25,900	20	518,000
16 inches.....	34,000	20	680,000
20 inches.....	53,000	20	1,062,000
Total difference.....			3,215,000

And yet using the estimates allowed by the Navy Department, where these guns are made by outside parties and in very limited number, as compared with the number proposed in the bill, the difference between the total amount for the 12-inch, 14-inch, 16-inch, and 20-inch rifles and that proposed in the bill is still \$6,680,000—or, omitting the 12-inch guns, \$6,420,000—which represents the excessive profits permissible under the bill.

But the fact that the Navy Department can make guns for less than outside parties must operate to bring down the prices charged by outside parties to about the same figures. This is the case in England. The Royal Gun Factory at Woolwich turns out a finished 12-inch breech-loading rifle for about \$35,000, and the Elswick Works furnish a similar gun for the same price; while the low prices for all other calibers made at the Elswick Works show the influence of the Royal Gun Factory competition. Thus the price charged for the Elswick 110-ton gun of 16½ inches caliber is only \$95,000.

Mr. Speaker, I deem it fortunate that the Government has an Ordnance Department so upright and conscientious and careful of the interests of the Government as to, when called upon, give statements correctly as quoted, and that does this knowing well that the officers will incur the hatred thereby of disappointed schemers. The gentleman from Ohio [Mr. BUTTERWORTH] said that the fortification bill had been prepared two months ago. I think if he reflects he will remember that a bill carrying these obnoxious provisions was the bill of two months ago and not the fortification bill which passed.

It has been insinuated that my interest in urging appropriations is due to the fact that guns are being made at the Watervliet arsenal and the gun factory is located there. The conference committee has seen fit to reduce the amount to a smaller sum than the fortification bill allows. I know that this reduction will make it more difficult to complete the works at Watervliet, but I willingly accept it rather than take the chances of what I feel sure will happen in the Senate in the way of efforts being made to load the fortification bill with such schemes as the Ordnance officers thwarted in the House, thanks to the evidence given by them at the request of the gentleman from Texas [Mr. SAYERS]. The amount of three millions and a half for steel forgings is a suitable sum for the proper placing of contracts; but I regret that the conference committee did not make it smaller, so as to satisfy many

*This was the bid of the Cambria Steel Works who bid on gun forgings alone; the Bethlehem Works bid, in addition to gun forgings, on steel armor-plates to the amount of about \$3,610,707, making a total bid of \$4,462,221.

gentlemen here. We should not deceive ourselves. Mr. Speaker, the case is clear. Putting aside all question of committee rights, or even admitting that the Appropriations Committee has the right to include all the provisions they have embodied in their fortification bill, we find before us an opportunity, properly and in order, by our vote now to give the country what it calls for.

The fortification bill would be a good bill were it not for the fact that the point of order striking out the part allowing the money for steel purchases to be available until 1893 destroys the bill. I know it will be said the Senate can correct this defect; but who can say what its fate may be in the Senate? It has gone there to meet the efforts of men who declare they will never let it pass unless these private-enterprise schemes are ingrafted upon it. When it comes back here it will have been amended; we are sure of that. We can then decide how to meet it. The responsibility for failure to avail ourselves of the opportunity now presented will rest with members of the House of Representatives, and those who vote against accepting the report can not shield themselves by quibbling about rights of committees and dignity of the House. No, Mr. Speaker, they can not escape the consequences of, by their action, having delayed the work of coast defense.

The location of the gun foundry having been fixed in this bill, I would make no allusion to it were it not for the fact that I am aware that members have been urged to prevent legislation in this Congress so as to give an opportunity to have the location changed from Watervliet to Pittsburgh.

I can assure the member from Pennsylvania that efforts of this kind will only prevent sales of steel forgings by their manufacturers and do no good to Pittsburgh. I will give some reasons for this conclusion.

Watervliet arsenal, at West Troy, N. Y., is centrally situated, and has the immense advantage as a location for machine finishing shops on gun work of being located on tide-water. No other Government arsenal affords at the same time a place more secure from hostile operations and possessing such advantages for both rail and water transportation to the seacoasts and the Great Lakes. The Delaware and Hudson Railroad passes close by the grounds, and will give an easy grade into the shops of the arsenal. Within the distance of a few miles it connects with the great railroad center at Albany. The Erie Canal passes through the grounds, and shipments can be made direct to or from the Great Lakes or pass through the outlet of the canal into the Hudson River by this cheap means of transportation. In addition to this, the arsenal has a wharf upon tide-water in the Hudson River. The finished guns can be transported with but little trouble and expense to the testing grounds at Sandy Hook.

The Government factory to be erected will not include plant for forging or casting steel or other metals for guns. These products, it is clearly understood, are to be left to private manufacturers.

The Government factory is to be a finishing shop where the parts of guns made at various other places in private shops are to be finished and put together. Note, also, that the guns to be made there are principally intended to arm the coasts. Let us suppose a point far in the interior, such as Pittsburgh, to have been selected. Then, the parts of guns made in Massachusetts or New Hampshire, at Cleveland, Ohio, or Philadelphia, Bethlehem, or Johnstown, Pa., must be transported once to Pittsburgh and afterwards back again as finished guns over substantially the same ground to reach their destination in the forts on the seacoast. Even for the material for guns furnished in Pittsburgh it can be readily seen that it is much easier to provide rail transportation to the seaboard for the separate parts of guns than for the heavy and cumbersome weights found in the complete guns.

It is by no means clear that rail transportation can be used for shipping the completed guns of the heaviest types that will be called for. A 16-inch gun will weigh about 120 tons, and a 20-inch gun (if such be ever made) will weigh about 230 tons, whilst the very best equipped railroads in the country will not now undertake to carry a piece weighing more than 80 tons.

The water-power used at the Watervliet arsenal reduces the amount of fuel required for making power, and the Legislature of the State of New York has recently passed an act to give such increased water facilities as may be needed.

Watervliet arsenal is safe from hostile operations; it has never yet been in possession of an enemy, although it has been on the line of hostile operations in two wars with Great Britain. In 1777 Burgoyne surrendered at Saratoga, and in 1814 the advance was stopped by our victory on Lake Champlain. If we succeeded then in keeping the enemy away, how much more easily can it be done now with our organized militia and vast population to draw upon? The arsenal proper needs no defensive works; we are seeking to fortify our exposed coasts. No one believes or fears that an enemy can successfully carry out an incursion with a field force over a distance of 200 miles into our territory, especially along the line from the Canadian frontier to Albany, which, on our side, can be so readily covered by the concentration of available forces.

The Allegheny arsenal, at Pittsburgh, Pa., and the Watervliet arsenal, at West Troy, N. Y., have each been examined by the same board with reference to the selection of a site for a Government gun factory. The Gun Foundry Board visited both places in 1884 for this purpose and de-

cided in favor of Watervliet. This board was composed of Navy officers, and engineer, ordnance, and artillery officers of the Army, and in the same tour of inspection visited nearly all the principal gun factories in Europe. When the Flagler board was organized in 1887, and again chose Watervliet, there was no question of the selection of Allegheny arsenal, for it had been passed over by the previous board. The Government land at Allegheny arsenal comprises but 36 acres, which is hemmed in by the environments of a large city and is cut in two by one of its main thoroughfares; and great expense would be incurred in grading the present ground for a large factory and in purchasing adjoining lands for a suitable extension of the present property. This arsenal has no wharfage facilities whatever, and must depend entirely upon railroad transportation for direct shipments. The uncertain and very limited water transportation from the city of Pittsburgh bears no comparison in facilities or directness in shipments to points where the completed guns must be delivered with that which is afforded at the Watervliet arsenal.

Watervliet arsenal is sufficiently near the centers of trade to make it unobjectionable on that ground, and is yet properly isolated from a large city and gives ample room for building purposes. The arsenal grounds comprise over 100 acres. About one-fourth of this land, lying between the canal and Hudson River, is subject to partial overflow by the spring floods. The present shops are principally located on that area, but have been in operation for many years without serious detriment from any overflow. However, the new gun shop is on the high ground west of the canal and the new buildings for an extension of the gun factory would also be placed there upon good building sites with rock foundations.

Mr. SAYERS. Mr. Speaker, I shall not occupy the attention of the House but for a very few moments this morning, reserving for tomorrow the remainder of the time to which I may be entitled. For some time past the question has been before the House as to whether the amendments of the Senate which are embraced in the report under consideration should have been attached to the Army or to the Fortifications bill. The decisions of the constituted authorities of this House have been adverse to the Army bill, and there has been no appeal from these decisions. But it would be well for the House to know why it was that these amendments are before us in their present shape. A gentleman whose opinions are entitled to the highest credit has—elsewhere than in this House—given us the reason, and that, too, in a plain, straightforward manner. What he has said upon the subject is to be found on page 8376 of the CONGRESSIONAL RECORD, which I will ask the Clerk to read.

The Clerk read as follows:

The Senator from Kentucky [Mr. BECK] makes a very proper and wise suggestion, in which I very heartily concur, concerning the loading of appropriation bills with legislation that does not pertain directly to expenditures under existing laws. But nobody is better aware than one with that Senator's experience, that both Houses of Congress have come to resort to that course in despair in many cases as the only way of getting important public business done. That is not the fault of this branch; I do not say whose fault it is. I have known a legislative department in which it has been systematically the practice to bury things they did not quite like, and not to give their own body a chance to vote upon them.

I will suppose a case. I will suppose that these very amendments that I offered to the Army appropriation bill were pending in the form of an independent bill in the other House, and suppose that there was to be no chance whatever for them there as an independent bill and that we here thought that as they were entirely germane to an Army bill we would place them, in the form of an amendment, on the Army appropriation bill. In an ideal Congress that perhaps would not be the wisest way always to let such amendments be considered in connection with an appropriation bill, but in a practical Congress we have found it a practical way of getting at the result, to put on an appropriation bill some wise and indispensable legislation because that train was going through anyhow and we did not know whether we could catch a freight train or not. That is the vicious way that Congress has sometimes to legislate.

Mr. SAYERS. This gentleman says he is the author of these amendments; he makes known his motives for seeking to have them placed on the Army bill; he acknowledges it to be a vicious way of legislation. At the same time, however, he takes care to throw the responsibility upon a legislative department, not the one which he was then addressing.

But, sir, it is due to this House; it is due to the Committee on Appropriations; it is due to gentlemen upon this floor to say that, at the very time these utterances were being delivered, a House bill embracing the subject-matter of these amendments was then pending in the Senate.

Mr. BLOUNT. I wish to ask the gentleman from Texas a question. He said that the remarks which have just been read were uttered by some one other than a member of this House. I want to know if they were not uttered by a Senator?

Mr. TOWNSHEND. The gentleman knows that that is entirely out of order. I have allowed the gentleman from Texas to quote this matter and use it in his own way; but now when the gentleman from Georgia [Mr. BLOUNT] attempts to bring out a statement which he knows is entirely unparliamentary—

Mr. BLOUNT. Yes. The unparliamentary course began elsewhere, and the only point I want to bring out is the fact that a Senator has announced that the purpose is to force this House to the consideration of this matter.

Mr. TOWNSHEND. Well, I make the point of order, and I thought the gentleman from Georgia had been here long enough to know that his question was entirely out of order.

Mr. BLOUNT. The gentleman from Georgia has been here long enough to conduct himself properly without instructions from the gentleman from Illinois.

Mr. TOWNSHEND. Well, Mr. Speaker, I make the point of order.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. SAYERS] has the floor.

Mr. TOWNSHEND. Then I make the point of order that the gentleman from Georgia has asked a question that is not in order. He has inquired in reference to a debate which he says occurred in the Senate, and the rules of this House peremptorily forbid the quotation in debate here of anything which has taken place in the current session of the Senate. I leave that point for the Chair to determine.

Mr. BLOUNT. In determining it I trust the Chair will determine whether it is a proper thing for this House to consider a violation of its privileges and its dignity by the declaration of a Senator that there has been a purpose on the part of the Senate to force the House to the consideration of a measure which can not be reached under its own rules or by a mode of procedure prescribed by itself. I trust the Chair will consider that view of the matter as well as the one suggested by the gentleman from Illinois.

Mr. SAYERS. Mr. Speaker, if the point of order raised by the gentleman from Illinois to the interrogatory propounded by the gentleman from Georgia be not sustained, I am perfectly willing to answer the question.

Mr. TOWNSHEND. Then I submit that the Chair should rule upon the inquiry as to whether it be in order or not.

Mr. SAYERS. I do not desire to keep anything back. I would like for the House and the country to be fully informed as to the methods adopted for securing the appropriations covered by the pending report.

Mr. BLOUNT. Mr. Speaker, as it is a great secret where these utterances were made, I will withdraw my question. [Laughter.]

Mr. TOWNSHEND. The gentleman has discovered that I am right and he is wrong.

Mr. BLOUNT. Not at all.

The SPEAKER *pro tempore*. The Chair is ready to rule upon the point of order, but that is unnecessary, as the question is withdrawn.

Mr. SAYERS. Sir, it is enough for me to call the attention of the House to what has just been read by the Clerk. Further criticism, even if it were proper, would not be necessary. The language speaks for itself. It is too explicit to be misunderstood. It plainly discloses what has heretofore been but a matter of suspicion. It is a full, a frank, and an unsought confession of the motives which underlie this extraordinary attempt to secure these appropriations in defiance of and contrary to the rules of the House and in a manner wholly at variance with a proper method of legislation. It will be remembered, Mr. Speaker, that while the fortifications bill was under consideration in the House the gentleman from Illinois [Mr. TOWNSHEND] raised points of order upon the following provisions in the bill:

That the sums of money appropriated in this section and in section 4 of this act shall remain available for expenditure until and including the fiscal year 1893.

That the President of the United States shall appoint a board on defense, advisory to the Secretary of War, to consist of three officers of the Army, etc.

These points of order were sustained and the provisions complained of were stricken from the bill.

But what follows? Directly after this action of the presiding officer, the gentleman goes to the conference committee between the two Houses on the Army bill and assents to it if he does not procure the following amendment to that bill:

The appropriations provided for in sections 3, 4, 5, and 6 shall be available until expended, and shall be expended under the direct supervision of a board, to consist of the commanding general of the Army, an officer of ordnance, and an officer of artillery, to be selected by the Secretary of War; and said board shall be under the direction and control of the Secretary of War and subject to his supervision in all respects.

It is proper to say that this provision was not in the Army bill when it went into the hands of the conference committee. It has been entirely an afterthought upon the part of those who are engaged in pushing the Senate amendments through Congress.

What a demonstration of parliamentary skill!

Now, I submit that the House conferees in their deliberations ought to have observed the rules of the body which they were representing. They should have followed the practice of the Senate conferees, who, as stated by the distinguished chairman of the Senate Appropriation Committee, are always guided more by the wishes of the Senate than by their own individual opinions.

A few words, Mr. Speaker, as to the amounts involved in this report and which will be appropriated if it should be adopted.

This House, a few days since, passed a fortifications bill, and in order that the members may be fully informed as to the difference between

that bill and the pending measure, I ask leave to read the following tabular statement:

Items of appropriation.	Fortifications bill as it passed the House and now in the Senate.	Senate amendments to Army bill.	Senate amendments to the Army bill as agreed on in conference.
Protection, etc., of fortifications.....	\$100,000	\$1,000	.....
For sea-walls.....	117,000	3,500	\$2,500
For torpedoes.....	200,000	600,000	100,000
Manufacture and test of cannon, etc.....	400,000	600,000	500,000
To complete, under fabrication.....	158,000	.....	.....
Gun foundry at Watervliet.....	750,000	750,000	700,000
Purchase of gun steel.....	1,500,000	5,000,000	3,500,000
For mortars.....	500,000	.....	.....
Total.....	3,725,000	6,954,500	4,802,500

I earnestly invite the attention of the House to the relative merits of these two measures, and am quite sure that the fortification bill will successfully endure the comparison.

But the gentleman from New York [Mr. TRACEY] has delivered a carefully prepared speech, in which he very properly criticised a certain bill now pending in the Senate. That bill is not at all like the one reported from the House Committee on Appropriations and which has passed the House. It is a very different measure, and I am glad that he has brought it to the attention of the House and the country, though foreign to the present discussion.

Now let us see how the pending report presents the matter, and contrast it with the provisions of the fortification bill. It will be remembered that no fortification bill has passed Congress for four years. The fortification bill as passed this session by the House appropriates for necessary repairs of fortifications—for instance, at Fort Niagara and other places—\$100,000. The Army appropriation bill makes no provision for that purpose. For sea-walls—such as Governor's Island—the fortification bill, following the estimates sent in by the War Department, makes an appropriation of \$117,000, whereas the Army bill as agreed on in the conference report makes provision for an expenditure of only \$2,500 for this purpose. The evident object in cutting down or abandoning the appropriations for these particular purposes was to preserve as far as possible this appropriation of \$5,000,000 for the purchase of steel, so that we have now in this report a recommendation that Congress appropriate \$3,500,000 for the purchase of steel. Sir, one of the best officers in the Ordnance Bureau, a gentleman of high intelligence, of experience, and of industry, has told the Committee on Appropriations that if the Watervliet arsenal should be operated energetically and to its utmost extent it could not possibly consume more than \$100,000 worth of steel per annum.

Mr. TRACEY. Only \$100,000 worth?

Mr. SAYERS. One hundred thousand dollars' worth of steel per annum. I call the gentleman's attention to page 103 of the notes of hearings before the Committee on Appropriations upon the fortification bill. When Capt. C. S. Smith, of the Ordnance Bureau, was before the committee, I put to him this question:

In the present circumstances, how large an amount in value of steel forgings could be used within the next two years, the work at the arsenal being constant and effective?

Answer. About \$200,000 worth in value of steel forgings.

Mr. TRACEY. The gentleman from Texas will allow me to say that when Captain Smith made that statement he alluded to the present condition of the Watervliet arsenal.

Mr. SAYERS. That is so. But, Mr. Speaker, it will take at least three if not five years within which to expend the \$700,000 upon Watervliet arsenal so as to equip it to manufacture 10-inch and 12-inch guns. Congress convenes every year, and when this arsenal shall get into a condition to consume a greater quantity of steel, other appropriations for the purchase of steel can and will be made.

Mr. TRACEY. How long will it take to prepare the steel forgings? Will it not take just about the same time?

Mr. SAYERS. No, sir; it will not take that time. It may take that time to prepare three and one-half million dollars' worth; but we do not want so much.

Now, Mr. Speaker, the appropriation of \$3,500,000 for the purchase of steel may be a very small matter as compared with the annual revenues which flow into the Treasury; but, sir, I submit that if this House undertakes to adopt this report covering such an appropriation it will be knowingly guilty of an extravagance which is entirely unwarranted by the circumstances which surround us. The purchase of three and a half million dollars of steel, when our appliances, present and for years to come, will not permit us to consume effectively more than \$100,000 worth per annum, will be a reckless and an unnecessary expenditure. I do not wish to offend the feelings of any gentleman or to violate parliamentary courtesy, but I do say that it will amount to little less than a robbery to appropriate three and a half million dollars for the benefit of a few steel manufacturing establishments.

Mr. TOWNSHEND. Mr. Speaker, a word in reply to the gentleman from Texas. At this time there is but one establishment in the country which can furnish these steel forgings—

Mr. SAYERS. Allow me to say to the gentleman that when the Secretary of the Navy published his advertisement inviting proposals or bids in this matter, there were three competing establishments—

Mr. TOWNSHEND. Yes, I know that.

Mr. SAYERS. There were three competing establishments for the furnishing of steel to the amount of \$1,000,000.

Mr. TOWNSHEND. My friend, however, will not deny this statement—that there is but one establishment in this country that is equipped for making these heavy steel forgings; that is the establishment at South Bethlehem, which has already the contract for making steel forgings for the Navy Department. If, then, the amount should be reduced to one and a half million dollars, the sum which the fortification bill proposes, it would be practically, as I said the other day, a vote in favor of putting that sum of money into the possession of the only establishment in the country which can produce those forgings. If the amount be reduced to the sum which the gentleman from Texas has insisted upon, it would be practically a vote in favor of creating a monopoly in this country for the manufacture of steel forgings, and the Government would be compelled to yield to the demands of that monopoly. By offering to purchase a larger amount, which will be needed later on, we shall create competition.

It requires a cost of half a million to a million of dollars to create a plant which will enable these steel manufacturers to make these heavy steel forgings. If your call is only for a million and a half or a million you will keep off the capitalists from establishing new plants to come into competition with the one now in existence, whereas if a larger amount of steel were to be purchased instead of to the value of a half million or a million of dollars (and it takes half a million or a million of dollars to establish such a plant), then there would be an inducement on the part of the capitalists of the country to establish such plants and provide competition with the existing establishment.

Now the object of the War Department and the object of the Senate was that the Government might offer for such an amount of steel to be supplied as would stimulate other establishments in the country to build plants and thereby cause competition between these various establishments, and thus enable the Government to purchase this steel at a much lower sum than it will be able to do it if we assign it to the amount which the gentleman from Texas demands.

Mr. BUTTERWORTH. Permit me to ask the gentleman a question.

Mr. TOWNSHEND. If the gentleman will not go on and make a speech I will yield to him for a question; I wish to close the debate.

Mr. BUTTERWORTH. I understand this is to go over and be voted on to-morrow.

Mr. TOWNSHEND. I will yield to the gentleman.

Mr. BUTTERWORTH. If one of the competing establishments, by reason of superior advantages, can crowd the others out on the margin they can make on \$1,500,000, they could do the same thing more certainly if the sum is increased and the time extended.

Mr. TOWNSHEND. I do not agree with my friend from Ohio. If the amount be three and a half millions of dollars the establishment would take into consideration the cost of building up a plant. If there is such inducement, the South Bethlehem Works will not be able to prevent competition. If these manufacturers are going to have a large demand for these heavy steel forgings, sufficient to enable them to build up new plants, I do not believe that the South Bethlehem Iron Works will be able to crowd them out.

Mr. BUTTERWORTH. I only want to add a word in addition.

Mr. TOWNSHEND. The object of the War Department, of the Senate, of the committee is to avoid putting the Government entirely into the power of the present plant and to create a monopoly in the country in reference to the supply of these steel forgings. What we wish to accomplish is to encourage the building up of other steel factories. We will thereby prevent jobbery. Talk about jobbery! The jobbery is in offering them so small an amount that no other establishments will compete with the existing establishment. There is where the jobbery is. There is the jobbery to-day in the manufacture of steel forgings. What we wish to do is to strike down that monopoly and to bring about a competition which will enable the Government to get its supply at a much lower price.

The SPEAKER *pro tempore*. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. TOWNSHEND. I will for a question, but not for a speech.

Mr. BUTTERWORTH. I wish to submit another question or proposition. The bids for a million dollars' worth of steel brought into the field three competitors. Now it is clear if you solicit bids for \$1,500,000 worth, other competitors will enter the field, in view of the fact that additional quantities of steel will be required in the near future. But if at this time you solicit bids for three and one-half millions, and that supply will last ten or twelve years, what will there be to invite or create competition? Will not the establishment the gentleman refers to crowd out all competitors?

Mr. TOWNSHEND. The gentleman is going over the same road which has already been traveled in this debate.

It is true at that time the Government only offered to purchase \$1,000,000 worth of steel forgings for guns, but it was made known that \$3,000,000 worth more would be bought for steel armor for ships. And that is the inducement which led two or three establishments to compete for it.

The SPEAKER *pro tempore*. The time limited for this debate has expired.

Mr. SAYERS. I ask unanimous consent to call attention to another fact. I wish it to go to the country. I ask only five minutes—

Mr. TOWNSHEND. I think it is best to let it go over, as the subject itself has been postponed until to-morrow, when we can have this matter debated on both sides.

Mr. SAYERS. Then I will ask for unanimous consent to extend the remarks which I have already submitted when they come to be printed in the RECORD.

Mr. TOWNSHEND. I have no objection to that.

There was no objection, and it was so ordered.

Mr. BUTTERWORTH. I would like to submit a parliamentary inquiry.

The SPEAKER *pro tempore* (Mr. MCCREARY in the chair). The gentleman will state it.

Mr. BUTTERWORTH. I understand this report will come up to-morrow as unfinished business?

The SPEAKER *pro tempore*. It is a conference report, and being privileged can be called up at any time.

NAVAL APPROPRIATION BILL.

Mr. HERBERT. Mr. Speaker, I submit the report of the conference committee on the bill H. R. 10556, being the naval appropriation bill.

The SPEAKER *pro tempore*. The Clerk will read the report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10556) making appropriations for the naval service for the fiscal year ending June 30, 1889, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 8, 21, 22, 23, 24, 25, 27, 28, 29, 46, 47, 48, 55, and 56.

That the House recede from its disagreement to the amendments of the Senate numbered 14, 15, 18, 34, 35, 37, 38, 39, 40, 49, 51, 57, 59, 65, 66, 67, 68, 70, 72, 73, and 74, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 3, and agree to the same with an amendment as follows: Insert after the word "same" in line 9, page 4, of the bill the following: "and to enable the Naval War College to be conducted at said island up to January 1, 1889;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Add to the end of said amendment the following: "after said date;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$625,000;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendments of the House to the amendment of the Senate numbered 16, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,367,156.47;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$67,325.53;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$825,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 20, page 26 of the bill, strike out "fifty-one" and insert in lieu thereof "seventy-one;" and in lines 21 and 22, same page, strike out "one-hundred and ninety-eight" and insert in lieu thereof "two hundred and eighteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$17,494.20;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$74,080.20;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$917,213.77;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 63 and 64, and agree to the same with an amendment as follows: In lieu of the matter inserted and stricken out by said amendments insert the following:

"One armored cruiser of about 7,500 tons displacement, to cost, exclusive of armament, not more than \$3,500,000; and three gunboats, or cruisers, neither of which shall exceed 2,000 tons in displacement nor \$700,000 in cost, excluding any premium that may be paid for increased speed and the cost of armament; said three gunboats, or cruisers, to be built either wholly of steel or with steel frames."

And the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the Senate amendment numbered 69, and agree to the same with amendments as follows: Substitute for said House amendments to said Senate amendment the following:

Page 33, line 26 of the bill, strike out the word "on" and insert in lieu thereof the word "and."

Page 33, line 26 of the bill, after word "Congress," insert the following: "with their engines, boilers, and machinery."

Page 34, line 1 of the bill, strike out the word "on" and insert in lieu thereof the word "and."

Page 34, line 3 of the bill, strike out the word "on" and insert in lieu thereof the word "and."

And the House agree to the same.

That the House recede from its disagreement to the amendment of the Senate

numbered 71, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert the following: "Vessel or vessels;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendments of the House to the Senate amendment numbered 75, and agree to the same.

H. A. HERBERT,
WM. MCADOO,
JOHN R. THOMAS,
Managers on the part of the House.
EUGENE HALE,
C. B. FARWELL,
JAS. B. BECK,
Managers on the part of the Senate.

The statement accompanying the report was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses beg leave to submit the following statement as to the effect of the recommendations of the conference report:

Of the amendments from which the Senate recedes the following do not involve any increase or decrease of appropriations, but the changes made are in phraseology, 6, 8, 20, 21, 22, 23, 24, 25, 27, 28, 29, 48. Some of the above relate to totals affected by other amendments.

No. 5: Senate recedes from No. 5, which increased by \$700 the amount of appropriation for clerk at Coasters' Harbor Island.

No. 46: Amendment appropriating for torpedoes, \$100,000. Senate receded.

No. 46: Amendment increasing appropriation for steam machinery, Bureau of Steam Engineering, \$30,000. Senate receded.

No. 47: Amendment increasing appropriation for purchase and handling materials, Bureau of Steam Engineering, by \$50,000. Senate receded.

No. 55: Amendment increasing pay of chief clerk in office quartermaster of marines. Senate receded.

No. 55: Increase of pay of clerk in office of quartermaster at Philadelphia. Senate receded.

Of the amendments from which the conferees recommend that the House recede, the following do not involve any appropriations, to wit, 15, 33, 38, 40, 41, 51, 57, 59, 65, 66, 67, 68, 70, 73, and 74.

House recedes from its disagreements to—

No. 14: Amendment appropriates \$ 0,000 to erect building in Brooklyn navy-yard destroyed by fire since annual estimates were submitted.

No. 18: Appropriates \$30,000 for purchase of adjustable stern-dock.

No. 34: Increase of \$5,000 for Hospital Park, Portsmouth, Va.

No. 37: Gives a clerk to Bureau of Provisions and Clothing, Washington navy-yard, \$1,200.

No. 49: Gives draughtsman, Portsmouth, N. H., \$1,100.

No. 72: Reduces appropriation for increase of Navy by \$500,000.

With amendments:

Nos. 3 and 4: House recedes with verbal amendments.

No. 11: Amendment appropriating \$50,000 additional for equipment of vessels reduced to \$25,000 additional.

No. 16: An amendment in phraseology agreed upon, and the amount of the appropriation remains at \$15,000, the Senate also agreeing to the insertion of the Atlantic coast.

Senate amendments:

No. 45: Increases amount for repairs of vessels by \$85,000. Senate and House agree on \$50,000 instead of \$85,000.

No. 53: House agrees to additional \$20,000 for boat-house at Naval Academy.

Nos. 58, 60, 62: Change of phraseology.

Nos. 63, 64: The Senate recedes from its objections to the armored cruiser in the House bill, and the House agrees to the three gunboats or cruisers recommended by the Senate.

No. 69: Is an amendment in phraseology.

H. A. HERBERT,
JOHN R. THOMAS.

Mr. HERBERT. Mr. Speaker—

Mr. HOLMAN. Before the gentleman from Alabama commences I hope he will cure what appears to be a defect in this report by stating the exact condition of this bill as it passed the House and as it passed the Senate, and also the amount recommended by the conference committee.

Mr. HERBERT. I had intended to do that, having the figures before me.

Mr. HOLMAN. It seems to be omitted from the report.

Mr. HERBERT. The estimates of the Department on which the bill was based amounted to \$23,003,624.12. The bill as it passed the House carried an appropriation of \$20,008,074.25; as it came from the Senate, \$20,188,092.03; and as reported by the conference committee to the respective Houses it carries an appropriation of \$19,943,225.45, or a reduction of \$240,866.58 from the amount of the Senate bill.

Now, sir, I am ready to answer any question gentlemen may desire to ask me.

Mr. HOLMAN. I hope my friend will at least explain—as I gather but a faint idea of the bill from the report which has been read—what, taking the House bill as it now stands according to the report of the conference, will be the extent of the proposed increase of the Navy.

Mr. HERBERT. The extent of the increase authorized is four cruisers and three gunboats, being seven in all. As the bill passed the House it provided for three unarmored cruisers and one armored cruiser, being four in all. In the Senate the armored cruiser was stricken out, and three gunboats or cruisers of 2,000 tons each added in lieu of the armored cruiser. The House conferees were very anxious to authorize the armored cruiser, but the Senate conferees insisted upon the gunboats. There was quite a long conference and two long sessions on this very question, and it was finally determined that the House should yield to the Senate and the Senate to the House, and that is the recommendation of the conference committee.

Mr. ADAMS. Mr. Speaker, of course I do not wish to delay the adoption of the report, and do not suppose that I could if I would; but I should be very glad to have the gentleman from Alabama state just what took place between the two Houses in reference to the question of the armored cruiser. I want to say that according to my informa-

tion, which I do not pretend by any means to be general upon the subject, an armored cruiser is an anomaly in modern naval operations. I do not object to experiments, and this may be a valuable experiment; but it seems to me that the best experience of modern times has demonstrated the fact that an armored vessel is a vessel of defense and a cruiser a vessel of offense, while the armored cruiser is neither the one nor the other, and has no place in modern naval warfare at all. I do not see, unless an armored cruiser can perform some functions not ordinarily performed by war ships, why it was that the House was willing to spend \$2,000,000 for that one vessel, when according to my impression the same amount of money might have provided two or three cruisers which would have served the purposes of cruisers and been equally efficient for the defense of the seaboard.

Mr. HERBERT. The remarks of the gentleman from Illinois are calculated to bring out very pointedly the questions of difference between the House and the Senate conferees on this question. The House insisted on the armored cruiser for the simple reason that experience shows, and all advanced nations have demonstrated it by their own naval construction, that an armored cruiser of that tonnage can be made to give a speed of 19 knots an hour, and it is expected that this armored cruiser will go 19 knots. It is such a vessel as might go and would go abroad in time of war as a commerce destroyer, and among unarmored cruisers it would be the monarch of the seas. With 12 inches of armor it would be superior to any unarmored cruiser afloat.

Mr. ADAMS. What is the armor proposed?

Mr. HERBERT. About 12 inches.

Mr. ADAMS. At the water line?

Mr. HERBERT. Well, yes; at the water line and for several feet above, and sloping down gradually to say 7 feet below the water line.

Mr. ADAMS. Can the gentleman state exactly the caliber of a gun which would pierce that armor at the first fire?

Mr. BUCHANAN. Of course any modern gun can do it.

Mr. ADAMS. I am informed that any modern gun can penetrate the armor of that thickness.

Mr. HERBERT. That is a mistake, sir. No 10-inch gun or 8 or 6 inch gun can do it unless at very close range and very squarely struck; but then it is largely matter of opinion.

Mr. ADAMS. Do I understand the gentleman to say that an 8 or 10 inch gun can not penetrate it?

Mr. HERBERT. No, sir; it can not; not 12-inch armor—that is to say, that though a 10-inch gun will pierce 12 inches of steel in a target yet the opinion of experts seems to be that under the varying conditions of a combat at sea 12 inches would be a protection against a 10-inch gun. It would be very rarely the case that the impact of a shot against the side of a vessel at sea would be as direct as against a target.

As to the small gun-boats or cruisers of 2,000 tons. They would have the advantage of giving employment to and training for more officers, but it is impossible to make a small vessel as small as 2,000 tons go as much as 19 knots an hour without sacrificing the capacity for coal, crew, and armament. There are vessels—

Mr. ADAMS. Then that would admit my whole question. I supposed that if you put armor on these vessels you must sacrifice something. You must either have speed or defensive power. Now, did I not understand the gentleman that an armored cruiser with 12 inches of armor and this displacement and tonnage could not only go 19 knots an hour, but that it has not sacrificed anything in carrying capacity?

Mr. HERBERT. Of course the more armor you put on the more coal-carrying capacity you sacrifice. But a vessel of 7,500 tons can carry her armor and coal enough besides to give her great endurance, besides carrying her 19 knots an hour. This is not a new experiment. Spain is now building six of between six and seven thousand tons which are to make 19 knots an hour.

Mr. ADAMS. With 12-inch armor?

Mr. HERBERT. That is probably as much as would be carried by such cruisers.

Mr. ADAMS. Would that be sufficient to resist penetration by 12-inch guns?

Mr. HERBERT. I do not know. I could not say that. But they are effectively armored, and are to go 19 knots an hour.

Mr. BUCHANAN. Are they turreted?

Mr. HERBERT. I do not know whether they are or not. Many armored cruisers are turreted.

Mr. ADAMS. An armored cruiser is not a turreted vessel.

Mr. HERBERT. It is—sometimes.

Mr. ADAMS. I supposed that it was not the custom to put turrets except upon armored ships. But one more question, and I will not interrupt the gentleman further. The cost of this vessel which will make 19 knots will make how many unarmored vessels?

Mr. HERBERT. It would pay for three vessels of 3,000 tons each, unarmored vessels.

Mr. BUCHANAN. I would like to ask the gentleman a question, if it would not interrupt him too much at this time. Has the gentleman examined far enough as to the penetrative qualities of modern ordnance to determine whether or not in the case of vessels the limit of flotation will not be reached before the limit of penetration?

Mr. HERBERT. I think it is agreed generally among naval experts that guns can be put on vessels that will penetrate any armor.

Mr. BUCHANAN. That can be floated.

Mr. HERBERT. That will float. But the power of guns to penetrate armor upon ships, which are perpetually shifting as they float and can not often be struck squarely, will probably when fairly tried be found very different from their power to penetrate targets. However this may be, I can safely say that the general result of the experience of experts throughout the world, so far as it has gone, is in favor of armored vessels.

Mr. ADAMS. Armored cruisers?

Mr. HERBERT. Yes, sir; and quite a number of them are now being built.

Mr. ADAMS. I am surprised to hear that.

Mr. HERBERT. England is building a number now, or rather has just built several.

Mr. ADAMS. Armored below the water-line?

Mr. HERBERT. All that are armored are armored for some distance above and below the water-line. I have examined this question with a great deal of care, but I am not an expert and can only speak of the general results. My information is derived from the opinions of experts. There are a great many armored cruisers in the world, and their speed and sea-going qualities have been tested. We have only two armored vessels provided for before this, not counting the monitors.

The gentleman will remember that when this Administration came in we had five monitors, the Miantonomoh, Monadnock, Terror, Amphitrite, and Puritan. One of these, the Miantonomoh, was armored, except as to her turret; the other four are to be armored. They are antiquated in type and not by any means first-class, but the Administration believed that it would be better to armor them than to throw them away.

Mr. ADAMS. For harbor defense.

Mr. HERBERT. For harbor defense. They think that they would make very effective coast-defense vessels.

Now we have already authorized before this bill two armored cruisers—the Texas and the Maine. If this passes, we shall have only three.

Mr. ADAMS. Is this a mate for the other two, or of about the same capacity?

Mr. HERBERT. It is about 1,000 tons larger.

Mr. ADAMS. How nearly complete are those vessels?

Mr. HERBERT. They are not near completion. There has not been any very great progress made upon them. The armor is to be obtained under a contract with the Bethlehem Iron Works. It will require, perhaps, four years to complete those vessels. It will require possibly five years to complete this one. It will be built gradually. To sum up, then, in answer to the gentleman's question, I will state that the House conferees preferred that one cruiser to these three unarmored 2,000-ton vessels proposed by the Senate, because these little vessels will not be as fast and will not be as effective in battle; but 18 knots an hour can be obtained from these 2,000-ton vessels and that will make them fast vessels.

I have had a calculation made which shows that in the French navy and in the English navy only 9 per cent. of all their vessels will make 18 knots an hour; so that these cruisers, which the House conferees were really averse to taking, but which they finally concluded to recommend, if they make 18 knots an hour, will be fast enough to escape from 91 per cent. of all the vessels of France or of England, and therefore they will be valuable. For myself I would prefer not to build any cruiser that could not make 19 or 20 knots an hour. I believe that, commencing now as we do our modern navy, we ought to have the very best navy afloat. I think we ought to have less dead material in it than there is in any other navy, and, in point of fact, we shall have less. This Administration is making every effort to have our vessels just as fast as possible and fully up to the requirements of the age. I believe that one of the reasons why we were so successful in the war of 1812 was that when the Constitution and her sister ships were being laid down under the law of 1794, the very best shipwright in the whole country, Mr. Rumsey, of Philadelphia, was employed, and they were made a little better and a little faster than other vessels of their class.

Mr. O'NEILL, of Pennsylvania. The old Constitution never yet has been excelled in speed by a sailing vessel.

Mr. HERBERT. No. The old Constitution once made 13½ knots an hour under sail. Now, as I have said, this Administration is trying to build very fast vessels, and I would prefer not to take these small vessels; but they can be made to make 18 knots an hour, and that, too, without the sacrifice of any sea-going qualities.

There are vessels of 1,800 tons, such as the Forbin, of the French navy, that make 19 knots an hour; but they have very little armament and very little endurance, that is they can not carry a large supply of coal.

Mr. BUCHANAN. My inquiry was as to how many of those smaller vessels are carried by the bill as agreed upon in conference?

Mr. HERBERT. Only three.

Mr. CANNON. A single word, Mr. Speaker. I hesitate even to say a word on this subject, because I will state very frankly that what I do

not know about the construction of cruisers would make not only a book, but a whole library. But I have some recollection that for many years I have sat as a member of this House year after year, and have seen appropriations for the Navy opposed and attacked. As to these five monitors which the gentleman [Mr. HERBERT] speaks of, and which are now being finished, I recollect that for several years it was claimed here that they were totally worthless, fit for nothing except to be broken up. I recollect that at one time the country from ocean to ocean was electrified with the statement that if one of these monitors, the Puritan, I believe, should even be launched she would sink. Still, whether they are worth anything or not, they are being finished.

So far as I have knowledge, and I have given some little attention to the subject, I believe that after we get our fast cruisers—and in my opinion it is not important that they should be heavily armored—after we get our fast cruisers, and our harbor defenses complete, through the best obtainable torpedo system with some good guns and gunboats, we shall probably have gone as far as we can go with profit now; and I very much doubt the wisdom of expending over \$3,000,000 in the building of one armored cruiser. I think the money would be better expended in smaller ships less expensively built, but, as I believe, substantially as useful.

Mr. BUCHANAN. And fitted to cruise wherever American enterprise goes?

Mr. CANNON. Certainly; fitted to cruise anywhere.

I suppose that this conference report will be adopted. I wanted to say this much; and having given expression to my doubts, my fears, and beliefs as to this cruiser, I wish to express my surprise at another matter. A few minutes ago I noticed sitting on the other side of the House the gentleman from Indiana [Mr. HOLMAN], whose voice in former years, in one Congress after another, rang out like a bugle in this House, and was heard throughout the length and breadth of the country, announcing the doctrine year after year that this nation was great enough, and strong enough, and grand enough without ships and without defenses to protect herself against the other nations of the earth; and I have rarely heard as great applause as met that remark on the other side of the House. The trouble is not that we are getting a navy too fast—such a navy as we need—but that we are liable, as I believe, in this case to expend upon costly, I was about to say extravagant, experiments large amounts of money which I fear will be wasted.

Mr. TOWNSHEND. Will the gentleman allow me to correct his impression in regard to the gentleman from Indiana [Mr. HOLMAN], who I see is not now present? The objection of the gentleman from Indiana in regard to large appropriations does not apply to anything for the Navy, but has application to the Army only. It is only with reference to the Army that he apprehends the danger of extravagant and unnecessary appropriations—not with regard to the Navy.

Mr. CANNON. I know not what may be the present state of mind of the gentleman from Indiana; but I was speaking of his opinions and expressions within less than six years, as declared in this House.

Mr. TOWNSHEND. Did not those remarks refer to appropriations for the Army? I presume the gentleman from Indiana did not make any such remarks about the Navy.

Mr. CANNON. The remarks to which I refer had reference to naval appropriations.

Now, I believe I have said about all that I wanted to say. In conclusion, let me remark that I do not wish to criticize any proper expenditure; but I do think, at least touching this cruiser, that the appropriation might well and profitably have been omitted from this bill; and I shall be agreeably surprised if, in the future, when this cruiser is constructed, my fears shall prove to have been unfounded.

It is well enough at this time to recollect that homely old story of the Dutchman's calf. He said it was the strangest calf he ever saw. "By Chove," he said, "I had to pull dot calf's ears off to get it to suck, and den I had to pull its tail off to get it away."

Very slowly did our Democratic friends come to this question of a navy. To get them there we had almost to pull the hair and the ears from their head; but by and by they got there; and now I am not sure but that the tail-hold ought to continue a little longer so far as concerns this cruiser of doubtful expediency.

Mr. HERBERT. Mr. Speaker, in order to relieve the gentleman's doubts as to the propriety of building this cruiser, I will call his attention to what other nations are doing and will answer a little more specifically the question put to me by the other gentleman from Illinois. I have here (and it was appended to the report accompanying this bill) a résumé of the armed vessels built and building by other nations, together with the speed that they make. I find that England has built or is building—I shall only allude to those vessels which are fast, effective cruisers, which would be good commerce destroyers—England has seven, France two, Italy five, Russia four, making eighteen of these vessels which make 18 knots or more an hour; and Spain is building six, as I have said, which make 19 knots an hour.

And now, sir, as I have answered the gentleman's question, I hope I may be indulged in a brief retrospect, as this bill closes up the appropriations for our Navy for the first hundred years of our national existence.

In the early history of our country there was some difference of opinion among statesmen as to the extent to which we ought to main-

tain a navy, but events so shaped themselves as in a few years to formulate a policy on which all men agreed.

After our "quasi war" with France and our four years' war with Tripoli came the war of 1812, followed by another short war with the Barbary powers in 1815. From the close of that last war forward no party in America has ever dared to question before the bar of public opinion the duty of the Government to keep and maintain an efficient navy to aid our diplomacy in time of peace and defend our rights in war. During all these wars, except that with France, the Democratic, or, as it was then called, the Republican party, had been in power. In 1816, when peace was assured, secure in popular favor, its statesmen had ample opportunity for deliberation.

They all agreed upon the necessity of an efficient navy, and when 1820 had come their plan of gradual increase had matured into a scheme for creating and maintaining a force of 12 line-of-battle ships, 14 first-class frigates, 3 second-class frigates, and 6 sloops, in all, 35 ships of war, besides a proper number of smaller vessels. If any individual Democrat since that day has ever, for a moment, claimed that we ought not to maintain a navy it was simply because he was driven temporarily, by shockingly extravagant expenditures, into a state of such exasperation that he forgot, for the moment, the teachings of the fathers. James K. Polk, who was a typical Democrat, expressed the matured Democratic theory when, in his message of December 2, 1846, he said:

It has never been our policy to maintain large standing armies in time of peace. They are contrary to the genius of our free institutions, would impose heavy burdens on the people, and be dangerous to public liberty. Our reliance for protection and defense on the land must be mainly on our citizen-soldiers, who will be ever ready, as they have ever been ready in times past, to rush with alacrity at the call of their country to her defense. This description of force, however, can not defend our coasts, harbors, and inland seas, nor protect our commerce on the ocean or the lakes. These must be protected by our navy. Considering an increased naval force, and especially of steam vessels, corresponding with our growth and importance as a nation, and proportioned to the increased and increasing naval power of other nations, of vast importance as regards our safety and the great and growing interests to be protected by it, I recommend the subject to the favorable consideration of Congress.

THE DEMOCRATIC PARTY BUILT OUR SHIPS.

There have been many acts authorizing the construction of vessels, but it so happens that all the most important laws authorizing new ships during this century began and prior to our civil war were passed under Democratic administrations. I do not undertake to cite all the laws. I mention only those that stand out prominently in the history of the Navy. Madison approved the act of April 29, 1816, appropriating for construction \$1,000,000 annually for eight years, under which were built eight 74-gun ships and eight 44's. Monroe approved the act of March 3, 1821, appropriating thereafter for construction for six years \$500,000 per annum, under which were built six 44's. Van Buren approved the act of March 3, 1841, which inaugurated our steam navy.

It appropriated \$2,000,000 for "increase and repairs," and under this, aided, however, afterwards by \$2,000,000 granted by an act signed by Tyler August 4, 1842, were built seven 22-gun sloops, five 10-gun brigs, and the Princeton, Michigan, and Massachusetts.

Polk signed the act of March 3, 1847, for the construction of the four first-class steam-ships, Susquehanna, Powhatan, Saranac, and San Jacinto. Pierce signed the act of March 3, 1857, for the Brooklyn, Lancaster, Hartford, Pensacola, and Richmond, as he had before approved the act of April 6, 1854, under which the celebrated six screw frigates were constructed. They were the Merrimac, Minnesota, Wabash, Roanoke, Colorado, and Niagara. These ships were, in their day, in hull, and rig, and machinery, and armament, the finest vessels that ever floated on the seas, and when the first one of them anchored in an English port, it not only excited the admiration of all who came to see, but naval constructors everywhere went to work to emulate and imitate, even as in later days those still greater creations of American naval genius, the iron-clad Merrimac and the indomitable little Monitor, by their great combat in Hampton Roads, made Europe to resound with the blows of the hammer and revolutionized ship-building all over the world.

AND THE DEMOCRATIC PARTY USED OUR NAVY.

And, Mr. Speaker, if in that long period that preceded our civil war it was the Democratic party that built our ships, it was still more emphatically the Democratic party that used them to hold high our flag among the nations of the earth and to maintain and to defend the rights of our citizens.

It was one of the fathers of the Democracy, James Madison, that declared war against Great Britain; it was James K. Polk that declared war against Mexico; and when in 1853 that gallant naval officer, Lieutenant-Commander Ingraham, in the presence of an Austrian marine force twice his own, cleared for action the decks of the St. Louis and saved the political refugee, Martin Koszta, from an Austrian prison, because this Austrian had taken his first steps to become an American citizen, it was a Democratic Secretary of State, William L. Marcy, and a Democratic President, Franklin Pierce, who adopted and defended the act, and succeeded by their ability and courage in ingrafting firmly upon the stock of international law the doctrine that he who has legally declared his intention to become an American citizen is entitled to and will receive the protection of the American flag.

THE NAVY IN OUR CIVIL WAR—EXHIBITION OF AMERICAN GENIUS AND COURAGE.

The Navy played a great part during our civil war. To the Union its services in blockading and depriving the Confederacy of the necessities of life and of munitions of war were simply invaluable; and if those four years of bloody war illustrated beyond cavil any one thing, it was the genius of Federals and Confederates, Americans all, in the building of war ships and their courage and skill in fighting them.

It was the inventive genius and energy of the Confederates that raised the sunken Merrimac, armored her, sent her forth to destroy the Camberland and the Congress, and for a time spread consternation throughout the land. A ship of war more formidable than the world had ever seen had been invented.

But American genius was on the Union side, too. It was an American that invented the Monitor; it was an American enterprise that built her in ninety days; and it was an American naval officer and crew that had the courage to go down in her unto the sea that continually rolled over her decks, as she made her way to meet and confront and halt the proud Merrimac in her career of destruction.

It was the Confederates who built the Albemarle, and with her fought to a drawn battle almost all day long a whole flotilla of vessels; and it was an American naval officer, Cushing, who by an exhibition of genius and daring which, though it may somewhere in history have a parallel, certainly is not surpassed in human annals—it was this typical American sailor who with a crew of thirteen men passed at night the Confederate pickets and batteries and unobserved till he had neared the Confederate ironclad, then ran his little boat, amid a storm of shot and shell, over the defensive outwork of logs that floated around the Albemarle, lowered his torpedo, blew up the vessel, and escaped, after unheard-of adventures, to tell alone his tale of triumph twenty-four hours afterwards to the wondering officers of the Federal fleet.

It was the Confederates who, with an ingenuity and skill the world had never before seen equaled, developed the torpedo, and it was the Federal naval vessels that rode over them to victory in Mobile Bay. That four years of fratricidal strife demonstrated that our country united can make of her Navy just what she will.

LESSONS OF THE PAST.

The civil war closed in the spring of 1865. Since then we have been at peace with all the world. But gentlemen must not therefore conclude the time has come, or that it ever will come this side of the millennium, when we can count on perpetual peace. We can only judge the future by the past.

During the century of our national existence that is to close on the 4th of next March our Navy has been engaged in war with France we may count three years, with Tripoli four years, with Great Britain three years, with the Barbary powers again, and for the last time, seventy days, with Mexico two years, and in our civil war four years—in all sixteen years and more, or about one year in every six. Certainly this Government needed its Navy during every one of those years.

There is no fear now of domestic trouble and the danger of a foreign war is, I hope, afar off; but, sir, we can remove it still farther from us. We have only to prepare ourselves to command the peace.

What nation is there on this earth that will dare to refuse us our rights if only we are ready to maintain them? The moral power of a great nation like this is at all times great, but it will be greater still when we have arms in our hands or within our reach. Sir, I venture to say that this country has not had, in recent years, a diplomatist negotiating with a foreign nation—I care not whether it was Lowell or Phelps, demanding of England the rights of our fishermen, or Morton or McLane or Pendleton, protesting that no American be held to military service by a foreign power—who did not feel that he would stand on firmer ground and that he could insist on the extreme measure of our right with more of that assurance of success that ought to inspire the representative of a great nation, if there had only been a present navy behind him.

France in 1797 drove us to hostilities because she thought she could with impunity harass us into a declaration of war with Great Britain. Great Britain compelled us to declare war against her in 1812 because she had a contempt for our little Navy and believed she could easily sweep it from the seas. In these latter days we have grown great and powerful on land, but on the seas we are still weak, very weak. Counting out our few modern vessels, we are far weaker than we were thirty years ago, while other nations, formerly almost unknown upon the seas, have built up great modern navies.

In the days of wooden sailing vessels it was possible in some sense to improvise a navy to meet an emergency. Both the English and Americans in the war of 1812 built and put to sea good fighting ships from timber that thirty days before had been standing in the forests by the lakes. But this is the day of steel, and not wooden vessels; of steam, and not of sail power. It will scarcely ever be possible to build a modern vessel in less than the ninety days which Ericsson took for the Monitor, and the slowest steaming vessel in any European navy can cross the Atlantic in twenty days.

Wars in future will be short, sharp, and decisive, whether on sea or on land. Prussia humbled the power of Austria in one great battle at Sadowa, seventeen days after a declaration of war; the Germans in the

Franco-Prussian war were in Paris within ninety days from the commencement of hostilities, and the French fleet destroyed the Chinese navy in the Minn River within fifteen minutes. The nation that would defend itself in future must hold itself prepared.

With the close of our civil war closed the era of wooden navies. We had demonstrated to the world that the future ship of war was to be built of iron or steel, and other nations had learned the lessons taught by our experience.

I need not cite you what these other nations have done. The power of modern navies is the wonder of the world. What have we done? How much money have we spent since the new era of iron-ship building began on our Navy and what have we to show for it? I will not speak now of the expenditures during the spring of 1865 and the year and more that followed till July 1, 1866. The fleets of the Union had wonderfully expanded during the war. There were, when hostilities ceased, over 50,000 officers and sailors in the naval service. But the time from April, 1865, to July, 1866, was or ought to have been enough to bring the Navy down to a peace footing.

By the act of July 25, 1866, the number of officers and men and boys in the Navy was limited to 10,260. This limit was never changed till August 2, 1892. Even then it was not very greatly lowered. It was made 9,549, where it has since remained. I cite these laws to show that the vast difference between the expenditures of the two decades I am about to compare did not result, except to a very limited extent, from any difference in the amounts paid out to officers and sailors. To make this still more certain I present here a table showing the amounts paid to the personnel of the Navy each year during both decades. The average difference each year was \$864,202 more for the first than for the second of these two decades.

Amounts paid to personnel of the Navy.

FIRST DECADE.

July 1, 1866, to July 1, 1867.....	\$9,023,391.32
July 1, 1867, to July 1, 1868.....	8,962,635.74
July 1, 1868, to July 1, 1869.....	8,525,952.84
July 1, 1869, to July 1, 1870.....	7,854,330.53
July 1, 1870, to July 1, 1871.....	7,093,732.07
July 1, 1871, to July 1, 1872.....	7,213,133.75
July 1, 1872, to July 1, 1873.....	7,093,929.00
July 1, 1873, to July 1, 1874.....	7,549,856.94
July 1, 1874, to July 1, 1875.....	7,248,996.83
July 1, 1875, to July 1, 1876.....	7,077,943.00
Total.....	77,643,901.02

SECOND DECADE.

July 1, 1876, to July 1, 1877.....	\$7,021,758.45
July 1, 1877, to July 1, 1878.....	7,215,082.38
July 1, 1878, to July 1, 1879.....	6,868,275.00
July 1, 1879, to July 1, 1880.....	6,351,892.21
July 1, 1880, to July 1, 1881.....	6,903,581.35
July 1, 1881, to July 1, 1882.....	6,771,135.24
July 1, 1882, to July 1, 1883.....	6,902,777.87
July 1, 1883, to July 1, 1884.....	6,765,523.67
July 1, 1884, to July 1, 1885.....	7,249,589.41
July 1, 1885, to July 1, 1886.....	6,982,264.28
Total.....	69,001,879.84
Difference in two decades.....	8,642,021.18
Average annual difference.....	864,202.11

Now, bearing in mind this sum, which is to be deducted when we come to consider the net results of our comparison, let us look at the

DECADE FROM JULY 1, 1866, TO JULY 1, 1876.

This was an era during which there was, so far as expenditures were concerned, but one party in the Union, or rather only one party that had power to make itself felt in the councils of the Government. A Democratic House was elected in the fall of 1874, but it did not convene till December, 1875, and the first fiscal year for which it appropriated money began July 1, 1876, and ended June 30, 1877.

Now, the yearly expenditures upon the Navy during this decade—from July 1, 1866, to July 1, 1876—when Republicans had full control, of all expenditures averaged, as shown by the table I have here, in round numbers, \$23,419,000.

Here it is:

Statement of expenditures for the United States Navy from the fiscal year 1867 to the year 1876, inclusive.

July 1, 1866, to June 30, 1867.....	\$31,064,011.04
July 1, 1867, to June 30, 1868.....	25,775,502.72
July 1, 1868, to June 30, 1869.....	20,000,757.97
July 1, 1869, to June 30, 1870.....	21,780,229.87
July 1, 1870, to June 30, 1871.....	19,431,027.21
July 1, 1871, to June 30, 1872.....	21,249,809.99
July 1, 1872, to June 30, 1873.....	23,526,256.79
July 1, 1873, to June 30, 1874.....	30,932,587.42
July 1, 1874, to June 30, 1875.....	21,497,626.27
July 1, 1875, to June 30, 1876.....	18,963,309.82
Total.....	234,191,119.10

Yearly average, \$23,419,111.91.

Admiral Porter, in his "Naval History of the Civil War," says on page 828:

When the war ended the United States had attained a position, as a naval power, never before reached by the Republic, and could claim to be able to meet either France or England upon the ocean.

In May, 1876, the same distinguished officer was examined before the Whitthorne committee, and he says (see page 7 of Report No. 704, first session, Forty-fourth Congress):

Our Navy, taken as a whole, is worth nothing, and the sooner the country understands that fact the better.

Commodore Nicholson, Commander Meade, and other officers testify to the same effect. Now, how was it possible that, notwithstanding an expenditure in the mean time upon it of \$234,000,000, our Navy could have been brought down in ten years from the proud position which Admiral Porter says it occupied when the war closed to the pitiable plight in which he said it was when he testified before the Whitthorne committee? To emphasize and make still more startling this question, Mr. Speaker, let me call your attention to another decade, the

DECADE FROM JULY 1, 1876, TO JULY 1, 1886.

This second decade of our naval history, after the close of our civil war, began with the advent of a Democratic House of Representatives at the session of 1875-'76. The expenditures of the Navy for the fiscal year beginning July 1, 1876, the first year for which a Democratic House appropriated, were \$4,904,274.46, in round numbers \$5,000,000 less than for the previous year. The House has been Democratic in every Congress, save one, since 1875, and the decade of expenditures which began with the advent of Democratic rule here shows a saving of largely over \$80,000,000. Here are the figures, and they speak for themselves. The saving in ten years has been enough to build a great navy:

Expenditures of the Navy from the year 1877 to the year 1886, inclusive.	
1877.....	\$14,059,035.36
1878.....	17,365,361.27
1879.....	15,125,126.84
1880.....	13,536,984.74
1881.....	15,686,671.66
1882.....	15,032,646.26
1883.....	15,283,437.17
1884.....	17,292,601.44
1885.....	16,021,079.67
1886.....	13,907,887.74
Total.....	153,310,832.15
Yearly average.....	15,331,083.21½
Total first decade, 1867 to 1876, inclusive.....	234,191,119.10
Total second decade, 1877 to 1886, inclusive.....	153,310,832.15
Difference.....	80,880,286.95

THE DIFFERENCE AND THE REASONS FOR IT.

If we deduct from this sum of \$80,880,286.95 the sum of \$8,642,019.18, which is the difference between the amounts paid in the two decades to the personnel of the Navy, we have still left the vast amount of \$72,238,267.77 as the difference between the two periods, or an average of \$7,223,000 saved every year after the Democrats began to have power in the Government; and I think I shall be able to show, Mr. Speaker, before I get through, that if the administration of this Government continues to be for ten years from the date when Grover Cleveland came in, such as it has been so far we shall build a good navy for a far less sum devoted each year to its increase than a Democratic House is fairly entitled to claim it actually saved to the country during the ten years ending with June, 1886.

I do not propose to go back into the facts developed by the investigations by a Democratic House of Representatives twelve years ago. To substantiate my proposition as to actual saving on the one hand and wasteful extravagance on the other I have cited the record made since that investigation, the contrast between the decades preceding and following that investigation, the figures showing the expenditures in the one and in the other, and I now need only to call attention, as samples of waste and extravagance, to a few of the legacies handed down from that first decade even to this day. These speak a language which can not be misunderstood.

One of the legacies to which this Administration succeeded is a lot of timber. We have on hand now, in our different navy-yards, live-oak timber that cost the people of this country \$1,807,502.25. This is the table furnished at my request by the Bureau of Construction and Repair, showing the amounts of timber on hand in different navy-yards:

	LIVE-OAK.
New York, 113,961 cubic feet, at \$2.....	\$237,922.00
Mare Island, 58,956 cubic feet, at \$2.....	117,912.00
Portsmouth, 169,944 cubic feet, at \$2.....	339,888.00
Boston, 425,045½ cubic feet, at \$2.....	724,145.99
League Island, 6,001½ cubic feet, at \$2.....	4,227.05
Washington, 44,030 cubic feet, at \$2.....	78,430.62
Norfolk, 233,287 cubic feet, at \$2.....	314,956.59
Total.....	1,807,502.25

Here is a table that shows when that timber was purchased:

1866-'67.....	\$168.00
1867-'68.....	29.50
1868-'69.....	1,534.75
1869-'70.....	99,942.23
1870-'71.....	264,982.53
1871-'72.....	561,494.99
1872-'73.....	464,624.75
1873-'74.....	

1874-'75.....	\$478,302.04
1875-'76.....	514,943.84
1876-'77.....	322,677.64

Total..... 2,708,700.32

It was practically all bought at a time, from 1870 to 1877, when all the world was passing rapidly away from wooden ships, at a time when no expert, no man of even common intelligence, could for a moment have believed it was a prudent purchase; and to-day it is absolutely worthless. It is impossible to sell it for any purpose. The manner in which money was wasted in the Bureau of Construction and Repair is further illustrated by the Secretary in his report for 1887. I read:

THE TENNESSEE.

Among the vessels dropped from the Navy Register and sold during the past year is the Tennessee.

The account of the sale is stated elsewhere.

The history of this vessel is quite interesting and most illustrative. She had a short life, but, as a consumer of money, a brilliant one. Her hull was built and she was equipped in the New York navy-yard. Her machinery was designed and built under contract by the eminent engineer, Mr. John Ericsson, costing \$700,000. Her total original cost was \$1,856,075.81. Upon her trial trip, in January, 1867, she ran about 1,000 miles. She attained a speed of 16 knots, and made a run of 15 knots per hour for four hours. She encountered a perilous storm, described as a hurricane, which continued over twenty-four hours. The ship suffered considerably. The report of her commander says:

"The engines moved off finely and worked perfectly during all the storm."
 "Her machinery is as perfect as it needs to be. It has undergone the severest test and not once found wanting. She is the fastest ship I have ever seen."

The chief engineer says:

"If the strength and workmanship of the machinery can not be depended upon then no reliance is to be placed upon the performance of any steam machinery with which I am acquainted."

Two years afterwards she underwent what was called "repairs," and the sum of \$576,799.61 was spent upon her; all but \$73,000 of this was put on her hull and equipment. It was the full price of a new wooden hull of her size at that time. This was from 1869 to 1871. She then made a cruise of three months and went into the hands of Mr. John Roach to enable him to take out the machinery and boilers of John Ericsson and substitute others of superior character. It was among other things expected to give the ship a 14-knot speed for twenty-four hours.

When she had her trial of this new machinery in 1875 her maximum speed was 10½ knots, and she had had put upon her an expense of \$801,713.60 in addition to the value of her machinery and boilers taken in trade by Mr. Roach at \$65,000. This machinery had cost \$700,000; had not been in actual service six months; had never been surveyed and condemned by a board of Government officers, nor its value fixed by any Government board, but it was sold to Mr. Roach as old iron.

That is to say, between 1869 and 1875 the Tennessee had had three months' service and had cost in repairs and improvements \$1,443,513.21.

This was largely in excess of a fair price for a new ship of her characteristics. Twelve years afterwards (on April 4, 1887) she is condemned by the Statutory Board as unseaworthy and not worth repairing, and ordered sold, having had put upon her between 1875 and 1887 the additional sum of \$677,716.17. She brought \$34,525 at the auction sale. She had cost the Government \$3,800,000 in round numbers and had done about ten years of active service, outside of repair shops and navy-yards.

Another specimen; look at a table I have here, and which I shall allude to further hereafter. It gives, among other things, the names of our present wooden vessels, the dates when they were built, and the cost per ton of displacement. The Alliance, a wooden vessel, was built from 1873-1876. She cost \$446.20 per ton. The Enterprise, a wooden vessel, was built from 1873-1876. She cost \$402.37 per ton. The Yantic, a wooden vessel, was built in 1864. She is the only war-built vessel remaining. She was built when, if ever, extravagance was excusable, built at a time when currency was at a much greater discount than it was from 1873 to 1876; and yet her cost was only \$258.61 per ton; not much more than half the cost of the Alliance and the Enterprise.

The waste, the profligacy, was everywhere, in all the bureaus; and out of the debris left over in our navy-yards and store-houses from that first decade, the figures for which I have cited, it has been possible to effect economies even during the present Administration. To illustrate:

The first bill appropriating money for the Navy after this Administration came in was passed during the first session of the Forty-ninth Congress.

For the ordinary current expenditures of the Navy for the fiscal year ending June 30, 1887, the appropriations in that bill were less by \$493,136.42 than for the previous year. The amounts appropriated, however, were sufficient, for the deficiencies under the bill were less, as the results show, than \$8,000, and more than that sum was turned back into the Treasury. In addition to the reductions in appropriations for that year the House Committee on Naval Affairs recommended and the Congress turned back into the Treasury moneys theretofore standing to the credit of the Bureau of Provisions and Clothing, and operating, because not needed, as a continuing temptation to extravagance, the sum of \$250,000 from the clothing fund and \$75,000 from the small-stores fund.

How these results were accomplished will be partly shown by reading some extracts from what I said on this floor in explanation of the bill when it was before the House in May, 1886. Speaking of the extravagance of the Bureau of Provisions and Clothing and alluding to frauds in connection with that bureau, which had been committed many years back, but the effects of which reached down to the present, I said:

As far back as 1843 the present system was established by which the Government furnishes to sailors their clothing, charging them cost price for it, and the

fund which was appropriated originally for that purpose is turned over and over again and not paid back to the Government. It is a continuous appropriation. For a long time 10 per cent. was added to the cost in order to cover waste and other expenses. Some ten or twelve years ago it was deemed this was unfair to the sailor, and the 10 per cent. was omitted, and since that time only the cost price has been charged to the sailor. There is on hand now in money belonging to this bureau for clothing \$562,000; of clothing goods in store, \$437,000; on shipboard, \$241,000, making in all \$1,242,000 in money and in clothing. We ask ourselves the question, what is the use for all this?

It turns out that the average amount of expenditures for clothing the Navy for a year is \$276,000. So that here is a supply on hand of money and clothing for four years and a half. The last appropriation that was made was in 1875. All the time since that date this—all that has not been wasted—has been on hand in that bureau. Now, what has been the consequence? The answer is, waste and extravagance. There has been a loss on sales of condemned clothing in the last ten years of \$272,000. And there has been a loss by the reduction in the price of clothing on hand which had to be reduced in order to adjust it to the prices ruling in a falling market, of \$438,000. In other words, this Government has lost in this bureau, from these two causes, in ten years, \$710,000, and this does not account for the losses on clothing now on shipboard. And the losses do not stop here. We found, on investigation, that we had 6,069 pea-jackets on hand which originally cost about \$15 apiece, the present price being \$11.50. We have 6,217 monkey-jackets on hand valued now at \$9.50 apiece. We called for a list of the different articles on hand and the sales of each during the last fiscal year, and found that the number of pea-jackets taken by the sailors in 1885 amounted to ninety-six. If these pea-jackets could last so long and not rot and the sales should continue at the rate of ninety-six per annum, the Chief of the Bureau of Clothing might go to sleep and sleep as long as Rip Van Winkle, yes, as long as old Epimenides, his prototype, that is, fifty-seven years, and wake up and find, after his nap was finished, that he still had a year's supply of pea-jackets on hand.

But the truth is that these pea-jackets have become so worthless that the sailors refuse to take them. When the Secretary orders, as he will, a sale to clear out the worthless goods on hand the Government will pocket another loss of more than \$100,000. We have on hand five and one-half years' supply of monkey-jackets, four and one-half years' supply of blue cloth trousers, three and one-half years' supply of satinets, twelve years' supply of canvas duck, four and one-half years' supply of caps, twenty years' supply of mattress covers, twenty years' supply of boots.

Again I read, further on:

We next come to the Bureau of Equipment and Recruiting. The business of this bureau, as its name implies, is to provide sails, anchors, chains, ropes, and everything that goes to equip a ship. When we look into this bureau we find some things which are very astonishing, but they are things for which the present distinguished chief of the bureau is in no sense responsible. For instance, we find that there is on hand now in the Bureau of Equipment and Recruiting "canvas enough to fit out the whole British navy; canvas enough to give two suits of sails and a foretopsail to the whole British navy." That is the expression of Commodore Schley. Altogether, according to the calculation which I have made upon his figures, we have enough to serve our present Navy for thirteen years. * * *

Then we find extravagance in other things. For instance there are these spectacle-irons, used in rigging sails. We have on hand of these spectacle-irons or clews 75,069 pounds. It is estimated that these are worth \$18,744. Upon the estimate of a thousand to a ton and sixty to two suits of sails we have enough on hand to last us for over fifty years. These were bought a long time ago, in 1871 and 1872.

Mr. Speaker, it is well known that old and condemned property, property that has ceased to be valuable to the Government, brings very little at public sale. Now, Secretary Whitney, in order to get rid of what was utterly valueless to the Government, has had a thorough overhauling of the navy-yards made, an inventory taken, and sales have followed. During the year ending June 30 last these sales realized \$313,204.16. Here is the table.

List of condemned property sold by the Navy Department during the year 1887-'88.

Old vessels.....	\$105,665.88
Condemned marine clothing.....	115.88
Condemned public property.....	308.37
Condemned miscellaneous articles.....	453.11
Bureau of Yards and Docks.....	1,734.39
Bureau of Provisions and Clothing.....	20,558.94
Bureau of Construction and Repair.....	87,796.51
Bureau of Steam Engineering.....	33,492.83
Bureau of Medicine and Surgery.....	32.33
Bureau of Navigation.....	1,584.53
Bureau of Equipment and Recruiting.....	32,365.95
Bureau of Ordnance.....	59,095.44

Total..... 313,204.16

Now, sir, I have said enough on this point. There can be but one verdict from the public. First, that must be that the administration of naval affairs from 1866 to 1876 was absolutely indefensible. Secondly, that a Democratic House has, since 1875-'76, saved to the country enough money to build a great navy.

Now let us inquire what was the condition of our Navy at the beginning of the third decade after the close of our civil war, that decade which began, as we are counting, July 1, 1866?

DECADE BEGINNING JULY 1, 1866—CONDITION OF THE NAVY.

It is all shown here in this table, prepared in the spring of 1886, for the House Committee on Naval Affairs, by Lieutenant Rodgers of the Intelligence office. It shows first the condition of the Navy in 1866. Then it compares the Navy of 1866 with the Navy of 1861:

OUR NAVY IN 1866.	
Vessels serviceable.	
First rate.....	1
Second rate.....	11
Third rate.....	19
Fourth rate.....	5
Torpedo rams.....	2
Unserviceable, requiring extensive repairs.	
First rates.....	4

Iron-clad vessels requiring more or less repairs to make them serviceable.

Monitors (fit for harbor defense only).....	14
Monitors launched and waiting appropriation in order to complete them.....	5
Tugs.....	13
Wooden sailing vessels.....	12
	44
Total.....	86

It will be seen that there are thirty-eight steamers classed as serviceable. Of this number eight were already in commission in 1860, and sixteen were in commission in 1885. Not one is of modern type, nor has any one of them modern machinery or armament.

The four first rates requiring extensive repairs are old steam frigates of obsolete type and quite unfit for active service. The fourteen ironclads are of the old type of monitor, ill protected, of exceedingly low speed, armed with guns long since out of date, and fit for harbor service only.

The five armored vessels launched and awaiting appropriation are the double-turreted monitors, for the completion of which appropriation is now desired.

Tugs and sailing vessels can not be counted as forming part of a nation's fleet, so that in examining our naval strength to-day we find that it consists of thirty-eight steamers of obsolete type, two-thirds of which were designed or completed before the close of the civil war.

This statement does not include the steel cruisers now approaching completion.

Strength of the Navy in 1860 and 1886.

1860.

Description.	No.	Tonnage	Displacement.
SAILING VESSELS.			
Ships of the line.....	6	16,377	26,039
Frigates.....	10	17,163	27,426
Sloops of war.....	20	19,251	25,026
Brigs.....	3	763	992
Store-ships, receiving ships, etc.....	9	7,682	10,854
Total.....	48	61,236	90,337
STEAMERS.			
Frigates.....	6	20,980	28,990
First-class sloops.....	10	19,956	29,732
Second-class sloops.....	9	8,291	13,151
Third-class sloops.....	9	4,213	*5,476
Tenders.....	2	599	*792
Total.....	36	54,039	78,141
Grand total.....	84	115,275	168,478

1886.

Steamers serviceable:			
First rate.....	11	2,840	4,844
Second rate.....	11	17,583	31,550
Third rate.....	9	13,560	28,880
Fourth rate.....	5	2,516	3,465
Torpedo-rams.....	2	749	1,950
Total.....	38	37,250	70,685
Armored vessels needing considerable repairs:			
Monitors?.....	14	7,268	27,600
Monitors awaiting appropriations.....	5	6,974	21,260
Total.....	19	14,242	48,860
Miscellaneous unfit for service at sea:			
First rate.....	4	12,663	19,047
Tugs.....	13	2,775	*4,639
Sailing vessels.....	12	15,070	23,586
Total.....	29	30,508	47,272
Grand total.....	86	82,000	166,817

* Estimated.

† The steamer displacement, 78,141 tons, was all effective and of most approved types.

‡ Of the serviceable steamer displacement, 70,685 tons, 16,275 tons belong to vessels which were in service in 1860.

§ Fit for harbor defense only.

This table shows that we had, all told, 84 vessels in 1860 and 86 vessels in 1886; but if we count out tenders, store-ships, and receiving-ships we had in 1860 73 vessels, and counting out the unserviceable ships we had in 1886 only 38 vessels. The tonnage of the 73 vessels we had in 1860 was 106,994; the tonnage of the 38 serviceable vessels we had in 1886 was 37,250. If we count all the vessels we had in 1886, including those in rotten row, their tonnage was only 82,000, while the tonnage of all our vessels in 1860 was 115,573.

When we take into consideration the further fact that in 1860 our guns and ships were largely of the most approved types, and that in 1886 we had not afloat a gun or vessel equal to the requirements of a modern navy, we can form some idea of what was the real situation when our new navy was begun. Since this table was made out some of these ships have gone out of service, and we have now only twenty-five of the old vessels left, and these are passing rapidly away. It is now nearly a year since the Chief Constructor said, in his report, that in six years we should have but four of our present wooden vessels left,

and that in nine years they would all be gone. The Hartford is already so much decayed that she can not be repaired for 20 per cent. of her original cost, but the House of Representatives has passed a special act for her preservation. If the Senate, which has now had the bill for months, will only agree to it, she is to be kept, like the old Constitution, as a memorial, a patriotic relic of the historic past.

To give a still clearer idea of our old Navy, I have another table here, prepared in the Bureau of Construction and Repair. It is the table that shows, as I said, the cost of each of our wooden vessels. It gives also the date when each vessel was built, its cost, and the cost of repairs. In connection with this table, and as bearing on the same subject, I have here an indorsement made by Secretary Whitney in due course of business on a recommendation that he should order certain repairs on the Palos. I will not stop to read these papers now, but will publish them in the RECORD, and if gentlemen will read them there and study them I think they will justify what your committee have insisted on both in the last Congress and in this, that is, the cutting down with firm hand of the appropriations for repairing our old ships.

We have sought to exercise a wise liberality in the repair and preservation of our navy-yards, in putting three of them, the Norfolk, Brooklyn, and San Francisco yards, in condition to build and repair modern ships with modern tools; we have appropriated money enough to fully equip the Washington navy-yard to build the very best class of modern guns, but we do not believe it prudent or wise to expend large sums of money in repairing our old ships. Let gentlemen study this table and this indorsement for themselves.

Table showing wooden ships of old Navy, when built, probable length of service, etc.

[From Bureau of Construction and Repair.]

Name of vessel.	When built.	Displacement.	Original cost, including machinery and equipment.	Cost per ton of displacement.	Amount of repairs up to July, 1887.	Cost of repairs per ton of displacement.	Probably future length of service.
							Years.
Trenton.....	1873-77	3,900	\$1,451,592.37	\$372.20	\$615,477.29	\$157.81	6
Lancaster.....	1858	3,250	670,081.00	206.14	770,857.94	231.03	3
Brooklyn.....	1858	3,000	417,921.00	139.30	1,732,517.78	577.55	6
Pensacola.....	1858-62	3,000	773,573.02	257.85	2,048,222.28	682.74	6
Hartford.....	1858	2,900	502,650.00	138.84	1,597,600.21	550.68	*9
Richmond.....	1858	2,700	556,259.00	209.72	1,554,480.81	575.73	5
Omaha.....	1867-69	2,400	892,178.84	371.07	678,595.56	282.76	6
Vandalia.....	1872-76	2,100	899,337.44	428.25	421,292.01	200.61	9
Junata.....	1862	1,900	364,820.00	192.01	1,184,697.45	623.52	3
Ossipee.....	1861	1,900	407,064.20	214.24	1,510,991.10	794.73	5
Quinnebaug.....	1871-77	1,900	720,113.69	379.00	113,228.29	59.59	(†)
Swatara.....	1872	1,900	605,648.65	318.76	514,687.13	270.88	6
Galena.....	1871-78	1,900	841,730.12	443.01	158,316.60	83.32	4
Marion.....	1871-75	1,900	742,319.41	390.69	303,886.27	159.94	4
Mohican.....	1872-83	1,900	409,895.12	215.73	71,601.50	37.68	9
Iroquois.....	1858	1,575	307,155.00	195.01	1,114,967.31	707.91	6
Kearsarge.....	1861	1,550	286,918.00	184.84	1,082,672.68	697.85	6
Adams.....	1874-76	1,375	500,879.98	364.27	329,031.37	240.02	5
Alliance.....	1873-76	1,375	613,533.45	446.20	279,446.05	203.24	5
Essex.....	1874-76	1,375	539,384.31	392.26	301,453.98	219.24	5
Enterprise.....	1873-76	1,375	553,266.86	402.37	307,218.81	223.44	5
Nipsic.....	1873-79	1,375	516,038.61	374.57	179,394.56	130.47	4
Tallapoosa.....	1874	1,270	306,669.15	241.49	303,449.77	238.97	5
Yantic.....	1864	900	232,757.15	258.61	623,426.40	692.69	2
Despatch.....	1874	560	106,222.84	235.06	239,850.64	428.30	1
Thetis.....	(†)						9

* If repaired.

† Six months.

‡ Purchased from England.

NOTE.—Vessels put permanently out of commission since March 4, 1885, Powhatan, Tennessee, Shenandoah, Wachusett, Lackawanna.

[Indorsement—Palos.]

NAVY DEPARTMENT, SECRETARY'S OFFICE, August 1, 1887.

This indorsement suggests the expenditure of the sum of about \$56,000 upon the Palos.

The Palos is an iron tug of about 300 tons; twenty-two years old and is in no respect a war vessel as now understood. She cost originally, in 1865, \$125,000 when iron was twice its present price, and could probably be built new now for \$50,000. She has cost in repairs since she was originally built \$183,248.69. She is kept on the China station as a substitute for a vessel of war on account of her light draught, which enables her to visit the rivers and shallow bays.

I do not approve of these proposed repairs. We are not responsible for the maintenance or non-maintenance of the Navy; but we are for the proper expenditure of our appropriation. The excuse that we must keep her afloat, or otherwise we shall have no vessel to take her place, is a matter for Congress. We can not justify spending \$50,000 upon the old iron tug as a vessel of war, except upon the ground that Congress has not made other provision for this service, which is a matter for Congress and not for us to consider.

Nothing has done so much to defeat the appropriations as the willingness of the Department to spend money upon worthless things.

These reports show that an expenditure of about \$4,000 will put the Palos in shape for another year and a half, within which time something could be built fitted for the service, and which would not disgrace the country in case of war. One good shot from even a modern machine-gun would destroy the machinery of the Palos and end her career. I do not believe in spending money on this kind. I do not fail to appreciate and credit the responsibility which the bureau feels; but I think that by this time, after I have antagonized so often this kind of reasoning, I ought to be relieved from this sort of recommendation.

W. C. WHITNEY,
Secretary of the Navy.

I have come now to the period of Democratic control of the Navy. To be entirely fair, I desire to say here that since President Cleveland came in the Republicans in both Houses of Congress have voted with the Democrats for all the appropriations for the new Navy. Now the first question this Democratic Administration had to deal with in relation to the Navy which it had determined to build up was as to what should be done with the monitors the gentleman from Illinois [Mr. CANNON] has spoken of. He says he has frequently heard Democrats on this floor say they were worthless and ought to be thrown away.

That, sir, was a very serious question. What should be done with them? They had been begun in 1874 and 1875 without any authority of law. After the fashion of those days, the Navy Department was a law unto itself. These vessels, when completed, would be very slow, but Secretary Whitney considered the question without reference to whether these vessels ought even to have been commenced, without any political bias, which very naturally often influenced Democrats on this floor when they were outraged at the lawlessness and extravagance of Republican administration in those days, and he decided that, while he would not have laid down or become responsible for such vessels as these, yet, as so much money had been expended upon them and as they would be effective as coast-defense vessels, slow as they were, it would be better to armor them and complete them. So he requested the House Naval Committee to have their completion lawfully authorized.

We use these vessels like we sometimes use the canvass, the canvass we have fallen heir to, even though it is not the best—use it because it is more economical and better than to throw it away.

This is a splendid illustration of the spirit that animates this Administration in all its branches—the good of the country first and all the time. We seek no advantage to party at the sacrifice of country.

When this Administration came in it also found three new steel cruisers, the Chicago, Boston, and Atlanta, and a dispatch boat, the Dolphin, contracted for under Secretary Chandler and authorized by the act of March 3, 1883, well on the way towards completion. These have all been practically completed.

The Administration also found authority, under the act of March 3, 1885, to build two cruisers and two gunboats. Under this act contracts were made with Cramp & Sons, at Philadelphia, to build the cruiser Newark and the gunboat Yorktown; with the Union Iron Works, at San Francisco, to build the cruiser Charleston, and with the Columbia Iron Works, at Baltimore, to build the gunboat Petrel. The Secretary of the Navy, impressed with the conviction that an unarmored

cruiser to be useful must be swift, required of the builder of the Newark, though she was of only 4,083 tons displacement, a guaranty that the engines should develop 8,500 horse-power, and for the Charleston, 3,730 tons, he required 7,000 horse-power. This, it is expected, will secure very fast vessels, vessels of, say, from 18 to 19 knots an hour.

From the gunboat Yorktown is expected at least 16, probably 17, knots speed, and from the little Petrel, of 890 tons, about 13 knots. Small vessels can not attain great speed without the sacrifice of sea-going qualities. To fill them full of the machinery necessary to drive them rapidly would absorb the space and capacity necessary for coal and crew and armament.

ACTS PASSED DURING PRESENT ADMINISTRATION.

The first act approved by President Cleveland for the increase of the Navy was the law of August 3, 1886. Under this act contracts have been made, first, for the swift cruiser Baltimore, 4,413 tons, with a guaranty of 9,000 horse-power, which, it is expected, will secure at least 19 knots an hour, and, secondly, for the Vesuvius, carrying pneumatic guns to throw dynamite shells, and warranted to make 20 knots an hour. Under this act the Secretary has also begun to build the Maine, an armored battle-ship of 6,648 tons, in the New York navy-yard, and the Texas, an armored cruiser of 6,300 tons, at Norfolk.

This was the act authorizing the completion of the double-turreted monitors Puritan, 6,000 tons displacement, and the Amphitrite, Monadnock, and Terror, of 3,815 tons displacement each. These are to be heavily armored, and contracts have been made with the Bethlehem Iron Company, near Philadelphia, to furnish armor for these and other vessels which it is believed will equal the best in the world.

The next act for the increase of the Navy was the law of March 3, 1887. Under this law contracts have been made with the Union Iron Works for the construction of the San Francisco, and with Cramp & Sons for the construction of the Philadelphia, both to be swift cruisers guarantied to make not less than 19 knots an hour. Under the same act contracts were made with N. F. Palmer & Co. for the construction of the gunboats Concord and Bennington, sisters to the Yorktown.

The total limited cost of all the vessels so far begun or contracted for by this Administration, including the armoring of the monitors, is \$19,993,046.

I present herewith a table from which it will be seen that the price of each vessel under contract is largely within the limit affixed by law. In this table is shown the exact condition of every appropriation which has heretofore been placed at the disposal of this Administration for the construction of vessels.

ACT MARCH 3, 1885.

Name of ship.	Limited cost.	Contract price.	Paid on account.				Remarks.	Amount appropriated.	Balance on hand June 1, 1888.
			Hull.	Machinery.	Reser- vation.	Net paid.			
Newark (cruiser 1).....	\$1,800,000	\$1,248,000.00					No payment made.		
Charleston (cruiser 2).....	1,100,000	1,017,500.00	\$344,550.00	\$265,950.00	\$61,050	\$549,450.00	Six payments.....		
Yorktown (gunboat 1).....	520,000	455,000.00	214,000.00	150,000.00	35,400	327,600.00	Eight payments.....	\$1,895,000	\$788,535.97
Petrel.....	275,000	247,000.00	46,700.00	27,400.00	7,410	64,740.00	Three payments.....		
Less penalty, 78 days, \$25.....					1,950	*90,536.34			
Total.....	3,195,000	2,967,500.00				1,032,326.34			

ACT AUGUST 3, 1886.

Baltimore (cruiser 3).....	\$1,500,000	\$1,325,000	\$601,854.99	\$325,645.01	\$92,750	\$834,750.00	Seven payments.....		
Dynamite gun cruiser.....	350,000	350,000	133,000.00	112,000.00	73,500	171,500.00	do.....		
Maine.....	2,500,000	Building at New York yard.				59,720.41			
Texas.....	2,500,000	Building at Norfolk yard.				16,850.00			
Torpedo-boat.....	100,000								
Tools to build Maine and Texas.	150,000								
Puritan, Amphitrite, Monadnock, Terror.	3,178,046					†18,469.79			
						143,157.46			
Total.....	10,278,046					1,144,447.66		\$2,500,000	\$1,322,382.76

ACT MARCH 3, 1887.

Philadelphia (cruiser 4).....	\$3,000,000	\$1,350,000	\$132,170.45	\$2,829.55	\$13,500	\$121,500	One payment.....		
San Francisco (cruiser 5).....		1,428,000					No payment.....		
Concord (gunboat 3).....	550,000	490,000	16,950.20	32,049.80	4,900	44,100	One payment.....		
Bennington (gunboat 4).....	550,000	490,000	11,607.52	37,392.48	4,900	44,000	do.....	\$1,500,000	\$1,342,933.42
						†17,412.53			
Total.....	4,100,000	3,758,000				227,112.53			

The sum of \$2,420,000 was appropriated under the above act to complete the five double-turreted monitors, the four vessels authorized by the act of March 3, 1885, and the vessels authorized by the act of August 3, 1886. Expended out of the above appropriation on account of completing the Miantonomoh at the New York yard, \$115,572.07, for building the new turrets, pilot-houses, armored ventilation and smoke-stack, alteration of hull and decks to receive the above work, and miscellaneous work required to complete the hull, boats, blocks, furniture, etc. Balance on hand, \$2,299,393.69.

* Expended in making and altering designs, copying and preparing specifications, making model, preparing schedule of material, miscellaneous work at the several navy-yards, weighing and inspecting material, making detail plans of all parts of the vessel during construction as taken from the work; making masts, spars, boats, blocks, furniture, cooperage, etc., for Yorktown, and all other work not required by the contract coming under the cognizance of this bureau.

† Expended for docking, cleaning, and painting; ship-keepers; care and preservation; making plans and specifications.

‡ Expended in making designs; copying plans and specifications; laying down Maine and Texas; making patterns and models; preparing schedules of materials; miscellaneous work at the several ship-yards; weighing and inspecting materials, making detail plans of all parts of the vessels during construction as taken from the work; miscellaneous work not required by the contract.

§ Expended for making new designs, copying plans and specifications, preparing schedule of materials, miscellaneous work at the several navy-yards, weighing and inspecting materials, making detail plans of all parts of the vessels during construction as taken from the work, making models, etc.; miscellaneous work not required by contract.

RECAPITULATION.

Act.	For what purpose.	Total limited cost.	Amount appropriated.
Mar. 3, 1885	To build Newark, Charleston, Yorktown, Petrel	\$3,195,000	\$1,895,000
Aug. 3, 1886	To build Baltimore, dynamite-gun cruiser, Maine, Texas; to complete Puritan, Amphitrite, Monadnock, Terror; to purchase tools	10,278,046	2,500,000
Mar. 3, 1887	To build Philadelphia, San Francisco, Concord, Bennington	4,100,000	1,500,000
Mar. 3, 1887	To complete the five double-turreted monitors, the four vessels authorized by act of March 3, 1885, and the vessels authorized by act March 3, 1886	2,420,000	2,420,000
	Total	19,993,046	8,315,000

Total cost of the above vessels, limited under the different acts..... \$19,993,046
 Total appropriated 8,315,000

Total required to complete 11,678,046

I have here another table that shows at a glance the character, the displacement tonnage, the actual, expected, or guaranteed speed or horse-power, and the armament of every vessel built, building, or projected for our new navy. It also shows the new ships carried in this bill.

Here it is:

Tables of vessels of the United States Navy.

ARMORED VESSELS—DOUBLE-TURRETED.

Name of vessel.	Type.	Keel laid.	Where built.	Condition.	Length between perpendiculars.	Breadth.	Mean draught.	Displacement.	Maximum indicated horse-power.
Puritan.....	Double-turreted monitor.....	1875	Roach's yard, Chester, Pa.....	Awaiting completion.....	250	60	18	6,090	3,500
Miantonomoh.....	do.....	1874	do.....	do.....	250	55½	14 1½	3,815	1,426
Amphitrite.....	do.....	1874	Harlan & Hollingsworth, Wilmington, Del.....	do.....	250	55½	14 1½	3,815	1,600
Monadnock.....	do.....	1874	United States navy-yard, San Francisco, Cal.....	do.....	250	55½	14 1½	3,815	1,600
Terror.....	do.....	1874	Cramp's, Philadelphia, Pa.....	do.....	250	55½	14 1½	3,815	1,600
Armored battle-ship.....	Belted.....		United States navy-yard, Norfolk, Va.....	Preparing ways.....	290	64½	22 6	6,300	8,600
Armored cruiser.....	do.....		United States navy-yard, New York.....	do.....	310	57	21 6	6,648	8,750
Coast-defense vessel.....	do.....		Plans being perfected.....						

Name of vessel.	Type of engines.	Speed in knots.	Batteries.		Armor.		Cost of hull and machinery.	Date of act authorizing building.
			Main.	Secondary.	Sides.	Turrets and barbets.		
Puritan.....	Twin-screw horizontal compound.	13	4 10" B. L. R.....	26-pdrs. R. F., 2 3-pdrs. R. F., 2 37mm R. C., 2 Gatlings.	12"	11½"	To complete, \$3,173,946.	Mar. 3, 1885, Aug. 3, 1886, Mar. 3, 1887.
Miantonomoh.....	Twin-screw inclined compound.	10.5	do.....	26-pdrs. R. F., 2 37mm R. C., 2 Gatlings.	7"	11½"		Do.
Amphitrite.....	do.....	12	do.....	do.....	7"	11½"		Do.
Monadnock.....	do.....	12	do.....	do.....	7"	11½"		Do.
Terror.....	do.....	12	do.....	do.....	7"	11½"		Do.
Armored battle-ship.....	Twin-screw vertical triple expansion.	17	2 12" B. L. R., 6 6" B. L. R.	46-pdrs., 43-pdrs., 21-pdrs., 4 47mm R. C., 4 37mm R. C., 4 Gatlings.	12"	12"	\$2,376,000	Aug. 3, 1886.
Armored cruiser.....	do.....	17	4 10" B. L. R., 6 6" B. L. R.	4 6-pdrs., 4 3-pdrs., 4 47mm R. C., 9 37mm R. C., 4 Gatlings.	11"	10½"	2,484,503	Do.

The present bill carries another armored cruiser of 7,500 tons displacement. She is expected to make 19 knots. The first five vessels above named are the monitors spoken of as begun without any authority from Congress and partially built by former administrations from time to time out of general appropriations.

UNARMORED STEEL AND IRON VESSELS.

Name.	Type.	Keel laid.	Where built.	Condition.	Dimensions.			Displacement.	Max. indicated horse-power.	Type of engines.	Speed in knots.	Batteries.	
					Length between perpendiculars.	Beam.	Mean draught.					Main.	Secondary.
Chicago.....	Protected cruiser.	1883	Roach's.....	Commissioned.	Feet. 315	Feet. 48½	Feet. 19	4,500	*5,000	Twin screw compound, overhead beam.	14.0	4 8" B. L. R. 8 6" B. L. R. 2 5" B. L. R.	2 6-pdrs. 4 47mm R. C. 2 37mm R. C. 2 1-pdrs. 2 Gatlings.
Boston.....	do.....	1882	do.....	do.....	270	42	17	3,189	3,780	Single screw horizontal compound.	14.0	2 8" B. L. R. 6 6" R. L. R.	2 6-pdrs. 2 3-pdrs. 2 47mm R. C. 2 37mm R. C. 2 1-pdrs.

*Estimated.

UNARMORED STEEL AND IRON VESSELS—continued.

Name.	Type.	Keel laid.	Where built.	Condition.	Dimensions.			Displacement.	Max. indicated horse-power.	Type of engines.	Speed in knots.	Batteries.	
					Length between perpendiculars.	Beam.	Mean draught.					Main.	Secondary.
Atlanta.....	Protected cruiser.	1882	Roach's	Commissioned.	Feet. 270	Feet. 42	Feet. 17	Tons. 3,189	3,511	Single screw horizontal compound.	16.33	Same as Boston.	Same as Boston.
Dolphin.....	Dispatch vessel.	1882	do	do	240	32	14½	1,485	2,240	Single screw vertical compound.	15.5	16" B. L. R...	4 47" R. C. 2 6-pdrs. 2 Gatlings.
Newark.....	Protected cruiser.	.....	Cramp's.....	Building	310	49½	18½	4,083	*8,500	Twin screw horizontal, triple expansion.	18.0	12 6" B. L. R...	4 37" R. C. 1 1-pdr. 2 3-pdrs. 2 Gatlings.
Charleston	do.....	1887	Union Iron Works.	do	300	46	18½	3,730	*7,500	Twin screw horizontal compound.	18.0	2 8" B. L. R... 6 6" B. L. R...	4 6-pdrs. 4 R. C. 2 3-pdrs. 1 1-pdr. 2 Gatlings.
Baltimore.....	do.....	1887	Cramp's.....	do	315	48½	19½	4,413	*10,500	Twin screw horizontal, triple expansion.	19.0	4 8" B. L. R... 6 6" B. L. R...	2 Gatlings. 4 6-pdrs. 2 3-pdrs. 1 1-pdr. 4 37" R. C.
Philadelphia	do.....	.....	do	do	315	48½	19½	4,324	*10,500	do	19.0	12 6" B. L. R...	Same as Baltimore.
San Francisco	do.....	.....	Union Iron Works.	do	310	49½	18½	4,083	*10,500	do	19.0	do	Do.
Yorktown	Cruiser.	1887	Cramp's.....	do	230	36	14	1,700	*3,400	do	16.0	6 6" B. L. R...	2 Gatlings. 2 6-pdrs. 2 3-pdrs. 1 1-pdr. 2 37" R. C.
Petrel.....	do.....	1887	Columbian Iron Works, Baltimore.	do	175	31	11½	890	*1,300	Single screw horizontal compound.	13.0	4 6" B. L. R...	2 Gatlings. 2 3-pdrs. 1 1-pdr. 2 37" R. C.
Bennington.....	do.....	.....	N. F. Palmer, jr., & Co., Chester, Pa.	do	230	36	14	1,700	*3,400	Twin screw horizontal, triple expansion.	16.0	Same as No. 1	Same as No. 1.
Concord.....	do.....	.....	do	do	230	36	14	1,700	*3,400	do	16.0	do	Do.
Vesuvius.....	do.....	1887	Cramp's.....	do	246½	26½	9	725	*3,200	Twin screw vertical, triple expansion.	20.0	3 dynamite guns 10½" caliber.	2 3-pdrs. 1 1-pdr. 2 R. C. 2 Gatlings.
First-class torpedo boat.	.....	.....	Herreshoff.....	do	135	15	3½	100	.....	do	22.0	8 automobile torpedoes.	2 3-pdrs.

* Estimated.

† Guaranteed.

‡ Launched.

In addition to above the present bill carries one cruiser of 5,600 tons, guaranteed to make 20 knots; two of 3,000 tons each, guaranteed to make 19, and three of 2,000 tons each, expected to make 18 knots.

This table shows that of the three unarmored cruisers begun before this Administration came in, the Chicago and Boston are 14-knot vessels; that the Atlanta has attained 16.33 knots, and that the Dolphin, also begun under a former administration, has made 15.5 knots an hour; that of the other unarmored vessels, all begun by Secretary Whitney, three gunboats, the Yorktown, Bennington, and Concord, are expected to make at least 16 knots an hour, and the little Petrel 13. Of the unarmored cruisers, begun by the present Secretary, the Newark and San Francisco are expected to make 18½ knots, the Charleston 18½, and the Baltimore and Philadelphia over 19 knots.

So when this bill is passed we shall have provided for, including the five monitors and the four Roach cruisers, twenty-nine vessels for our new navy, besides two torpedo-boats.

Premiums are offered for increase of speed or horse-power over the guaranteed rates, and it is confidently expected that greater speed than that specified in the table will be in most instances obtained. It is the policy of this Administration, just as it was of the Government that laid down the Constitution and her sister ships nearly one hundred years ago, to have our own ships of war the very fleetest and best of their class.

We are never, I hope, to have need for a navy as large as that of England or France. But swift cruisers we want for commerce-destroyers, to turn loose everywhere upon the ocean and drive our enemy's shipping from the seas. Having such, no nation like England, with 20,400,000 tons of shipping on the waters, depending too upon these ships for her food and her very means of subsistence, would dare to make war upon us. When the vessels contained in this bill and those now under way shall have been completed we will have twelve fast cruisers, making from 18 to 20 knots an hour, and all laid down by this Administration, and I sincerely hope that this Government will never be persuaded to build, to send out on the high seas as a cruiser, another slow vessel.

Consider for a moment. A vessel making only 16 knots an hour could not catch a fast merchant ship; it could not get away from a larger-sized cruiser and could not escape from an armored cruiser, for most of the armored vessels recently built make over 17 knots an hour. What gentleman here would take the responsibility of sending a 15 or 16 knot unarmored cruiser out upon the seas as a commerce-destroyer? Why should we build ships for our enemies?

Sir Edward Reed is one of the most celebrated naval architects and critics in the world. He recently delivered a lecture in England on "fast cruisers," and he fully sustains the position your committee are endeavoring to maintain. He quotes from a correspondent who writes:

Admiral Fremantle declared himself a "great advocate of speed," and asks what a naval commander is to do in time of war "with horrible things that can not go fast enough to catch anything or run away from anything."

And then he adds:

I know not whether Admiral Fremantle used these words, but whether he did or not, it is certain that they do not greatly, if at all, exaggerate our condition; and to my mind the only remedy for our deficiency in respect of fast cruisers is to induce the admiralty to put a complete stop to the building of slow ones and to expend the money voted by Parliament for cruisers only upon fast and efficient vessels.

For myself I should prefer never to build another vessel that was to go out on the high seas that could not make at least 19 knots an hour.

ESTABLISHMENT OF PLANT.

One of the achievements of Secretary Whitney is the establishment in America of a plant to manufacture forgings for heavy steel guns. When this Administration came in there had long been contentions in Congress as to what was the best gun. The Government had spent large sums of money in testing guns. But a Senate committee, appointed during the Forty-eighth Congress, after a thorough examination reported to the Forty-ninth Congress in favor of the built-up all-steel gun.

All the Army experts and Navy experts in ordnance favored this gun. All European countries had adopted it, and, seeing these facts, the Naval Committee of the House at the request of the Secretary reported in favor of, and Congress agreed, March 3, 1887, to an appropriation of \$4,000,000 in one sum to furnish gun and armor steel for all the vessels then and theretofore authorized. This appropriation, added to others previously made, placed Secretary Whitney in condition to make a contract.

There is in the Navy Department an admirable intelligence office, inaugurated by Secretary Chandler and carefully fostered by this Administration, to furnish prompt and accurate information of the progress of naval affairs throughout the world.

After studying the whole subject thoroughly, Secretary Whitney advertised for gun-steel and armor-plates and bolts in quantities large

enough to justify contractors in putting up plants. He prescribed tests which, it is believed, will secure the best possible material, and succeeded in making a contract with the Bethlehem Iron Company of Pennsylvania to furnish the steel at satisfactory prices.

The Secretary has also induced the Hotchkiss Manufacturing Company to establish in Connecticut the necessary plant for the manufacture of modern rapid-firing guns, under a contract to sell at reasonable prices to the Government.

So that at last, in the manufacture of vessels of war, armored and unarmored, and of guns, great and small, America is independent of the world.

Another factor, which it is believed will be of great importance, has been added to our Navy under this Administration, the Zalinski pneumatic gun, throwing dynamite projectiles. The Vesuvius is to carry guns which will throw shells containing from 200 to 600 pounds of dynamite, and they will propel the smaller sized shells more than a mile. This vessel is guaranteed to make over 20 knots an hour. A knot is about $1\frac{1}{4}$ statute miles.

I have here, sir, a table showing the condition of the appropriations made under this Administration for armament and armor. Here it is:

Appropriation "Increase of the Navy, armament," (for gun plant at the Washington navy-yard). Section 8, act approved August 3, 1886.....	\$1,000,000.00
Appropriation "Increase of the Navy, armor and gun steel." Section 4, act approved March 3, 1887.....	4,000,000.00
Appropriation "Increase of the Navy, armament" (guns). Section 4, act approved March 3, 1887.....	2,128,362.00
Aggregate.....	7,128,362.00
Obligated:	
Appropriation "Increase of the Navy, armament" (gun plant Washington navy yard).....	\$530,842.61
Appropriation "Increase of the Navy, armor and gun steel".....	4,463,392.29
Appropriation "Increase of the Navy, armament" (guns).....	1,046,325.00
	6,040,559.90
Amount available.....	1,087,802.10
Appropriation "Vessels and monitors" (for the manufacture, purchase of and experiments with torpedoes). Section 10, act approved August 3, 1886.....	75,000.00
Appropriation "Torpedoes." Section 3, act approved March 3, 1887.....	50,000.00
Aggregate.....	125,000.00
Obligated:	
Appropriation "Vessels and monitors." Act August 3, 1886.....	1,017.14
Amount available.....	123,982.86

Here is a statement showing the progress we are making in the manufacture of guns, "breach-loading rifles" of the very best modern type. The manufacture of these guns was begun under the previous administration. Those made by the Washington navy-yard have heretofore been cheaper than those made by contract. The guns made are believed to be equal to any in the world and the plant is being procured to enable us to build the largest sized guns.

Number of guns made at the Washington navy-yard: Six-inch breach-loading rifles, 10; 8-inch breach-loading rifles, 4.

Number of carriages made at the Washington navy-yard: Six-inch breach-loading rifles, 21; 8-inch breach-loading rifles, 8.

Number of guns made by contract (steel furnished by Department): Six-inch breach-loading rifles, 11; 8-inch breach-loading rifles, 4.

Number of 10-inch guns made at Washington navy-yard, etc.: One 10-inch breach-loading rifle finished; one 10-inch breach-loading rifle, nine-tenths finished; one 10-inch breach-loading rifle, seven-tenths finished; one 10-inch breach-loading rifle, steel under contract, time allowed for delivery not yet expired.

One 10-inch breach-loading rifle gun-carriage finished; three 10-inch breach-loading gun-carriages, three-tenths finished.

WHAT OUR TRUE NAVAL POLICY IS.

It was never the policy of the statesmen of the past that America should have the largest navy in the world, and it is not our policy now. But it was, in the days that are gone, and is now, the true policy for our country to have a navy respectable in size, with ships equal to any that float, demonstrating at the same time to the world our ability to increase that navy to any extent that may be required. In procuring the establishment of a plant for making gun steel and armor, and of another for the manufacture of rapid firing guns, we have taken a long step towards the consummation of that policy.

HOW MUCH MONEY PER ANNUM NECESSARY HEREAFTER.

And now, sir, in going forward with the plan of building up our new Navy, now that the work has been successfully inaugurated, it ought not to be at any time in the future necessary to appropriate as much money as was carried in the act passed at the last session of the Forty-ninth Congress. That act carried in round numbers \$25,780,000. But it contained \$1,732,000 for public works—that is, for the erection of docks and buildings—which up to the Forty-ninth Congress had always been embraced in the sundry civil act; and it contained for the increase of the Navy \$11,048,000.

This enabled us not only to contract for vessels, but to procure the establishment, as I have said, of the great plant for the manufacture of gun-steel and armor. We have now four great docks provided for, one each at New York, Philadelphia, Norfolk, and San Francisco. We need one more, and that should be at some point on the Gulf. We have provided in this bill for a commission to make a thorough exam-

ination and report to the next Congress the best place for such navy-yard. It may be at the old site at Pensacola or near by on Pensacola Bay, or it may be elsewhere. When we shall have fitted up a yard on the Gulf we will have provided for the East, the West, and the South. We have appropriated for a complete outfit of modern tools for building and repairing ships at three yards.

The liberal provisions we have made will put our yards in good condition, and there is no reason why any appropriation hereafter should ever exceed the amount contained in this bill, \$19,943,225.45, which is in round numbers, \$5,824,000—nearly six millions—less than the bill of last year. We have brought down the ordinary expenses of our naval establishment to a point lower than ever before since our civil war began. Leaving out public works, new plant for navy-yards, which should last for many years, the new practice-ship, and sums to increase the Navy, and the bill, as agreed upon in conference, carries only \$12,678,225.45.

Our appropriations are especially low for repairs. Perhaps they can never touch a lower point, for as old vessels go out new vessels will come in, and of course all ships in use will, from time to time, need more or less repairs. But if steel ships are to last as long as some have estimated—that is, an average of thirty-three years—then there is no reason why annual appropriations as large as that carried in this bill will not be amply sufficient not only to build up but to maintain our Navy, and after we have built ships enough we may largely decrease expenditures, and this will be at an early day.

Certainly such a sum annually as that contained in this bill need never be exceeded if, by maintaining a navy of moderate but respectable size and by being prudent in other respects, we shall be able, as I trust we will, to maintain peace with all the world.

Since this Administration came in, although we have largely, very largely, increased the work done at navy-yards, we have nevertheless actually decreased the number of persons employed in what is called the "civil establishments" in navy-yards; that is to say, clerks, writers, messengers, etc.

If current ordinary expenses be held down as now, twenty millions annually appropriated to the naval establishment will give, until we have ships enough, say six millions each year towards increase of the Navy—that is for a time. Then as new ships come in more money will be needed for repairs, as all vessels in use will require some repairs, but no greater sum will be required, because we will be gradually coming to the point where we will need fewer new ships. When we shall have built new ships enough we ought to be able to maintain the Navy in a state of efficiency for a much less sum than twenty millions per annum. In fact, I believe we can build up our Navy rapidly enough on nineteen millions per annum. This will support the whole establishment and build as many new ships as we need.

Even that amount seems a large sum; but look back at the past. Twenty years ago, 1868, our naval expenditures were \$25,775,502.72. That was when the Navy was going down. Our population was then, say, 38,000,000; a tax of about 69 cents per capita on the people of the United States. Thirty years ago, 1838, in the days of Democratic rule, expenditures were \$14,053,264.64; about 46 cents per capita of the then population. In 1848 expenditures were \$9,408,476.02; about 42 cents per capita of the population then; and in 1838 expenditures were \$6,131,583.53; about 38 cents per capita. With this bill at \$20,000,000, and our population estimated at 60,000,000, we are building up a navy, and the whole expense of new ships, guns, and officers and men is 33 cents per capita.

If gentlemen would take in the full meaning of the contrast between this 33 cents for 1888 and the 48 cents per capita expended thirty years ago, in 1858, they must bear in mind how much more costly the modern ship is and the modern gun than were the ships and guns in 1858. Then the ship was of wood, now it is of steel; then the gun was cast-iron, now it is of wrought steel. And then compare the present expense of the Navy and the Army. The average annual expenditures on the Army amount to twenty-three and one-half millions of dollars. Think of it, twenty-three and a half millions for the maintenance of an army, guns and fortifications not included, when on land, as all the world knows, we are invincible by any force that can be sent against us, and only \$20,000,000 for a navy, ships, guns, officers, men, and all, when, as against the ships of an enemy who was bombarding our cities, our millions of citizen soldiers, without guns or ships, would be absolutely helpless.

They might gather in countless numbers, like the leaves of the forest. They could only look on and curse the lawmakers who had left them without the means of defense. How did this ever come to pass that we are expending so much on our Army and have for twenty years? If it were a new question, if a permanent policy were to be established now, could any gentleman on this floor justify himself in voting \$23,700,000 annually to maintain an army, and less than \$20,000,000 for a navy? And yet for the Navy we do not now, and I hope we will not hereafter, ask more than \$20,000,000. That is enough.

If we authorize no more ships till we shall have completed the seven included in this bill, and the eighteen heretofore authorized, which includes the monitors, we shall be occupied fully four years in completing them, and during this time we shall not need to expend more than eighteen or at most eighteen and one-half millions per annum.

The SPEAKER *pro tempore*. The question is on agreeing to the report of the committee of conference.

The report was adopted.

Mr. HERBERT moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The regular order is the call of committees for reports.

Mr. BURNES. I move to dispense with the morning hour for the presentation of reports.

The motion was agreed to.

DEFICIENCY APPROPRIATION BILL.

Mr. BURNES. I move that the House resolve itself into Committee of the Whole on the state of the Union to resume the consideration of the deficiency appropriation bill.

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. 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.

Mr. BURNES. I ask unanimous consent to return to appropriate places in the bill for the purpose of offering amendments which will meet, I doubt not, the sanction of the entire committee.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to return to some portions of the bill already passed, for the purpose of moving amendments proposed by the Committee on Appropriations. Is there objection?

Mr. McKENNA. Before consent is granted, I would like to hear what the amendments are.

The CHAIRMAN. The gentleman from Missouri will submit the amendments, after which the Chair will ask whether there is objection.

Mr. BURNES rose.

Mr. BUTTERWORTH. I wish to offer an amendment to pay to the widow of the late Chief-Justice one year's salary, at the proper place, wherever that may be.

The CHAIRMAN. The Clerk will now read the amendment moved by the gentleman from Missouri [Mr. BURNES].

The Clerk read as follows:

Page 25, line 6, insert:

"That the unexpended balance of the sum of \$25,000, appropriated by the deficiency appropriation act approved March 30, 1888, to enable the Interstate-Commerce Commission to properly carry out the objects of the act to regulate commerce, be, and the same is hereby, reappropriated and made available for expenditure during the year 1889."

The CHAIRMAN. Is there objection to considering the amendment at this time?

There was no objection.

The amendment was agreed to.

Mr. BURNES, from the Committee on Appropriations, moved the following amendment, which the Clerk read, as follows:

Page 27, line 14, insert:

"For inland transportation, railroad routes, \$562,482."

The CHAIRMAN. Is there objection to returning to that part of the bill and to considering the amendment at this time?

There was no objection.

Mr. BUCHANAN. What is the appropriation for?

Mr. BURNES. Mr. Chairman, in reply to the question of the gentleman from New Jersey, I need only say that the Postmaster-General has found this deficiency to exist in the appropriations for payment of railroads for transportation of the mails. It was estimated last year the service would be extended over 7,000 miles of new railroad, whereas in fact it has been extended over 13,000 miles of new roads. In consequence of that increase over estimates the Postmaster-General urgently asks for this deficiency.

I may add that the distinguished gentleman from Georgia [Mr. BLOUNT], chairman of the Committee on the Post-Office and Post-Roads, to whom the estimate has been submitted, gives his hearty concurrence to the granting of this appropriation for this deficiency.

Mr. BUCHANAN. Mr. Chairman, I have nothing to say in reference to the merits of this proposition, but I wish to call the attention of the Committee of the Whole House on the state of the Union to the fact that I introduced some weeks ago a resolution of inquiry to investigate certain allegations against the Public Printer in relation to the purchase of English felting. The other day, upon one of the very few occasions during this session when I have been absent, the Committee on Printing reported that resolution back adversely, embracing in its report a letter from the Public Printer in which he denied having made use of any such article. The committee seems to have accepted the plea of the defendant as a verdict of acquittal. [Laughter.] The resolution was laid upon the table, the committee insisting upon this action, although attention was called to the fact that I was then absent, and now no official investigation can be had.

But, Mr. Chairman, I desire to say here and now, whether that inves-

tigation is ordered by this House or not, it will go on in some way. I had and have facts in my possession which I thought justified me in offering the resolution, and the resolution itself recites the names of our witnesses. These facts, I believe, justify further inquiry. It seems to me it would have been as well for the Committee on Printing, instead of accepting the plea of the defendant as final, to have made at least a call on me for any information which I might have in my possession.

Mr. BLOUNT. I hope the gentleman will print in the RECORD the letter of the Postmaster-General.

Mr. BURNES. I do not understand the gentleman from Georgia to object to the amendment.

Mr. BLOUNT. No, not at all; but I simply ask the gentleman to have printed in the RECORD the letter of the Postmaster-General.

I will add, notwithstanding the estimate for 7,000 miles the Postmaster-General has put service upon 6,000 additional miles during the fiscal year just closed; thereby showing the wonderful growth and prosperity of our country as well as the increase in the mail service performed by railroads.

Mr. BURNES. The letter of the Postmaster-General has already been printed as a public document, but in compliance with the gentleman's request I will have it printed in the RECORD.

Mr. BLOUNT. It is quite short, and should be inserted.

Mr. BURNES. It is as follows:

TREASURY DEPARTMENT, August 10, 1888.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Postmaster-General of this date, submitting an estimate of deficiency in the appropriation for railway mail transportation for the fiscal year ended June 30, 1888, of \$562,482.

Respectfully, yours,

C. S. FAIRCHILD, Secretary.

The PRESIDENT PRO TEMPORE UNITED STATES SENATE.

POST-OFFICE DEPARTMENT,
Washington, D. C., August 10, 1888.

SIR: As will be seen from the accompanying report of the Second Assistant Postmaster-General made to me on the returns of business of this Department for the fiscal year ended June 30, 1888, there is a deficiency in the appropriation for railway mail transportation for that year in excess of that contemplated in the estimates submitted by my predecessor in his annual report for 1887 at page 395.

It will be observed that the estimate for that deficiency was based upon the supposition that the increase of railroad service for the fiscal year ended June 30, 1888, would not exceed 6,000 miles; whereas the amount of new railroad service actually ordered for that year was 12,764.50 miles. I have the honor to submit, therefore, an estimate of \$562,482 as the deficiency for railroad transportation, and to request its transmission to the Congress.

The returns of business of this Department for the past fiscal year justify the gratifying comment, in connection with this estimate, that the liberal and unprecedented increase of service has been followed by an equally unprecedented increase of postal revenue. The excess of cost over revenue for the past fiscal year will be less by several millions than in any year in the history of the Department since the general reduction of the rates of postage.

The Department has endeavored to keep pace with the demands of population and business, notably in the West and Northwest, under a policy adverted to in the accompanying report, which has been amply justified as a sound one by the returns of business and the satisfaction of the people.

I have the honor to be, your obedient servant,

DON M. DICKINSON,
Postmaster-General.

Hon. SECRETARY OF THE TREASURY.

POST-OFFICE DEPARTMENT,
OFFICE OF SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., August 8, 1888.

SIR: In compliance with your request for an estimate of the amount that the appropriation for railway mail transportation will fall short of the requirements of the service for the fiscal year ended June 30, 1888, I have the honor to submit the following statement:

Annual rate of expenditure June 30, 1888.....	\$17,532,195.80
Estimate of amount withheld from aided and non-aided Pacific railroad companies.....	1,378,441.64
Appropriation for mail transportation.....	16,153,754.16
Deficiency.....	285,792.16
Add for 6,723.21 miles unadjusted service on June 30, 1888, estimated at an annual rate of cost of \$60 per mile for six months....	201,690.00
Total deficiency for mail transportation proper.....	487,482.00

As service on the entire new mileage will not date from the beginning of the fiscal year the cost is estimated at \$60 per mile for one-half year. By reference to the Postmaster-General's report of 1886, page 83, you will observe that my estimates for railway mail transportation for the fiscal year 1887-88 were based on the belief that the new service to be ordered would not exceed 6,000 miles. This belief was founded on the reports forwarded to this office by the General Superintendent of the Railway Mail Service, by division superintendents, and on information gained from authoritative railway publications. By reference to the Postmaster-General's report of 1887, page 395, you will perceive that I therein anticipated a probable deficiency of not less than \$250,000, and this estimated deficiency would not have been much exceeded had only the 6,000 miles of new railroad service as estimated for been ordered, but in point of fact during the last fiscal year there was an unprecedented extension of railroad construction, especially in the West and Northwest, and the consequence was that the amount of new postal service on these new railroads ordered was 12,764.50 miles during the last fiscal year.

Under the general policy adopted by you, expressed in instructions, the building, equipment, and operation of any new railroad line or routes have been taken as evidence that mail service was there needed, and it has been promptly put on the examination and report of the General Superintendent of the Railway Mail Service and on obtaining the written assent of the railroad companies to assume the service on the terms and conditions prescribed by law. To this uniform rule and practice now prevailing in the Department I can not recall an

exception. It is but natural, therefore, and not any matter of surprise, that the deficiency is double what I anticipated, as the new service thus ordered during the last fiscal year is double the amount which was estimated for. To the above amount of deficiency for railroad transportation, to wit, \$487,482, must be added the following amount for weighing mails, temporary service, rent, light, and fuel for railway mail service, and other miscellaneous items chargeable to railroad transportation, to wit, \$75,000, making a total deficiency for this item, to wit, railroad transportation, of \$562,482 for the fiscal year ended June 30, 1888.

Very respectfully,

A. LEO KNOTT,

Second Assistant Postmaster-General.

Hon. DON M. DICKINSON, Postmaster-General.

Mr. CANNON. What is the cost of the railway mail service for transportation?

Mr. BLOUNT. I have not the figures in my mind just now.

Mr. CANNON. About what?

Mr. BLOUNT. Over \$15,000,000.

Mr. CANNON. Over \$15,000,000?

Mr. BLOUNT. More than doubled in the last ten years.

Mr. CANNON. I ask my friend whether that committee has considered proposed legislation looking toward a different method for compensating railroads, which would reduce the cost for this service, and whether, in his opinion, such legislation should not be had?

Mr. BLOUNT. I think unquestionably, Mr. Chairman, that it should be. Various schemes have been proposed and are being examined by the Department; and it is to be hoped that a conclusion will be reached whereby a proper reduction can be made.

Mr. CANNON. How long has the matter been under investigation?

Mr. BLOUNT. For many years. There have been various reports by various commissions to the House, but they have not been accepted, and nothing has been done so far. Bills have been reported to the House—at one time from the Committee on Appropriations on the subject; but the criticisms on the bill in the House resulted in its failure.

Mr. CANNON. Has the gentleman's committee considered the question?

Mr. BLOUNT. To some extent we have, but we have been embarrassed by these former difficulties. The matter is under advisement in the Department, however.

Mr. CANNON. Well, I want to say, while I think this appropriation should be made and the service paid for according to existing law, yet I do believe that the Committee on the Post-Office and Post-Roads could most profitably investigate this whole subject; and I believe that legislation ought to be had that when carried out will reduce the compensation of the railways for this service largely—probably 25 per cent.

Mr. BLOUNT. I concur with the gentleman in that respect, and do not think the gentleman's estimate is at all exaggerated.

The CHAIRMAN. The question is on agreeing to the amendment which has been read.

The amendment was adopted.

The CHAIRMAN. The Clerk will now report the next amendment proposed by the gentleman from Missouri.

The Clerk read as follows:

On page 32, after line 20, insert: "That the Attorney-General is hereby authorized and directed to cause Charles Grandison, Frank Seiver, alias George Selvin, and Anthony Stewart, alias Johnson, alias Frank Harris, who were received in the State asylum for insane convicts at Auburn, N. Y., while undergoing sentence in the New York State prison at Auburn for crimes committed in the District of Columbia, and whose sentences have expired since they thus became insane, to be removed to the Government Hospital for the Insane, at Washington, D. C., by the United States marshal for the northern district of New York, the necessary and actual expenses incurred in the same to be payable from the appropriation for fees and expenses of marshals."

The CHAIRMAN. Is there objection to the present consideration of the amendment?

There was no objection.

The amendment was adopted.

Mr. BURNES. I ask leave to insert in the RECORD a letter from the Attorney-General and one from the Superintendent of the Insane Asylum in regard to this question.

There was no objection.

The letters are as follows:

DEPARTMENT OF JUSTICE, Washington, January 4, 1888.

SIR: I beg to inclose herewith a copy of a communication from C. F. MacDonald, medical superintendent of the State Asylum for Insane Criminals at Auburn, N. Y., relative to certain insane persons now in that institution who were at the time of their admission United States convicts from the District of Columbia, and who were placed in the asylum under the provisions of chapter 463, page 104, Supplement to the Revised Statutes. The term of sentence in each case has long since expired, and the parties are, as far as can be ascertained, entirely friendless. For several years a special appropriation has been made by Congress to meet the cost of their maintenance and care at the Auburn asylum, but it has now become necessary, as indicated in the inclosed letter, that provision for their removal should be made, and as authority to act in such cases is not conferred upon the Attorney-General, the matter seems to be one which should be disposed of by Congress.

I therefore respectfully suggest the introduction of a bill directing and authorizing the Attorney-General to cause Charles Grandison, Frank Seiver, alias George Selvin, and Anthony Stewart, alias Johnson, alias Frank Harris, who were received in the State asylum for insane convicts at Auburn, N. Y., while undergoing sentence in the New York State prison at Auburn, for crimes committed in the District of Columbia, and whose sentences have expired since they thus became insane, to be removed to the Government Hospital for the Insane, at Washington, D. C., by the United States marshal for the northern district of

New York, the necessary and actual expenses incurred in the same to be payable from the appropriation for fees and expenses of marshals.

Very respectfully,

A. H. GARLAND, Attorney-General.

Hon. JOHN G. CARLISLE,
Speaker House of Representatives.

STATE ASYLUM FOR INSANE CRIMINALS,
Auburn, N. Y., August 7, 1888.

DEAR SIR: I am officially informed that the building for insane convicts, erected on the grounds of the Government Hospital for the Insane, Washington, D. C., will open for the reception of patients within a month.

I am further informed the authority for the transfer of insane convicts to that institution rests with your Department.

There are in this asylum three insane United States convicts who terms of sentences have expired, and whom I desire to have removed at the earliest possible date, owing to our very much overcrowded state and the need there is of room for more active cases. For more particulars regarding these three cases I would respectfully recall your attention to my letters of the 15th December, 1887, January 4 and May 16, 1888. Also to your reply, dated January 9, 1888 (initials "F. S.", file No. 9513, 1885). Requesting an early response to this communication, I remain,

Most respectfully, yours,

CARLOS F. McDONALD,
Medical Superintendent.

Hon. A. H. GARLAND,
Attorney-General of the United States, Washington, D. C.

DEPARTMENT OF JUSTICE, Washington, August 13, 1888.

SIR: I beg to inclose herewith a copy of a letter which was transmitted to you by the Attorney-General on January 4 last, relative to the necessity for the removal of three insane persons from the Auburn insane asylum, who were admitted to the institution as insane convicts, but whose sentences have since expired, and to suggest that proper action in the matter may be taken, if practicable, at the present session of Congress.

The request for their removal has been renewed, and is urgent; a copy of the same is inclosed for your information.

Very respectfully,

G. A. JENKS, Acting Attorney-General.

Hon. J. G. CARLISLE,
Speaker of the House of Representatives.

The CHAIRMAN. The Clerk will now report the next amendment proposed by the gentleman from Missouri.

The Clerk read as follows:

On page 44 strike out lines 13 and 14; on page 47 strike out lines 7 and 8; and on page 51, in lines 19, 20, and 21, in lieu of the sum total proposed, insert \$345,712.58.

Mr. HOLMAN. Let the Clerk read the original item proposed to be stricken out.

The Clerk read the lines proposed to be stricken out.

Mr. BURNES. Mr. Chairman, the object of this amendment is this: In certifying the judgments of the Court of Claims these three claims were included. It has been ascertained, as we are informed, that some error in the calculations was made, in consequence of which motions for new trials have been entered, and we are advised that the judgments are to be reviewed and the amounts changed one way or the other. The parties interested in the judgments, as well as the Fourth Auditor, have requested that this be stricken out now, in order to have the exact amounts ascertained and reported to the House hereafter.

There being no objection to the consideration of the amendment, it was adopted.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

On page 63, after line 18, insert:

"For reimbursing Kentucky for expenses incurred in suppressing the rebellion, being the amount certified to be due by the Secretary of the Treasury under the law of August 16, 1888, \$38,861.18."

The CHAIRMAN. Is there objection to the present consideration of the amendment?

Mr. HOLMAN. Let some explanation of this be given first.

Mr. BURNES. This is an allowance to the State of Kentucky for moneys expended in support of the Union cause during the war, duly allowed by the accounting officers of the Treasury, and no doubt will be included in the usual report to the Senate, which will be called for by that body during the consideration of this bill. The gentleman from Kentucky [Mr. BRECKINRIDGE] asks to have it inserted here, and I have in my hand a letter from the Secretary of the Treasury certifying to the regular allowance of the claim—

Mr. ADAMS. There is a provision in the bill already upon this subject.

Mr. BURNES. This goes to that provision.

The CHAIRMAN. Is there objection to the present consideration of the amendment?

Mr. HOLMAN. I wish to inquire whether this involves a matter of interest.

Mr. BURNES. It has been investigated and is certified up just as other allowances have been in behalf of nearly all of the other States, and stands upon precisely the same footing with the allowances made to other States for the same purpose, and to Kentucky now in this bill.

Mr. HOLMAN. But an allowance has already been paid to Kentucky, and quite a large one.

Mr. BURNES. Yes, sir; I am aware of that, but that fact does not

affect the legality or justice of the present item. I will have read in this connection the letter of the Secretary of the Treasury.

The Clerk read as follows:

TREASURY DEPARTMENT, August 18, 1888.

SIR: In reply to your verbal request of this date, I have the honor to advise you that an account has been stated by the accounting officers of the Treasury in favor of the State of Kentucky for expenses incurred in suppressing the rebellion under the provisions of the acts of Congress of July 27, 1861, June 8, 1872, and March 3, 1881, amounting to \$38,861.18.

Respectfully, yours,

C. S. FAIRCHILD, Secretary.

Hon. WILLIAM C. P. BRECKINRIDGE,
House of Representatives.

Mr. WILSON, of Minnesota. I think there ought to be some explanation of the nature of this claim.

Mr. BURNES. I will state that under several statutes of the United States amounts owing to the States on investigation by the accounting officers of the Treasury are found due to the several States for expenditures in organizing and supplying troops during the war, and when so found they are certified to Congress for appropriation and payment.

Mr. WILSON, of Minnesota. Has there ever been an investigation of these claims except by the Secretary of the Treasury?

Mr. BURNES. By the accounting officers of the Treasury, under the law and the direction of the Secretary of the Treasury. This is a very ordinary circumstance, and these appropriations from Congress to Congress in behalf of the States are being constantly made.

Mr. WILSON, of Minnesota. Has it been passed on by any committee of the House or Senate?

Mr. BURNES. It has been informally passed upon by the Committee on Appropriations. I have investigated this as much as any such claim usually receives.

Mr. CARUTH. Will the gentleman from Missouri permit me to ask a question?

Mr. BURNES. Certainly.

Mr. CARUTH. Do I not understand you to say that you have investigated it sufficiently to say that it is a just claim?

Mr. BURNES. There is no question, I think, about that.

Mr. WILSON, of Minnesota. He does not say that it has been investigated by a committee of the Senate or the House.

Mr. CARUTH. I understand that there has been an informal investigation by the Committee on Appropriations to such an extent as to show that this is a just claim which the Government owes and which it ought to pay without further question.

Mr. SENEY. I would like to ask what the gentleman means by an "informal investigation."

Mr. CARUTH. I quoted the language of the gentleman from Missouri, but I think I know what is an informal investigation by a committee. It means, while there might not have been any aggregate meeting of the committee, that this matter was discussed enough among the members of the committee so that more than a majority of that committee are satisfied as to the justness of the claim.

Mr. RYAN. I would like to ask my friend from Missouri a question. This may be a just claim. I do not know anything about it, and I do not propound any question with a view to antagonizing the matter; but I am not aware, so far as I am concerned, that this question has ever been before the Committee on Appropriations, formally or informally.

Mr. BURNES. I will state that it was not formally considered by the committee in session, but by several of the members individually or informally, and that it came to the committee in the usual way. I have spoken to the members of the committee as I have seen them. But I did not speak to my colleague [Mr. RYAN]. And I wish to say furthermore that a practice has obtained in regard to these audited claims in behalf of States, and this claim is within that practice and stands upon the same footing as do the various claims of the State of the gentleman from Kansas [Mr. RYAN].

Mr. RYAN. I understand the character of the claims, and in a general way we have investigated them, and they are a character of claims that are just; but still the subject has never been investigated by the Committee on Appropriations.

Mr. BURNES. No, sir.

Mr. RYAN. And it sometimes happens that a State is indebted to the United States and there are set-offs. I do not know that there are any in this case, as I have never investigated the subject. Perhaps the gentleman can give us some information upon that point.

Mr. BURNES. I am wholly unable to say whether there are any set-offs or not.

Mr. RYAN. I want to say, in respect to my own State, that a claim of this character was paid; but it was claimed that our State was indebted to the United States for direct taxation, and that was to that extent a set-off against the amount due the State from the United States.

Mr. BLOUNT. May I ask the gentleman from Kansas [Mr. RYAN] if that was reported for an appropriation?

Mr. RYAN. Oh, yes.

Mr. BLOUNT. I would like to ask the gentleman from Missouri [Mr. BURNES] if it is not true that by established law the accounting officers of the Treasury are made to investigate and pass upon these

claims, and that whenever the Auditor and Comptroller have approved the same if it is not binding upon the United States, and if it is not out of the power of the Secretary of the Treasury to order a review of the case, even?

Mr. BURNES. Yes, sir; it requires the action of Congress to have a review. But the reports of these accounting officers are not final so far as Congress is concerned.

Mr. BLOUNT. There is nothing unusual about it, it seems to me, as it was reported to the House.

Mr. RYAN. I want to state, though I have not examined this claim, and I am not here to antagonize it, because I do not know enough about it to do that, that I have no doubt the claim is just, and it is of the same character as many other claims. I do not know anything about any informal action upon it, and I do not understand whether there is any obligation or indebtedness due from the State to the United States which might properly be a set-off against this claim.

Mr. BLOUNT. Will the gentleman allow me?

Mr. CARUTH. I desire to state to the gentleman from Kansas [Mr. RYAN] that Kentucky paid the direct tax in full.

Mr. RYAN. You speak about a direct obligation. I am not speaking about the direct tax particularly. Any other obligation would do as well.

Mr. CARUTH. There is no other obligation on the part of Kentucky to the United States Government. She pays her honest debts in full, dollar for dollar, and she does not owe the United States a cent.

Mr. RYAN. The gentleman seems to have the idea that my question implies some reflection upon his State, which is absurd. I do not intend anything of that kind.

Mr. CARUTH. I know that.

Mr. RYAN. I want to say, further, that, so far as I am concerned personally, the gentleman's statement is entirely satisfactory to me.

Mr. BURNES. I wish to call attention, and especially the attention of my colleague from Kansas [Mr. RYAN], to the fact that in this bill there are already two items of appropriation for Kentucky allowances up to the time of the last report then received. Now, those allowances stand upon precisely the same footing as this. They are audited by the same officers, reported in the same way, and are incorporated in this bill; and I will ask my friend whether he investigated either one of those claims when they were before the committee to any greater extent than he has this one, whether he deemed it necessary to go into the elements of the account; that is to say, to go behind the action of the accounting officers of the Treasury Department?

Mr. RYAN. I will answer the gentleman by saying that I was not a member of the subcommittee that was charged with that duty, but I supposed that in a general way subcommittees always gave some sort of investigation even to claims of this character.

Mr. BURNES. That is right. And in the same manner I suppose the subcommittee have given this item the same consideration that was given to the other items in behalf of Kentucky which are already in the bill, and this is just as meritorious as those.

Mr. RYAN. There is this distinction, however, between the two cases: If the subcommittee have examined this item they have never reported it to the full committee, and the full committee have never had any information upon the subject. And now I want to repeat that I am not antagonizing this appropriation. I simply wanted to get some information upon the financial relations existing between the State of Kentucky and the United States.

Mr. HENDERSON, of Iowa. I wish to ask the chairman of the committee one question. Has this matter come to us since the bill was made up?

Mr. BURNES. Yes, sir; within the last few days.

Mr. HENDERSON, of Iowa. And has it been considered by all the members of the subcommittee?

Mr. BURNES. I can not say that they have all been consulted.

Mr. BRECKINRIDGE, of Kentucky. If the gentleman from Iowa will allow me, I think I can explain the matter. This is simply an item of the same character as the items that are already in the bill. One of those is "for reimbursing Kentucky for expenses in suppressing the rebellion, \$2,314."

Another is "for reimbursing Massachusetts for expenses incurred and paid in protecting harbors and strengthening fortifications on the coast, etc., \$114,951."

After this bill was reported to the House, and after so much of it as was precedent to the French spoliation claims had been considered, I received from the Secretary of the Treasury information that there had been audited in the office of the Third Auditor (the proper officer) other claims of the State of Kentucky to the amount of \$38,000, of exactly the same character as these, but which had not been passed upon when this bill was reported, and I telegraphed for official information so that I might offer an amendment to the bill. And, acting as I always try to do in such matters, in concert with the chairman of the committee in charge of the bill, I carried the dispatch which I had received to my friend, the gentleman from Missouri [Mr. BURNES], and submitted it to him. He suggested that I had better have it in the shape of an official letter from the Secretary of the Treasury, rather than in the form of a dispatch; whereupon I spoke to the Secretary

about it upon the day on which we supposed the matter would be reached, and received in reply this letter:

TREASURY DEPARTMENT, August 16, 1888.

SIR: In reply to your verbal request of this date I have the honor to advise you that an account has been stated by the accounting officers of the Treasury in favor of the State of Kentucky for expenses incurred in suppressing the rebellion, under the provisions of the acts of Congress of July 27, 1861, June 8, 1872, and March 3, 1881, amounting to \$38,861.18.

Respectfully, yours,

C. S. FAIRCHILD, Secretary.

HON. WILLIAM C. P. BRECKINRIDGE,
House of Representatives.

I showed this letter to the chairman of the Committee on Appropriations and asked the very efficient clerk of that committee, who is far more expert in such matters than I am, to draught an amendment to come in with the other items, this being a claim of precisely the same nature as the others. The State of Kentucky has not been indebted to the United States at all for twenty-six or twenty-seven years past. So far as I know, there has never been any claim on the part of the United States against the State since the direct tax of 1861, and in that case Kentucky took advantage of the provision of the act which allowed a State to pay the money and receive a certain discount, 15 per cent. Therefore these amounts, certified by the proper auditing officer, are claims against the General Government in favor of the State, without any offset at all. This claim is precisely of the same nature as the other items already passed in the bill; precisely the same, for instance, as the twenty-four thousand dollar item in line 10 of this page for refunding to States expenses incurred in raising volunteers.

Mr. HENDERSON, of Iowa. When this item came up, being for so large a sum, I felt it my duty to ascertain for the information of myself, as well as other members of the House, the nature of it, the matter not having been brought to my attention before, although I am a member of the Committee on Appropriations. But, as we know from the debate that occurred here only a few weeks ago, these allowances from the various auditing offices of the Government are matters that are coming in all the time; and when they come in after the bill is made up we make an effort to have them incorporated, so that the parties interested will not be delayed. After the explanations which have been made I believe this claim belongs to that class of cases; and upon the assurance of the chairman of the subcommittee that he has given it personal investigation and has consulted the majority at least of the subcommittee, I, for one, shall be entirely satisfied to have this amendment favorably acted upon.

Mr. BRECKINRIDGE, of Kentucky. I promised to yield for a question to my friend from Georgia [Mr. BLOUNT].

Mr. BLOUNT. The gentleman from Kentucky stated, as I understood, that the Auditor had examined this claim and allowed it.

Mr. BRECKINRIDGE, of Kentucky. Yes, sir.

Mr. BLOUNT. The law requires more than that; it requires also the action of the Comptroller.

Mr. BRECKINRIDGE, of Kentucky. I did not mean to say that the claim had been acted on by the Auditor only; I meant that it had passed through the proper auditing office.

Mr. BLOUNT. I understood the gentleman to use the word "auditor." Subsequently, however, he read a letter showing, to use the language of the letter, that the claim had been examined by the accounting officers. I wanted to know, therefore, whether there had not been action by the Auditor and the Comptroller in accordance with law.

Mr. BRECKINRIDGE, of Kentucky. I will say to my friend that the first information I received on this subject was from the Secretary of the Treasury, and was embraced in this dispatch:

The amount of Kentucky State claim is \$38,861.18.

C. S. FAIRCHILD, Secretary.

Upon receiving that dispatch, I asked a fuller statement and received by telegraph the following:

It is understood that the Senate will make a call for a supplemental list of claims allowed by the accounting officers since date of last report after the deficiency bill reaches that body. When the call is received here, the claim of the State of Kentucky will be reported with the rest.

C. S. FAIRCHILD, Secretary.

The dispatch I have just read is dated August 15, 1888. On the 16th of August, this bill not having yet passed, I consulted with the gentleman in charge of the bill [Mr. BURNES], who said he would have the claim put on here with the other amendments. I then went to the Secretary of the Treasury and asked for and received the letter which I have read. The amount has been audited according to law by all the proper officers and stands on the books of the Treasury Department as a properly audited claim of the State of Kentucky against the Government.

Mr. BLOUNT. That is what I understood.

Mr. BRECKINRIDGE, of Kentucky. And against it there is no offset.

Mr. McCREARY. Mr. Chairman, after the very lucid statement made by my colleague from Kentucky [Mr. BRECKINRIDGE], it is not necessary that I should say much on this question. It is clear to my mind that this claim should be allowed; and I hope it will be considered and adopted immediately. As I understand the case, the subcommittee of the Committee on Appropriations has reported in favor of it.

The gentleman in charge of the bill is in favor of it; and the Secretary of the Treasury has sent here a letter in which he says:

An account has been stated by the accounting officers of the Treasury in favor of the State of Kentucky for expenses incurred in suppressing the rebellion, under provisions of acts of Congress of July 27, 1861, June 8, 1872, and March 3, 1881, amounting to \$38,861.18.

As this claim has been properly audited, and as the Secretary of the Treasury approves it, and as the Committee on Appropriations is in favor of it, I hope the amendment will be adopted.

Mr. BURNES. I yield for a moment to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, I was a member of the subcommittee on this deficiency appropriation bill, but I had not my attention called to this matter until the amendment was moved. Still, from the letter of the Secretary of the Treasury, I understand that the claim has been passed by the accounting officers. If Kentucky owes the United States anything, the amount of such indebtedness would, as I understand, in accordance with a provision of the Revised Statutes, be set off, even if this appropriation be made; a balance would be struck before payment of the claim. From the letter of the Secretary of the Treasury, I presume the Government owes this money; and I have no doubt that, pending the settlement of Kentucky with her late State treasurer, she needs the money. [Laughter.]

Mr. STONE, of Kentucky. In reply to what the gentleman from Illinois [Mr. CANNON] has just said, I want to say that the people of Kentucky are able to take care of their State treasury. But the United States Government owes the State this money, and the debt has remained unpaid for twenty-odd years. It ought now to be paid without a word.

The amendment was agreed to.

Mr. CANNON. I ask unanimous consent to submit the amendment which I send to the desk.

The Clerk read as follows:

On page 24, after line 23, insert:
"To enable the Clerk of the House to rent during the fiscal year 1889, rooms for the use of the clerks employed under the direction of the Committee on Rules in preparing the general index of the Journals of Congress, \$1,200."

There being no objection, the amendment was considered and adopted.

Mr. HOPKINS, of Virginia. I move the following amendment.

The CHAIRMAN. The amendment will be read, subject to objection.

The Clerk read as follows:

To pay H. B. Keffers as additional pay between the pay of a folder and that of messenger, for the present session of Congress, \$280.

The CHAIRMAN. Is there objection?

Mr. KERR. Yes; I object unless the gentleman from Virginia assigns some special reason why this should be done.

Mr. HOPKINS, of Virginia. I know this man; he is a married man.

A MEMBER. That is enough. [Laughter.]

Mr. HOPKINS, of Virginia. He was removed from the folding-room to the place of doorkeeper, at the same pay of \$60 a month. It merely provides for making his pay equal to that of those discharging precisely the same duties. He is efficient and faithful, and this discrimination should not be made in the case of a married man with a large family, when he has been transferred to this position from another one. I hope the gentleman from Iowa will withdraw his objection.

The CHAIRMAN. Is there objection?

Mr. BRUMM. Why not make it general? There are a number of people in the same condition. If that be done, I do not think there will be objection. I object if any one is singled out.

The CHAIRMAN. Objection being made, the amendment is not before the committee.

Mr. BUTTERWORTH. I offer the following amendment, to come in on page 30, under the heading "Department of Justice."

The Clerk read as follows:

To pay to the widow of Morrison R. Waite, late Chief-Justice of the United States, \$10,000.

Mr. McMILLIN. I object to that. The law designates the compensation of these officers. It also fixes a large compensation when they are retired. I think we should stand by the general law.

Mr. BUTTERWORTH. Chief-Justice Waite died in March or May. He was clear in his great office. We all concede that. He left his widow with no estate. In performing the duties devolved on him, both in his office and out of it, he consumed his salary. He had no other income. This amendment gives to his widow one year's salary. I offer it on the suggestion of numerous gentlemen on both sides of this House. And in this case I am proposing to follow the worthy example so often set by us on the death of a Member or Senator who dies while on duty at his post. Chief-Justice Waite won the confidence and esteem of the whole country by reason of the great ability, ripe learning, and unquestioned integrity he brought to the discharge of his duties as Chief-Justice of the Supreme Court of the United States. He deserved well of the people, and in voting this one year's salary for the support of his widow we do but do an act of simple justice and testify the country's appreciation of his great worth. We honor ourselves in voting this appropriation, and we do honor to the Government.

Mr. WILSON, of Minnesota. I wish to ask the gentleman a question.

The CHAIRMAN. Objection is made to the amendment.

Mr. WILSON, of Minnesota. I ask the gentleman what this \$10,000 is to be paid for?

Mr. BUTTERWORTH. It is to be paid to the widow of the late Chief-Justice Waite.

Mr. WILSON, of Minnesota. I know to whom it is to be paid, but I want to know for what it is to be paid.

Mr. BUTTERWORTH. In payment of the great and inestimable services rendered by the late Chief-Justice.

Mr. WILSON, of Minnesota. Well, when?

Mr. BUTTERWORTH. When! Rendered during his long term of service and to be paid under the same rule of right and just precedent which authorizes this House to pay to the widow of a deceased member a year's or two years' salary. The justice of such payment in the case of a member has not been, and in my judgment can not be, questioned, and certainly as little can the justice of the proposed appropriation be doubted.

Mr. WILSON, of Minnesota. I submit that is wrong—

Mr. McMILLIN. Permit me to ask a question. Was any appropriation made to pay to the family or the estate of Chief-Justice Marshall or of Chief-Justice Chase or of the other Chief-Justices who preceded him?

Mr. BUTTERWORTH. I do not know whether there was such appropriation or not, but if it were needed by the widow of Chief-Justice Marshall and this House failed to make it, I say they were derelict in their duty.

If Chief-Justice Marshall, after his long and brilliant career and invaluable public service, had left a widow without proper provision for her comfortable support and maintenance, and the Congress of the United States had failed to make that provision at least to the extent and in the manner here suggested, one year's salary, then Congress was remiss in its duty. But I understand that there was present in the cases to which the gentleman has referred no such necessity. If there was such necessity, and it was not met, it was the fault of Congress, and a humiliating disregard of a just obligation, and no excuse whatever for our refusal in the present instance.

The CHAIRMAN. Objection has been made to the amendment.

Mr. WILSON, of Minnesota. I object to the amendment.

Mr. BUTTERWORTH. Do I understand that the point of order is made against the amendment?

Mr. McMILLIN. I objected to the introduction of the amendment.

Mr. BUTTERWORTH. Very well.

Mr. McMILLIN. And as the gentleman has made quite a lengthy speech—

Mr. BUTTERWORTH (interrupting). Oh, no, not at all.

Mr. McMILLIN (continuing). I hope the House will indulge me also for a moment.

Mr. BUTTERWORTH. I did not make an extended speech, but only answered objections. The gentleman from Tennessee has objected; if he persists the matter must rest here.

Let me say, however, Mr. Chairman, that I understood from my friend from Missouri [Mr. BURNES] that if we were allowed to return to offer amendments to the bill I was to be permitted to offer this amendment and have it considered. I understood the gentleman to say, in response to my suggestion, "Very well." I thought it was by unanimous consent that we returned to consider the several amendments just submitted; and he will remember that I called his attention to the amendment I have had read.

The CHAIRMAN. But the Chair will state that the gentleman from California [Mr. MCKENNA] required that each amendment should be read and consent given to the introduction in every case, separately.

Mr. BUTTERWORTH. I did not hear the objection.

Mr. McMILLIN. I did not wish or intend to be discourteous to the gentleman from Ohio—

Mr. BUTTERWORTH. I understand that. The gentleman is always courteous.

Mr. McMILLIN. Or unjust to the widow of this great officer, for he was a great man and a good man. But the law fixes the salary, and I thought by the law we ought to stand, especially when, as in this case, the salary is a very good one—a large one.

This Congress has been prodigal to a degree that does not do it any very great credit. The House has been lavish enough, and the Senate has added more than \$19,000,000 to the bills that have already passed the House and been sent over there; and I think it is time now to call a halt, and especially, when we are within the law, this is a very good place to halt.

Mr. BUTTERWORTH. I trust my friend from Tennessee will not urge the objection that in order to limit appropriations and preserve the surplus we are to refuse to do an act of plain justice.

Mr. McMILLIN. No, I put it on a higher ground.

Mr. BUTTERWORTH. Very well; there let it stand.

Mr. McMILLIN. I put it on the very highest ground known to a legislator, that the people's money, of which we are the custodians,

money paid in by men who are earning but \$200 or \$300 a year, and who have to pay the taxes into the Treasury, is a sacred trust; and for one I do not propose to give it out in largesses to any favored class.

Mr. BUTTERWORTH. That was not the point the gentleman made against the amendment; and certainly no voice comes from any part of the country urging that justice shall not be done to the widow of our late Chief-Justice, Morrison R. Waite. Now, when the men who earn the \$200 or \$300 a year complain that what is here proposed is unjust, or that it is proposed to pay it to a favored class, I will withdraw my amendment.

Mr. McMILLIN. Unfortunately the men who earn the \$200 or \$300 are not here. It is not often enough that they have an opportunity of being heard here.

Mr. TARSNEY. I ask unanimous consent now to offer an amendment.

Mr. FORNEY. I object to going back.

The CHAIRMAN. Objection is made.

Mr. TARSNEY. Let it be read.

The CHAIRMAN. It can only be done by unanimous consent.

Mr. FORNEY. I object to going back over any part of the bill which has been passed.

Mr. FARQUHAR. I ask unanimous consent to offer an amendment.

Mr. FORNEY. I object.

Mr. HOPKINS, of Virginia. I understand the objection is withdrawn to the request I made a few moments ago.

Mr. FORNEY. I object to that also.

Mr. FARQUHAR. I understood the original agreement on this point was that these propositions should be read and then objection asked for.

The CHAIRMAN. No; the gentleman is mistaken.

Mr. FARQUHAR. Then why should objection lie against a proposed amendment before it is known what is embodied in it?

The CHAIRMAN. This part of the bill has been already concluded and can now be recurred to only by unanimous consent. The gentleman may ask consent simply to return without mentioning any amendment at all, and if objected to by any member present, of course it could not be done.

Mr. FARQUHAR. Then I offer this as an amendment to come in just preceding the French spoliation part of the bill. That has not yet been passed away from.

The CHAIRMAN. That amendment is not now in order.

Mr. FARQUHAR. I wish to submit a parliamentary inquiry. What is the pending amendment?

The CHAIRMAN. The consideration of the clauses of section 4 has not been entered upon, the gentleman from Missouri [Mr. BURNES] having presented a point of order which is to be first disposed of before the section is before the committee for consideration under the five-minute rule.

Mr. ADAMS. I have an amendment that does not involve any change of appropriation, and I ask unanimous consent to recur to that portion of the bill to which it applies for the purpose of moving the amendment which makes no change in the amount of the bill. I was absent when that part of the bill was under consideration, but I do not urge that as a perfect excuse for offering it now. I desire to say, however, that the amendment is simply to change the existing law in one respect, which, I think, will commend itself to the committee, and does not relate to the appropriations covered by the bill at all.

Mr. FORNEY. I am willing to have it read for information.

The CHAIRMAN. The amendment will be read, after which the Chair will ask for objection to its present consideration.

The Clerk read as follows:

On page 3, line 18, strike out "one year" and insert "three months;" so that it will read:

"That the act approved February 23, 1887, 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, three months, 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."

Mr. McMILLIN. At present it is one year. That, I understand, will encourage this violation of the law.

Mr. ADAMS. It would discourage a violation of the law.

Mr. O'NEILL, of Missouri. I object; I hope the investigation now going on may result in placing in the penitentiary the capitalists who have violated the law.

The CHAIRMAN. Objection is made, and the amendment can not be considered.

Mr. BURNES. I would like to have an understanding now as to whether the different paragraphs of section 4 shall be read through and the point of order be considered as applying to each paragraph, or whether the point of order made on yesterday will be considered sufficient to reach all the paragraphs in section 4.

The CHAIRMAN. The point of order applies to the whole section, and until that is disposed of it is not in order to proceed to the consideration of the section by paragraphs under the five-minute rule.

Mr. HOLMAN. It seems to me that the point of order should be decided in the first instance.

Mr. DIBBLE. I raise the point of order that no point of order or anything else can be brought against this until the section has been read.

The CHAIRMAN. The reading of this section and the whole bill was dispensed with in the first instance, and the question now is the reading of the paragraphs for consideration; but the period for consideration has not yet been reached in view of the fact that the gentleman from Missouri makes the point of order against the whole section.

Mr. DIBBLE. I do not mean to consume the time by reading the whole matter through, but I think to do it in due form one of the paragraphs at least should be read for the information of the House, and then the point of order can be made.

Mr. BURNES. I would like to understand whether under the rules and practice of the House it is competent to consider the point of order as pending and reserved with no decision thereon until the whole section shall have been read and considered.

The CHAIRMAN. The practice of the committee is to the effect that the point of order and its disposition precede consideration of the proposition under the five-minute rule. The point of order is against this section, and will remain until it is disposed of. If it should be held to be out of order, then consideration would be disposed of; so that the decision is generally prior to consideration. However, by unanimous consent, the committee could proceed to consider this section with the point of order still pending against the whole section.

Mr. HOLMAN. I hope the decision will be given on the point of order, and I call for the reading of the first paragraph.

The Clerk read as follows:

SEC. 4. To pay the findings of the Court of Claims on the following claims for indemnity for spoliation by the French prior to July 31, 1801, under the act entitled "An act to provide for the ascertainment of claims of American citizens for spoliation committed by the French prior to the 31st day of July, 1801," namely:

On the schooner *Industrie*, Benjamin Hawkes, master, namely:

Thomas Cushing, administrator of Marston Watson, \$6,553.

Mr. ROGERS. That I understand to be the first paragraph of the section. I suppose the point of order could be made now.

Mr. BURNES. Now I will make the point of order on this paragraph the same as I did yesterday, and if it be the pleasure of the Chair to consider the question I will proceed.

The CHAIRMAN. It is the duty of the Chair to consider the point of order.

Mr. BLOUNT. I would like to know what the point of order is on the first paragraph.

Mr. BURNES. It is suggested that the first paragraph of the section and the first item in the section should be taken together, as the latter carries an appropriation.

The CHAIRMAN. The Chair will consider the section as beginning at line 11 and continuing to the provision for the first item as in the paragraph that has been read and on which the point of order is made.

Mr. BURNES. Mr. Chairman, I desire to call your attention in the first place to the fact that ordinarily no question can possibly be raised against the exclusion of such a proposition as the one just read. Every gentleman upon this floor understands that such a claim as this has no place in a general appropriation bill unless by some express action or authority on the part of the House its insertion is directed. For there is no law authorizing these claims to be inserted in a general appropriation bill. On the contrary, there is an express prohibition under the rules, and we all understand that mere claims against the Government, however meritorious they may be, unless growing up by contract under existing law, can not be appropriated for in a general appropriation bill. But on the 19th day of December last a resolution was offered in the House directing the Committee on Appropriations to insert in the general deficiency bill certain specified reports from the Court of Claims in relation to so-called French spoliation claims under the law of January 20, 1885. The resolution was adopted on the day first mentioned.

When this Congress met on the first Monday of December last there were precisely 225 members returned who were not members of the Forty-eighth Congress, when the act in relation to these French spoliation claims was passed. There were 225 members who had perhaps never read the history or the story of such claims and knew but little if anything of their merits or demerits. A hundred members of the Forty-eighth Congress may have been present, and that is all that could have been present at that time. I know, sir, how quickly members of Congress become educated to the pending and even questions of legislation; but within the space of ten days after the assembling of this Congress they could not have ascertained or investigated either the law or the facts involved.

This resolution was offered and adopted directing the Committee on Appropriations to report these claims in the general deficiency bill. The resolution was discussed. Many statements made in that debate by gentlemen who are insisting on the payment of the claims will now be found exceedingly interesting in the present connection. I recommend gentlemen to go back and read that debate. The adoption of the

resolution, in the opinion of many, imposed upon the Committee on Appropriations an obligation to report these claims in the general deficiency bill. But on the 19th day of December there had been no rules adopted by the House—none. We were acting entirely without rules. The committees had not been appointed, with the single exception of the Committee on Rules. The House was practically unorganized. The 19th of December was near the eve of the holiday adjournment and a great many members, including myself, were at their homes. This resolution thus passed seemed to impose an obligation on a committee thereafter to be formed.

But, sir, on the 21st day of December, two days after the passage of this resolution, the Committee on Rules reported the present rules of the House, which were practically the rules of the Forty-ninth Congress with some amendments, and they were adopted as the rules of the House until further ordered.

Whatever the prior order was—and you may call it a prior statute—it undertook to direct the Committee on Appropriations to do a certain thing, but two days afterwards the House, by the adoption of our present rules, made a later statute, if we call it so, expressly forbidding the Committee on Appropriations, when organized, from inserting any item of the nature of these claims now under consideration in any general appropriation bill.

These rules or statutes of the House for the government of the members, for the government of the various committees, and for the orderly transaction of business were repugnant to the prior statute of the 19th of December, and both could not and can not stand together. They were inconsistent with each other. One directed a certain thing to be done, the other, and the later, prohibited it from being done. The first said, do it. The last said, it shall not be done.

On the 19th the House ordered us to put it in the bill. On the 21st the House ordered us by a solemn and obligatory rule not to put it in the bill. Now, who can reconcile these two laws? If a conflict exists, a repugnancy that is irreconcilable, how shall we determine which one is to be followed and have force and validity?

The rule is believed to be well settled. The authorities are not conflicting. The later statute, order, or direction must prevail and be observed. If a repeal of a prior statute by implication is not favored, it is yet well understood that such repeals occur. This is a case above any in the books where the principle of repeal by implication should apply. No rights intervene. No third party was to be affected. The House simply made a general and a uniform rule applicable to all claims, and did not care to preserve any exception which the resolution of the 19th of December contemplated.

The supreme court of Ohio in the case of *Cass vs. Dillon*, 2 Ohio State Reports, 607, Judge Allen G. Thurman delivering the opinion, say, "None but the inconsistent then were abrogated. But how were they abrogated? Not by any express words of repeal, for there are none such. It follows that they fell simply because of their inconsistency. Had they been consistent they would have continued. Being inconsistent they ceased." Judge Ranney, who dissented because of other matters, was even fully as strong as Judge Thurman regarding the question we are considering. Both of them sustain our proposition that where there are two statutes, or two orders, if you please, two directions, two rules of action, which are in conflict with each other, the later one must govern.

Now, by one rule of action we were authorized to put these items in the appropriation bill, and by the other rule of action we were prohibited from putting them in the bill. There was, then, a repugnancy and an inconsistency existing between the two rules of action. Now, which shall prevail? Gentlemen will be unable to controvert the proposition by any respectable authority that under such circumstances, where such an incongruity exists between two statutes or two rules, the later one must prevail, and the former statute or rule of action must yield because of its incongruity and inconsistency with the later one.

I submit that there are half a dozen rules of this House which would be violated by an execution of the order of December 19, or rather which are in conflict with it. These rules I will specifically refer to, so that every gentleman may have a ready reference to the authorities bearing upon the point of order.

I call attention first to Rule XI, clauses 30, 31, and 50.

Mr. DIBBLE. Will the gentleman please read them?

Mr. BURNES. I will read, first, the third clause of Rule XI:

To appropriation of the revenue for the support of the Government, as herein provided, namely: For legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications; for the District of Columbia; for pensions, and for all deficiencies: to the Committee on Appropriations.

These are the subject-matters that go to the Committee on Appropriations. Nothing else is authorized by this rule to go to that committee.

I read now clause 30, of Rule XI:

To private and domestic claims and demands, other than war claims, against the United States: to the Committee on Claims.

That is to say, that bills relating to claims shall be referred to the Committee on Claims.

I read, also, clause 31, which has reference to war claims:

To claims arising from any war in which the United States has been engaged: to the Committee on War Claims.

These claims, we contend, if they are anything, are war claims; not war claims against the United States, but war claims in a broader and higher sense—war claims against France under the law of nations.

I have already cited clauses 3, 4, and 5, of Rule XXI, and I need not read them. I refer also to Rule XXII, clauses 1 and 2, which I read:

1. Members having petitions or memorials to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof; and said petitions and memorials, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal together with the names of the members presenting them, and the Clerk shall furnish a transcript thereof to the Official Reporters of debates for publication in the RECORD.

2. Any petition or memorial excluded under this rule shall be returned to the member from whom it was received; and petitions which have been inappropriately referred may, by direction of the committee having possession of the same, be properly referred in the manner originally presented.

Each one of the clauses and each one of the rules to which I have called attention, stands in direct and palpable conflict with the order of the 19th of December. That order therefore is repugnant to seven or eight positive enactments made by the House of Representatives at a time two days later than the date of the order giving authority to the Appropriations Committee to insert these claims in the appropriation bill.

There is one other ground that I had almost forgotten to state. The order made on the 19th of December had reference exclusively to such claims as had then been reported to Congress, and the claims then reported amounted to \$448,000. Now, the Committee on Appropriations has not only inserted in this bill the claims embraced in the resolution, amounting to \$448,000, but has inserted claims to the amount of \$741,000—about \$300,000 in excess of the amount which they were authorized to report. So that these items are in excess of the amount authorized to be reported, and therefore clearly and unmistakably in conflict with the resolution itself as well as with the specific rules to which I have referred.

It follows, therefore, that as this portion of the bill is bad in part under any circumstances it is bad in whole for the purposes of this question of order; and these claims ought to go out even upon that ground, if there were not higher and better ground upon which to exclude them under the rules of the House.

Mr. DIBBLE. Mr. Chairman, the points raised by the gentleman from Missouri are of that technical character coming under the rule *qui hærit in litera hærit in cortice*. They are simply superficial. There is not a member on this floor who does not understand the true intent and meaning of the instructions given to the Committee on Appropriations. That committee itself rightly understood and acted upon those instructions. It interpreted the resolution correctly according to its intent and meaning. Although a number of the members of the committee were opposed to these claims, the committee obeyed the instruction as it was intended in putting the claims upon the bill.

Why is it that the committee has included claims to the amount of \$741,000, embracing the reports received subsequently to the order of December 19, at which time there had been reported claims to the amount of only \$448,000? The reason is, Mr. Chairman, that this was a standing order of the House in relation to this subject. The expression is "reports of the Court of Claims." At that time there had been presented to this particular House but one report. But the word is in the plural—"reports." This resolution was offered as a rule of action applying to this entire class of cases. It had already been provided by law, as the chairman will remember, that the report of the Court of Claims upon these matters was to be made from time to time to Congress for final action. That is the provision in the statute of 1885. Therefore, as I have already stated, the action of the Committee on Appropriations showed that they appreciated this resolution as a standing order of the House, and obeyed it according to its true intent and meaning.

When the gentleman from Missouri intimates that this order was adopted because of the absence of a great many members of the House, himself among the number, and that only about two hundred and twenty-five members were present, I am willing to assert it as my belief that as many of the absentees were in favor of that resolution as were opposed to it. And besides, Mr. Chairman, if every absentee had been present and had voted against the resolution, it would still have prevailed, because it was carried by a vote of 163 yeas—a majority of the entire House. In a House only two-thirds full, a majority of the whole number of members elected voted in favor of this standing order.

Mr. Chairman, this is a standing order of the House relating to a special subject. The rules are general in their action. If the rules and the standing orders of the House can be construed together, it is the duty of the Chair so to construe them, in order that the will of the House, expressed with no uncertain sound, may be carried out. When the House has said, "We will in accordance with the law bring this matter before us at a certain time and in a certain bill for final action as the law provides," it is the duty of the Chair to construe that standing order in conformity with the expression of the will of the majority of the House, and not to supersede that expression by reference to general rules not interfering with this order, and which never would have been adopted had it entered into the conception of any of those who

voted for this standing order that the general rules of the House would supersede its specific instruction in this matter.

Mr. Chairman, I presume the gentleman from Missouri put forward in the first instance his strongest proposition; and that is, that these matters are obnoxious to Rule XXI, clause 3:

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

What is meant by "expenditure previously authorized by law?" When you speak strictly no expenditure is authorized by law until the appropriation is made therefor. There may be authority in relation to the subject-matter upon which the expenditure is proposed, but that is what the rule means. The expenditure is really authorized by the appropriation.

The meaning of the rule, therefore, is that the subject-matter should come up for final action by appropriation under some existing law; and in accordance with that I find in this bill, properly here on pages 37 and 38, or ten pages thereafter, judgments of the Court of Claims, in which the Court of Claims has said that certain parties are entitled to certain moneys, and yet the expenditure of that money is not authorized by law until the appropriation bill is passed. The officer can not spend it.

So the very bill itself shows the construction I place on the rule is the correct one—that it must be a subject-matter upon which there is a law which authorizes Congress to consider the matter of the appropriation under its rules.

Now, that is provided for as fully in the clause of this bill as it is in the clause of the law which requires the Court of Claims to report its judgments, so far as the fact of consideration is concerned. The act says:

The report is to be made to Congress for final action.

It is, therefore, provided in the act of 1885 that Congress is to take final action in this matter in regard to confirming or refusing to confirm the judgments of the Court of Claims. And this is put in this bill for the purpose of consideration, in order that the final action authorized by law shall be taken.

The distinction which might be drawn in relation to final and other judgments, that this is not a final judgment, does not affect the question of consideration here, because the very act provides that final action in this case shall be taken by Congress, and the resolution merely covers that point bringing in that final action; but the matter of putting it in an appropriation bill is not that final action, either in the case of report of final judgment, nor is it in the case of these claims? That is not the final action, because it is competent for Congress by an amendment to strike out; and it did strike out some of them for certain reasons which have been presented by gentlemen on the floor.

Therefore the question of consideration is the same in both Houses. In one case the Court of Claims report to Congress for appropriation, and in the other for final action, or for appropriation, provided Congress chooses to make it.

Now, as to the rules and regulations of the committee of this House—

Mr. BLOUNT. Has the gentleman the resolution of the House which he is discussing?

Mr. DIBBLE. I have.

Mr. BLOUNT. If the gentleman has no objection I should like to have it read by the Clerk.

Mr. DIBBLE. I will comply with the request of the gentleman from Georgia, and send the resolution to the Clerk to be read.

The Clerk read as follows:

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 spoliation 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.

Mr. DIBBLE. Rule XI has been cited in relation to the duties and powers of the respective committees of the House. It says:

All proposed legislation shall be referred to the committee named in the preceding rule, as follows, namely: Subjects relating.

2. To appropriation of the revenue for the support of the Government, as herein provided, etc.: to the Committee on Appropriations.

It is part of the question of the support of the Government that the Government should pay all of its debts that it heretofore has failed to pay, or its obligations of any kind, and they are all provided in the appropriation bills. The deficiency bill is the place to provide for judgments of the Court of Claims. If it does not mean this is for the support of the Government, they will have to go out. Support of the Government does not mean the future maintenance of the Government in all its provisions, but it means sustaining the credit of the Government by meeting such obligations as are justly due.

As to private and domestic claims and demands upon the Government, they go to certain committees in certain contingencies; but these do not go there. The Speaker, under the rules of the House, did not send them there, and he has by his own action construed this standing order of the House, and construed it to mean that those rules did not apply, because he referred all of these, obeying the instructions of the House, which has a right to make its standing order as well as its

rules, to the Committee on Appropriations for embodiment in the appropriation bill.

The other suggestion of the gentleman from Missouri about putting them in the petition-box, I really think, Mr. Chairman, is hardly deserving of an answer. The rule to which he refers there applies exclusively to the cases of members introducing private bills. They go into the petition-box. I can not conceive that the gentleman means to apply the terms of that rule—Rule XXII—to a construction that would say that these reports of the Court of Claims, when presented by the Speaker of the House to the House, should be put into the petition-box and sent to the Private Claims Committee of the House; and yet that follows inevitably if the gentleman invokes Rule XXII to sustain his position, for it relates exclusively to that subject.

Now, Mr. Chairman, the rules themselves state that they are general rules, and I will cite in support of that Rule XLV:

These rules shall be the rules of the House of Representatives of the present and succeeding Congresses unless otherwise ordered.

The language is not "until otherwise ordered." It is not an expression which relates only to future orders of the House, but the expression is distinct, "unless otherwise ordered." That is, that it excepts all standing orders that the House may make, and special orders as well, as the case may be; and when these rules were passed there was an order already made that if there is anything in conflict in the rules, had ordered otherwise.

By the express terms of that rule, which applies to all standing or special orders of the House, they are to be the rules of the House unless it has been otherwise ordered by the House, or unless it shall be otherwise ordered by the House. The expression used in the rule is broad enough to include both forms of expression, and shows that the intention of the rule was not to supersede the express and specific instructions of the House.

That distinction between the standing orders of the House and the rules of the House is also made in the forty-fourth rule incidentally where it provides:

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House, etc.

Showing that the House is governed by both rules and orders; and when you read the two rules together, the forty-fourth and the forty-fifth rules, it means this, sir, that the House has standing rules and it has orders, and that the rules govern the House except in those cases provided for by the orders of the House. And therefore, even on a technical and literal construction of the rules of the House, there is nothing in the rules inconsistent with the consideration of this proposition in this bill.

One thought more, Mr. Chairman, and I am done, and that is in regard to the technical point made by the gentleman from Missouri, that the order under which these claims have been reported in this bill includes only those reported to the House up to the 19th of December, 1887, the date of the adoption of the resolution, and that \$440,000 only were so reported, and not \$740,000 as appears in the bill. I wish to say in relation to that, in addition to what I have already said, that that does not enter as an objection against the first paragraph which we are now considering, because, as a matter of fact, this paragraph about "Thomas Cushing, administrator of Marston Watson, \$6,555," on which the point of order is now being made, was already reported to the House, having been reported on the 6th day of December, 1886, and therefore was literally within the terms of the order, whatever might be said as to those embraced in the latter part of the bill after the \$440,000 were exceeded; and therefore, so far as that point is concerned, it is not pertinent to the pending question of order.

In conclusion, therefore, Mr. Chairman, the House having power and control over its own rules of procedure under the Constitution, by a vote of a full majority of the House has laid down an order and an instruction to the Committee on Appropriations. It would have been contempt of this House for that committee to have disregarded that instruction. They were bound to put these claims into the bill. They put them in without hesitation; but they put them in unwillingly. A number of members have said that they had put them in unwillingly. The committee embraces amongst its membership some of the older members, skilled parliamentarians of the House, and they put the claims into the bill without dissent as to the act of obedience to the instructions of the House. The object of that was that when we came to these claims we should consider them.

We have the facts found definitely and in detail and particularly by the Court of Claims, which Chief-Justice Taney said, in the case of *Gordon vs. The United States*, was "a tribunal which Congress might well create for its assistance in deciding political cases relating to the obligations of the Government; and that it could well construct that machinery to assist it in cases which were not judicial in their nature." And we have the facts found by the court. We passed a solemn enactment that that court should find these facts; that they should report them to Congress, and the object of that report was for Congress to consider and take final action upon them; that we would take also the views of that eminent body of trained men—trained in judicial inves-

tigation—and that we ourselves would make the final decision. In compliance with that law, which otherwise would be inoperative, they have been placed in this bill.

We have gravely consumed hours after hours in discussing the obligations of the Government in this regard; and now, Mr. Chairman, a purely technical and surface objection, refined and strained in its character, is interposed in order to throw one more obstacle in the way of the House having its will and providing for these matters which it deliberately said it would discuss in this bill and nowhere else.

I insist, therefore, that the point of order is not well taken.

Mr. HOLMAN. Mr. Speaker, the argument of my friend from South Carolina [Mr. DIBBLE] is able and ingenious, and undoubtedly the best that could be made against the point of order of the gentleman from Missouri [Mr. BURNES]. But it seems to me that both the gentleman from Missouri and the gentleman from South Carolina have gone into much greater detail than the real question involved would seem to require or justify. For it is impossible to avoid the fact that the very first point presented by the gentleman from Missouri covers the ground and decides the case. It is the strongest position that can be taken, and to my mind absolutely conclusive. The mere statement of fact is the strongest argument that can be presented. You weaken the matter by enlarging upon it. The fact simply is that on the 19th day of December last the House directed the Committee on Appropriations to insert certain claims in a general appropriation bill. That became the rule of the House and the law of the Committee on Appropriations as to those, and as a matter of course that committee would obey that order.

It is not an unusual practice to pass such resolutions and make such orders. There have been a great many instances within the last twenty-five years when such orders have been made. Orders are made on a given subject-matter which make them in order when otherwise they would not be in order on an appropriation bill. At that time the rules authorized to be made by the House by the Constitution of the United States for the government of the House had not been adopted. The House was acting from the necessity of the case under the common law of parliamentary bodies. To ascertain what that law was at the time reference of course was had to what had been the rules of preceding Congresses, especially the last, for they better than any other parliamentary law would express the common law applicable to the House of Representatives, so that on the 19th day of December this order was made, this rule was established as to the French spoliation claims. On the 21st of December the House, in performing one of its highest constitutional duties, adopted rules of procedure, and by almost express words annulled that order and rule of the 19th of December as effectually, as distinctly, and as unmistakably as if the resolution of the 19th day of December had been expressly named.

They adopted a rule that claims, such as referred to in the order of the 19th of December, shall go to the proper committee—the Committee on Claims. As referred to by the gentleman from Missouri, the House declared in that deliberate act that no appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto in any instance not previously authorized by law. That is clear and definite. On the 19th of December the House directed that matter not authorized by law, having no legal status or recognition on the part of the United States, should be in order upon an appropriation bill. The rules adopted afterwards on the 21st of December in express terms declare that such matter shall not be in order on an appropriation bill. Of course where two legislative measures cannot be reconciled, the former act must give way, the subsequent and last legislative action must control. This rule is too clear to admit of debate.

Mr. DIBBLE. If the gentleman will permit me I will ask him what has been the practice here? Does the Speaker usually refer these reports which have been coming in since under the rules or under the standing order? What construction has the Speaker of the House made in relation to this matter?

Mr. HOLMAN. I am not able to answer, but I have no doubt the Speaker of the House, whenever these reports came, has referred them to the Committee on Appropriations. The Speaker would naturally do that. The Speaker would not undertake to settle this question of jurisdiction until it was raised, and inasmuch as there was a special order the Speaker would naturally make that reference. Why not? I would suggest to my friend from South Carolina that the act of the Speaker would be done *pro forma* in the current procedure of business, and there is no point in that as to what committee it should be referred to. Such *pro forma* action decides nothing.

Mr. DIBBLE. Except that the Speaker recognized the standing order to be still in force notwithstanding the subsequent adoption of the rules.

Mr. HOLMAN. The Speaker perhaps never had his attention called to the subject. It is a question which never—

Mr. DAVIS. Would not the course have been to obey the general rule if his attention had not been directed to the matter?

Mr. HOLMAN. I think so. It does not appear that the attention of the Speaker was called to the subject. After the adoption of the gen-

eral rules the prior order in conflict with them must give way. The action of the Speaker in the absence of calling his attention to the subject under this rule proves nothing, decides nothing.

Now, sir, the only question that can remain is whether by the act of 1885 Congress in any way gave validity to these claims or made them lawful demands against the Government. I remember very well the history of this measure as it has been here for many years. It was the first series of claims against the Government that came to my notice after I entered Congress.

Notwithstanding the long series of years during which this class of claims have been pressed upon the Government, that measure could not have got through the House if it had not contained the provisions to which I now call attention, and which show that Congress simply called upon the Court of Claims for information upon the subject of these claims, treating the court, not as a judicial tribunal, but as an advisory board to report the law and the facts.

That is the way in which these matters were referred to the Court of Claims, and Congress further declared that notwithstanding its action in thus referring the subject to the court as an advisory board, it was not to be bound by any action of the court resulting from proceedings under that law. I think, sir, that if such an extraordinary measure as this had to pass Congress it was at least creditable to Congress that the provisions to which I call attention were incorporated in it, as showing that Congress was unwilling blindly, without further information, to enter upon a course which would involve the expenditure of millions of money on claims more than three-quarters of a century old. There is the provision:

Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress.

The "claimant or Congress." This law all the way through treats these matters as claims; not as demands that have been established, but as claims. The law goes on to say:

And nothing in this act shall be construed as committing the United States to the payment of any such claims.

"Claims" again, not ascertained matters, not final adjudications, but simply "claims," which under the rules of this House should go to the Committee on Claims.

Therefore, sir, without undertaking to speak at this time in regard to the other rules which are violated by the presence of these claims in this bill, I desire simply to urge again one consideration upon the Chair. That is, the point first presented, that the order under which these claims were permitted to be put upon this bill has been abrogated and rescinded, presents the case just as forcibly, just as completely as it can be presented. It covers the entire case. The point is clear and well taken beyond question. No possible argument can break the force of the fact that the order under which these claims were allowed to be placed upon this bill was abrogated and is not now the law of this House.

Mr. ADAMS. Mr. Speaker, when the gentleman from Missouri [Mr. BURNES] opened this discussion on the point of order he referred to the fact that at the time of the adoption of this resolution on the 19th of December there were two hundred and twenty-five members of the House present who, not having been members of the Forty-eighth Congress, were presumably unfamiliar with the French spoliation claims. The only logical inference from that remark would be that the House must be presumed not to have acted deliberately or with full information in regard to the effect of the resolution then adopted, and I concede that that is a logical way of arguing the question.

Mr. BURNES. If the gentleman will allow me to interrupt him for a moment, I said what I did say on that point in consequence of the fact that it was stated on this floor on the 19th of December that this was "the usual course with other reports of the Court of Claims."

Mr. ADAMS. On what page does that appear?

Mr. BURNES. On page 98. Now I wish to say to my friend from Illinois [Mr. ADAMS] and to the House that this is not the usual course with other reports from the Court of Claims.

Mr. ADAMS. I admit it.

Mr. BURNES. It is the usual course with regard to judgments rendered, but not with regard to reports, and I call the gentleman's attention to the numerous reports from the Court of Claims in cases under the Bowman act, precisely the counterpart of these claims, as directly refuting the statement which was made upon this floor and which I have just quoted.

Mr. ADAMS. Mr. Chairman, I am very glad to have been reminded by the gentleman from Missouri [Mr. BURNES] that this proceeding was an unusual one in this class of claims, because that was exactly the fact which I was about to bring to the attention of the Chair. I was about to direct the attention of the Chair to the fact that the unusual character of the proceeding was brought clearly before the House at the time and that the House on full debate deliberately voted by yeas and nays in favor of the adoption of the resolution, understanding perfectly what its effect would be. The remark just read by the gentleman from Missouri [Mr. BURNES] occurs in an earlier period of the debate, for he says it is to be found on page 98. After considera-

ble debate the following statement was made by Mr. REED. It is found on page 100 of the RECORD:

Mr. REED. Mr. Speaker, this is, after all, a practical question. At least three-score of the members present now know, and the rest of them before the end of the session will know, that there are a great many ways of killing a bill besides a direct negative vote of the House. Among the methods, one is to send it to a committee, and especially to the Committee on Claims, which is so overburdened with work that it can report on but very few of the matters that are referred to it.

The present proposition is to send this to the Committee on Appropriations with directions to report it upon a deficiency bill for the action of the House. The Committee on Appropriations can consider these items and report against them or report for them, but in no event will they be allowed to prevent the House from voting on them.

That statement runs on all-fours with the other statements made in the course of that debate. There was a wide difference of opinion among the members of the House who took part in the debate as to the propriety of adopting the resolution, but I think a cursory examination of the debate will convince any one that there was no division of opinion as to the effect of the resolution in case the House chose to adopt it. I have read an excerpt from page 100. Here is what fell from the gentleman from South Carolina [Mr. DIBBLE] at the conclusion of the debate.

Mr. DIBBLE. Mr. Speaker, the Committee on Appropriations is composed of able and experienced members of the House. If this question is referred to them they will report back in a bill, and there is no precluding them from making remarks or presenting their opinion upon their own report. If their report as to any one of these claims comes before the House it comes up, not for favorable action, necessarily, by the House, but for such action as the House shall see proper to take.

The logical inference from this entire debate is that the House was determined that these French spoliation claims should be considered, not necessarily that they should be allowed or that they should be rejected, but that this House should at least have the privilege of voting yeas or nays on every report that had come from the court. Thereupon, after all this debate, the question was voted upon by yeas and nays, and there were 163 votes in the affirmative and 84 in the negative.

The gentlemen who voted in the negative, including the gentleman who is now in the chair [Mr. SPRINGER], certainly could not have found much reason for opposing the adoption of the resolution if they supposed that when the question came up in the House the objection of a single member could throw these items out of the bill. The gentleman now in the chair opposed the resolution, and his argument against it was based on the privileged character which the adoption of such a resolution would give to these claims.

There would be no sense in the remarks made by almost every member who spoke against the adoption of this resolution if it had been supposed that after its adoption any member could have these items thrown out of the bill on a mere point of order. This resolution, then, is the deliberate judgment of the House expressed on a vote by yeas and nays after full debate and upon a clear statement of the matter.

Now, what was the action of the House in the adoption of the rules? If it is proper, Mr. Chairman, to refer, as the gentleman from Missouri did refer, to the fact that a large number of members then present were unfamiliar with the French spoliation claims, it is at least equally proper for me to refer to the circumstances, which I know will be fresh in the mind of the Chairman, under which the rules of the Forty-ninth Congress were adopted by this House on the 21st of December last. The Committee on Rules came in with a report, of which I will read the first two paragraphs:

The Committee on Rules, to which was referred various propositions to amend the rules of the House, has had the same under consideration, and make the following partial report:

The committee has not had time to conclude its consideration of all the propositions referred to it, and therefore reports back to the House such measures only as it deems necessary to be disposed of in order to complete the organization of the House.

It is true that the report of the committee did declare that the rules of the Forty-ninth Congress should be adopted until the further order of the House, with the exception of certain definite modifications. But when that report of the Committee on Rules came to be discussed I think the gentleman now in the chair [Mr. SPRINGER] took part in the discussion. I took some part in it myself, and without reading what fell from various gentlemen as to the effect of adopting that "partial report," I will refer to a parliamentary question which I asked of the Speaker near the conclusion of the whole debate:

Mr. ADAMS. I desire to ask a parliamentary question. This proposition being to adopt, with some modifications, forty-six rules of the House of Representatives of the last Congress, is not the question divisible?

The SPEAKER. The Chair thinks that a separate vote may be called for on any proposition contained in the report.

Mr. ADAMS. Another question: After the previous question has been ordered, would it be in order for me to move that the consideration of all rules of the Forty-ninth Congress in regard to which the Committee on Rules has not recommended a modification be postponed till the first Wednesday in January?

The SPEAKER. Those propositions to amend the rules on which the committee has made no report are not before the House.

Mr. ADAMS. But, Mr. Speaker, the report, as I understand, is that the rules of the House as they existed in the Forty-ninth Congress be adopted as the rules of the present House. If I am incorrect in that impression, I am very glad to learn it.

The SPEAKER. The report proposes to adopt the rules of the Forty-ninth Congress with certain modifications, until the further order of the House; that

is the statement contained in the report. The report also states that there are other propositions pending before the committee which are hereafter to be considered and reported upon.

Mr. Chairman, the rules referred to by the gentleman from Missouri—clause 3 of Rule XXI, and other rules—are to-day the rules of this House, because the Committee on Rules declined to make any further report. I do not mean to say that this interferes with the validity of the rules which were adopted. I do not mean to affirm that they are not in full force to-day as rules of the House. But when the gentleman from Missouri claims that this standing order of the 19th of December last is vacated by the action of the House on the 21st of December, I think it fair to call the attention of the Chair to the character of the action of the House on those two separate occasions. On the first occasion there is not the slightest possibility of doubt as to the deliberate intention of this House.

I submit that those rules adopted on the second occasion, until the further order of the House, on the statement of the Speaker, the chairman of the Committee on Rules, and of the gentleman from Pennsylvania [Mr. RANDALL], a member of the committee, that the committee would make a further report—I submit that rules adopted in that way are not in such full sense the deliberate action of the House as was the action by which, after full debate and upon a vote by yeas and nays, this resolution was adopted, many gentlemen voting against the resolution simply because they foresaw that the effect of its adoption would be precisely what we claim. The judgment of the House as thus expressed was not intended to be vacated by what the House did two days afterward in adopting the rules of the Forty-ninth Congress.

Mr. LODGE. Mr. Chairman, the principal point made by the gentleman from Missouri [Mr. BURNES], and the only point made by the gentleman from Indiana [Mr. HOLMAN], is that the adoption of the general rules vacated this special order. If that was the case, it did so on the 21st of December, when those general rules were adopted; and if the position of those gentlemen be correct, the Speaker of this House has since that time been wrongly referring to the Committee on Appropriations these claims subsequently reported. The gentleman from Indiana intimated that the Speaker did this without reflection, in the general current of business. But, sir, our Speaker is one of the most acute parliamentarians in the country, and has had his eye on all the business of the House. Moreover, the Committee on Appropriations, hostile to these claims, has only discovered at this eleventh hour that they are out of order.

That committee has had plenty of opportunity to change the reference of these claims. If the original order was vacated, the committee could have changed the reference at any time; but they have put these claims into the bill in accordance with the special order; so that they at least never doubted the effect of that order until now.

Mr. BURNES. Will the gentleman allow me a moment? He informs us that the Speaker of this House, an acute parliamentarian, referred these reports of the Court of Claims to the Committee on Appropriations.

Mr. LODGE. I mean those presented subsequently to the adoption of the order; those beyond the \$448,000.

Mr. BURNES. The gentleman did not mean to assert that those claims reported prior to the order of the 19th of December were so referred by the Speaker?

Mr. LODGE. They were referred by the order of the House. I simply meant to say that the Speaker, in his subsequent references, recognized the force of that order.

Mr. BURNES. Undoubtedly the point had not occurred to the Speaker, nor had it occurred to many members on this floor.

Mr. LODGE. That was the point I meant to make—that it had not occurred to the committee until now.

Mr. BURNES. It had occurred to some of us.

Mr. LODGE. In the debate at that time, Mr. Chairman, when it was well known to members of the House that the rules of the House had been adopted, in the debate on the resolution you, sir (Mr. SPRINGER in the chair), said:

This resolution takes away from the Committee on Claims its jurisdiction under the rules of the House and makes the Appropriations Committee a claims committee.

This resolution proposes to make these claims privileged, and to refer them, not to the Committee on Claims, to which they should properly go, but to the Appropriations Committee, which is a privileged committee, with authority to report at any time, and the resolution further instructs the Appropriations Committee to report these claims in the deficiency bill.

This resolution commits the United States at once to the payment of these claims. That is the interpretation put on it during the debate, and I wish simply to call attention to the facts in settling this point of order.

Mr. SENEY. Mr. Chairman, I suppose that paragraph 3, of Rule XXI, is controlling on this point of order, if there be nothing else in the way, and if this paragraph is given its full and proper effect, then section 4, providing for the payment of French spoliation claims, must go out of this deficiency appropriation bill.

This clause is in these words:

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

I do not understand that it has been claimed by either of the gentlemen who preceded me that section 4 in this bill is rightly there if this paragraph is decisive of the point under debate. In other words, whether or not section 4 be rightly in or should go out of this bill depends on the construction and effect we will give to the paragraph I have just read.

It is claimed that section 4 is rightly in this bill from the fact that the House in December last passed a resolution instructing the Committee on Appropriations to put it there. This claim, Mr. Chairman, I dispute. I insist the House did no such thing. In addressing the House on yesterday for the mere purpose of debate, I treated the resolution of December last as an instruction upon the part of the House to the Appropriations Committee to report in the general deficiency bill an appropriation to pay French spoliation claims; but such, sir, is not the meaning of that resolution.

Allow me to read the resolution:

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 spoliation committed by the French prior to the 31st day of July, 1801," approved January 29, 1835, 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 claimant, and so reported by the Court of Claims, in the general deficiency bill for the consideration of the House.

The question before the House, then, is, what is the right meaning or legal effect of the resolution I have just read? Does the resolution instruct the Committee on Appropriations to appropriate money in the Treasury for the payment of these French spoliation claims? I do not think any gentleman who will carefully and thoughtfully read the resolution will dispute me when I say the House gave no such instructions to the Appropriations Committee.

Now, what did the House do? I think the gentleman from South Carolina [Mr. DIBBLE] said something in his remarks about the intent of this resolution.

He, as I understood his remarks, wanted the House to depart from the words of the resolution and follow him in his construction as to what was the intent of the House in passing that resolution. It may be that the House did intend to instruct the Appropriations Committee to appropriate money to pay these spoliation claims, but to my mind the resolution of the House which I have just read signally fails in expressing that intent.

Mr. DIBBLE. I will state, with the permission of the gentleman from Ohio, that I did not assume the position that the Appropriations Committee was to do anything more than to report these claims in their bill for the consideration of the House. That is not an appropriation of money at all. The appropriation of money is an act of the House itself.

Mr. SENEY. We are talking, as I understand it, whether section 4 ought to be in or out of this deficiency bill. The proposition now before the House is that it be stricken out; that it is improperly there; that it has no business there, and that under the rules of the House it is out of place. The proposition before the House is that the House shall act upon its own rules and strike it from the bill. This I understand to be the question, and no other question is before us.

Sir, it is a mere begging of the question to say that we must be controlled by what the House intended. The resolution tells the intent, and nothing but the resolution is authority on this point. I insist that we be controlled by what the House did, and when we cast about for evidence as to what was done in December last by the House respecting these spoliation claims we have nowhere else to look save and except to the record for the resolution, which speaks for the House. Instead of instructing the Committee on Appropriations to appropriate money out of the public Treasury for the payment of these claims, the resolution does nothing more nor less than instruct the Committee on Appropriations to report the claims for the consideration of the House.

Now, sir, to my mind there is a very wide difference between instructing the Appropriations Committee to appropriate for the payment of claims and instructing that committee to report the claims to the House for its consideration. I do not know, sir, how these claims got into the room of the Committee on Appropriations. By the act of 1835, it occurs to me, that the proper thing to have done with the report when it came from the Court of Claims was for the Speaker from his chair to lay it before the House for its consideration. The act of 1835 expressly authorizes and requires that the report of the Court of Claims shall be made to Congress; not to the Appropriations Committee, but to Congress.

I take it, sir, that that means to both Houses of Congress, the Senate as well as the House; but by some custom or practice, or in some way with which I am not familiar, this report seems to have been lodged with the Committee on Appropriations, and the friends of these spoliation claimants, taking advantage of that circumstance, brought before the House a proposition that those claims should be brought out of that committee-room and into the House; and they did nothing else by that resolution. The House instructed the committee to report the claims, just as any other matter is reported, and I submit to any fair-minded man, I submit to the legal talent of the House, whether that act on the part of the House means an instruction to the Appropriations Committee that they shall appropriate money to pay them? I say it does not.

It is not the way in which business of that sort is done; and it may be—not being familiar with the custom in that regard—it may be, sir, that I am mistaken and that this was the proper resolution to put through the House. But I undertake to say that if the matter had been submitted to my judgment I would have used words very different from those employed in the resolution if I wanted to force the Appropriations Committee to appropriate money out of the Treasury to pay the spoliation claims.

Mr. ADAMS. Will the gentleman allow me to call his attention to the fact, since he is commenting on the word "report," used in that resolution to which he refers, that it is precisely the word which, existing in the rule, is now cited as an objection against the claims being in this bill, the language of the rule being:

No appropriation shall be reported, etc.

Mr. SENEY. Well, sir, in answer to the gentleman from Illinois, I will say to the House that if I had been draughting a resolution with a view of having money appropriated to pay these claims in lieu of giving instructions to the Committee on Appropriations to report these claims to the House I would have used words something like these:

To appropriate in the general deficiency bill for the payment of such claims as the Court of Claims had duly reported upon.

But I was going to remark when interrupted by the gentleman, that the words used in the resolution do not authorize or direct the Committee on Appropriations to make an appropriation for the payment of the claims.

I ask you, Mr. Chairman, whether when a committee is instructed by this House to report a claim which is before it, that instruction means that the committee shall appropriate money for the payment of it? Why, sir, if this House was to instruct the Committee on War Claims or Accounts to report a given claim or account to the House, would any gentleman assert that that committee had the power to appropriate money for the payment of the claim? Well, sir, if the War Claims Committee, or the Committee on Accounts would have no such power, I ask the gentleman from South Carolina what it is that confers that power upon the Committee on Appropriations?

Mr. DIBBLE. I will answer the gentleman by saying that the Committee on Appropriations do not appropriate the money. They present a proposition for the consideration of the House in accordance with the express wording of the resolution.

Mr. SENEY. Why, if that resolution means anything at all, it means that what the Court of Claims reported to Congress should be brought from that committee-room into the House that the House may consider what the Court of Claims did in these cases. It means nothing else. It can mean nothing else. But the Committee on Appropriations do appropriate money, and report that appropriation instead of reporting the claims, giving the names of the claimants, amounts found in their favor, the nature of the claims, etc.

Mr. BRECKINRIDGE, of Kentucky. If it does not interrupt the gentleman from Ohio—

Mr. SENEY. Not at all.

Mr. BRECKINRIDGE, of Kentucky. If that is what the resolution means, how then is it contrary to the rules of the House? And how does that, which by order of the House is laid before the House for its consideration, become disorderly for the House to consider?

Mr. SENEY. It is not contrary, nor does it conflict, in my judgment, with clause 3 of Rule XXI. There is no difficulty in my mind in solving this point of order; none whatever. Clause 3 of Rule XXI is controlling, absolutely and completely, upon this question; and if we will deal rightly with the question, we will dismiss from our thoughts entirely the House resolution of December last, for it plays no part at all in this controversy.

The resolution is a mere instruction to the Committee on Appropriations to report to the House what the Court of Claims reported to it. The resolution said to the Committee on Appropriations, you have got upon your files the action of the Court of Claims in the French spoliation cases, and we want that action reported to the House. We want it for the consideration of the House; we want it for the judgment of the House. And I insist, Mr. Chairman, that under that resolution the Committee on Appropriations, and I say it respectfully, transcended its power. It would have no right except by authority of this House to appropriate a single dollar to pay the spoliation claims. The House never instructed it to do so. The House never gave it authority to do so. It has been stated that the majority of the Committee on Appropriations are opposed to the payment of these spoliation claims. I am glad this is so, if the statement be correct.

Mr. DIBBLE. Will my friend permit me to ask him a question?

Mr. SENEY. Certainly.

Mr. DIBBLE. Was not the instruction specific that this was to be reported in the general deficiency bill? And I will ask him whether that does not comply with the ordinary form?

Mr. SENEY. It might just as well have been an instruction for the Appropriations Committee to report it on the sundry civil bill or any other appropriation bill. The resolution simply indicated to the committee the bill under which the House wanted the matter brought before it. That is what the House did. Under the rules of this House I insist that if there be an appropriation to pay these claims, a bill for

that purpose must be introduced just as other bills are introduced, and be referred, reported on, and considered in the same manner precisely as all other bills.

Now, Mr. Chairman, I have said there is no conflict at all between paragraph 3 of Rule XXI and the House resolution of December last. To my mind this matter is a problem easily solved. It seems to me there is no difficulty whatsoever if we give to the resolution of December last the meaning so plainly and clearly indicated by its express terms. If the gentlemen who draughted, or in whose interest it was draughted, failed to make the resolution what it should be to accomplish their wishes, upon them and upon nobody else rests the blame. In the greed and haste to get into the Treasury for money for these French spoliation claimants they did not move in the right direction. They failed to get into that resolution that which would effect their purpose, and I repeat, sir, that at their doors lies all the blame.

Mr. CANNON. I want to speak to the point of order without referring to the merits of the proposition. The majority of this House referred this resolution by an order to the Committee on Appropriations. I have not the resolution before me, but in substance it ordered the committee to report these claims for the consideration of the House. Two days after this action the rules were adopted that are said by inference to repeal the order of the House. I believe that is the position taken here. Now I take it that the Chairman of the committee knows the whole subject so well that he would not construe the resolution unless he was forced to do so in such manner as to deprive the majority of the House from doing whatever it sees proper to do.

Mr. BURNES. That is the rule.

Mr. CANNON. The right of the House to do what it chooses is always advanced by the Speaker in the construction of the rules. The rules are made for the use of the House, not the House for the rules. For instance, take Rule XI:

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating to, etc.

The Chair is familiar with the rule. Yet it has always been held, notwithstanding the rule, that the House may make a different reference, and when the different reference is made it gives jurisdiction to the committee notwithstanding the letter of the rule.

Now, I do not see that there is much trouble in letting the order made by the House under which these claims are reported stand, and let the rule stand. It is the plainest, commonest principle of construction that provisions or statutes covering the same subject shall be so construed as to uphold each provision if possible. I do not know that I could say any more if I were to talk two hours. It seems clear to me that the point of order is not well taken.

Mr. O'NEILL, of Pennsylvania. If the gentleman will let me interrupt him a moment I will say that the gentleman did not say whether he had looked to Rule XXVIII. That has a bearing on the order made on the 19th of December, and I will read it:

No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion thereof.

Now, there was no formal or technical notice given that the order made on the 19th of December should be rescinded. It stood there. Although the Committee on Rules did report the rules of the House on the 21st of December, there was no formal rescinding of the order which was made on the 19th of December. I call the attention of the gentleman to that fact; but I know he has knowledge of the rules.

While I am on my feet, if you will permit me, I desire to say the Committee on Rules never touched the order made by this House on the 19th of December. I do not mean to say that I know; I do not know what might have occurred inside of the meeting-room, but that committee made their report on the 21st day of December, and it is found by the records of this House that the Speaker still continued to refer these reports to the Committee on Appropriations. I presume he, of all men, would know what occurred in the meetings of the Committee on Rules. Now, the general rules of the House were reported to be adopted; yet, sir, there was no formal motion made for the rescinding of this order; and I take it upon that point, and upon the points which have just been discussed, that the order stands, because it has not been rescinded.

Mr. BURNES. I ask the gentleman to yield to me a moment. Mr. Chairman, the hour of adjournment is almost at hand, and unless we can have an understanding that this debate shall close at once the committee may as well rise.

Mr. O'NEILL, of Pennsylvania. I will only say in conclusion, Mr. Chairman, that there stands the order of the House made on the 19th of December; no motion was ever made to rescind that order as required by the rules. It stands there, and you can not efface it.

Mr. COBB. Let me remind the gentleman that the rules of the House have no retroactive effect at all, and that therefore the rule which he has read has no relation whatever to what had been done preceding the adoption of the rules.

Mr. O'NEILL, of Pennsylvania. But preceding their adoption notice was given upon the record that the House desired that the Committee on Appropriations should have jurisdiction over this subject. That jurisdiction was conferred by a direct vote of this House, by a direct order of the House. Now, the House has never rescinded that

order, and even the adoption of these general rules for the government of the House can not rescind it.

Mr. BUCHANAN. And it was never intended to do so.

Mr. O'NEILL, of Pennsylvania. No.

Mr. WILSON, of Minnesota, was recognized, but yielded to Mr. BURNES.

Mr. BURNES. Mr. Chairman, in order to test the judgment of the committee, I ask unanimous consent that the session may be continued for half an hour, at the end of which time the Chairman shall pass upon the point of order.

Mr. BLAND. We have the whole fall to discuss this matter, so why need we extend the session to-day? [Laughter.]

Mr. BURNES. Then 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. SPRINGER, from the Committee of the Whole, reported that they had had under consideration the 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, and had come to no resolution thereon.

The House then, on motion of Mr. KILGORE (at 4 o'clock and 55 minutes p. m.), adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. CLARDY: A bill (H. R. 11249) amendatory of an act authorizing the construction of a bridge over the Mississippi River at St. Louis, Mo., approved February 3, 1887—to the Committee on Commerce.

By Mr. LIND: A bill (H. R. 11250) granting a pension to Braddock F. Stocking—to the Committee on Invalid Pensions.

By Mr. LODGE: A bill (H. R. 11251) for the relief of William W. Beck—to the Committee on Naval Affairs.

By Mr. MCCREARY: A bill (H. R. 11252) for the relief of James Clark—to the Committee on War Claims.

PETITIONS, ETC.

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

By Mr. DOUGHERTY: Petition for the extension of the Government telegraph line from Jupiter, Fla., to a point on Lake Worth—to the Committee on Military Affairs.

By Mr. MCOMAS: Petition of F. O. Medley, for payment of his war claim—to the Committee on War Claims.

By Mr. MACDONALD: Petition of 40 citizens of the Third district of Minnesota, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. PAYSON: Petition of Job E. Meggnier, of Livingston County, Illinois, for an increase of pension—to the Committee on Pensions.

SENATE.

THURSDAY, August 23, 1888.

The Senate met at 11 o'clock a. m.

Prayer by Rev. A. W. FITZER, D. D., of the city of Washington.

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

SARAH C. ANDERSON—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

I return without approval Senate bill No. 2370, entitled "An act granting a pension to Sarah C. Anderson and children under sixteen years of age."

William H. Anderson, the husband and the father of the beneficiaries named in this bill, enlisted on the 27th day of August, 1862, and is reported as sick or absent a large part of his short term of service. He was discharged April 23, 1863, to date November 5, 1862, on a surgeon's certificate of disability for "tertiary syphilis, with ulcerated throat and extensive nodes on the tibia of both legs."

He never filed an application for pension; he was admitted to an insane asylum in September, 1883, suffering with epilepsy, chronic diarrhea, and dementia, and died of pneumonia on the 26th day of February, 1884.

His symptoms and troubles after his discharge, so far as they are stated, are entirely consistent with the surgeon's certificate of disability given at the time of his discharge, and there seems to be an entire lack of testimony connecting in any reasonable way his death with any incident of his military service.

GROVER CLEVELAND.

EXECUTIVE MANSION, August 22, 1888.

The PRESIDENT *pro tempore*. Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. SHERMAN. I move that the bill, with the accompanying message, be referred to the Committee on Pensions, and printed.

The motion was agreed to.

JOHN W. REYNOLDS—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

I return without approval Senate bill No. 1542, entitled "An act granting a pension to John W. Reynolds."

The bill describes this beneficiary as being "late of the One hundred and fifty-seventh Ohio Volunteer Infantry."

He filed a claim in 1872 that he was a deputy United States provost-marshal for the Twelfth Ohio district from October, 1864, to March, 1865, and that in December, 1864, while ascending a stairway to arrest two deserters who had been drafted, a barrel of cider was rolled down upon him, by which he was severely injured.

The claim having been rejected on the ground that the claimant was not entitled to a pension as a civil employé of the Government, he afterwards, and in January, 1888, informed the bureau that he was drafted in November, 1864, while serving as assistant deputy provost-marshal, and was sworn in and reserved for home duty, and was discharged from the One hundred and fifty-first Ohio Volunteers. The records of the War Department show that John W. Reynolds served in the One hundred and fifty-first Ohio Regiment from May 2, 1864, to August 27, 1864.

It is perfectly apparent that this beneficiary was injured while acting as a deputy assistant provost-marshal, arresting deserters for the pay and rewards allowed him, and that his injuries were not at all connected with actual military service.

GROVER CLEVELAND.

EXECUTIVE MANSION, August 22, 1888.

The PRESIDENT *pro tempore*. Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. DAVIS. I move that the bill, with the accompanying message, be referred to the Committee on Pensions, and printed.

The motion was agreed to.

JAMES E. KABLER—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

I return without approval Senate bill No. 2616, entitled "An act granting a pension to James E. Kabler."

This beneficiary enlisted August 10, 1862. He is reported as absent sick for November and December, 1862; present for January and February, 1863; on the rolls for March and April he is reported as deserted, and for May and June as under arrest. On the 17th of September, 1863, after having been in the service a little over a year, he was mustered out with his company with the remark, "Absent without leave and returned to duty with loss of fifty-two days' pay by order of General Boyle." The charge of desertion does not appear to have been removed.

He filed a claim for pension in 1870 on account of quinsy alleged to have been contracted about December 7, 1862, with some evidence to support the claim. Three medical examinations fail to establish the existence of this disease in a pensionable degree, and it is reported to me from the Pension Bureau that in March, 1882, the family physician of the beneficiary stated that though he had practiced in his family for eight or nine years, he had no recollection of treating him for quinsy or any other disease.

It seems to me that neither the service nor the alleged disability of this beneficiary are of a meritorious character.

GROVER CLEVELAND.

EXECUTIVE MANSION, August 22, 1888.

The PRESIDENT *pro tempore*. Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. DAVIS. I move that the bill and message be referred to the Committee on Pensions, and printed.

The motion was agreed to.

P. E. PARKER—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

I return without approval Senate bill No. 3338, entitled "An act for the relief of P. E. Parker."

Mr. Parker was a surety with six other persons upon an official bond given by one Franklin Travis, a collector of internal revenue, which bond was dated on the 9th day of May, 1867. A few years after that the collector became a defaulter to the Government for something over \$27,000. Suit was commenced against the sureties upon the bond, and the defense was presented in their behalf that by reason of the imposition of new duties and responsibilities upon the collector after the execution of the bond, his sureties were released. Judgment, however, passed against them, and the property of the beneficiary named in this bill was sold upon said judgment for the sum of \$2,366.95. But only \$1,793.16 of such amount was paid into the United States Treasury, the remainder having been applied to the payment of fees and expenses.

After the application of this sum to the payment of the judgment, a bill was passed by the Congress relieving all these sureties from liability upon the bond. It appears that the amount above stated was all the money collected thereupon. The grant of the relief of these sureties by the Congress apparently was the same interposed by them to the suit in which the judgment was recovered.

The present bill directs the Secretary of the Treasury to pay to the surety, Parker, the sum of \$2,366.95, the entire amount for which his property was sold, though the Senate committee, to which the bill was referred, reported in favor of reducing this sum to \$1,793.16, the amount actually received by the United States upon its indebtedness.

It seems to me that the action of Congress in relieving these sureties was generous in the extreme, and if money was to be refunded which was apparently legally recovered and collected it should not exceed the amount the Government actually received. The Government is in no default and should be put to no expense in refunding the small sum recovered on account of the defalcation of its officer, whose good conduct this beneficiary guaranteed. I think it would better subserve public interests if no further relief should be granted than that already afforded.

There is another fact reported to me which deprives this surety of any equitable claim for further relief. It appears from an examination of this matter that the man who is now attempting to be reimbursed this money from the Government Treasury commenced a suit against his co-sureties for this identical money on the ground of their liability with him, and that he actually collected from two of them in such suit the sum of \$1,747.16.