PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BECKWITH: A bill (H. R. 11883) for the relief of the legal representatives of Orsemus B. Boyd—to the Committee on War Claims.

By Mr. HILL: A bill (H. R. 11884) removing the charge of desertion and granting an honorable discharge to Wentley Brager, Company G, Sixty-fifth Illinois Volunteers—to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 11885) granting an increase of pension to Henrietta Boeman—to the Committee on Invalid Pensions.

By Mr. MARTIN, of Indiana: A bill (H. R. 11886) to remove the charge of desertion from the military record of Peter Seibel—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 11887) for the relief of James R. Mills—to the Committee on Military Affairs.

By Mr. ROCKWELL: A bill (H. R. 11888) for the relief of Thomas Coughlin—to the Committee on Military Affairs.

Also, a bill (H. R. 11889) for the relief of Edward J. Hogan—to the Committee on Military Affairs.

By Mr. STONE, of Kentucky (by request): A bill (H. R. 11890) for the relief of the assignees of John Roach, deceased—to the Committee on Claims.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 11891) granting a pension to Simon Archer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11892) granting an increase of pension to J. Enoch Baily—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11893) granting an increase of pension to Thomas C. McElravy—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARLTON: Petition of the citizens of Green County, Georgia, protesting against the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. CHIPMAN: Resolution of Detroit Board of Trade, approving of Mr. Blaine's reciprocity proposition—to the Committee on Ways and Means.

By Mr. O'DONNELL: Petition of 80 citizens of Hastings, Mich., asking that Phœbe Sisson be restored to the pension-rolls—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, *August* 29, 1890.

The Senate met at 10 o'clock a. m.

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

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

BILLS INDEFINITELY POSTPONED.

Mr. REAGAN. There are two bills introduced by me on the Calendar that relate to subjects which have been acted upon. I desire to have them indefinitely postponed, so as to carry them off the Calendar.

The PRESIDENT *pro tempore*. Will the Senator indicate the Orders of Business?

Mr. REAGAN. The first is Order of Business No. 1, the bill (S. 58) for the free coinage of silver, and for other purposes.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed, if there be no objection.

Mr. REAGAN. The other is Order of Business No. 21, the bill (S. 3769) to provide for the irrigation of the arid lands of the United States, and for other purposes.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed, if there be no objection.

PETITIONS AND MEMORIALS.

Mr. BLAIR. I present a memorial of the Woman's National Industrial League, remonstrating against the outrages committed by the "armed assassins known as Pinkerton's detectives," as set forth in the memorial, and praying for the protection of law-abiding citizens and the punishment of the outrages complained of by the State and National Governments.

As it may involve some law, I move that the memorial be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. HOAR. I present a petition of leading manufacturers who use velveteens and corduroys, and importers of these goods, doing business in Boston, Mass., praying for a modification of the proposed increase in the rates of duty on such fabrics. The petitioners desire that this petition be printed in the RECORD. It is an important petition with reference to the pending bill and very brief; but not to violate the custom of the Senate in that respect, I ask that it be printed as a document and referred to the Committee on Finance.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. HISCOCK presented a petition of leading manufacturers of caps, fancy boxes, etc., and importers of velveteens and corduroys, doing business in New York, asking for a modification of the proposed increase of duty on velveteens and corduroys, and also affidavits showing the cost of manufacturing these goods in England; which were ordered to lie on the table.

Mr. PLUMB. I present the petition of a large number of settlers in Northwestern Kansas, asking that the Government take such steps as will furnish to them relief on account of the failure of crops, various methods of relief being suggested. I move that the petition, with the accompanying papers, be referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

The motion was agreed to.

Mr. CAMERON presented the resolutions of the Tariff Reform Club of Philadelphia, Pa., remonstrating against the passage of the Federal election bill; which were ordered to lie on the table.

Mr. CULLOM. I present a petition of leading firms in Chicago, Ill., for a modification of the proposed increase in the duties on velveteens and corduroys, which I move lie on the table. This petition is brief and the petitioners very modestly request that I ask permission of the Senate to insert it in the RECORD. I make that request.

Mr. SHERMAN. Let it be printed as a document.

The PRESIDENT *pro tempore*. Objection being made to printing it in the RECORD, it will be printed as a document, if the Senator desires.

Mr. CULLOM. Let that be done.

The PRESIDENT *pro tempore*. It will lie on the table and be printed as a document.

Mr. QUAY. I present a petition of leading firms in Philadelphia, Pa., some of whom are manufacturers who use velveteens and corduroys for making caps, slippers, clothing, box-lining, etc., and others who are importers of these fabrics, praying for a modification of the proposed increase of duties on these goods, and I ask, as did the Senator from Illinois [Mr. CULLOM], that the petition be printed in the RECORD.

The PRESIDENT *pro tempore*. Objection being made to that, the petition will lie on the table and be printed as a document, if there be no objection.

REPORTS OF COMMITTEES.

Mr. FAULKNER. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 6498) to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the Bennings road, in the District of Columbia, to report it favorably, and as the committee has already reported a similar Senate bill I ask that this bill be substituted therefor on the Calendar, and that the Senate bill be postponed indefinitely.

The PRESIDENT *pro tempore*. The Senator from West Virginia asks unanimous consent that the bill now reported may be substituted for and take the place on the Calendar of the Senate bill on the same subject, favorably reported from the same committee and now on the Calendar.

Mr. EDMUNDS. And the Senate bill to be indefinitely postponed, I suppose?

The PRESIDENT *pro tempore*. That will be subsequently done. The Chairs hears no objection. The bill (S. 2589) to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the Bennings road, in the District of Columbia, will be postponed indefinitely.

Mr. FAULKNER, from the Committee on Pensions, to whom was referred the bill (H. R. 8928) granting a pension to D. M. Miller, reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 3528) to grant a pension to James Knetsar, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 11543) granting a pension to James H. Means, M. D., reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. EVARTS introduced a bill (S. 4358) for the relief of the administrator of Jeremiah Simonson; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 4359) for the relief of Cornelius Murphy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4360) for the relief of David Redfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. KENNA introduced a bill (S. 4361) for the relief of Sarah E. Harless; which was read twice by its title, and referred to the Committee on Pensions.

PROPOSED RECESS OF CONGRESS.

Mr. EDMUNDS. I offer a resolution and ask that it may be read and lie on the table. I shall call it up for consideration at some later, convenient time, when we shall know a little better how we are getting on.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The concurrent resolution was read, and ordered to lie on the table and be printed, as follows:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses adjourn on the 19th day of September, 1890, it be to meet on the 10th day of November, 1890.

THE ALCOHOLIC LIQUOR TRAFFIC.

Mr. BLAIR submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That there be printed for the use of the Senate —— copies of the minutes of joint hearing before the Senate Committee on Education and Labor and the House Committee on the Alcoholic Liquor Traffic upon joint resolution (S. R. 2), held June 14, 1890, together with the report of the Senate committee.

Mr. BLAIR. I submit the following resolution, and ask for immediate action upon it:

Resolved, That the expenses of reporting and printing the hearings given by the Committee on Education and Labor on the joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States in relation to the manufacture, importation, exportation, transportation, and sale of alcoholic liquors be paid out of the contingent fund of the Senate.

The PRESIDENT *pro tempore*. The resolution will be referred under the rules to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BLAIR. Is it a matter of necessity that it should go to that committee?

The PRESIDENT *pro tempore*. It is not only a matter of rule, but a matter of statute—required by the statutes of the United States to be so referred.

Mr. BLAIR. I will acquiesce, I think, on that statement.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a bill (H. R. 9791) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, or by or on behalf of the District of Columbia, or by contractors doing work for the Government of the United States or the District of Columbia, and providing penalties for violation of the provisions hereof; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (S. 329) granting a pension to John L. Russell;

A bill (S. 762) granting a pension to Jeremiah White;

A bill (S. 843) granting a pension to Thomas Todd;

A bill (S. 2386) granting a pension to John Conolly;

A bill (S. 2616) granting an increase of pension to Harrison De F. Young;

A bill (S. 2780) for the relief of James Lansburgh and Julius Lansburgh.

A bill (S. 2749) granting an increase of pension to Augustus J. Wernitsch;

A bill (S. 2863) increasing the pension of Andrew J. Konkle;

A bill (S. 2971) granting a pension to Caroline Huddell White;

A bill (S. 3064) to establish a fog-signal at or near the Cuckold's Island, at the entrance to Booth Bay Harbor, otherwise known as Townsend Harbor, Maine;

A bill (S. 3172) granting the use of certain lands to the town of New Haven, Conn., for a public park;

A bill (S. 3348) granting a pension to Mary J. Milroy;

A bill (S. 3608) granting a pension to Mary C. Winslow;

A bill (S. 4312) to provide American registers for the steamers Stroma and Marco Aurelia;

A bill (S. 3730) granting a pension to Mary E. Greening, widow of Orlando A. Greening, who served in the Indian war;

A bill (S. 3927) granting a pension to Maria E. Baker;

A bill (H. R. 11380) making appropriations for additional clerical force and other expenses to carry into effect the act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," from September 1, 1890, for the balance of the fiscal year ending June 30, 1891;

Joint resolution (H. Res. 213) amending and construing the act approved July 1, 1890, in relation to oaths in pension and other cases; and

Joint resolution (S. R. 115) providing that nothing in the diplomatic and consular appropriation bill shall be construed to interrupt the publication of the reports of the International American Conference.

WITHDRAWAL OF PAPERS.

On motion of Mr. WILSON, of Iowa, it was

Ordered, That George W. Hardwick have leave to withdraw from the files of the Senate the papers filed by him for consideration in connection with Senate bill 2005, entitled "A bill to remove the charge of desertion from the military record of George W. Hardwick," said bill having been reported adversely by the Committee on Military Affairs of the Senate, as the charge of desertion had previously been removed from the record of said Hardwick by order of the Secretary of War.

MISSOURI RIVER BRIDGE.

Mr. VEST. I ask the Presiding Officer to lay before the Senate a bridge bill which has been on the table for some time. It is a matter of considerable importance. It is a bill which was passed by the House of Representatives and sent to the Senate.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a bill from the House of Representatives, which will be twice read.

The bill (H. R. 10060) for the erection of a bridge across the Missouri River between the city of St. Charles, Mo., and the county of St. Louis, Missouri, was read twice by its title.

Mr. VEST. I ask for the immediate consideration of the bill. A similar bill has been considered by the Committee on Commerce and reported to the Senate, and is now upon the Calendar. While it was pending here this bill was passed by the House of Representatives.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the bill be now considered.

Mr. EDMUNDS. I shall have to ask that it be laid aside. As it is not in print, I should like to see it before it passes.

Mr. VEST. The same bill is in print here, reported from the Commerce Committee of the Senate, and is upon our Calendar.

Mr. EDMUNDS. I know, but this is a very rapid way of passing House bills that are in writing.

Mr. VEST. I would not have asked it if the bill had not already been considered. It simply amounts to doing something that has already been done.

Mr. EDMUNDS. That may be, but I should be very glad to have an opportunity to look at it.

The PRESIDENT *pro tempore*. The Senator from Vermont objects to the present consideration of the bill.

Mr. EDMUNDS. I only ask unanimous consent that it may be laid aside for a few minutes. I do not wish to interrupt my friend, but I should really like to look at the bill.

Mr. VEST. Let it lie on the table until the Senator can examine it.

Mr. EDMUNDS. I ask unanimous consent that it be informally laid aside. Very likely in ten minutes I shall withdraw my objection, after I look at the bill.

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

Mr. EDMUNDS subsequently said (the revenue bill being under consideration): With the permission of the Senate, I wish to ask the Senate, if the Senator from Missouri desires it, to again consider this House bridge bill. I have looked at it and am entirely satisfied that it is correct.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the unfinished business may be informally laid aside to enable him to ask for the consideration of the bill (H. R. 10060) for the erection of a bridge across the Missouri River between the city of St. Charles, Mo., and the county of St. Louis, Missouri. The bill will be read at length, subject to objection.

The bill was read, and considered as in Committee of the Whole.

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

The PRESIDENT *pro tempore*. The bill (S. 4294) for the erection of a bridge across the Missouri River between the city of St. Charles, Mo., and the county of St. Louis, Missouri, will be taken from the Calendar and indefinitely postponed.

HOUSE BILL REFERRED.

The bill (H. R. 9791) constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States, or by or on behalf of the District of Columbia, or by contractors doing work for the Government of the United States or the District of Columbia, and providing penalties for violation of the provisions hereof, was read twice by its title, and referred to the Committee on Education and Labor.

PAY OF SESSION CLERKS.

Mr. TELLER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay the per diem clerks to the committees of the Senate and the clerks to Senators, during the coming recess, out of the contingent fund of the Senate, the per diem now allowed by law during sessions.

DESTITUTION IN OKLAHOMA TERRITORY.

Mr. PLUMB submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. R. 120) appropriating money to the Territory of Oklahoma to relieve destitution therein, 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 disagreement to the amendments of the House, and agree to the same with an amendment as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

"That the unexpended balance of an appropriation made by public resolution numbered 15, approved April 25, 1890, for the relief of persons in the district overflowed by the Mississippi River and its tributaries, be, and the same is hereby, reappropriated to the Territory of Oklahoma, to be expended as the law of said Territory, enacted for the purpose, may direct, for the relief of citizens

of that Territory who have been rendered destitute by the unexampled drought of the present season."

And the House agree to the same.

P. B. PLUMB,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.
D. B. HENDERSON,
J. G. CANNON,
Managers on the part of the House.

The report was concurred in.

THE REVENUE BILL.

Mr. ALDRICH. I move that the Senate proceed to the consideration of House bill 9416.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9416) to reduce the revenue and equalize duties on imports, and for other purposes.

The PRESIDENT *pro tempore*. The pending amendment, moved by the Senator from New Jersey [Mr. MCPHERSON], will be stated.

The CHIEF CLERK. Strike out paragraph 307, as follows——

The PRESIDENT *pro tempore*. It need not be read, having been read once, unless called for. The yeas and nays having been ordered on the amendment, the roll will be called.

Mr. COLQUITT. The effect of the amendment is to put salt on the free-list, is it not? Is that the amendment as it is now before the Senate?

The PRESIDENT *pro tempore*. It was so stated by the Senator from Missouri [Mr. VEST], who spoke last evening on the amendment.

Mr. VEST. That is the effect of it. That will not be the direct effect of striking out the paragraph, but the purpose will be accomplished of placing salt on the free-list.

Mr. CULLOM. The Senate voted down the proposition of the Senator from New Jersey [Mr. MCPHERSON] to strike out the whole paragraph, I understand.

Mr. VEST. Oh, no.

Mr. CULLOM. I think we took the vote on it.

The PRESIDENT *pro tempore*. The yeas and nays were ordered and the roll called, and the want of a quorum was developed, whereupon the Senate adjourned.

Mr. CULLOM. I remember now.

Mr. COLQUITT. Mr. President, my object is not to make any extended remarks, but merely to refer to the discussion of this question in the Senate fifty years ago. It seems that the effort was then made in the incipiency of a salt combination and monopoly, the trust not being then known as such, with a view to control the sale of salt in this country, when the works were few and scattered. I merely propose to read, as a matter of history, and with a view to recall to our minds the long contest that has been made to resist the effect of this monopoly, what was said by Mr. Benton in the Senate Chamber some fifty years ago. His remarks were these:

> The Supreme Ruler of the Universe has done everything to supply His creatures with it. Man, the fleeting shadow of an instant, invested with his little brief authority, has done much to deprive them of it in all ages of the world, and in all countries salt has been a subject, at different periods, of heavy taxation, and sometimes of individual or of Government monopoly; and precisely because, being an article that no man could do without, the Government was sure of its tax, and the monopolizer of his price. Almost all nations, in some period of their history, have suffered the separate or double infliction of a tax and a monopoly on its salt, and, at some period, all have freed themselves from one or both. At present there remain but two countries which suffer both evils, our America and the British East Indies. All others have got rid of the monopoly; many have got rid of the tax. Among others, the very country from which we copied it, and the one above all others least able to do without the product of the tax. England, though loaded with debt and taxed in everything, is now free from the salt tax. Since 1822 it has been totally suppressed, and this necessary of life is now as free there as air and water. She even has a statute to guard its price and common law to prevent its monopoly.
>
> He concluded his speech with declaring implacable war against this tax, with all its appurtenant abuses, of monopoly in one quarter of the Union and of undue advantages in another. He denounced it as a tax upon the entire economy of nature and of art—a tax upon man and upon beast, upon life and upon health, upon comfort and luxury, upon want and superfluity, upon food and upon raiment, on washing and on cleanliness. He called it a heartless and tyrant tax, as inexorable as it was omnipotent and omnipresent; a tax which no economy could avoid, no poverty could shun, no privation escape, no cunning elude, no force resis, tno dexterity avert, no curses repulse, no prayers could deprecate. It was a tax which invaded the entire dominion of human operations, falling with its greatest weight upon the most helpless and the most meritorious, and depriving the nation of benefits infinitely transcending in value the amount of its own product. "I devote myself," said Mr. Benton, "to the extirpation of this odious tax, and its still more odious progeny, the salt monopoly of the West. I war against them while they exist and while I remain on this floor. Twelve years have passed away—two years more than the siege of Troy lasted—since I began this contest; nothing disheartened by so many defeats in so long a time, I prosecute the war with unabated vigor; and, relying upon the goodness of the cause, firmly calculate upon ultimate and final success."

Fifty years ago that was a declaration that implacable war was to be made against this tax, this salt monopoly; but it exists still, and it has increased in power and influence and in the control of the markets of this country until to-day. When fifty years ago this fight began it was expected that it would last but a brief period. It is here now, and I have no doubt that Mr. Benton and his confrères who were at that time in the Senate would turn uneasily in their graves if they were to hear at this late day the audacious proposition that the tax is a blessing, that the tax is a means and instrumentality of wealth, that it is not a curse, as he then regarded it to be, and that even upon this very necessity or life it is regarded as a blessing to humanity.

Mr. HOAR. I should like to inquire if that speech was made about the same time that Mr. Benton made his celebrated statement that the whole Territory of Oregon and the Pacific coast were absolutely worthless and would not raise any considerable crops or support human life.

Mr. BLAIR. I should like to inquire what was the price of salt at that time.

Mr. COLQUITT. I am not able to inform the Senator, but if it will influence his action to have information upon this question I will make the investigation and give him the point.

Mr. BLAIR. My impression is that the price of salt under the operation of this tariff imposition of which Mr. Benton so complained is about one-twenty-fifth of what it was in his day.

Mr. REAGAN. If the Senator will allow me, I desire to supplement what was said by the Senator from Massachusetts [Mr. HOAR] about Mr. Benton saying that the entire Western coast was worthless by referring him to a speech of Mr. Webster in 1850 on the compromise measures, when he said substantially the same thing and insisted that there could be no agriculture on the Pacific slope. He insisted that the whole coast would not produce one-third as much in agriculture as the State of Illinois, not one-half, nay, said he, not one-tenth as much. So I want Mr. Benton to be in good company.

Mr. HOAR. Mr. Benton was in excellent company and so was Mr. Webster when he was in the company of Mr. Benton, and they both of them seem to me to have been in that particular eminent illustrations of the maxim which I will commend to the consideration of the other side of this Chamber, and that is, that prophesying is not an exact science.

Mr. COLQUITT. Mr. President——

Mr. ALDRICH. I call the attention of the Chair to the fact that the roll-call had been commenced, and that I had answered to my name.

The PRESIDENT *pro tempore*. It has always been understood in the Senate that when a roll-call fails for want of a quorum there has been no response.

Mr. ALDRICH. I responded to my name this morning.

The PRESIDENT *pro tempore*. But the Senator from Georgia [Mr. COLQUITT] rose before the Senator responded, and is, under the rules, entitled to recognition.

Mr. ALLISON. I hope there will be unanimous consent to the Senator proceeding.

The PRESIDENT *pro tempore*. The Senator from Georgia will proceed.

Mr. COLQUITT. I will not detain the Senate. I have no desire in the world to prolong the debate upon this item or any other item in this bill. I merely wish to say a word in reply to my friend from New Hampshire [Mr. BLAIR] who asked in regard to the price of salt. Whatever salt may have been worth heretofore, or however cheap it may be in this country now, if we can get it from abroad cheaper, I think our people ought to be entitled to it even if it is but one-tenth of a cent cheaper.

Mr. BLAIR. Salt is several times cheaper now than it was at that time.

Mr. COLQUITT. I do not suppose that my friend contends that the imposition of the tax has made it cheaper.

Mr. BLAIR. Certainly I do. That is my understanding.

Mr. COLQUITT. That is a most singular paradox. It is an anomaly that here there should come the representatives of these monopolies and of these manufacturing establishments, their committees, their leading men, their presidents, their directors, their stockholders to argue for and urge the imposition of a tax the effect of which is to reduce the price of the commodity which they have in the market. It is a palpable and absurd inconsistency that they should argue to the consumers of this country that the imposition of this tax lessens the price of the commodity to the consumer, while upon the other hand when the wage-workers turn up and demand their share it is urged that the imposition of this tax is necessary in order that the manufacturers may increase their prices to pay the wage-workers!

Mr. BLAIR. May I suggest to the Senator that so far as I know there has never been any claim that the imposition of a tax reduces prices, but the protection to the home industry which may or may not come from the tax, the protection and development of the home industry, cause the decrease in prices?

Mr. COLQUITT. Well, if it was made a great deal cheaper here and if that was the case, I am perfectly satisfied there is not a manufacturer who would ever have come before the Committee on Finance or the Committee on Ways and Means asking to be allowed to sell for a less price. The manufacturers are not such humanitarians, they are not such philanthropists, they are not so benevolent as to demand that the Congress of the United States should go forward in legislation and enforce upon them what they desire to do, to sell their goods cheaper than they are able to sell them now by the imposition of this tax.

The Secretary proceeded to call the roll.

Mr. CAMERON (when his name was called). I am paired with the

Senator from South Carolina [Mr. BUTLER], otherwise I should vote "nay" on this motion of the Senator from New Jersey.

Mr. CARLISLE (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOCK] who is not in his seat, and I withhold my vote.

Mr. EDMUNDS (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH] and withhold my vote unless it shall be necessary to make a quorum. I should vote "nay," and doubtless he would vote "yea."

Mr. MCMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE] and withhold my vote.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. HAWLEY (when Mr. PLATT's name was called). My colleague [Mr. PLATT], who is necessarily absent, is paired with the Senator from Virginia [Mr. BARBOUR].

Mr. SANDERS (when his name was called). I am paired with the senior Senator from Indiana [Mr. VOORHEES], but I am at liberty to vote to make a quorum.

The roll-call was concluded.

Mr. EDMUNDS. I am sure that no quorum has voted. I therefore vote "nay."

Mr. CAMERON. My pair with the Senator from South Carolina [Mr. BUTLER] has been transferred to the Senator from Vermont [Mr. MORRILL], and I therefore vote. I vote "nay."

Mr. HARRIS. In view of that transfer, I will record my vote. I vote "yea."

Mr. FAULKNER. I am paired with the Senator from Wisconsin [Mr. SPOONER].

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence, I withhold my vote.

Mr. CULLOM. Having a general pair with the Senator from Delaware [Mr. GRAY], but with the understanding between us that either may vote when a quorum is not present, I will let my vote stand.

Mr. WASHBURN. My colleague [Mr. DAVIS] is paired with the Senator from Indiana [Mr. TURPIE].

Mr. BLAIR. I am paired with the Senator from Mississippi [Mr. GEORGE]. If he were present, I should vote "nay."

Mr. MANDERSON. As my vote seems to be needed to make a quorum, I will vote, as it does not change the result. I vote "nay."

Mr. MCMILLAN. I vote to make a quorum. I vote "nay."

Mr. MANDERSON. I suggest to the Senator from Kentucky [Mr. CARLISLE], who has just entered the Chamber and who is paired with my colleague [Mr. PADDOCK], that as but one vote is needed to make a quorum of the Senate, I think he can vote with perfect propriety.

Mr. BLAIR. I can vote to make a quorum.

Mr. MANDERSON. I notice by the vote of yesterday that my colleague voted "yea" on this proposition.

Mr. CARLISLE. I suggest to the Senator that he transfer his pair with my colleague [Mr. BLACKBURN] to his colleague [Mr. PADDOCK].

Mr. MANDERSON. I have voted in order to make a quorum, as it did not change the result.

Mr. CARLISLE. After the statement made by the Senator from Nebraska as to the vote of his colleague yesterday, I vote "yea."

Mr. MCPHERSON. I should like to inquire if the Senator from Delaware [Mr. HIGGINS] has voted.

The PRESIDENT *pro tempore*. The Senator from Delaware is not recorded.

Mr. MCPHERSON. Then I desire to withdraw my vote.

Mr. BLAIR. I suggest to the Senator from New Jersey [Mr. MCPHERSON] that we transfer our pairs so that he and I can vote. I vote "nay."

Mr. HALE. My colleague [Mr. FRYE] is detained in conference upon the river and harbor bill. He is paired with the Senator from Maryland [Mr. GORMAN]. If my colleague were here, he would vote "nay."

Mr. BLAIR. On this vote the Senator from Mississippi [Mr. GEORGE] is paired with the Senator from Delaware [Mr. HIGGINS].

Mr. MCPHERSON. I vote "yea."

The result was announced—yeas 15, nays 29; as follows:

YEAS—15.

Bate,	Coke,	Jones of Arkansas,	Vest,
Berry,	Colquitt,	McPherson,	Walthall,
Carlisle,	Hampton,	Morgan,	Wilson of Md.
Cockrell,	Harris,	Reagan,	

NAYS—29.

Aldrich,	Dolph,	McMillan,	Sherman,
Allen,	Edmunds,	Manderson,	Stockbridge,
Allison,	Evarts,	Mitchell,	Teller,
Blair,	Hale,	Plumb,	Washburn,
Cameron,	Hawley,	Power,	Wilson of Iowa.
Cullom,	Hiscock,	Quay,	
Dawes,	Hoar,	Sanders,	
Dixon,	Ingalls,	Sawyer,	

ABSENT—40.

Barbour,	Butler,	Daniel,	Faulkner,
Blackburn,	Call,	Davis,	Frye,
Blodgett,	Casey,	Eustis,	George,
Brown,	Chandler,	Farwell,	Gibson,
Gorman,	Moody,	Pierce,	Stanford,
Gray,	Morrill,	Platt,	Stewart,
Hearst,	Paddock,	Pugh,	Turpie,
Higgins,	Pasco,	Ransom,	Vance,
Jones of Nevada,	Payne,	Spooner,	Voorhees,
Kenna,	Pettigrew,	Squire,	Wolcott.

So the motion to strike out was rejected.

The PRESIDENT *pro tempore*. The amendment to this paragraph proposed by the Committee on Finance can be considered now only by unanimous consent. The motion of the Senator from New Jersey to strike out the entire paragraph having been negatived, that vote is equivalent to an affirmative declaration in favor of the paragraph as it stands; and it can not be changed in Committee of the Whole unless by unanimous consent. Is there objection?

Mr. VEST. I do not propose to make any objection, but I should like to inquire from the Senators in charge of this bill why this portion of the House bill has been stricken out. It was enacted in 1883 and has remained the law ever since. Why now make this discrimination against the meat-packers in the interior of the United States? I have constituents that are directly interested in this question.

Mr. CULLOM. So have I.

Mr. ALLISON. Mr. President——

Mr. VEST. Does the Senator wish to ask a question?

Mr. ALLISON. I hope the opportunity will be given to take a vote on the amendment of the committee.

Mr. VEST. That is what I was about to ask, although my views are very distinct and emphatic in regard to putting salt of all kinds upon the free-list; but this committee amendment strikes directly at a very large interest in the interior of the United States. It repeals a law which was enacted after long and anxious consideration and debate to place the meat-packers of the United States upon the same footing with the fishermen upon the northern portion of the Atlantic seaboard.

Mr. CULLOM. The Senator will allow me to say that the expression to me from those persons interested in the packing of meat is that they have been very indignant at the manner in which they have been treated in comparison with other people.

Mr. VEST. Exactly.

Mr. ALLISON. Mr. President, I only rose to see whether I understood the decision of the Chair. As I hear about me, the Chair decides that the Senate having failed to strike out the whole of this paragraph, it is not in order to strike out a part of it.

The PRESIDENT *pro tempore*. Except by unanimous consent. The vote of the Senate refusing to strike out the paragraph was equivalent to an affirmative declaration that the entire paragraph should stand. That being the case, a motion to amend it is no longer in order in Committee of the Whole except by unanimous consent.

Mr. CARLISLE. Will the Chair pardon a suggestion?

The PRESIDENT *pro tempore*. Certainly.

Mr. CARLISLE. The proposition made by the Senator from New Jersey was to amend the amendment proposed by the committee.

The PRESIDENT *pro tempore*. But his proposition was to strike out the entire paragraph.

Mr. CULLOM. But a part of the paragraph was already out.

The PRESIDENT *pro tempore*. No.

Mr. CULLOM. So far as the report of the Committee of the Whole is concerned?

The PRESIDENT *pro tempore*. No.

Mr. CULLOM. It seems to me that the proposition of the Senator from New Jersey was to strike out what was left of the paragraph.

The PRESIDENT *pro tempore*. The Senator is mistaken. No vote has been taken on the amendment proposed by the committee.

Mr. SHERMAN. I do not like to differ with the Chair upon a parliamentary ruling, but it strikes me that when a motion to strike out the whole clause and insert something else is voted down, that does not prevent the Senate from striking out or any Senator moving to strike out a part. Perhaps I am mistaken about that, but I have this further to say, that it makes no difference whether this is stricken out or not, because there is another provision in the bill which will allow the refund of any duty paid on any article used in the manufacture of goods for export—a general provision further on in the bill. As a rebate on salt is already covered by another section of the bill, I do not consider this of any importance.

Mr. HALE. I suppose the ruling of the Chair is based upon the proposition that if the paragraph is to be amended it ought to be done before the vote is taken on the motion to strike out.

The PRESIDENT *pro tempore*. The Chair will call the attention of the Senate to the law upon this question which appears in Jefferson's Manual, on page 242 of the compilation of Senate Rules, etc.:

> When it is proposed to amend by inserting a paragraph, or part of one, the friends of a paragraph may make it as perfect as they can by amendments before the question is put for inserting it. If it be received, it can not be amended afterward, in the same stage, because the House has, on a vote, agreed to it in that form. In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments, before the question is put for striking it out. If on the question it be retained, it can not be amended afterward, because a vote against striking out is equivalent to a vote agreeing to it in that form.

Therefore the motion to amend proposed by the Committee on Fi-

nance, to strike out a part of the paragraph that has been retained by a vote of the Senate, can be entertained only by unanimous consent.

Mr. CULLOM. I should like to inquire whether there is any objection to taking a vote on this committee amendment. If there is not, we may as well come to the question.

Mr. SHERMAN. I think as a matter of parliamentary law the Chair is right. It is a simple inadvertence in the committee not insisting upon a vote to strike out a portion of the paragraph before reporting the bill to the Senate, and I hope that by unanimous consent the vote may be taken.

Mr. HOAR. I ask leave to observe in relation to the matter of unanimous consent that of course this whole matter will be open to be dealt with in the Senate.

The PRESIDENT *pro tempore*. Certainly it will.

Mr. HOAR. But that time will probably be a time when there will be little opportunity for discussion; we shall be just closing up the bill, and therefore it would be better to have unanimous consent to have the amendment acted upon now.

Mr. ALDRICH. If I had understood the parliamentary status of the case to be as the Chair has stated it to be—and I presume correctly—I certainly should have insisted upon the vote being taken upon the committee amendment first; but I am quite willing, so far as I am concerned, that the matter shall go over, and I will offer for the committee an amendment in the Senate, unless it is desired that a vote shall be taken now.

Mr. EDMUNDS. Let us settle it now.

Mr. ALDRICH. I interpose no objection.

Mr. VEST. It is better to dispose of it now.

Mr. ALLISON. I hope that unanimous consent may be granted to dispose of it now.

Mr. VEST. I understand the Senator from Ohio to state that the action of the committee striking out this portion of the clause in relation to the exporters of meat amounts to nothing, because another part of this bill has substantially the provision of law as it now exists.

Mr. REAGAN. Mr. President, I desire to say a word as to the point of order.

Mr. VEST. I should rather dispose of this question, but if there is a point of order to be raised let us settle it now.

Mr. REAGAN. I want to raise a point on the ruling of the Chair.

Mr. VEST. That can be settled afterwards. While the thing is under consideration, I want to ask the Senator from Ohio a question. I should like to understand this matter. I understand the Senator from Ohio to state that the action of the committee in regard to the latter part of this clause is immaterial because there is another provision in this bill which covers the existing law; in other words, which gives a rebate to the exporter of salted meat in the United States.

Mr. SHERMAN. I think so.

Mr. VEST. Will the Senator turn me to that part of the bill?

Mr. SHERMAN. It is on page 149, section 24.

Mr. VEST. That is the section in regard to using foreign materials in manufacturing.

Mr. SHERMAN. Yes, and in production. It reads:

SEC. 24. That where imported materials on which duties have been paid are used in the manufacture of articles manufactured *or produced* in the United States—

As amended by the committee—

there shall be allowed on the exportation of such articles a drawback equal in amount to the duties paid on the materials used, less 1 per cent. of such duties.

Perhaps there may be some question whether the words "or produced" are sufficient to cover the matter, but I think they cover salt used in packing meats, etc.; that is, salt which has already paid a duty.

Mr. VEST. I must very respectfully differ from the Senator from Ohio. The latter portion of section 24 requires that the articles shall be specifically identified. Now, how are you going to identify salt that is used in the preservation of meat?

Mr. EDMUNDS. I wish to understand whether we are to finish this matter now and are to have unanimous consent to consider the question as open. I ask unanimous consent that it may be so treated.

The PRESIDENT *pro tempore*. The Senator from Vermont asks unanimous consent that the amendment proposed by the committee may be now considered. Is there objection?

Mr. REAGAN. Before that is done I desire to call the attention of the Chair, if the Chair will permit me, to Rule XVIII of the Senate.

The PRESIDENT *pro tempore*. The Chair will hear the Senator from Texas.

Mr. REAGAN. Rule XVIII provides:

RULE XVIII.

AMENDMENTS—DIVISION OF A QUESTION.

If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

If I understand this rule, it conforms to what I have always understood to be the general parliamentary law, that when a motion to amend is made and is decided the same motion can not be made again, but a motion embracing more or a motion embracing less may be made. It seems to me that the rule covers the case before the Senate.

The PRESIDENT *pro tempore*. Is there objection to the consideration of the amendment proposed by the Committee on Finance notwithstanding the point of order? The Chair hears none, and the amendment is before the Senate, the Senator from Missouri [Mr. VEST] being entitled to the floor.

Mr. ALDRICH. Will the Senator from Missouri yield to me for a moment to make a statement in regard to the attitude of this particular amendment?

Mr. VEST. Certainly.

Mr. ALDRICH. I will say that there is a division in committee as to the propriety of making this amendment. A majority of the members were in favor of the amendment and a minority were in favor of retaining the House provision.

Mr. VEST. Now, Mr. President, in regard to the statement of the Senator from Ohio, for whose opinion I have always great regard, I ask the attention of the Senate to the section referred to by him. I think the Senator is unquestionably mistaken. I know the parties most deeply interested in this matter put no such construction on section 24. I was under the impression, when the Senator from Ohio interrupted me, that he referred to some other section. I think an analytical examination of this section will show that he is unquestionably wrong.

Mr. SHERMAN. That is the only provision I know of which relates to the rebate of duty on articles used in manufacture or production.

Mr. VEST. I think it is beyond question—I will not say beyond question, but undoubtedly the weight of authority would be against the construction put upon it by the Senator from Ohio. The section reads in this way:

SEC. 24. That where imported materials on which duties have been paid are used in the manufacture of articles manufactured or produced in the United States, there shall be allowed on the exportation of such articles a drawback equal in amount to the duties paid on the materials used, less 1 per cent. of such duties.

Now, I call attention to the fact that it is not a manufacture. It is simply a process for the preservation of an article which is already in existence and to which there is nothing to be added. It simply preserves. The section continues:

Provided, That when the articles exported are made in part from domestic materials—

Which is not the case here at all—

the imported materials, or the parts of the articles made from such materials shall so appear in the completed articles that the quantity or measure thereof may be ascertained: *And provided further*, That the drawback on any article allowed under existing law shall be continued at the rate herein provided. That the imported materials used in the manufacture or production of articles entitled to drawback of customs duties when exported shall in all cases where drawback of duties paid on such materials is claimed, be identified, the quantity of such materials used and the amount of duties paid thereon shall be ascertained, the facts of the manufacture or production of such articles in the United States and their exportation therefrom shall be determined, and the drawback due thereon shall be paid to the manufacturer, producer, or exporter, etc.

Now, it is manifest without any argument that salt can not be identified. It is out of the very nature of the case that it should be, and I take it that it will hardly be contended seriously, after examination, that this clause was ever intended to apply to the case that is now pending before the Senate. It can not be carried out, and I do not think that such was ever the intention of Congress.

Mr. SHERMAN. I do not care to raise a question which it may not be necessary to raise, but the argument for retaining this proviso is a very simple one, and the Senate can decide it in less time than we can discuss the general clause as to whether it embraces this article. The idea of retaining this proviso is that according to the fashion or at least according to the idea held in foreign countries it was thought that no pork could be really merchantable unless it was cured by a certain kind of salt. Whether that be true or not, and whether the American salt is not sufficient to the purpose, is not a question to be raised. If the market demands a particular kind of salt for curing meats, it is but right that that salt should be used, although the American salt may be just as good, and therefore this provision no doubt was inserted by the House, and I think it is now the law.

Mr. VEST. The law of 1883?

Mr. SHERMAN. Therefore I do not see myself any objection to retaining it where it is. But there was a difference of opinion, as has been said, about it. It is said now and insisted upon by the American salt producers that their salt is just as good as any English salt or any other kind of salt, and that therefore there is no reason for such a provision as this.

Mr. CULLOM. Those who export these meats say that they are required, in order to find a market abroad, to use imported salt, and therefore whatever may be the fact with reference to the quality of the salt, it is certainly true that foreign salt has to be used in order to get our meats into foreign markets.

Mr. GRAY. Why?

Mr. CULLOM. Because they think abroad that their salt is better; I do not know what else. That is their claim.

Mr. VEST. The Senator from Ohio states the whole case when he says that the American producers of salt, in New York especially, think that their salt is as good as English salt, and they want such legislation as will compel the meat exporters of the United States to use their commodity. That is just exactly the thing in this whole tariff scheme to which I object. It is the use of the legislation of the United States for classes, without regard to the general interest of the consumers throughout the country. We have it in every clause almost of this bill, certainly in every important clause in it; and here comes a class of people, and we have had a conspicuous example of it lately in Congress without referring to the particular bill, who want you to eat a certain thing because they make it and they are making money out of it, and come in, after they have failed to get a State law, to get Congress, which is the omnium gatherum of all the crankism in the entire country, to give them one, and say, "Now give us an act of Congress, and make the people eat what we produce and shut all others out of the market; do not let a man say whether he thinks it is healthy or not; do not let him say whether it shall go into his stomach, but make him take what we make, cram it down him, and put his money in our pockets." That is what this Government is made for according to the new idea of things!

If the construction of the Senator from Ohio is correct, why is it not applied to fish? If meat is a manufactured article, why is not fish a manufactured article, and why is not the whole of this paragraph struck out here? Why do the committee retain the provision in regard to fish, making a discrimination in favor of the Atlantic seaboard, and strike out all existing legislation in favor of my constituents and the meat exporters of the West?

I do not care to say anything generally upon the question of salt. I had supposed that the public sentiment of the country was in favor of putting salt upon the free-list, and all the distinguished Senators upon the other side have at one time or another voted in favor of putting it on the free-list. In 1871 my friend from Maine [Mr. HALE] distinguished himself in a very eloquent speech, in which he compared the salt trust of Onondaga County, New York, to the most odious monopoly that ever existed from the time of the Tudors, and he was supported by the Senator from Connecticut, the Senator from Massachusetts, and others. I have got the list here, but I do not propose to read it to show any inconsistencies, because I think they have a perfect right to change their opinion with changed conditions. But if they retain the same opinion, it seems to me they should say so; and I could read from speeches which furnish the most admirable arguments for the position I still hold, that salt should be put upon the free-list. They ought to be consistent, and vote with us now to put the whole commodity there.

I do not know—because I shall say nothing here of which I have not sufficient evidence to create moral conviction—I do not know whether there is a salt trust in the United States to-day or not. I know there was one. I have before me an article from the New York Times, which created considerable excitement at the time it was published, giving all the particulars of the creation of a salt trust to corner the product of the whole world. That was in 1888. It is headed "The Salt Union, Limited." It goes on to state that the great house of Morton, Rose & Co.—Sir John Rose and Mr. Levi P. Morton—are at the head of what is called the Salt Union in Great Britain, and a large folio prospectus sets forth in detail the plans and objects. It is published in London, under date of October 8, 1888, and reads as follows:

> The share list will close on or before Friday, October 12.
> Messrs. Morton, Rose & Co. are authorized to invite applications for the shares and debentures of the Salt Union, limited, incorporated under the companies' acts, 1862 to 1888.

Mr. ALDRICH. Do I understand that the Senator from Missouri is reading a statement to show that there is a salt trust in England?

Mr. VEST. I am going on, if the Senator would just possess his soul in patience for a minute, to show that this was followed by the application of this same scheme to the United States after the November election in 1888.

Mr. ALDRICH. I have understood the Senator to declare several times that there was no such thing as a salt trust or any kind of a trust in England, and could not be.

Mr. VEST. I repeat every word I said in regard to trusts. I said that trusts did not exist in England, or if they did exist they could not be maintained in one case out of a thousand because of the enormous amount of capital that was required to corner the product of the whole world. It was undertaken in this case to corner the produce of the world with a capital of $25,000,000.

Mr. TELLER. I should like to ask the Senator a question if he will allow me to do so.

Mr. VEST. Certainly.

Mr. TELLER. Is not the Senator aware that there is a steel-rail trust in Great Britain that includes all the manufacturers of Great Britain, all the manufacturers of Belgium, and all the manufacturers of Germany except one concern?

Mr. VEST. There was such a combination or such a trust.

Mr. TELLER. There is now, is there not?

Mr. VEST. I do not know.

Mr. TELLER. Has the Senator any information that it is broken up?

Mr. VEST. I have heard that it was. I saw a statement in a paper that it was, but I do not know as to that. But in regard to the salt trust I know it did exist, and I know it extended to the United States. I do not propose to read the whole of this article, but the object of the trust was set forth in these words:

> The scope of this gigantic corporation is not limited to Great Britain. In the articles of incorporation it is declared as among the objects—
> To purchase or otherwise acquire, take over, and amalgamate all or any salt mines, works, lands, or undertakings, whether in the United Kingdom or elsewhere.
> To enter into any arrangement with any Government or authorities, supreme, municipal, local, or otherwise, and to obtain from any such Government or authority all rights, concessions, and privileges which may seem conducive to the company's objects or any of them.

And the shares were placed with great rapidity at a premium of £5 10s. on £10 shares, and it was a success unquestionably for a time, whether it exists now or not. It was then extended, after the election, to the United States, and I hold in my hand an extract from an interview with Mr. Thurber, published in the New York Times and in the World, in which he says—

> That Mr. Burger was an agent for the Eureka Salt Company which handled Higgin's salt in this country. As Thurber, Whyland & Co. had dealt in this salt, somebody must have figured it out that Burger represented the firm.

He then went on to say that the trust was made for the purpose of controlling prices in this country in order that there might not be ruinous competition. Whether that trust exists to-day or not I am unable to say. In a debate not long since had in another branch of Congress it was asserted by a large salt manufacturer, a member of that body from Michigan, that he was able to compete with foreign salt on the Atlantic seaboard and he wanted no duty upon his commodity; and whether this duty be large or small, even if it be infinitesimal, as a matter of principle it should not be retained upon that great necessary of life.

But what I rose to notice particularly was the unjust discrimination made against the pork-packers and the beef-packers of the United States by repealing the law of 1883. We then gave them a rebate when they used imported salt in the preparation of their commodities for the foreign market.

Mr. ALLISON. Mr. President——

Mr. HISCOCK. The Senator from Missouri makes some very remarkable statements in reference to a trust.

Mr. ALLISON. I yield to the Senator.

Mr. HISCOCK. I beg the Senator's pardon. I apologize. I did not know that he had the floor.

Mr. ALLISON. Mr. President, I voted against putting salt upon the free-list because the experience in my part of the country is that salt is now about as low in price as can be. In fact, I think it is less now than it has ever been before. The salt at the Michigan salt works I understand sells at 42 cents a barrel, including the barrel, which makes about 20 cents for 280 pounds of salt. But I oppose the striking out of the provision relating to a drawback for the curing of meats, and I agree with the Senator from Missouri that the paragraph found in section 24 of this bill will not apply to salt, although it was hoped that in some way it might save salt in case this other proviso should be struck out. I hope we shall reach section 24 before the debate on this bill is closed, in order that we may by discussion and comparison of views ascertain just what that does apply to, when it is ascertained whether it is wise legislation, about which I have some doubt myself.

Mr. President, there are several pork-packing establishments in my State which pack meats for the British market, and in every instance they are required by their customers to use English salt, and they do use English salt. I do not know whether it is better than the best quality of Saginaw salt, but the pork-packers say that it enables them to give the meat a lighter color, and therefore it is desirable in the markets of Great Britain, where the meat is cured with the best Liverpool salt.

No hardships can occur to the manufacturers of salt in this country from this provision, because the American meat-packer would not use English salt but for this compulsion. The American salt is far cheaper than the English salt. I have before me letters from two pork-packers in my State who use English salt largely and American salt as well. American salt now costs in the city of Chicago $4.50 a ton. The best Michigan salt, which is used by these pork-packers in packing meat for the American market, costs $4.50 a ton. The English salt in the same market, without duty, costs $8.57 per net ton of 2,000 pounds. Thus in the Chicago market the American salt is to-day about one-half the price of the English salt without any respect to the duty.

So it seems to me, in view of the fact that this is a very important industry, and in view of the fact also that these pork-packers would not use English salt but for the necessity of using it to secure the English market, that this provisio as inserted by the House, which is the present law, should be retained.

I may say also in this connection that there is a constant diminu-

tion of the amount of salt imported into this country. The American producers of salt seem to be in a situation to successfully have the American market even at the low prices I have named. I see by referring to the tables, which I will not quote from, that there is a constant diminution in the amount of salt imported since 1880.

Mr. HISCOCK. Mr. President, the Senator from Missouri [Mr. VEST] made some assertions, as I understood him, with reference to a salt trust, that at least were very surprising to me. I live in one of the salt centers. I assert that there was an English trust in salt, and its object was to put up the price of salt, to control the market, and I assert that they attempted to extend that combination to this country and absolutely failed. Certain of the American producers were in favor of it, others were against it; and I know whereof I speak on that question, and except for the position of the American producers to-day we should have an English trust controlling the salt product of the United States.

Our salt has reached a point where it is nearly as cheap as earth and I believe of as good quality as any of the salt that is produced elsewhere for the purpose of curing meat. It is the competition that is maintained in this country which holds it down to the present price. I ask the Senator from Michigan the price of salt now.

Mr. MCMILLAN. Fifty cents a barrel.

Mr. HISCOCK. Fifty cents a barrel of 280 pounds.

Mr. MCMILLAN. And that includes the barrel.

Mr. HISCOCK. And that includes the barrel; and that is worth how much?

Mr. MCMILLAN. From 15 to 20 cents.

Mr. HISCOCK. Fifteen to 20 cents, and that is the great hardship that is imposed upon the people of the United States! Within ten years salt has depreciated in price at least 50 per cent. Ten years ago it was a dollar a barrel.

Referring to the price that I gave in respect to salt, the Senator from Ohio [Mr. SHERMAN] says that with 280 pounds to the barrel the result is that the cost is about 10 pounds for a cent. In my judgment, in view of the quality of salt that is now manufactured in the United States, and the fact that it is necessary that the present position of the American manufacture should be maintained to prevent a salt trust originating on the other side, it would be eminently just and wise to encourage this industry, and so the amendment should be adopted.

When we come to consider the provision in reference to drawbacks on foreign materials which are used in manufactures, the provision which has been referred to by the Senator from Ohio, if it is thought wise to enlarge, it will be done, but it is extremely proper that any drawback which is to be allowed should be provided for in that provision upon a general policy which is to extend to and cover all articles which we import.

Mr. VEST rose.

Mr. HISCOCK. Does the Senator from Missouri desire the floor?

Mr. VEST. I simply want to state to the Senator that I made no charge that a salt trust in the United States is now existing. I repeat what I said before, that the English syndicate, which the Senator himself says was complete, sent an agent to this country, a Mr. Burger, who was successful to a large degree both in Michigan and in New York in inducing the salt manufacturers to go into the trust. I have before me now dispatches——

Mr. HISCOCK. I have this to add, that the attempted combination was abandoned; that he was not successful in New York; I am not prepared to speak for Michigan. A very small proportion indeed of the manufacturers of salt in New York were willing to go into that combination. I may add as a contribution to the literature and the knowledge upon this subject that it is utterly impossible to cover the production of salt by any syndicate or by any combination. In the county of Onondaga, in which the Syracuse salt springs are situated, within the last four or five years, at a distance of some 23 or 24 miles south of what was supposed to be the salt deposit, or at least the point at which the salt-brine was pumped up, they have sunk shafts or wells to a considerable distance and struck solid rock-salt some 24 feet or more deep, and are now taking brine therefrom into the city of Syracuse for use in the manufacture of soda-ash, and we believe for use there is no limit to that immense field of salt in that county.

They might succeed in forming a syndicate here in the United States that would include the present salt manufacturers, and it would simply require the expenditure of sufficient money to sink another well on the part of some capitalist, and he would go into the manufacture of salt outside of the syndicate.

Mr. TELLER. The same is true of Wyoming.

Mr. HISCOCK. The Senator from Colorado says the same is true of Livingston and Wyoming Counties, and I know that to be so.

Mr. VEST. There is no question in regard to that.

Mr. HISCOCK. And I want to add in this connection that the duty that has been maintained on salt is the controlling force which has developed this salt production all over the United States. Perhaps I am too general when I say all over the United States, but in many of the areas in which it exists it has been stimulated by protection and investigation, and has resulted in these new discoveries and in the further developments.

Mr. VEST. The fall in the price of salt—and I think if it were not for taking up the time of the Senate I could prove it mathematically almost—has come from the discovery of new salt deposits and competition in the United States, and the tariff has had nothing to do with it. We should have had the same fall under free-trade absolutely, or under an exclusive tariff. I had here, not long since, and have now at my residence, a pamphlet from Dr. Engelhart, of New York, in regard to salt discoveries recently made in that State. He says they have discovered there beds of rock-salt, from 40 to 90 feet in thickness, and they are practically inexhaustible. I have seen in the western part of Louisiana a salt deposit that would furnish salt for this world and five more like it for an illimitable period. I use the word with a due sense of its meaning when I say the deposit is simply inexhaustible; there is no end to it. We have these same salt deposits all over the world. England has them in nearly the same abundance that we have. They are found in Asia, in Africa, everywhere. They have large salt deposits in my own State, and in Kansas, and in Arkansas, and in the Indian Territory, and in Texas, and all through the West, all through the new States. So the supply is inexhaustible.

Now, why should we shut out foreign salt? We know that the dairy interests of the United States require it, and they will buy it, no matter what the duty on it is. The idea obtains amongst the dairy people that the finer grades of English salt are absolutely necessary for good butter. My constituents in Kansas City and St. Louis will have English salt for their meats, I do not care what duty you put upon it. They are determined to have it, because they have the idea, based upon experience, that it is the best salt they can use for their business.

In regard to the trust, I do not care to say anything further than that if any credibility is to be given to the statements of the men engaged in forming this trust and extending it, after it was created in Great Britain, over the United States, a large number—whether a majority or not I am not prepared to say, but a large number—of the salt manufacturers of the United States agreed to go into it. I have before me a dispatch from Detroit, dated March 18, 1889, stating that the salt manufacturers had held a meeting there and a majority had agreed to go into the combination:

> The idea is to shut down all works where fuel costs so much that there is only a narrow margin of profit, and the profit of each district to be regulated by the area it can control, this being, of course, regulated by freight rates. Mr. Burger is now in Saginaw—

That was this English agent—

> and the details of the trust, or "syndicate" as it is called, as preferable to "trust," are being arranged. The entire salt-producing territory of the country will be included in the trust, which is said to have a capital of $25,000,000. The advance in price of the commodity, under the manipulation of the trust, will be about 5 cents a barrel at the outset in the Michigan market.

That was published in the New York Times of March 19, 1889, and the New York World of March 21, 1889, has an interview with Judge Comstock, in which he stated that the trust was being extended over this country; and then with Mr. Thurber, who stated:

> We are simply forming an association of capitalists to purchase good salt-works, and with improved machinery and with an improved process of manufacture we will turn out a better article at a much less price. We will have a capital of $10,000,000, and I am sorry that, as the matter is not yet settled, I can not give you the names of the principal men in the association.

The honorable Senator from Georgia [Mr. COLQUITT], however, has a publication giving the names of the directors and stockholders and the mines they have purchased. I remember very distinctly—and that is all I know personally about it—that in the last Presidential campaign I went into West Virginia to make some speeches for the Democratic party, and I went into the salt country, and I saw there wells abandoned. I talked with the people, as is the habit of a public man engaged in a canvass, in regard to the cause of there being no further manufacture of salt in that country, and they told me invariably, both business men and the common farmers in the neighborhood, who seemed to feel it very acutely, that some sort of trust had taken all the wells in West Virginia and closed them down except one or two; I think one was then in operation. Whether those people were entirely mistaken or not, I am not, of course, prepared to say, but we do know from statistics that the salt product of West Virginia has fallen off largely; that the wells have been closed up, and that something was at work, whether it was the competition from Michigan or whether it was the operation of the trust that has brought about the status of things now existing.

I will ask merely to put these statements in my remarks to show the basis of my opinion upon this question, and I close what I have to say with simply repeating what has been so often said by the Senator from North Carolina [Mr. VANCE] when we have been told that the tax was so small that no attention should be paid to it, that it fell in such an infinitesimal degree upon the people of the United States that nobody felt it. I will not quote the language of the Senator from North Carolina, who said if it was big enough to steal it was big enough to keep, but I will say that if it is worth while to put this tax on the people it is worth while to keep it off the people.

The papers referred to are as follows:

> Levi P. Morton, the Republican candidate for Vice-President, is at the head of the great London banking house of Morton, Rose & Co. Sir John Rose, Mr. Morton's partner in the firm, some days ago died suddenly in Scotland, leaving the burden of responsibility for the firm's doings upon Mr. Morton alone.
>
> A large folio prospectus set forth in detail the plans and objects of Mr. Mor-

ton's latest great business undertaking. It is published in London under date of October 8, 1888:

"The share list will close on or before Friday, October 12. Messrs. Morton, Rose & Co. are authorized to invite applications for the shares and debentures of the Salt Union, Limited. Incorporated under the companies acts, 1862 to 1888. Capital £3,000,000, in shares of £10 each, divided into 200,000 ordinary shares of £10 each, and 100,000 7 per cent. preference shares of £10 each. (Dividend payable out of the profits of each year.) Payable per share, £1 on application, £3 on allotment, £2 on 1st November, 1888, £2 on 1st December, 1888, and £2 on 1st January, 1889.

"After the last payment the shares may be converted into stock, transferable in any amounts not less than £10.

"About £900,000 of the ordinary share capital is subscribed by the vendors of salt properties and lands."

The scheme contemplated includes nothing less than the combination of all the salt-producing industries of Great Britain and other countries into one gigantic corporation for the purpose of increasing and maintaining the price of this staple necessary of life at figures which, according to the prospectus, will pay the investors at least 20 per cent. dividends per annum.

In the board of directors of this latest scheme of monopoly, the Right Hon. Lord Thurlow, P. C., stands at the head as chairman. Associated with him are the heads of several of the largest salt-producing companies and firms in England, and the following: Pascoe St. Leger Grenfell, of the firm of Morton, Rose & Co.; John Corbett, member of Parliament; Hon. A. Lionel Ashley; E. S. Baring-Gould; Hon. Charles William Mills, member of Parliament; Herman John Falk, and Walter Robinson, a director of the Great Western Railway Company.

The projectors of the scheme have succeeded through their agent, one Robert Fowler, in entering into contracts with the projectors of the great majority of the salt-producing works of Great Britain, the contracts bearing date all the way from July 9 to October 6. In the language of the prospectus:

"1. The object of the company is to consolidate the undertakings of the salt proprietors in the United Kingdom, with a view to ending reckless competition which injuriously affects the salt industry, without conferring any adequate advantage on the public.

"2. The properties to be acquired or controlled by the company are of great extent and magnitude. Some of the salt firms have been established upward of a century; their salt brands are known throughout the civilized world, and the benefit of their personal business connections will for the most part be preserved. The properties include freehold and leasehold salt, brine, and other lands, brine shafts, works, buildings, salt pans, railway sidings, tramways, and lines into works; steamers, boats, flats, barges, gas works, locomotives, railway trucks and vans, quays, landing stages, timber yards, fitting shops, warehouses, horses, ponies, vehicles, cottages for workmen, brick-yards, railway and river communication, and factories for making most of the articles required in the trade, rendering the aggregate property one of the largest and most complete in the kingdom.

"3. The following are the firms, companies, and persons between whom and Mr. Robert Fowler, of Victoria Mansions, Westminster, contracts and terms for sale and purchase, or leasing, or renting, have been made. [Here follows a list of 64 firms, companies, and persons.]

"Other properties are under offer to the said Robert Fowler, prices are being adjusted, and the offers may become contracts at any moment. In the case of limited companies, the agreements are subject to formal confirmation by the shareholders."

In the article setting forth the inducements to subscribers to shares it is stated that "the highest price of common salt during the last ten years has been 7*s.* per ton at the works, the lowest 2*s.* 3*d.*, the average price about 5*s.* 6*d.* For East Indian salt the highest price has been 13*s.*, free on board, the lowest 6*s.* 3*d.* In 1872 the price of common salt reached 20*s.* per ton, and did not fall to 7*s.* per ton until 1876. The average price during the four years 1872, 1873, 1874, 1875, was over 11*s.* per ton. The shipments of salt in 1875, when the price was 5*s.* per ton more than in 1887, were larger than in 1887. In 1885–'86 East Indian salt was sold at 13*s.* per ton, free on board, and that price could easily be obtained and maintained, or even a higher one, without any detriment to the trade.

"It has been long evident to all conversant with the salt trade that the only bar to its great success has been disunion among its members. During the interval that associations have prevailed large fortunes have been made. This company, by uniting practically all the various works, will secure that unity which has been lacking, and will, by preventing reckless competition, secure prices for salt which, while most amply paying all the shareholders, will not be felt burdensome by the purchaser. Few trades in the country are capable of being so easily united and worked, and no trade can earn such good dividends without raising prices to a prohibitory or injurious point. The company will begin by earning good dividends." In a table of statistics showing the shipments of Cheshire salt in the ten years from 1878 to 1887 inclusive it appears that there were exported to "United States (North), 1,524,238 tons; United States (South), 711,329 tons," and that the total exports were 10,894,880 tons. The shipments to the United States, North and South, were greater than the home consumption of Great Britain and over twice as large as the exports to any other country except the East Indies.

The produce of rock-salt, white salt made from brine, and salt contained in brine used for making alkali under Solvay's process, in 1887, amounted to 2,206,951 tons.

With these figures for a basis it is set forth that: "Taking the estimated production of the works acquired by the company at 2,000,000 tons per annum, an average profit of 5*s.* per ton would yield annually £500,000. Deducting interest on debenture stock, £45,000, and dividend on preference shares, £70,000—total, £115,000—would leave £385,000, or nearly 20 per cent. per annum, available for reserve fund and dividend upon the ordinary share capital."

The entire cost of all the properties acquired and the expenses of organizing the monopoly are stated at £3,704,519.

The scope of this gigantic corporation is not limited to Great Britain. In the articles of incorporation it is declared as among the objects:

To purchase or otherwise acquire, take over, and amalgamate all or any salt mines, works, lands, or undertakings, whether in the United Kingdom or elsewhere.

To enter into any arrangements with any Government or authorities, supreme, municipal, local, or otherwise, and to obtain from any such Government or authority all rights, concessions, and privileges which may seem conducive to the company's objects or any of them.

Mr. Morton's success in placing the shares of this salt monopoly is testified to by the fact that they are already quoted at £5 10*s.* premium on £10 shares.

A SALT TRUST ORGANIZED—TO CONTROL THE PRODUCT OF THE WHOLE COUNTRY—A COMBINATION WITH A CAPITAL OF $25,000,000 TO SUSTAIN THE MARKET.

DETROIT, MICH., *March* 18.

The latest contribution to the system of trusts is the great American Salt Trust, now in process of incubation.

Northern and Western markets are largely overstocked with salt, there being at least one-fifth as much in the hands of manufacturers waiting for purchasers as could supply the whole country for one-third of the year, and it could be readily bought (at the works) at the average Liverpool price for the same grade.

Last year Michigan produced 4,243,264 barrels of salt, and the manufacturers had on hand and unsold at the close of the year 1,884,000 barrels. The average net price received by manufacturers last year for their product was 58.5 cents per barrel of 280 pounds.

Efforts have been made at times during the past two years by Eastern and Ohio manufacturers to bring about the consolidation of the salt interest for the purpose of controlling the production and enhancing the price. The stumbling block was the Michigan product, which was controlled by an association of manufacturers, who pushed their product, and had agencies established in all the Western markets. This organization, known as the Michigan Salt Association, was organized in 1878, handled the entire product, making advances when salt was taken from the works, placing it on the market, and when disposed of making the final returns. This association objected to incorporation with the national combination, for the principal reason that a greater number of works in Michigan were operated in connection with saw-mills, the refuse fuel from which was utilized in the manufacture of salt, and it would not be feasible to sell salt plants to the trust independently from the saw-mills.

C. F. Burger, representing the Eastern manufacturers engaged in the formation of a national salt trust, came to Michigan in January and had a conference with the manufacturers at the annual meeting of the salt association, but no conclusion was reached. Subsequently the president and a member of the executive board of the Michigan association visited New York, investigated the situation, and a proposition was made for the formation of a trust, the basis for which was the purchase of all plants operated independently of saw-mills, the product controlled by the Michigan association and manufactured in connection with mill plants to be turned over to the national trust at stipulated prices. This proposition was laid before a secret meeting of Michigan manufacturers last week in Saginaw, and the members present voted to go into the trust on the basis proposed.

The idea is to shut down all works where fuel costs so much that there is only a narrow margin of profit, and the profit of each district to be regulated by the area it can control, this being, of course, regulated by freight rates. Mr. Burger is now in Saginaw, and the details of the trust, or syndicate, as it is called, as preferable to "trust," are being arranged. The entire salt-producing territory of the country will be included in the trust, which is said to have a capital of $25,000,000. The advance in price of the commodity, under the manipulation of the trust, will be about 5 cents a barrel at the outset in the Michigan market.—*Times*, March 19, 1889.

And the New York World of March 21, 1889.

SYRACUSE, N. Y., *March* 20.

Nothing has so stirred the manufacturing and general business interests of Syracuse as the report to-day that a national salt syndicate was being formed, and that the Onondaga reservation manufacturers were to join it. The salt industry on the Onondaga reservation has not been profitable for years, on account of strong competition at Warsaw and in the Michigan fields, the cost of fuel being the chief drawback.

The utmost secrecy has been observed here among the large companies and the individual manufacturers, but it is learned that only a short time ago C. H. Burger, who represents the capitalists interested in the trust, both English and American, was in Syracuse to make negotiations; that a secret meeting of the salt men was held and general consent was obtained by Mr. Burger for them to join or sell out to the syndicate, on the ground that every manufacturer would be benefited by an increase in prices. It was agreed on Mr. Burger's departure that the matter should be kept from publication until he had made satisfactory arrangements with the Michigan manufacturers, which seems to have been completed. The Onondaga reservation salt interests are virtually governed by the American Dairy Fine Salt Company and the Onondaga Coarse Salt Association. Judge George F. Comstock is the president and J. W. Barker the secretary of both corporations, and it was through Judge Comstock that Mr. Burger succeeded in getting the manufacturers interested, it is said.

Judge Comstock said to-day: "You may say that I believe it to be true that there are capitalists who profess at least a desire to buy up and consolidate the leading salt interests in this city, and that some of these capitalists live in England. Some of them live in New York. Their view, if I am correctly informed, is that there are economies attainable in the union of these interests which will enable them to make reasonable profits out of the business. The salt trade—I mean the domestic salt trade in this country—has, to my knowledge, been a losing trade for several years I have on my hands a large amount of salt-manufacturing property which I hold under a trust to sell for the benefit of a large number of parties who are creditors and stockholders of corporations, and I will sell it if I can get a fair price. The newspapers may like it or not, just as they please. The scheme referred to is not complete. It is not an English control that is contemplated. The control will be in the United States."

Judge Comstock said further that the story of $25,000,000 of stock for the syndicate was at least double the amount expected to be raised. In his opinion $10,000,000 would be nearer correct. The whole amount which he has to sell will include a greater part of salt interests in this locality. He was not able to state the figure for which the entire amount was offered, and perhaps would not be inclined to tell if he could.

"Was this movement started in the West?" was asked.

"No. The Michigan fields are only one of the salt interests of the country which it is proposed to obtain. From the reports it would seem that a satisfactory price has been agreed upon there."

"When was the syndicate formed?"

"It is not fully formed yet. An agent of the English capitalists has been in this country with a view to uniting with New York men.

"J. G. Wynkoop, secretary of the Salt Spring Solar Salt Company, said that his company was outside of the Onondaga Salt Association, to which most of the other companies belonged. He was not fully informed as to the syndicate.

"It is reported that in the end the Onondaga reservation works will be shut down entirely on account of the increased cost of manufacture over other fields."

The Thurbers having no longer any object in denying their share in the business, Mr. F. B. Thurber stated to a World reporter: "We are simply forming an association of capitalists to purchase good salt-works, and with improved machinery and with an improved process of manufacture we will turn out a better article at a much less price. We will have a capital of $10,000,000, and I am sorry that, as the matter is not yet settled, I can not give you the names of the principal men in the association."

It is noticeable that the prime movers in the American salt trust are "English capitalists," the Thurbers, leading importers of English salt, and the decaying "fine salt" industry of Syracuse; while the one salt manufacturer not interested, the Salt Springs Solar Salt Company, represents the "solar salt" industry, the only one legitimately profitable of late years on the Onondaga reservation; also that Mr. Thurber's unctuous disclaimer of the probability of higher prices for salt is directly at variance with the plan upon which Mr. Burger, the general agent in charge of the matter, is proceeding in Michigan, where an immediate raise is promised.

Mr. CULLOM. Mr. President, I only desire to say a few words.

In the first place, I want to say, as to the provision referred to here by the Senator from Ohio as covering this question, that on a suggestion of that kind made by a member of the committee I forwarded it to parties interested in the exportation of salt meats and called their attention to it, and they decided that so far as they were concerned it

did not meet the case, and that they would get no drawback under that provision referred to by the Senator from Ohio.

If this drawback is to be given at all, it ought to be given where this provision applies that is proposed to be stricken out by the committee. I think the proviso ought to be reinstated, because it seems to me clear, if we are disposed in any instance to favor exporters of agricultural products, we ought to be willing to allow the law to remain as it is. To show what I said a moment ago, that it made no difference with the home product whether this provision remained in or out, for the reason that it is a fact, as stated by these people who export, that the purchasers in the foreign countries require absolutely the use of the foreign salt in curing the meats which our people export, I desire to read simply a clause in a letter which I have from a very honorable gentleman connected with this business, in which he says:

> The foreign trade demands products cured with imported salt and will take no other. The exporter would gladly use domestic salt if he could. With a rebate he could, as things now are, make more by using the domestic salt if the foreign trade would take provisions so cured, but it will not.

Now that is the declaration of a gentleman connected with a very large export business of both cured pork and beef. They have been carrying on that trade for a good many years, and the assertion is absolutely that the purchasers in foreign countries will not take the product that they ship to them—cured pork or beef—unless it is cured by foreign salt.

Now, if that is so, it will do no good to our home manufacturers of salt to strike that provision out of the bill, because simply the export trade would cease unquestionably for the time. Whether in the future a different state of things might prevail or not I am not able to say, but so it is at present. The export trade demands this foreign salt.

The question simply is whether we are willing to do anything to cut off that trade, or whether we will not stand by the law as it exists, and vote against the amendment proposed by the committee.

So far as this general discussion is concerned, I have always been in favor of protection, and in favor of protecting salt even, as I have voted at previous sessions as well as at the present; but this is not a question of protecting American salt. It is more a question of protecting our American people engaged in the shipment of our products to foreign countries; and it seems to me we ought to be willing to allow the provision to stand as it is in the law.

Mr. STOCKBRIDGE. Mr. President, I hope that this proposed amendment of the Committee on Finance will be adopted. I think the Senator from Illinois made a very correct statement just now, that this rebate is in the interest of the American packers. I think, sir, that is all there is of this proposition. It may be that foreign purchasers of our beef and pork prefer to have them packed with foreign salt. It is undoubtedly true that our salt is just as good as foreign salt, but the foreign market may prefer meats packed with foreign salt. However, I insist that the statement of the Senator from Illinois is absolutely correct, that this proposition to grant a rebate is purely in the interest of a dozen or so American packers. The packers do not pay one cent more for a steer because they get this rebate. Our people at home get no rebate from the salt which they use in packing their beef.

I have here the reports from the custom-houses of St. Louis, Chicago, Boston, and New York, showing the amount of rebate paid to American packers on foreign salt. They are very voluminous. I merely state the fact that I have the statistics here. During the last five years there has been paid to a few American packers, whose names you can count upon the fingers of your two hands, $257,175.97.

I submit that our American packers have been very successful in the pursuit of their business, and if all our consumers of salt who prefer to use the foreign salt have to pay this duty upon foreign salt without a rebate, I insist that these half-dozen or twenty gentlemen throughout the country who get the full benefit of this rebate can very well afford to leave this $257,000 in the Treasury.

Mr. VEST. May I ask the Senator a question? He gives the statistics, as I heard him imperfectly, of the amount of rebate that has been allowed to the packers.

Mr. STOCKBRIDGE. Yes, sir.

Mr. VEST. Can the Senator give us the amount of imported salt in bond that has been used by the fishermen under this legislation?

Mr. STOCKBRIDGE. I have not those figures.

Mr. VEST. I should like to see them.

Mr. STOCKBRIDGE. Upon the general subject of salt, at the time referred to by the Senator from Georgia a short time ago, the price of salt in those days was from two and a half to three dollars a barrel. I will state that Michigan last year produced 4,500,000 barrels of salt, which has been sold at from 48 to 56 cents a barrel, including the barrel, which cost about 21 cents. The price of salt is certainly not very oppressive. The production of salt in Michigan was stimulated by the duty which was imposed, and the present low price, I think, is entirely due to the enactment of that duty.

Mr. ALLISON. May I ask the Senator what the price of salt in bulk is in Chicago, and what has it been for the last four or five years?

Mr. STOCKBRIDGE. The price of foreign salt?

Mr. ALLISON. American salt used by our packers.

Mr. STOCKBRIDGE. I do not think the American salt is handled in bulk.

Mr. ALLISON. I, of course, do not know, but I have before me a letter from an American packer, a packer in my own State, who says that he buys salt in bulk in Chicago at $4.50 a ton, used in packing.

Mr. STOCKBRIDGE. It is possibly shipped direct to packers in that way.

Mr. ALLISON. I will read the letter if necessary.

Mr. STOCKBRIDGE. I desire to say one word in regard to the salt trust, to which the Senator from Missouri has alluded. I know very well the president of our Michigan salt trust, a very distinguished Democrat, and a very fine, able business man. I know that he spent some time in New York with these foreign parties negotiating with regard to a trust, but I also know that, while time was spent in that negotiation, no trust was formed embracing our American producers.

Mr. CULLOM. Mr. President——

Mr. ALLISON. Before the Senator from Illinois takes the floor, I desire to read a letter received by me from T. M. St. Clair & Co.

Mr. STOCKBRIDGE. Will the Senator from Iowa excuse me one moment? He asked me a question which I was unable to answer. I now state upon the authority of a gentleman from the Saginaw salt region that bulk salt is sold in Saginaw to packers at about $2.40 a ton.

Mr. ALLISON. In Saginaw?

Mr. STOCKBRIDGE. At $2.40 a ton, in Saginaw.

Mr. ALLISON. That is about 10 cents a hundred. St. Clair & Co., who are large packers for the foreign market in Cedar Rapids, Iowa, state in this letter:

> We would add to what we have previously mentioned that we can buy fine American salt for packers' purposes at $4.50 in Chicago, in bulk, per ton. English salt is at present costing us 25*s.* in Liverpool; freight to Chicago, 14*s.*, making 40*s.* per long ton. This makes $8.57 per ton of 2,000 pounds laid down in sacks at Chicago. Deduct $1 per ton for sacking, and we have $7.50 per ton in bulk without duty, as compared with $4.50 for the American salt.

I merely read this letter for the purpose of showing that American packers would not use foreign salt if they were not compelled to do so in order to meet the demands of the English market.

I have here a letter from Mr. Burt, which I find among my papers, who is a leading manufacturer of salt in Michigan, and, I suppose, well known to gentlemen on the other side. He is a very prominent Democrat. He states in this letter, which I shall not read, that the American salt is as good as the English salt, but the English purchasing agents require the meat to be packed in foreign salt, thus forcing the packers to use imported salt to a certain extent. I merely show that this is a recognized fact among the producers of salt as well as the packers of the United States.

Mr. McPHERSON. Mr. President——

Mr. CULLOM. Will the Senator allow me simply to make a suggestion which will throw some light on the inquiry made by the Senator from Missouri, I think, in reference to the amount of salt used for curing fish? I have a table in my hand which states that the total imports and withdrawals for consumption, curing fish, amount to 105,502,527 pounds, the value of which is given at $106,955.88. I thought perhaps it might be a partial answer to the inquiry made by the Senator from Missouri.

I desire to add that it is not a question of preference on the part of these exporters of cured meats at all. It is a question of necessity. I have information from gentlemen engaged in the business that they would prefer to use the American salt, because they can get it cheaper, but as a matter of fact they are in this trade and do not want to lose it, and they do not wish the Congress of the United States to legislate in such a way as will cut them off from the foreign trade.

Mr. McPHERSON. Mr. President, I can not consent to depart from the consideration of this paragraph without a single word with respect to the very peculiar position taken by my friend from Iowa [Mr. ALLISON], and it gives the very best possible illustration of the doctrine of protection gone to seed. When you come to compare the Senator's vote in favor of a protective duty on salt with his argument or statement showing the fact that it is absolutely necessary, for the packing of meats in this country for export, that the foreign salt should be purchased and used for that purpose, notwithstanding it costs double what American salt costs, what is the conclusion?

Although the protected American salt should stand by the car-load at the door of the packing-house, it could not be used even when the foreign salt, as he states, costs double the price of the American salt, and yet he is willing to impose a duty upon imported salt in order that goods packed for the use of the American consumer shall be compelled to pay an increased price upon the product by reason of the tax or the duty imposed.

Mr. ALLISON. The Senator of course does not want to misstate me. He wholly misapprehends what I said. I stated that the foreign consumer insisted upon foreign salt, although the American salt is just as good and so recognized, and can be procured for half the amount; and the American salt is used wholly in the United States for packing purposes for American consumption. So the statement of the Senator from New Jersey as respects my position in that particular is quite erroneous.

The Senator from Michigan [Mr. STOCKBRIDGE] has stated that American salt for packing purposes can be had at $2.40 a ton at Saginaw. The concurrent testimony is that all packers use American salt for American consumption and that it is just as good. We have used in the United States 11,000,000 barrels of American salt in the last year and less than a million and a half barrels of foreign salt. So it is perfectly apparent that this question of the use of Liverpool salt is an English prejudice, it may be, but at least they exclude American salt.

Mr. MCPHERSON. It is a prejudice you are bound to respect, however, in order to make a market for your packed products.

Mr. ALLISON. Undoubtedly; that is what I said.

Mr. MCPHERSON. It seems to me that the Senator's argument does not hold together very well. In the first place, he imposes a duty upon salt which, if it has any purpose or meaning at all, is to increase the price of salt in this country, and to that extent it increases the cost of American meats to the American consumer. Now, we turn to the foreign salt, and he says that the American salt is just as good for the packing of foreign meats. The facts are against the Senator's proposition. The evidence is that we can not sell our meats in any foreign market except when packed with foreign salt. Therefore, that disposes of the whole question. We may use any kind of hypothesis we please, if the fact remains, and we are confronted with that fact, we shall have to adapt ourselves to the circumstances. We must import foreign salt and pay the duty, and such increased price on the American salt as the duty compels.

Mr. CARLISLE. Mr. President, a single word only. Unless we propose by this legislation to discriminate against the packers of pork and beef for export and in favor of other classes of manufacturers who produce goods for export, the amendment proposed by the Committee on Finance ought not to be agreed to, for I think it is perfectly clear to any Senator who will read the twenty-fourth section that it does not cover this case. It will apply, of course, to machinery which is composed of separate parts and many other articles, perhaps, which can be produced in this country and exported; that is to say, articles so constructed that the different parts may be separated, and it may be determined what was made from a domestic product and what was made from an imported product.

Now, upon the other question, as to the price of salt in this country and the compulsion which rests upon the packers of our pork and beef to use imported salt in order to sell their products abroad, I have only this to say: The Senator from Iowa has stated that imported salt is used by our pork and beef packers simply because of the fact that it is demanded by the purchasers of their products abroad, although he says that the price of American salt of as good a quality is only one-half that of the imported salt. If this be true, and I have no doubt it is, it may account for the importation of the foreign salt for use by our pork and beef packers, but no Senator has undertaken to account for the importation—quite a large one, too, as appears from the statistics furnished by the Senator from Illinois—by the packers of fish for export.

I submit to Senators upon the other side that if the effect of the protective tariff has been, as they claim, to bring down the price of salt in this country below the price of the same product of salt abroad, why is it that the American fishermen and the packers of fish import foreign salt and use it in packing their articles? This fact can not be explained except upon the hypothesis that foreign salt is cheaper without the duty than the American salt. When they import the foreign salt and use it in curing their fish and export the fish, they receive back, under the present law, either 90 or 99 per cent.—under this bill 99 per cent.—thus getting, as they understand it at least, their salt cheaper than they could buy the American salt.

Mr. President, I deny absolutely that the reduction of the price of salt in this country or the reduction of the price of any other article has been brought about by the imposition of protective duties. It has been brought about, as was stated by the Senator from Missouri, by the discovery of new sources of supply, by the employment of new processes. Why, sir, in the State of New York, where, as the Senator from that State has already stated, they have discovered a mine of rock-salt which can be taken out simply by quarrying, like stone, out of the earth; and at other places in the State of New York where the water belongs to the State, and every man has a right to use it by paying a small royalty, the salt is actually made in tanks by evaporation from the heat of the sun, with no considerable manual labor.

The salt deposit in the State of Louisiana had been alluded to, where nothing is to be done except quarrying, and I believe the product is 98 or 99 per cent. pure salt. In the State of Michigan, which, as everybody knows, is a great lumber-manufacturing State, the general rule is that the salt-works are carried on in connection with the saw-mills, and the cost of the production of salt is greatly reduced by the use of slabs and sawdust as fuel, materials which otherwise would be entirely wasted.

It is these things, the discovery of new processes, the discovery of new sources of supply, the utilization of this waste material in Michigan, the evaporation of the water by the heat of the sun in the State New York, and many other causes which have brought down the price of salt here, and not a protective tariff.

But, Mr. President, suppose the protective tariff had brought it down, suppose the protective tariff had reduced the price of pig-iron, steel rails, and many other articles which I might mention, as claimed by our friends upon the other side; how much have the people of this country paid for it, and when are they to receive the dividends upon the money which they have paid in the form of increased prices for these products? It is estimated by Mr. David A. Wells, Edward Atkinson, and Mr. A. B. Faquahar, three accomplished statisticians who have given this subject patient and thorough investigation, that the people of this country have been paying from fifty to eighty million dollars per annum more for pig-iron alone by reason of your tariff than they would have been compelled to pay without it. It can be shown by the authentic list of prices that we have paid during the last twelve or fifteen years between two and three hundred million dollars more for steel rails than they were selling for abroad, and still they are not down to the foreign price. Although we have paid from fifty to eighty million dollars more for pig-iron, that is not yet down to the foreign price.

Everybody can see that in order to reimburse the people for the money which they have expended on account of the increased prices, these products must not only fall hereafter and remain for all time to come at the foreign price, but they must go below it so the people can receive some dividends upon the money which they have invested. They can receive those dividends in no other way than by a reduction in the prices of the goods which they are compelled to buy and use.

Undoubtedly, the imposition of this duty upon salt in the first instance was to increase its price, and I think it can scarcely be denied that its maintenance now is at least to keep up the price at the present figure. How long, then, I say, before our people—assuming, for the sake of argument, that the price has been somewhat reduced by the protective tariff—are to get back again, by reason of reduced prices below the foreign price, the extra money they have paid? This is a feature which our friends upon the other side never seem to consider. It shows that the people made a bad contract, Mr. President, when they went into partnership with the producers of these articles to pay them increased prices for their products upon their promise that hereafter they would reduce them.

Mr. TELLER. Mr. President, to hear the Senator from Kentucky one would suppose that the price of salt was alarming. Does the Senator from Kentucky know the price of a barrel of salt at the great salt-producing points of the United States? The cost of a barrel to put the salt in is from 18 to 20 cents. That is labor, at least, practically all labor. The price of the salt is about 30 cents. Salt has been selling at various points in the United States where it was produced, with the barrel included, at from 47½ to 55 cents for several years. Two hundred and eighty pounds of salt have been sold to the consumer at retail for $1 a barrel in nearly all points in the United States.

A good many years ago, quite early in the history of this country, we had free salt, and salt went to $4 a barrel, with just as much salt in the country as there is now. The truth was that all the American manufacturers of salt shut up and then the foreign producers of salt put up the price.

Mr. CARLISLE. When was that, Mr. President?

Mr. TELLER. That was right after the war of 1812.

Mr. CARLISLE. I was not here then. [Laughter.]

Mr. TELLER. No, the Senator was not here; but the Senator might learn something by the study of the history of the country upon these questions.

The Senator from Missouri admitted that there was a salt trust in England. I suppose nobody will deny that there is a salt trust in England, and there has been a salt trust there for years. I do not suppose anybody familiar with the economic conditions of Great Britain will deny to-day that nearly every great manufacture there is controlled by a trust. There are trusts to sell in Great Britain and trusts to buy. They have trusts to procure for themselves the raw material as cheaply as possible, to prevent competition, and then they have trusts in all departments of manufactures for the purpose of creating a price to suit themselves.

Mr. President, I do not intend to enter into any discussion of the tariff question, but the Senator from Kentucky and the Senator from Missouri are very much disturbed about the price of American steel rails. They seem to have forgotten that the stimulus we gave to the rail manufacture in this country has lowered the price of rails the world over. It was stated before the British Commission in 1885 that development in the steel industry in the United States had exceeded that of anything in the world. That is a fact which everybody who has given the slightest attention to these subjects understands.

I simply want to call the attention of the Senate for a moment to the steel-rail trust as detailed in 1885 before the commission to consider the cause of depression in British trade. The Senator from Missouri said that he had seen somewhere in a newspaper that the trust had broken up. If so, it has broken up within a few months. The fact is that it is in full existence to-day. A witness came before the commission and was asked this question:

Can you give us any information with regard to the association which we understand has been formed for the purpose of distributing the orders received for the manufacture of rails?

He replied:

I had something to do with the origin of that association, and the conduct of it since. It was formed two years ago, at which time steel rails were being sold at less than £4 per ton at the works, that price, I believe, being a loss to the parties selling them varying from 5s. to 10s. a ton. The quantity of rails that were required then had fallen off to only about one-third of what it had been in previous years; we were all of us working nothing like half time, and when orders came in it became a question, is it better to take these orders at a known loss or let the works stand and have an indirect loss in that way? The competition became so keen that we got down to less than £4 a ton at the works. After some time the makers in England, all except one firm, agreed to join the association, and it was decided to endeavor to associate the Belgians and the Germans with us as being the only two countries that exported rails.

I will say that later France exported some rails and so did Germany and so did Austria. I call attention to the way this trust met that exportation of rails from countries outside of the association:

It ended, after taking the figures of three years of the exports from the three countries, that Great Britain kept 66 per cent. of the entire export trade. Belgium had 7 per cent. and Germany 27 per cent.

Later I believe they changed it and gave Germany more and Great Britain less. In fact, he states that right here; I thought it was stated in another place:

We have since modified the division a very little, and given Germany 1 or 2 per cent. more and Belgium one-half per cent. less; but in effect this country has reserved two-thirds of the export trade. The next thing that we had to do, having agreed upon what proportion each country was to have of the orders of the world, was to agree amongst ourselves how we should divide those orders, and we thereupon assessed the capabilities of each work, each company representing a certain number of parts out of one hundred parts.

The effect of this has been that we have gone on for two years dividing the orders in something like a proper proportion, and we have maintained a price of £4 13s. a ton at the works, it having been, when we began, £4.

Mr. ALLISON. What does the Senator read from?

Mr. TELLER. I read from the evidence in the report of the royal commission appointed to inquire into the depression of trade and industry, and I have just read paragraph 2271, the testimony of Mr. I. T. Smith, December 17, 1885.

Paragraph 2272, the question is:

The purchaser has nothing to say, has he, as to what make it shall be, whether it shall be Belgian, German, or British? Yes; we do consult the convenience of the purchaser to a very large extent, and we have had no difficulty in arranging that, because if a purchaser preferred English rails we should keep that in England, and as far as we could we should give it to the company which the purchaser preferred to deal with, if the position of the works and so on was more convenient than that of others. We sometimes get a great deal more than our proportion, because customers prefer to deal with England, and as we get ahead we try to influence orders to go to Germany and Belgium to level us down to our fair proportion.

There is a good deal of very interesting testimony in connection with this report which I will not take the time of the Senate to read. Mr. Dale asks the question:

Your association is charging more than they really need to charge for profit? We are not charging much profit.

That is paragraph 2278. Now paragraph 2279:

What would be the position of a man opening a new firm? The position of a man opening a new firm would be, that if he would not join the union we should have to put our price to the point that would prevent other people coming into it.

Into the work.

The point to which we regulate our price is to minimize competition as much as we can.

2288. The price would have been about £4, then, according to the figure you have given? Under the extreme competition that was going on just at the time we started it was about £4, and we put the price up to £4 15s., but we have only realized about £4 13s., because there have been a good many cases in which we have had to compete with France, and one or two cases in which we have had to compete with Austria, and when any firm supplies rails under the standard price the price is made up out of the funds of the association.

* * * * * * *

2301. But then you still have the fact before you that you have willingly surrendered to Germany, during the period I have named, 246,000 tons? We have willingly surrendered, that is true; but we should have had probably to surrender an equal quantity if we had gone on competing and to have surrendered it at a less price. The share of work given to the Germans and Belgians in the last two years is based upon giving them the share that they took in 1881, 1882, and 1883, in competition with us.

I want to call attention now to how the competition works:

2360. With regard to the firms outside the union, are their prices less than those in the union or about the same; do they fluctuate in accordance with your prices? They fluctuate to some extent, because when we know that rails are required in a district where such a firm is well situated to supply them, we put some of our members in a condition to compete, and make up the difference in price.

* * * * * * *

2363. Would you kindly say in what way you put the members of the union in a condition to compete? If rails are required in the neighborhood of the works of a firm that is outside the association, and we have a firm 50 or 100 miles away who could execute the order and whose turn it was to have the order, and whose works required the order, we should allow that firm to quote as nearly as possible what we thought would be the price, and if this firm had taken the order at 3s., 4s., or 5s. less than our standard price we should make up that price to them, and in that way the standard price of £4 15s. has been reduced, as I tell you, to £3 13s.; it costs us 2s. all around.

That is all I desire to read on that point; and I will suggest to the Senator from Kentucky, who is alarmed about the price of salt, that it is very probable this English salt trust would be quite able to control the American market for a few years until the American salt enterprises were closed.

Mr. President, every nation ought to produce its own salt. It is as absolutely essential to national existence in time of war as that it should produce its own gunpowder, or that it should produce its own clothing, or its own food. The Senator from Kentucky says he does not think this system has been the result of a tariff. Possibly not, but at all events we put a tariff on salt, and the American consumer in very many places is buying salt for less than the tariff price. Yet the Senator assumes now in the remarks he has just made that the continuance of the duty on salt is adding to the price to the American consumer.

Two years ago I went over this salt subject very carefully. I have not the figures before me now, but the expense, the outlay the ordinary family makes for salt is so absolutely inconsequential that it does not pass into the calculation of the head of the family as to its cost, unless he is a farmer and uses the salt as a fertilizer. Then, if he is near a great center of salt production, like Western New York, like Michigan, or points in the extreme West, he can get it so cheap that it is practically valueless, I may say, especially when he takes the inferior product, or what is called the waste product of the salt-works.

The Senator from Kentucky says that there is practically no labor in salt; they just quarry it out. If they quarry it, it is labor. Of every barrel of salt more than one-half what it sells for in this country represents labor. At least 35 per cent. of the direct cost of the salt in the various manufactories is labor.

Mr. ALDRICH rose.

Mr. CARLISLE. Allow me one moment, and I shall not prolong the discussion further so far as I am concerned. I am not alarmed to any considerable extent about the price of salt in this country. I have conceded, and cheerfully concede, that the price of salt has fallen very greatly in this country, as I think it has all over the world in salt-producing countries. My contention simply was that the tariff had not reduced the price, and I was responding to the statement made by the Senator from Iowa and other Senators on that side in explanation of the fact that our pork and beef packers purchase foreign salt.

My answer to that argument was that it did not show that American salt would be purchased if it were not for this compulsion, because, as I said, the packers and exporters of fish, who are under such compulsion, actually purchase and use the foreign salt, as shown by the statistics submitted by the Senator from Illinois. I assume, and think it is safe to assume, that the people engaged in that business understand their own interests, and understand the effect of their own business transactions, and would not purchase the foreign salt in preference to the American salt, one being as good as the other, unless they got the foreign salt cheaper than the American salt. That was the whole of my argument on this subject.

Mr. GRAY. Mr. President, I do not want to prolong this debate or occupy any more time upon it, but I am very much struck with the similarity of the argument that is compelled in the championship of privileged classes the world over. The Senator from Colorado, in making an argument in favor of this salt-producing trust or monopoly in the United States, does not differ at all from his confrères on the other side of the Atlantic.

I saw a short time ago an extract from an English paper in which the writer lashed with his scorn and contempt the argument that had been made that the expense of supporting the aristocratic establishment of that monarchical country was an unjust tax and burden upon the people of that country; that the Queen and the lords and the chamberlains and the gentlemen in waiting and the ladies of the bed-chamber and the equerries, and all that Old World establishment, were a privileged class that had no right to impose itself upon the labor of the country.

The paper that was controverting this attack upon this established order of things, as I said, treated with scorn the Englishman who could for one moment argue against an English institution so old and glorious and useful to the country, on the score of economy. The argument was that it only amounted to a penny or two a head for all the people of the United Kingdom to support this great establishment. And here we to-day hear the same old argument repeated: Why, it is only an inconsiderable tax on each man, woman, and child. And the Senator dwells upon the cheapness of salt and upon what a great quantity can be bought for a very small sum of money.

Mr. TELLER. I deny that it is a tax at all.

Mr. GRAY. Wait a moment. It is an inconsiderable tax, says the Senator from Colorado, on each man, woman, and child in this country; and he holds up to what he thinks deserved contempt the economic argument that we should decline to pay this inconsiderable, infinitesimal per capita tax to support the great salt industry; every country should have its own salt and be able to produce its own salt; and therefore should have a privileged class producing that salt, with power given it by the legislative branch of the Federal Government to levy a tribute, small and infinitesimal as it is, upon all the people of this country. I only want to draw attention to the similarity of argument that is compelled from the advocates of privilege the world over. It is a small, a very small tax on each one, but aggregated it is a very large sum.

The Senator from Illinois told us just now that the rebate to the fishermen of New England of the duty alone upon salt used in packing fish, just that one use of the article, amounted to a good deal over

$100,000. That is a large sum to take out of the people of the country for one use, and that a very limited use comparatively of this article.

But so it is, Mr. President. "Many a mickle makes a muckle," as the Scotch proverb has it, and the beneficiaries of the tariff laws have found out long ago that when they want to get the greatest possible benefit from a protective tax they must seek the commonest articles of universal use and consumption, and a very small tax per capita will produce a very large sum for their benefit.

Mr. TELLER. The Senator from Delaware put words in my mouth, either purposely or accidentally, that I did not use, when he declined to allow me to interrupt him.

Mr. GRAY. I yield now to the Senator from Colorado.

Mr. TELLER. Yes, the Senator yields now; but I wanted him to yield when he made the statement.

Mr. GRAY. I did not propose to yield in the middle of a sentence.

Mr. TELLER. I said nothing about the American consumer paying a small tax on salt. He pays no tax on salt. I said that in the great centers of salt manufacture salt is selling cheaper than the duty would be on it if he had it to pay. The Senator may have misunderstood what I said.

Mr. GRAY. I did not attempt——

Mr. TELLER. The Senator need not interrupt me now.

Mr. GRAY. I did not pretend to quote the Senator; I only stated his argument.

Mr. TELLER. I said nothing about a tax at all. The American consumer of salt pays no tax whatever, as he does not pay a tax on a hundred things, even if the duty is a tax.

The Senator from Delaware, like all of his confrères on that side, is exceedingly sensitive about trusts. They have talked a great deal about American trusts, but the moment anybody calls attention to an English trust, that moment they seem to think it is a matter pretty nearly if not quite a personal offense.

I am going to put in the RECORD—I am not going to read it unless somebody requires that I should—a little of the English opinion on this American, McKinley tariff, and it is so nearly alike with the opinion of the Senator from Delaware and other Senators on that side that it will be very interesting reading to the American people. They tell us that their solicitude for the American people is that they do not want to see the English people robbed. The English people say that we are going to rob them; that we are stealing their markets; that we are going to deprive them of the opportunity of getting rich from the products of their labor.

At a public meeting not long since they declared that they had practically paid the expense of our Government, including our great war debt and all that, and we had levied this tribute upon them. They held a public meeting not long ago in Sheffield, and they discussed the matter there with a good deal of bitterness. They concluded that the only hope they had was from the Democratic party, and they finally concluded that there was a fair prospect that the Democratic party might get into power; and, if the Democratic party did, then the legislation would be in such a way that they would be benefited, and not the Americans.

I have here extracts from English newspapers which cover just a sheet of paper. I do not desire to take up the attention of the Senate, but I ask to have it put into the RECORD in connection with my remarks, and I would commend it to the Senators on the other side to see what good allies they have on the other side of the water. It is possible after they have read this that they may change the tenor of their remarks somewhat.

Mr. DANIEL. Before the Senator takes his seat, will he allow me to ask him a question?

Mr. TELLER. Yes.

Mr. DANIEL. Would the Senator like to see all trade with Great Britain destroyed?

Mr. TELLER. I do not propose to destroy trade with Great Britain. I have not proposed to destroy any of it, except where we can produce articles that Great Britain produces. I believe in encouraging the American manufacture and paying the cost of its production to American labor, and not to English labor in Sheffield, and Lancashire, and Birmingham, and other points.

Mr. DANIEL. If the Senator will allow me to inquire further——

Mr. TELLER. Certainly.

Mr. DANIEL. Is not reciprocal trade between two nations advantageous to both?

Mr. TELLER. There is more or less reciprocal trade, but it is not that any one nation buy of you because you buy of them. They buy of you because they can buy cheaper. Great Britain bought of us last year a very large amount more than we bought of them. Does anybody believe they would have bought of us if they could have bought anywhere else cheaper? Trade does not know any sympathy. Trade does not know any blood relation either. We might buy of Great Britain ever so much, and if she found that she could get her imported products a hundredth part of a cent less by buying somewhere else she would buy somewhere else. So do we. We buy where we can buy the cheapest when we buy from abroad, and it is the same here in our own domestic competition. Nobody buys of his neighbor and pays an advanced price because he is friendly to him. Nobody buys within the borders of his own State and pays an increased price over what he may get the article for in the borders of another State.

I repeat, there are no sympathies in trade. It does not make any difference whether Great Britain is satisfied with the McKinley tariff or not, she will continue to buy of us just as long as she can buy cheaper of us than she can buy anywhere else or just as long as our products are better than the products of any other country. Does the Senator from Virginia think she is going to cease to buy our cotton and that she is going to buy the inferior cotton of India or of any portion of Asia? She buys our cotton because it is the superior cotton. She buys our wheat when she can buy it cheaper of us than she can of India. When she found she could buy it cheaper of India and cheaper of Russia than she could of us, she ceased to buy our wheat. She buys our meats in the same way. If she can buy them cheaper than she can buy Australian meats she buys them. She does not buy them when she can get cheaper meats from Australia or South America than she can from us.

Now, Mr. President, I ask to have a paper put in the RECORD which I send to the desk.

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

The paper referred to is as follows:

ENGLAND AROUSED—BRITISH INTERESTS PROTEST AGAINST THE M'KINLEY BILL.

The mass meeting held in July last in the city of Sheffield, England, to protest against the McKinley tariff bill, was probably the strongest expression of opinion in favor of the policy of protection ever presented in the economic history of the two great English-speaking countries. We first present some extracts from the Sheffield Telegraph of July 14:

"Duties so hostile as to be practically prohibitive do more than take away employment here. Such duties transfer employment to the enemy. They fetch out not only the work, but the capital and the special knowledge behind the work. They are intended to do no less. On the Continent and in the States English firms working with English machinery are nearly everywhere. It was the high tariffs which drew them and their money and their picked men out of England to be employed in teaching the natives how to compete with and cut out English workmen at home.

"Our artisans are weary and sick of the falsified assurances, the baffled hopes, the utterly defeated expectations connected with the thing once honestly but now fraudulently labeled 'Free trade.' They fail to see why that should be called 'free' in which no freedom is. They nose the imposture as it lies dead and decomposing above ground, and they long to have it buried out of sight. They resent the notion of having the honorable work of their hands treated as if some infection of plague and pestilence clung to it. They perceive that the policy and favor at Washington is not one of give-and-take, but is all 'take.' They feel that practically no policy could be more hostile or more pernicious to themselves were it even dictated by the bitterest malevolence."

Under date of Wednesday, July 16, the same paper thus refers to the "audacious items of the McKinley tariff," and to the additional outrage which the United States is going to perpetrate upon Great Britain by building up her own industries:

"How far the hostile policy embodied in the customs system of the States has been stimulated yonder across the Atlantic by non-resistance here may be read in the audacious items of the McKinley tariff, and in the further proposal to sustain with large bounties—bounties plucked from the pockets of American tax-payers—an entirely new and a very serious attack upon England's mercantile supremacy at sea. They believe their system to be successful, and because they strongly believe it to be successful on land they are about to extend it to our trade on the four seas.

The Continentals see new manufacturing colonies thriving in their midst, and they take note that these were founded and are conducted by Englishmen. The Americans have recently witnessed the sudden growth under their eyes of gigantic iron works, Bessemer-steel works, and factories for the production of pianos, organs, sewing-machines, and the like for exportation to our open markets. They have persuaded themselves that by imposing prohibitive duties on Welsh tin-plates they can draw almost the entire tin trade out of Wales into their own country."

On Tuesday, July 15, 1890, the Sheffield Independent published an editorial, some of the sentiments in which, when placed by the side of the remarks of the Sheffield Telegraph, show that the real hope of the British public, so far as the tariff is concerned, is not in defeating the tattered theories of free trade, is not in the effect of a monster meeting in Sheffield, is not in "fair trade," and is not in "retaliation." Wherein, then, does it lie? In the Democratic party. And here it is, from the Independent of July 15:

"Mr. Blaine has come down 'flat-footed,' as the saying goes, against the tariff bill, and that is a terrible blow for the McKinley party, as, although the Secretary of State has no seat in the Congress, he has hitherto been regarded as the most powerful man in the Republican party. All this is good news for Sheffield, and a calm and dignified protest may help the downfall of the ridiculous proposal. But serious talk of 'retaliation' would at once strengthen the high-tariff men, and if resorted to—of which there is, of course, little fear—would establish the tariff and alienate the sympathy of the Western States, who to-day are as bitterly opposed to the McKinley bill as we are. On the contrary, if we do not lose our heads, and the worst comes to the worst, these Western farmers will assuredly help to secure the downfall of the Republicans next year, and install in their place a Democratic government pledged to a largely reduced tariff, running a long way in the direction of free trade."

The Sheffield Telegraph for July 17, 1890, says: "Our working classes are not helpless as oysters. They recognize in the offender, whose very cuffs are odorous of lard, pork, and cheese, an individual mostly clothed, fed, and kept—kept at least in great part—by their custom, and they think they see clearly how he can be brought to his senses. They know some civil fellows—their own near of kin or else their colored fellow-subjects—honest, well disposed people, who are also in the provision line, whose stocks are large, whose producing power is capable of immediate and limitless extension, and who would be delighted to barter or truck their great surpluses of food-stuffs for knives, tools, clothes, coal, or machinery.

"Why send ninety-odd millions yearly—a sum more than equal to the entire government revenues of the greatest of great powers—to the churl on the other side of the Atlantic, when next door to him (actually 'next door') there is a decent fellow in the provision line who not only keeps a good article, but has a good character, and who, with a little encouragement, would cut Porkopolis out of our pork orders, and would, in company with Australia, New Zealand, and India, glut our market with grain? On ethical grounds—reasons of morality—we ought to transfer our trade to the shop which has a more honorably ethical record than Jonathan's—the shop next door—with Canada on the sign-board."

The Sheffield Telegraph, in its issue of July 14, has the following:

"WHO PAYS IMPORT DUTIES?

"An American paper not long ago proved very exactly how, when internal or other competition exists, the consumer does not pay the duty on imported goods. The case of steel rails was selected for illustration. Steel rails at the time shipped from Liverpool, with freight, insurance and other charges, to New York cost $25 a ton. The American duty was $17 a ton. Hence, if the consumer paid the duty the selling price of steel rails would have been $25 plus $17, whereas, as a matter of fact, the selling price was $28. Thus the consumer benefited by a reasonable price, and the English seller, whose rails had cost $25 and had to be sold at $28, was compelled to pay $14 of the $17 duty in order to do so. It is, therefore, apparent that, where there is competition, whether in iron, cutlery, or corn, the consumer does not suffer, while the home producer gains by revenue duties."

The Manchester Examiner and Times, of Wednesday, July 16, 1890, says:

"But there is no evidence that the majority of the people of the United States wish to injury British industries or that they would be in favor of a policy intended to have that result." This is true. No one wants this result alone. But the Examiner and Times in the next sentence says exactly what we do want, namely, "What they do desire is to improve their own industries." This is exactly what the McKinley bill was framed to do. Nothing more, nothing less.

THE GREAT SHEFFIELD MASS MEETING.

At the mass meeting at Sheffield on July 14, 1890, the honorable mayor (Alderman Jackson), who made the opening speech, said: "I have been engaged in business for the last forty years, and during that time I have seen the markets of the United States gradually getting narrower and narrower. At one time pretty nearly one-half the workingmen of this country were engaged in manufacturing goods for the United States. To-day a very small proportion indeed are engaged in work for that market, and if this tariff becomes a law, as there is every probability it will, that proportion will diminish greatly, until there is very little really of it left. That, I think, is a reason why we should lift up our voices and say that the time has come for having a little bit of square talk with America upon this tariff question."

Mr. Howard Vincent, M. P., in his letter which was read at the meeting, thus arrogantly refers to the fact that the United States has prospered at the expense of England: "The United States of America, established really by ourselves, peopled by our kindred, have prospered especially at our expense. Now they propose to do all they can wholly to exclude British goods, heedless of the fact that the English are their best customers. If the prohibitory tariff is enacted it will hit us heavily."

Another gentleman, Mr. Hobson, took occasion not only to object to the American tariff, but to all tariffs. He said: "I am not here to speechify either upon the subject of fair trade or free trade, upon liberalism or conservatism, but I am here simply to enter a strong protest against the tariff bill that is before the Legislature of the United States. And not only against that prohibitory tariff will I protest, but quite as strongly against the tariff of any other country."

Mr. Llewellyn, president of the Sheffield Labor Association, made a somewhat vigorous speech, in which he makes the extraordinary admission, for a free-trader, that the proposed increase in the tariff made by the McKinley bill will not come out of the American consumers, but out of the profits of the British manufacturer. Said he, "Supposing their bill should pass and British goods should continue to find their way into the market, this increased tariff must be raised somewhere. Where is it to come from? There are only three sources. Either the price of the goods must be raised, and that is altogether out of the question, or it must come from the profits of the manufacturers, and they will tell you they are quite sure they can not afford it; or, thirdly, it must be pulled off the men's wages; and you are here to-night to say that you can not stand another two and a half, that you are determined you will not stand it, but that you will raise your emphatic protest against this unfair bill. "I have heard men to-day say they would not care if the bill did pass and there were even higher tariffs. But who are they that say so? Men who have got their bread buttered; men who have made for themselves fortunes. I have not heard a workingman say so. Protests have been made over in America against this bill from the jobbing hardware men, an association that represents $35,000,000. Our meeting to-night and our protest is going to help and strengthen their hands, and it is going to help and strengthen those in the Western States. I am not sure, myself, after all, that the bill will pass. At any rate, we will do our best to prevent it."

RETALIATION THREATENED.

A dispatch from London, dated August 16, says: "English as well as Irish manufacturers and workingmen continue to be stirred up about the McKinley bill. Advices from Germany state that a number of Saxon and Thuringian manufacturers are about to transfer their entire establishments to the United States, and their example will be followed by several British houses, so far, at least, as establishing branches in that country is concerned. On the other hand the movement in favor of retaliating is gaining ground, both in England and on the Continent. Popular sentiment in Great Britain, France, and Germany loudly demands discrimination against the United States, and Lord Salisbury's Government is inclined to regard the proposition with favor. Nothing, of course, can be done until the next session of Parliament, but meantime things will be made as uncomfortable as possible for American exporters, especially of food products, by methods Britishers are expert in. Quite possibly another pork disease may be discovered, imported cattle will develop an astonishing amount of pleuro-pneumonia, and American manufacturers, who have managed to obtain a market in Great Britain, will find the merchandise marks act, recently enacted, of considerable injury to their trade."

Mr. HAWLEY. Mr. President, I understand from the argument made by our friends on the other side that they think that this duty of 8 cents a hundred pounds on salt goes directly to the producer, to the manufacturer of salt. A barrel of salt is sold for about 48 cents, I am told by those who know something about that business, and the barrel costs about 20 cents. That makes about 28 cents for the salt in the barrel. That is to say, at 280 pounds to the barrel, the salt costs 10 cents a hundred pounds. The producer sells a hundred pounds for 10 cents. The duty on that is 8 cents. I understand, then, that if we should abolish this duty the consumer would be able to buy his salt for 2 cents a hundred pounds. That is the argument exactly, if I understand it.

Does any human being suppose that the people who produce salt in Michigan would be able to sell it for 2 cents a hundred pounds? Nobody in the world could sell it for that. Their argument is that the 8 cents on a hundred pounds raises the price of salt just that much. Suppose the duty was 10 cents, the tariff being 10, their argument would be then that taking off the duty would give us the salt for nothing, and if it were 12 cents, taking it off would compel the producer to give us 2 cents a hundred pounds to take salt away.

As to this matter of international trade, which some of our friends are anxious to maintain, it will maintain itself if there is any necessity for it. That is their doctrine. That is the free-traders' doctrine: "Let the world alone; keep your hands off; do not try to protect your own people; let everything run, every man for himself and the devil take the hindmost." It is a very cruel, hard-hearted doctrine, and no decent government really believes in it. There is no more paternal, protective government in the world than that of Great Britain, as can be easily shown by any one who examines their system of taxation and protection. They will tax the manufacturer upon, say, 20 acres, and say nothing about his buildings, and their ships pay no tax at all unless they are shown to have earned an income.

We buy infinitely more of China than we send her, but the account settles itself. We need not think we have got to get up some sort of excuse for carrying something in a ship over to China to pay for the tea. We pay for it in drafts on London. If we send a cargo of goods there to pay for tea, well and good; but, if not, our draft on London answers the purpose, and the further course of the transaction need not concern us.

So it will be with all nations. I can imagine circumstances in which we might have nothing to send abroad and might not have anything to buy from abroad. Wherever trade is necessary to the welfare of mankind, if another nation has what we want and we have what they want, then by all means facilitate that intercourse by all methods in your power; but if there be any way by which we can dispense with the carrying of those respective products one way 3,000 miles and the other way 3,000 miles, dispense with it, and you are both the richer for it.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Committee on Finance, to strike out from paragraph 307 the proviso. [Putting the question.] By the sound the noes have it.

Mr. MCMILLAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VEST. This vote is upon the amendment of the committee?

The PRESIDENT *pro tempore*. Upon the amendment of the committee to strike out the proviso in paragraph 307. A vote in the negative lets the proviso remain in the paragraph.

Mr. CULLOM. A negative vote is against the report of the committee.

The PRESIDENT *pro tempore*. A negative vote will allow the proviso to stand in the paragraph. The roll will be called on agreeing to the amendment of the committee to strike out the proviso.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from South Dakota [Mr. PETTIGREW]. If he were present, I should vote "nay."

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

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE], and will withhold my vote.

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. FRYE].

Mr. MCMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], but on this question I shall try to make an exchange of the pair.

Mr. BERRY (when Mr. WALTHALL'S name was called). The Senator from Mississippi [Mr. WALTHALL] is necessarily absent, and is paired with the Senator from Wisconsin [Mr. SPOONER].

The roll-call was concluded.

Mr. KENNA. I am paired on all questions with the Senator from Colorado [Mr. WOLCOTT].

Mr. CARLISLE. I am paired with the Senator from Nebraska [Mr. PADDOCK], unless he is present and voting.

The PRESIDENT *pro tempore*. He is not recorded.

Mr. CARLISLE. I am paired with him.

Mr. DANIEL (after having voted in the negative). I wish to state that I am paired with the Senator from Washington [Mr. SQUIRE], but I have taken the liberty to vote, having transferred my pair to the Senator from North Carolina [Mr. VANCE], so as to permit the Senator from Michigan [Mr. MCMILLAN] also to vote.

Mr. MCMILLAN. I vote "yea."

Mr. CAMERON. I am paired with the Senator from Tennessee [Mr. HARRIS].

The result was announced—yeas 15, nays 31; as follows:

YEAS—15.

Allen,	Evarts,	Hiscock,	Quay,
Dawes,	Hale,	Hoar,	Sawyer,
Dixon,	Hawley,	McMillan,	Stockbridge.
Dolph,	Higgins,	Power,	

NAYS—31.

Allison,	Daniel,	Jones of Nevada,	Reagan,
Barbour,	Edmunds,	McPherson,	Sherman,
Bate,	Faulkner,	Mitchell,	Teller,
Berry,	Gibson,	Morgan,	Vest,
Cockrell,	Gray,	Platt,	Washburn,
Coke,	Hampton,	Plumb,	Wilson of Iowa,
Colquitt,	Ingalls,	Pugh,	Wilson of Md.
Cullom,	Jones of Arkansas,	Ransom,	

ABSENT—38.

Aldrich,	Chandler,	Manderson,	Squire,
Blackburn,	Davis,	Moody,	Stanford,
Blair,	Eustis,	Morrill,	Stewart,
Blodgett,	Farwell,	Paddock,	Turpie,
Brown,	Frye,	Pasco,	Vance,
Butler,	George,	Payne,	Voorhees,
Call,	Gorman,	Pettigrew,	Walthall,
Cameron,	Harris,	Pierce,	Wolcott.
Carlisle,	Hearst,	Sanders,	
Casey,	Kenna,	Spooner,	

So the amendment was rejected.

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

The Secretary read paragraph 308. The Committee on Finance proposed to amend the paragraph, on page 67, line 1, by inserting, before the word "two," the words "without further process of manufacture;" so as to read:

308. Starch, including all preparations, from whatever substance produced, fit for use as starch without further process of manufacture, 2 cents per pound.

Mr. ALDRICH. The committee, upon further investigation, are satisfied that this amendment should not be made, and I ask that it be disagreed to.

The amendment was rejected.

Paragraph 309 was read. The amendment of the Committee on Finance was, on page 67, line 4, after the word "gum," to strike out "2 cents" and insert "1 cent;" so as to make the clause read:

309. Dextrine, burnt starch, gum substitute, or British gum, 1 cent per pound.

The amendment was agreed to.

Paragraph 310 was read, as follows:

310. Mustard, ground or preserved, in bottles or otherwise, 10 cents per pound.

Paragraph 311 was read. The amendment of the Committee on Finance was, on page 67, line 8, after the word "found," to strike out "cayenne pepper, 2½ cents per pound, unground;" so as to make the clause read:

311. Spices, ground or powdered, not specially provided for in this act, 4 cents per pound; sage, 3 cents per pound.

The amendment was agreed to.

Paragraph 312 was read, as follows:

312. Vinegar, 7½ cents per gallon. The standard for vinegar shall be taken to be that strength which requires 35 grains of bicarbonate of potash to neutralize 1 ounce troy of vinegar.

Paragraph 313 was read. The amendment of the Committee on Finance was, on page 67, line 21, after the words "per cent.," to strike out "on" and insert "of;" so as make the paragraph read:

313. There shall be allowed on the imported tin-plate used in the manufacture of cans, boxes, packages, and all articles of tinware exported, either empty or filled with domestic products, a drawback equal to the duty paid on such tin-plate, less 1 per cent. of such duty, which shall be retained for the use of the United States.

The amendment was agreed to.

The reading of the bill was continued, as follows:

SCHEDULE H.—SPIRITS, WINES, AND OTHER BEVERAGES.

Spirits:

314. Brandy and other spirits manufactured or distilled from grain or other materials, and not specially provided for in this act, $2 per proof-gallon.

Mr. PLUMB. I move to amend the paragraph so as to make the duty $3 per proof-gallon.

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

The SECRETARY. In line 1, page 68, after the word "act," strike out "two" and insert "three;" so as to read:

Brandy and other spirits manufactured or distilled from grain or other materials, and not specially provided for in this act, $3 per proof-gallon.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Kansas. [Putting the question.] By the sound, the "ayes" have it.

Mr. PLUMB. I ask for the yeas and nays.

Mr. CULLOM. I should like to hear the amendment again read.

The Secretary again read the amendment.

The PRESIDENT *pro tempore*. The Chair announced that the "ayes" appeared to have it. Does the Senator from Kansas desire the yeas and nays?

Mr. PLUMB. No, I do not, if that is the result of the vote.

The PRESIDENT *pro tempore*. The amendment is agreed to.

Paragraph 315 was read. The amendment of the Committee on Finance was, on page 68, line 10, after the word "gallons," to strike out "or in bottles of less capacity than 1 quart;" so as to make the paragraph read:

315. Each and every gauge or wine gallon of measurement shall be counted as at least one proof gallon; and the standard for determining the proof of brandy and other spirits or liquors of any kind imported shall be the same as that which is defined in the laws relating to internal revenue; but any brandy or other spirituous liquors, imported in casks of less capacity than 14 gallons shall be forfeited to the United States: *Provided*, That it shall be lawful for the Secretary of the Treasury, in his discretion, to authorize the ascertainment of the proof of wines, cordials, or other liquors, by distillation or otherwise, in case where it is impracticable to ascertain such proof by the means prescribed by existing law or regulations.

The amendment was agreed to.

Paragraphs 316 and 317 were read, as follows:

316. On all compounds or preparations of which distilled spirits are a component part of chief value, not specially provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

Paragraph 317 was read. The amendment of the Committee on Finance was, on page 68, line 25, after the word "other," to strike out "similar;" in line 26, after the word "bitters," to insert "of all kinds;" and in line 26, after the word "spirits," to strike out the words "and not specially provided for in this act;" so as to make the paragraph read:

317. Cordials, liquors, arrack, absinthe, kirschwasser, ratafia, and other spirituous beverages or bitters of all kinds containing spirits, $2 per gallon,

The amendment was agreed to.

Mr. PLUMB. In order to make a uniform rate, "$2," at the top of page 69, should be "$3," and I move that amendment.

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

The SECRETARY. In line 1, page 69, before the word "dollars," strike out "two" and insert "three;" so as to read:

Three dollars per proof gallon.

The amendment was agreed to.

Paragraph 318 was read, as follows:

318. No lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and other spirituous beverages than that fixed by law for the description of first proof; but it shall be increased in proportion for any greater strength than the strength of the first proof, and all imitations of brandy or spirits or wines imported by any names whatever shall be subject to the highest rate of duty provided for the genuine articles respectively intended to be represented, and in no case less than $1 per gallon.

Mr. ALDRICH. There should be a dollar a gallon added in the last line of the paragraph to make the rate of duty uniform with the rates adopted in the preceding paragraphs. It should read, "and in no case less than $2 per gallon."

Mr. PLUMB. It should be "$2." I move that amendment.

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

The SECRETARY. In line 13, on page 69, after the word "than," strike out "$1" and insert "$2;" so as to read:

And in no case less than $2 per gallon.

The amendment was agreed to.

Paragraphs 319 and 320 were read, as follows:

319. Bay-rum or bay-water, whether distilled or compounded, of first proof, and in proportion for any greater strength than first proof, $1 per gallon.

Wines:

320. Champagne and all other sparkling wines, in bottles containing each not more than 1 quart and more than 1 pint, $7 per dozen; containing not more than 1 pint each and more than one-half pint, $3.50 per dozen; containing one-half pint each or less, $1.75 per dozen; in bottles or other vessels containing more than 1 quart each, in addition to $7 per dozen bottles, on the quantity in excess of 1 quart, at the rate of $2.25 per gallon.

Mr. PLUMB. I move, in line 21, on page 69, to increase the duty to $10 per dozen, and I also move to increase the other duties in the paragraph in proportion. I do not know but that there may be some fractions necessary.

Mr. ALLISON. No; "$5" in line 23.

Mr. PLUMB. I move to make it "$10 per dozen" in line 21, and in line 23 "$5 per dozen."

The PRESIDENT *pro tempore*. And "$2.50" in line 24.

Mr. PLUMB. "Two dollars and fifty cents" in line 24.

Mr. ALLISON. And "$10" in line 1, on page 70.

The PRESIDENT *pro tempore*. Then on page 70, line 3, the excess rate should also be changed to what?

Mr. ALLISON. I would make that about $3.25.

Mr. PLUMB. I do not know but that it would be right to make it "$10," in line 21, "$5" in line 23, and "$2.50" in lines 24 and 25.

Mr. ALDRICH. In the first line, on page 70, "$7" needs to be changed to "$10."

Mr. PLUMB. Yes.

The PRESIDENT *pro tempore*. What is to be inserted in place of "$2.25," in line 3, on page 70?

Mr. ALDRICH. Three dollars.

Mr. PLUMB. Three dollars?

The PRESIDENT *pro tempore*. The amendments will be treated as one question, if there be no objection.

The SECRETARY. Line 21, page 69, after the word "pint," strike out the word "seven" and insert "ten;" in line 23, after "pint," strike out "$3.50" and insert "$5;" in line 24, after the word "less," strike out "$1.75" and insert "$2.50;" in line 1, page 70, strike out "seven" and insert "ten;" and in line 3, after the word "of," strike out "$2.25" and insert $3," so as to read:

Wines:

320. Champagne and all other sparkling wines, in bottles containing each not more than one quart and more than one pint, $10 per dozen; containing not more than one pint each and more than one-half pint, $5 per dozen; containing one-half pint each or less, $2.50 per dozen; in bottles or other vessels containing more than one quart each, at the rate of $3 per gallon.

Mr. ALDRICH. The last "$3" should be $3.25 or $3.50, to correspond.

Mr. PLUMB. I move to make it $3.25.

Mr. BLAIR. I would like to ask the Senator from Rhode Island if

he thinks this amendment will have the effect to stimulate home industry? [Laughter.]

Mr. ALDRICH. I suppose the purpose of the Senator from Kansas is to increase the revenue?

Mr. PLUMB. That is my purpose exactly.

Mr. BLAIR. I desire the opinion of the Senator from Rhode Island as to whether this will have the effect to stimulate and increase home industry.

Mr. ALDRICH. In what respect?

Mr. BLAIR. In the manufacture of spirituous liquors.

Mr. PLUMB. That question might better be addressed to the Senator from New Jersey. New Jersey is said to be the home of the American champagne.

Mr. BLAIR. I would like to know from the Senator from New Jersey, then.

Mr. MCPHERSON. The subject is altogether too large. I can not do it justice.

Mr. BLAIR. I suppose the subject ought to be called up earlier in the morning. [Laughter.]

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

The SECRETARY. In line 3, page 70, strike out the word "two" and insert the word "three;" so that it will read:

Three dollars and twenty-five cents per gallon.

Mr. PLUMB. The purpose I have in offering this amendment is because the people who use articles of this kind, which are luxuries, can well afford to pay the increased duty, and, therefore, to that extent recoup the Treasury for the revenue it will lose by other portions of the bill.

The amendment was agreed to.

Mr. ALDRICH. Mr. President, in order to make this increase symmetrical in the paragraph preceding (319) the rate should be increased from $1 to $2 on "bay-rum or bay-water, whether distilled or compounded," etc.

Mr. PLUMB. I make that motion.

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

The CHIEF CLERK. In line 16, on page 69, paragraph 319, strike out "one" and insert "two;" so that it will read:

Two dollars per gallon.

The amendment was agreed to.

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

The Secretary read as follows:

321. Still wines, including ginger wine or ginger cordial and vermouth, in casks, 50 cents per gallon.

Mr. PLUMB. I would like to ask the Senator from Rhode Island to indicate what would be a proper increase in this class of liquor in order to correspond with what has been done in the preceding paragraph.

Mr. ALDRICH. That should be 75 cents.

Mr. PLUMB. Then I move to make the duty 75 cents, instead of 50 cents. In line 5, I move to strike out "fifty" and insert "seventy-five."

The amendment was agreed to.

Mr. PLUMB. In line 9, I move to make the duty $2.

Mr. ALDRICH. Two dollars and fifty cents would be the proportion.

The PRESIDENT *pro tempore*. The paragraph has not yet been read. The Secretary will proceed with the reading.

The Secretary continued the reading, as follows:

In bottles or jugs, per case of one dozen bottles or jugs, containing each not more than 1 quart and more than 1 pint, or twenty-four bottles or jugs containing each not more than 1 pint, $1.60 per case.

In line 10 the Committee on Finance proposed to strike out "sixty" and insert "sixty-five;" so as to read: "65 cents per case."

Mr. PLUMB. I move to make that "$2.50 per case."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the paragraph was continued, as follows:

And any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of 5 cents per pint or fractional part thereof.

The Committee on Finance proposed to strike out the word "five" and insert in lieu thereof "six and one-half."

Mr. PLUMB. I move to make that "ten."

Mr. ALDRICH. Yes, make that "ten."

The CHIEF CLERK. So as to read:

Subject to a duty of 10 cents per pint, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment proposed by the Committee on Finance was, in line 13, after the word "thereon," to insert:

But no separate or additional duties shall be assessed on the bottles or jugs.

The amendment was agreed to.

The remainder of paragraph 321 was read, as follows:

Provided, That any wines, ginger cordial, or vermouth imported containing more than 24 per cent. of alcohol shall be forfeited to the United States: *And provided further*, That there shall be no constructive or other allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits. Wines, cordials, brandy, and other spirituous liquors imported in bottles or jugs shall be packed in packages containing not less than one dozen bottles or jugs in each package; and all such bottles or jugs shall pay an additional duty of 3 cents for each bottle or jug.

The Committee on Finance proposed, in line 3, page 71, after the word "jugs," to insert the words:

Containing more than 1 pint, and 2 cents each on bottles or jugs containing 1 pint or less.

The amendment was agreed to.

Mr. ALLISON. I call the attention of the Senator from Rhode Island, in charge of this bill, to the apparent inconsistency of the paragraph just read as compared with paragraph 315, on page 68, the paragraph prohibiting the importation of brandy in jugs or bottles. In this paragraph brandy is included in the articles that may be packed in bottles or jugs.

Mr. ALDRICH. I think the Senator from Iowa is mistaken about that.

Mr. ALLISON. It is provided in paragraph 315 that—

Any brandy or other spirituous liquors, imported in casks of less capacity than 14 gallons, shall be forfeited to the United States.

Mr. ALDRICH. That is only as to casks; it does not refer to brandy in bottles. It only refers to casks.

Mr. ALLISON. Yes, I see.

Mr. ALDRICH. The reading may be proceeded with.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The reading will proceed.

The CHIEF CLERK. On page 71, line 6, paragraph 322, after the word "gallon," the Committee on Finance propose to insert the words:

But no separate or additional duty shall be assessed on the bottles or jugs.

So that the paragraph shall read:

322. Ale, porter, and beer, in bottles or jugs, 35 cents per gallon, but no separate or additional duty shall be assessed on the bottles or jugs; otherwise than in bottles or jugs, 20 cents per gallon.

Mr. PLUMB. I move to strike out the word "thirty-five," in line 6, and insert "sixty."

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. In line 6, page 71, strike out "thirty-five" and insert "sixty;" so as to read, "60 cents per gallon."

The amendment was agreed to.

Mr. PLUMB. I move, in line 8, page 71, after the word "jugs," to strike out "twenty" and insert "forty."

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. In line 8, page 71, strike out the word "twenty" and insert "forty."

Mr. PLUMB. I will change that and make it "thirty-five." I think that will be sufficient.

The CHIEF CLERK. So as to read, "35 cents per gallon."

The amendment was agreed to.

The Chief Clerk read the next paragraph, as follows:

323. Malt extract, fluid, in casks, 20 cents per gallon; in bottles or jugs, 40 cents per gallon; solid or condensed, 40 per cent. ad valorem.

Mr. PLUMB. I ask the Senator from Rhode Island what proportion that should be.

Mr. ALDRICH. That should now be thirty-five.

Mr. PLUMB. Thirty-five and sixty?

Mr. ALDRICH. Yes; it should be the same as the preceding paragraphs for similar articles.

Mr. PLUMB. I move to insert "thirty-five" in place of "twenty" in line 10, "sixty" in place of "forty" in line 11, and "sixty" in the place of "forty" in line 12, on page 71.

The PRESIDING OFFICER. The amendments will be reported.

The CHIEF CLERK. So as to make the paragraph, when amended, read:

323. Malt extract, fluid, in casks, 35 cents per gallon; in bottles or jugs, 60 cents per gallon; solid or condensed, 60 per cent. ad valorem.

The PRESIDING OFFICER. If there be no objection, these several amendments can be considered as one amendment.

The amendments were agreed to.

The next amendment proposed by the Committee on Finance was to strike out the word "sixty," in line 16, page 71, paragraph 324, and insert in lieu thereof "fifty;" so as to make the paragraph read:

324. Cherry juice and prune juice, or prune wine, and other fruit juice, not especially provided for in this act, containing not more than 18 per cent. of alcohol, 50 cents per gallon; if containing more than 18 per cent. of alcohol, $2 per gallon and 25 per cent. ad valorem.

Mr. PLUMB. I inquire of the Senator from Rhode Island what rate that should be in order to be proportionate with the other paragraphs.

Mr. ALDRICH. That should be 75 cents.

Mr. PLUMB. I move to make it 75 cents.

Mr. CARLISLE. Mr. President, I hope the amendment will be reported.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. Paragraph 324, in line 16, page 71, strike out "sixty" and insert "seventy-five;" so as to read:

324. Cherry juice and prune juice, or prune wine, and other fruit juice, not

specially provided for in this act, containing not more than 18 per cent. of alcohol, 75 cents per gallon.

Mr. CARLISLE. Mr. President, this is a very large increase over the present rate of duty upon cherry juice. Cherry juice is now admitted at 20 per cent. ad valorem. There are very large importations of this article, although they are not shown upon these tables. The expert who made up these tables has stated the importations of cherry juice either under paragraph 288 or 289, both of which relate to fruits. Paragraph 288 reads:

Comfits, sweetmeats, and fruits preserved in sugar, sirup, molasses, or spirits, not specially provided for in this act, and jellies of all kinds, 35 per cent. ad valorem.

Paragraph 289 reads:

Fruits preserved in their own juices, 30 per cent. ad valorem.

I say the expert has placed the importations of cherry juice under one or the other of these paragraphs, as he himself has informed me. So that we have in the table relating to paragraph 324, the one under consideration, no statement showing importations of cherry juice, the whole of the importation stated here being prune wine, which is quite a different article. This, of course, applies only to prune wine and cherry juice containing not more than 18 per cent. of alcohol. My information is—and I think that is the judgment of the Treasury Department, or the experts of the Treasury Department—that 18 per cent. of alcohol is absolutely necessary in order to preserve this juice. It is not a beverage. It is not an article, either, which competes with any article produced in this country.

It is made, as I understand, from the German cherry, which has some peculiar quality which fits it better for this purpose than any cherry we have in this country. There has been quite a large importation of it. I have a letter here from a gentleman in New York, who says:

The average importation of cherry juice into this country for, say, the past ten years, has been about 4,000 puncheons annually. At an average contents of 160 gallons to the puncheon this would be 640,000 gallons. Of this quantity we ourselves imported about 75,000 gallons, and statistics can easily be procured of the collector of customs at this port, or of the Treasury Department, to prove the correctness of these figures. The price of cherry juice abroad has of course varied considerably, according to supply and demand; we have purchased it as low as 30 marks per 100 liters, free on board Hamburg (about 28 cents per gallon), and as high as 55 marks per 100 liters (about 51 cents per gallon)—

It is now proposed by the amendment to make the duty 75 cents per gallon—

and the article may be said to vary in price between these two extremes. Cherry juice, while coming under the same class as prune juice (fruit juices), is an entirely different article from the prune juice, and the Treasury Department has several times in its decisions designated it as "the cherry-fruit juice of commerce," and held it to be dutiable at 20 per cent.—

Which is the rate stated by the expert here in regard to these preceding paragraphs to which I have alluded—

while it claimed that prune juice was a non-enumerated article and recently decided that this should pay $2 per proof-gallon for the alcohol contained and 25 per cent. ad valorem. It appears to us that the purpose of the Republican members of the Senate Finance Committee "to prevent the fraudulent importation of alcohol"—

That is the reason stated here for the imposition of this high rate of duty—

Mr. HISCOCK. May I inquire of the Senator——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from New York?

Mr. CARLISLE. I shall be through in a few moments.

This letter continues:

It appears to us that the purpose of the Republican members of the Senate Finance Committee "to prevent the fraudulent importation of alcohol"—

As I have said, that is the reason stated here for this duty—

is aimed more at this article of prune juice than at cherry juice, which latter is fortified with only sufficient alcohol to keep it from fermenting, and if the proposed new tariff restricts the amount of alcohol that may be contained in same, the object of the Republican members of the Finance Committee would be accomplished without requiring any advance in the rate of duty on an article not produced in this country to any extent.

The rate of duty on prune juice (under the decision above referred to) is about 45 cents per gallon, and the proposed advance to 50 cents would not be prohibitive, while on cherry juice, as purely a fruit juice, it is now 20 per cent. ad valorem, or about 7 to 8 cents per gallon, and such an enormous advance as to 50 cents per gallon would be prohibitive. We therefore hope that you will use your valuable efforts to keep the rate on cherry juice down to a reasonable figure.

It is now proposed to raise the duty to 75 cents per gallon by the amendment offered by the Senator from Kansas.

I will find that part of the letter which states the uses to which it is put. Perhaps, however, that is another statement. Here it is:

It is an article very largely used in commerce, being the basis particularly of preparations such as cherry brandy, blackberry brandy, cherry bounce, etc.

It is used, I believe, also in preserving fruits. The writer goes on to state that the importations do not interfere with any industry in this country. I think it proper to make this statement in order that we may know what we are doing when we propose to make the duty 75 cents when it is now admitted at about 7 or 8 cents a gallon, the purpose being, as stated by the committee, "to prevent the fraudulent importation of alcohol," when the duty fixed will prohibit its importation under this clause and throw it under the second clause at $3 per gallon and 25 per cent. ad valorem if it contains more than 18 per cent. of alcohol, which is necessary for the purpose of preservation, as I understand.

Mr. ALDRICH. Mr. President, a paragraph similar to this was inserted by the Senate Committee on Finance in the tariff bill of 1888, upon the representations of the experts of the Treasury Department that these articles, which were essentially beverages and were used for that purpose, as the Senator from Kentucky has shown by the statement which he has just read——

Mr. CARLISLE. No.

Mr. ALDRICH. Were being imported, in order to evade duty, as fruit juices at 20 per cent. ad valorem. The same duty should be levied upon them as upon still wines, as they contain no larger or no smaller percentage of alcohol than still wines. They are used for the same purpose and should pay the same rate of duty. Any less rate of duty would be an injustice to the producers of still wines, an injustice to the revenue, and I hope that this rate which is fixed in this bill upon still wines will also be fixed upon cherry juice and the other articles provided for in this paragraph.

Mr. CARLISLE. I have not stated that this article of cherry juice was used as a beverage. On the contrary, I said it was not used itself as a beverage, but that it is the basis of cherry brandy, cherry bounce, etc., just as hops and barley are used as the basis for the manufacture of beer.

Mr. ALDRICH. Oh, no.

Mr. CARLISLE. Certainly, it is one of the materials used in the manufacture of these wines in this country, just as corn is used in the manufacture of whisky.

Mr. HISCOCK. And it is simply mixed with alcohol to make cherry brandy.

Mr. CARLISLE. Yes.

Mr. HISCOCK. It is mixed with it; it does not go through a chemical change, as in the case of hops or barley. It has not to be malted or changed chemically. It is simply a component part of alcohol with which to make cherry brandy.

Mr. CARLISLE. It is a component part of brandy, which is of itself a beverage after it is made.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kansas [Mr. PLUMB] to the amendment of the Committee on Finance.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued, as follows:

If containing more than 18 per cent. of alcohol, $2 per gallon and 25 per cent. ad valorem.

Mr. ALDRICH. That should be $3.

Mr. PLUMB. I move to make it $3.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. It is moved to strike out "two" and insert "three;" so as to read:

Three dollars per gallon and 25 per cent. ad valorem.

The amendment was agreed to.

The next amendment proposed by the Committee on Finance was, in line 24, page 71, paragraph 325, to strike out the word "thirteen" and insert "ten;" so as to make the paragraph read:

325. Ginger-ale, ginger-beer, lemonade, soda-water, and other similar waters in plain green or colored molded or pressed glass bottles, containing each not more than three-fourths of a pint, 10 cents per dozen.

The amendment was agreed to.

The next amendment was, in line 1, page 72, to strike out "twenty-six" and insert "twenty;" so as to read:

Containing more than three-fourths of a pint each and not more than 1½ pints, 20 cents per dozen; but no separate or additional duty shall be assessed on the bottles; if imported otherwise than in plain green or colored molded or pressed glass bottles, or in such bottles containing more than 1½ pints each, 50 cents per gallon, and in addition thereto duty shall be collected on the bottles, or other coverings, at the rates which would be chargeable thereon if imported empty.

The amendment was agreed to.

Mr. CARLISLE. Mr. President, this paragraph reads:

Ginger ale, ginger beer, lemonade, soda-water, and other similar waters in plain or colored molded or pressed glass bottles, etc.

I move to insert after the word "similar," in line 21, page 71, the word "artificial." I do so for this reason: The proposition of the Committee on Finance, and it was also the proposition of the Committee on Ways and Means of the House of Representatives, is to place natural mineral waters on the free-list, and this paragraph is intended to embrace only these artificial waters.

Mr. ALDRICH. I think the amendment of the Senator from Kentucky is right.

Mr. CARLISLE. In order to remove any ambiguity I propose that amendment.

The PRESIDING OFFICER. The amendment will be reported.

The CHIEF CLERK. In line 21, page 71, after the word "similar," insert the word "artificial;" so as to read:

Other similar artificial waters, etc.

The amendment was agreed to.

The CHIEF CLERK. The next amendment proposed by the Committee on Finance is to strike out paragraph 338, as follows:

All effervescent mineral waters, and all imitations of natural mineral waters, and all artificial mineral waters in green or colored glass bottles, containing not more than 1 pint, 25 cents per dozen bottles. If containing more than 1 pint and not more than 1 quart, 50 cents per dozen bottles. But no separate duty shall be assessed upon the bottles. If imported otherwise than in plain green or colored glass bottles or in such bottles containing more than 1 quart, 20 cents per gallon, and in addition thereto duty shall be collected upon the bottles or other covering at the same rates that would be charged if imported empty or separately.

The amendment was agreed to.

Mr. ALDRICH. Mr. President, under an arrangement with the Senators on the other side of the Chamber, I have consented to ask the Senate next to take up Schedule K, wools and woolens.

Mr. BLAIR. Before doing that, Mr. President, I would like to ask the Senator the reason that influences the committee in striking out the provision of the House bill with reference to mineral waters, thus rejecting the protection that bill gave, as it came from the House, to our own patriotic mineral waters. Is there any reason why that industry should not be protected as well as any other?

Mr. ALDRICH. When that question comes up in its regular order I shall be very glad to answer it.

Mr. BLAIR. That is the question now.

Mr. TELLER. We have passed that.

Mr. ALDRICH. We have passed from the consideration of that paragraph, and I was just suggesting to the Senate that we now take up Schedule K, beginning on page 84.

Mr. GRAY. Mr. President, I would like to ask the Senator from Rhode Island if the effect of striking out paragraph 338 will be to put the articles mentioned therein on the free-list.

Mr. ALDRICH. No, sir; they will be dutiable under another paragraph.

Mr. MCPHERSON. As I understand, the effect will be to put the natural waters on the free-list.

Mr. ALDRICH. Yes; I made that statement.

Mr. BLAIR. How about the article inclosing the mineral water, the bottle or other incasing?

Mr. ALDRICH. The bottle pays a duty.

Mr. BLAIR. Nothing but the fluid comes in free?

Mr. ALDRICH. Nothing else. The bottles pay a duty amounting to about 18 cents a dozen. When natural waters are reached in the free list the whole question will come up.

The PRESIDING OFFICER. The Senator from Rhode Island asks that Schedule I be omitted from consideration for the time being and that the Senate proceed to the consideration of Schedule K. Is there any objection? The Chair hears none, and the Clerk will report.

The Chief Clerk read as follows:

Schedule K.—Wool and manufactures of wool.

Mr. CARLISLE. I suggest to the Senator from Rhode Island and to the Senate that we might dispense with the reading at the desk of the parts of this bill relating to wool itself, because I desire to move to strike them out; and in the discussion which will occur I suppose it will be referred to.

Mr. ALDRICH. It will have to be read once, and it might as well be read now as at any time, I suppose.

The Chief Clerk read as follows:

357. All wools, hair of the camel, goat, alpaca, and other like animals shall be divided for the purpose of fixing the duties to be charged thereon into the three following classes.

Mr. CARLISLE. I suppose the Senator from Rhode Island will not insist upon a separate motion being made for each paragraph, but that at the end I may move to strike out the whole.

Mr. ALDRICH. I suppose the paragraphs must be read once, and I suggest that they be read now, informally.

Mr. CARLISLE. And then a motion to strike out will be allowed?

Mr. ALDRICH. Yes, sir.

The Chief Clerk read paragraphs 358 to 366, inclusive, as follows:

358. Class 1, that is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, Down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes 2 and 3.

359. Class 2, that is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also hair of the camel, goat, alpaca, and other like animals.

360. Class 3, that is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, Russian camel's hair, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere, excepting improved wools hereinafter provided for.

361. The standard samples of all wools which are now or may be hereafter deposited in the principal custom-houses of the United States, under the authority of the Secretary of the Treasury, shall be the standards for the classification of wools under this act, and the Secretary of the Treasury shall have the authority to renew these standards and to make such additions to them from time to time as may be required, and he shall cause to be deposited like standards in other custom-houses of the United States when they may be needed.

362. Whenever wools of class 3 shall have been improved by the admixture of merino or English blood from their present character as represented by the standard samples now or hereafter to be deposited in the principal custom-houses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be.

363. The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed.

364. Unwashed wools shall be considered such as shall have been shorn from the sheep without any cleansing; that is, in their natural condition. Washed wools shall be considered such as have been washed with water on the sheep's back. Wool washed in any other manner than on the sheep's back shall be considered as scoured wool.

365. The duty upon wool of the sheep or hair of the camel, goat, alpaca, and other like animals which shall be imported in any other than ordinary condition, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt, or any other foreign substance, or which had been sorted or increased in value by the rejection of any part of the original fleece, shall be twice the duty to which it would be otherwise subject: *Provided*, That skirted wools as now imported are hereby excepted. Wools on which a duty is assessed amounting to three times or more than that which would be assessed if said wool was imported unwashed, such duty shall not be doubled on account of its being sorted. If any bale or package of wool or hair specified in this act imported as of any specified class, or claimed by the importer to be dutiable as of any specified class, shall contain any wool or hair subject to a higher rate of duty than the class so specified, the whole bale or package shall be subject to the highest rate of duty chargeable on wool of the class subject to such higher rate of duty, and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contain any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

366. The duty upon all wools and hair of the first class shall be 11 cents per pound, and upon all wools or hair of the second class 12 cents per pound.

The Committee on Finance proposed, in paragraph 367, line 20, to strike out the word "Russian;" so as to make the paragraph read:

367. On wools of the third class and on camel's hair of the third class the value whereof shall be 13 cents or less per pound, including charges, the duty shall be 32 per cent. ad valorem.

The amendment was agreed to.

The next amendment was in line 22 of the same paragraph, after the word "pound," to strike out "including charges."

Mr. MOODY. I hope the committee will not insist upon that amendment.

Mr. ALDRICH. It makes no difference whether the words are left out or included. I have no feeling about it one way or the other. If the Senator from South Dakota desires to have the amendment rejected, it will be perfectly agreeable to the members of the committee.

Mr. MOODY. And in the next paragraph the same words occur.

Mr. MCPHERSON. What is the proposition?

The PRESIDING OFFICER. The Secretary will report.

The SECRETARY. On page 87, line 22, paragraph 367, the Committee on Finance propose to strike out the words "including charges;" so as to make the paragraph read:

367. On wools of the third class and on camel's hair of the third class the value whereof shall be 13 cents or less per pound, the duty shall be 32 per cent. ad valorem.

The amendment was rejected.

The next amendment of the Committee on Finance was, on page 87, in paragraph 368, line 24, before the word "camel's," to strike out "Russian;" so as to read:

368. On wools of the third class, and on camel's hair of the third class, the value whereof shall exceed 13 cents per pound, including charges, the duty shall be 50 per cent. ad valorem.

The amendment was agreed to.

Mr. MCPHERSON. Well, Mr. President, what has become of the amendment?

The PRESIDING OFFICER. It has been disagreed to.

Mr. SHERMAN. The matter is already provided for in the administrative bill.

Mr. ALDRICH. I will say that it will not change the meaning of the law in any respect whether those words are in or out.

The PRESIDING OFFICER. The reading of the bill will be continued.

The next amendment proposed by the Committee on Finance was, in paragraph 368, page 88, line 1, to strike out the words "including charges."

The amendment was rejected.

The Chief Clerk read paragraph 369, as follows:

369. Wools on the skin shall pay the same rate as other wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

Mr. ALDRICH. This concludes the reading of all paragraphs relating to wool. Now, if the Senator from Kentucky [Mr. CARLISLE] desires to make his motion it will be in order.

Mr. CARLISLE. Mr. President, I was not giving strict attention and did not hear where the Secretary stopped reading.

The PRESIDING OFFICER. The reading ended at the end of line 5, page 88.

Mr. SHERMAN. The next clause ought to be read.

Mr. CARLISLE. Paragraph 372?

Mr. ALDRICH. None of the succeeding paragraphs refer to raw wool. The paragraphs that have been read are all the paragraphs relating to duties upon every description of raw wool. The other paragraphs, 370 and subsequent paragraphs, relate to manufactures of wool.

Mr. CARLISLE. I see. Then, Mr. President, I move to strike out all that has been read with a view of placing all these classes of wool upon the free-list. But I will not occupy much of the time of the Senate in support of this motion because I assume that it will not be successful. But still, being in favor of free wool, I think it is my duty to make the motion.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 84, line 15, after the figures "357," strike out the remainder of page 84, page 85, page 86, page 87, and down to and including the word "prescribe," in line 5, on page 88, being paragraphs 357 to 369, inclusive.

Mr. CARLISLE. Mr. President, this part of the schedule which has been read not only directly increases the rates of duty upon wool of all classes very materially, but it contains provisions which will have the effect of indirectly still further increasing them and embarrassing the importation of this article, which all our woolen manufacturers are compelled to have.

Before proceeding to say anything in support of the proposition for free wool, about which I shall say but very little, I think it proper to call the attention of the Senate to these new provisions.

Paragraph 361 contains an entirely new provision, but it is not very material. It simply relates to the samples of wool to be furnished by the Secretary of the Treasury.

Paragraph 362 is entirely new and reads as follows:

Whenever wools of class 3 shall have been improved by the admixture of merino or English blood from their present character as represented by the standard samples now or hereafter to be deposited in the principal custom-houses of the United States, such improved wools shall be classified for duty either as class 1 or as class 2, as the case may be.

The effect of that will be that whenever there is any improvement of the wool by the admixture of merino or English blood the duties upon wool of the third class, which is used by our carpet-manufacturers, will be raised to the rate prescribed for class 1 or class 2, as the case may be.

Paragraph 364 is also entirely new, and reads as follows:

Unwashed wools shall be considered such as shall have been shorn from the sheep without any cleansing, that is, in their natural condition. Washed wools shall be considered such as have been washed with water on the sheep's back. Wool washed in any other manner than on the sheep's back shall be considered as scoured wool.

The bill provides that the duty upon washed wool of the first class shall be twice the duty imposed upon unwashed, and the duty on the wools of the first and second classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed. Therefore the effect of the paragraph which I have just read is that if the wool is cleansed in any manner whatever after it is removed from the sheep's back it will be required to pay three times the amount proposed to be imposed by the bill upon unwashed wool; that is, wool of the first class will be compelled to pay 33 cents a pound, and wool of the second class will be compelled to pay 36 cents a pound simply because it has been cleansed in some manner after it was taken from the back of the sheep.

Then there is a new clause entirely in paragraph 365:

The duty upon wool of the sheep or hair of the camel, goat, alpaca, and other like animals which shall be imported in any other than ordinary condition, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance—

That is the present law—

or which has been sorted or increased in value by the rejection of any part of the original fleece, shall be twice the duty to which it would be otherwise subject.

That is to say, if any part of the fleece is removed, or if it is assorted to any extent whatever, it must pay twice the duty imposed by the provisions of the law upon wool of the same class not in any way assorted.

Provided, That skirted wools as now imported are hereby excepted.

I call the attention of the Senate to this provision particularly:

If any bale or package of wool or hair specified in this act imported as of any specified class or claimed by the importer to be dutiable as of any specified class, shall contain any wool or hair subject to a higher rate of duty than the class so specified, the whole bale or package shall be subject to the highest rate of duty chargeable on wool of the class subject to such higher rate of duty, and if any bale or package be claimed by the importer to be shoddy, mungo, flocks, wool, hair, or other material of any class specified in this act, and such bale contain any admixture of any one or more of said materials, or of any other material, the whole bale or package shall be subject to duty at the highest rate imposed upon any article in said bale or package.

So that if wool, for instance, of the third class is imported and it is found upon inspection that it contains a particle of wool of the first class or a particle of wool of the second class, no matter how small the quantity may be, it will be required to pay the duty upon the wool of the first or second class, as the case may be.

If shoddy, mungo, flocks, wool, hair, or other material of any class designated in this bill is brought in and contains any admixture of these materials, or contains a particle of wool, then the whole package must pay the rate of duty imposed by the bill upon that article which is subject to the highest rate, no matter how small a quantity may be found in the package.

This bill proposes to impose a duty of 30 cents a pound upon shoddy, instead of 10 cents a pound, as imposed under the present law. Why we should want to encourage and protect the manufacture of shoddy in this country I am not able to see. But such is the provision of the bill.

These are the new provisions which, as I said before, have a tendency themselves very largely to increase the rate of duty upon these wools, because it can not be possible, it seems to me, that wool can always be so assorted that each package shall be all of precisely the same class and containing not a particle of any other material or class. Some parts of another class might be found in it, and then it would have to pay these higher rates of duty even when there was no intention to commit a fraud.

Now, Mr. President, I do not propose to go extensively, as I said before, into the argument in favor of free wool. That question has been discussed again and again in Congress and before the people, and will continue to be discussed, I suppose, for many years to come.

I concede that it is exceedingly difficult to say precisely what the effect of the duty is upon the price of domestic wool. There are many intelligent gentlemen who insist, and give apparently good reasons for it, that the duty does not in fact increase the price of the domestic clip because of the fact that our domestic manufacturers of woolen goods are compelled, in order to produce certain varieties of these goods, to use foreign wool, and it is argued that if they could be permitted to have access to the wool markets of the world, where they could procure at reasonable prices all the different qualities of wool, it would enable them to manufacture different kinds of goods from those they are now making, thus creating a greater demand and a more extensive market for the domestic clip of the United States. There is certainly force in that argument.

It is contended by other gentlemen, and among them some of the wool-producers themselves, that this duty does not increase the price of American wool, because of the fact that our domestic consumers of wool fix the price in this country at just such figures as will prevent the American wool-grower from exporting his product and selling it abroad at the prices prevailing there. I have on my desk a letter from a very intelligent gentleman who is personally known to me and to the Senator from Ohio [Mr. SHERMAN], who says he is engaged in growing merino wool in the county of Vinton, in Ohio. I would like to read that letter, because it shows the view of an intelligent gentleman engaged in this business, who has put himself to very considerable trouble to ascertain where and how it is that the prices of American wool are fixed.

After some preliminary remarks he says:

I have been interested, in a small way, for some years in the growing of merino wool on my farm in Vinton County, Ohio, and have ascertained how the prices paid to growers are fixed from year to year.

The sheep-raisers do not fix the price; they do not say to the agents of the buyers for our woolen factories: "We are asking—have fixed—such a price on our wool this year." But the buyers say: "We give so much for wool this year."

What is that price? Invariably only so much above the natural level of prices fixed, regulated, and controlled by the London (Mark Lane) and Liverpool prices as will prevent our wool-growers from exporting their wool at a profit over home prices.

Long knowing this, by having carefully studied the prices paid to first hands for some years, I tested it.

In the spring of 1888 we had to sell our wool, washed in the fleece on the sheep, Ohio XX, for 28 cents per pound. In the spring of 1889 the price generally paid for the same was 30 cents per pound. We got 31 cents, owing to much of it being XXX.

Republican stumpers went through the wool-growing districts last fall and told the people that Cleveland and CARLISLE's—

Very good company—

tariff talk had put wool down to 28 cents per pound in 1888, and that Harrison's election, with the certainty of high protection on wool, had raised the price to 30 cents.

I knew that this was idle talk, as a Republican Senate would prevent tariff reduction by Cleveland and CARLISLE, that it was but the fallacy of *post hoc, ergo propter hoc*, concurrence for cause and effect, the same as a gravely proposed remedy in an agricultural paper for grub in sheep's noses. The man proposing the prevention had a flock of sheep with long, natural tails that were free from the grub, and a neighbor had a flock with the tails cut short, and they had the grub, *ergo*, to prevent grub let sheep's tails alone.

But, to test my discovery that our woolen manufacturers only paid for our wool enough above the natural level of prices, as fixed by the free competition of the world, as would prevent its export at a profit above such prices; that they are compelled to do this to recoup as much as possible, in the prices paid to home growers, the high duties they pay on imported wools, which are necessary for mixing, I, in October, 1889, wrote to The National Stockman and Farmer, published in Pittsburgh, Pa., to give me the Liverpool prices of such wool, for the six months, April to September, of 1888 and 1889.

Remember that when wool is not washed on the sheep, if it brings 21 to 24 cents per pound, the same if so washed will bring 30 cents per pound and over. October 10, 1889, that paper, at page 506, states as follows:

"At the request of a reader we have secured some figures for comparing the prices of Australian wools (unwashed) in Liverpool last year and this year with those of a corresponding grade of Ohio wool. For the facts here given we acknowledge obligations to Justice, Bateman & Co., Philadelphia:

Months.	Australian, Port St. Philip, unwashed.		Ohio XX, washed.	
	1888.	1889.	1888.	1889.
	Cents.	*Cents.*	*Cents.*	*Cents.*
April	21	25	31	33½
May	21	25	29½	33
June	22	26	29½	33
July	22	26½	29	34
August	22	26	28	31½
September	22	26	30½	34

Showing an increase in 1889 over 1888 in every instance.

Now, Mr. President, taking this statement to be correct as to the relative prices of washed and unwashed wools, the prices of American wools in 1888 and 1889 followed the prices of Australian wools in the foreign market; and if the election of President Harrison had, as our Republican friends claim, the effect of increasing the price of wool in this country, it also increased the price in Australia, Liverpool, and London, because prices went up there exactly in the same proportion that they went up here.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield?

Mr. CARLISLE. Certainly.

Mr. ALDRICH. Do I understand that the Senator from Kentucky concurs in the statement which his correspondent makes in regard to the theory upon which prices are fixed in this country?

Mr. CARLISLE. Undoubtedly.

Mr. ALDRICH. Undoubtedly?

Mr. CARLISLE. I think so. I think it is beyond question that if the American consumer of wool refuses to pay our domestic producers of wool as much as they could get for their wool abroad they would export it.

Mr. ALDRICH. What struck me——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Rhode Island?

Mr. CARLISLE. Certainly.

Mr. ALDRICH. What struck me as very singular in the statement, from hearing it read from the letter of the correspondent of the Senator, was this, that the American purchaser only paid a sufficient sum above the London price to prevent the wool-producer of this country from exporting his wool. Why should he pay any sum above the London price to prevent the American producer from exporting? It strikes me, if the Senator's theory is correct, that he would pay as much less a price as would measure the cost of freight and expenses of exporting.

Mr. CARLISLE. That is what I said, Mr. President. He pays the American producer just that price which will prevent him from sending his wool abroad and selling it at a higher price than the domestic consumer will pay.

Mr. ALDRICH. But the statement made by the Senator shows that the price paid for wool in Ohio was a number of cents higher than that.

Mr. CARLISLE. Certainly; because one was washed and the other unwashed, and the letter states the proportions.

Mr. ALDRICH. If the Senator from Kentucky is as well posted as I think he is upon wool, he will understand perfectly that Australian unwashed wools do not shrink any more than Ohio washed wools, and that they stand practically upon the same level.

Mr. CARLISLE. That is what my correspondent says.

Mr. ALDRICH. And they have about the same value. Now, if the price is fixed in the manner suggested by the correspondent of the Senator, why should they pay in Ohio from 5 to 8 cents a pound more than the London price if the price is governed by the London rates?

Mr. CARLISLE. Mr. President, I have explained that fully, and the gentleman who writes this letter has explained it fully. The prices which I have quoted for two years in London are the prices of Australian wool unwashed, and he says that when the unwashed wool sells at this price in Liverpool then the washed wool sells at the higher price which they received in Ohio for the two years that he mentions. He says the difference between prices per pound on the Australian wool and the prices per pound of Ohio wool, both in 1888 and 1889, was the difference between washed and unwashed wool of the same kind.

Mr. ALDRICH. Mr. President, I was trying to impress upon the Senator that Ohio washed wool and Australian unwashed stood, when manufactured, in relatively the same position, and that there was no more shrinkage in unwashed Australian wool than there was in washed Ohio wool.

Now let us follow the matter a little further. The Senator said, or his correspondent said, that the purchaser in Ohio paid 5 cents a pound more for wool of the same grade than the London price. Now, if the Ohio producer sends his wool to London he must pay for transportation, pay commissions and other charges, amounting to at least 2 cents a pound; so that the Ohio wool-grower receives at least 7 cents a pound more than he would have done if he had sent that wool to Liverpool for sale.

Mr. CARLISLE. Mr. President, the Ohio wool-grower received 6 or 7 cents a pound more in 1888 and 1889 for his washed wool than was paid for the Australian unwashed wool sold in the foreign market. That is the statement. Before making the statement of actual prices, the gentleman states that when the price of unwashed wool, for instance, is 21 cents, which was the price of Australian wool at one of the dates he mentioned, the price of washed wool would be about 30 cents, and that proportion runs through all the table, showing that if Ohio wool had been unwashed it could not have been sold for more than the other, or if the Australian had been washed it would have been sold for as much as the Ohio.

Now, Mr. President, a word upon the other point which the Senator from Rhode Island makes, that the Australian wool unwashed will not shrink more than Ohio wool washed. I can show the Senator, from the statement of the Wool-Manufacturers' Association and from the testimony of their representatives before his Committee of Finance, that they claim that the Australian wool does shrink, and that it takes 4 pounds of it to make a pound of cloth.

Mr. ALDRICH. Oh, no; the Senator from Kentucky is entirely mistaken about that. He can not find any such evidence from any manufacturer in the United States.

Mr. CARLISLE. I will find evidence to show that the claim made by the manufacturers of wool is that they are very much handicapped, to use a common expression, by the fact that they have to pay duty upon 4 pounds of wool unwashed in order to get material for 1 pound of cloth.

Mr. ALDRICH. The contention of the wool manufacturers is, and it has been their contention from 1867 to the present time, that it takes 4 pounds of South American mestiza unwashed wool to make one pound of finished cloth. But no manufacturer has ever claimed anywhere that it takes 4 pounds of unwashed Australian wool to make a pound of finished cloth.

Mr. CARLISLE. Very well; we will see when we come to that part of the bill.

Mr. President, I have read to the Senate part of a letter from a producer of merino wool in the State of Ohio, and if I did not dislike to occupy so much of the time of the Senate I should like also to read a letter from a manufacturer of woolen goods in this country, a very intelligent gentleman, upon the same subject.

Mr. ALDRICH. Is the name of the Senator's correspondent Smith?

Mr. CARLISLE. No, sir; his name is Judge Alfred Yaple, a very intelligent gentleman, who is well known to both the Senators from Ohio.

I hold in my hand a letter addressed to me by Mr. Robert Bleakie, who is known, I presume, to the Senator from Rhode Island, a remarkably well written letter, containing a great deal of matter which I think the Senate and the country ought to have the benefit of, but it is too long for me to read without occupying more time than I ought upon a single point in this schedule, because we are all anxious to reach the manufactures of wool as soon as we can.

Mr. ALDRICH. I suggest to the Senator that it be printed in the RECORD.

Mr. CARLISLE. In this letter, Mr. President, this gentleman shows what has been the effect, as he claims, of the imposition of the increased duty upon wool in 1867, that the wool-producers of the country then promised the manufacturers and consumers that if that duty was imposed they would in a few years be able to supply the whole American demand for wool; that they have not kept their promise; but that, on the contrary, they have found it so much more profitable to sell their sheep and their lambs for mutton that they are selling every year twenty million sheep to butchers and are still clamoring for more protection upon their wool. But on the suggestion of the Senator from Rhode Island I will ask leave to insert this letter in the RECORD as a part of my remarks.

Mr. ALDRICH. Before the Senator passes from that point I suppose he is as well aware as I am that the contention of the wool-growers is that the act of 1883 so reduced their protection that it made the production of wool in this country unprofitable, and they give that as a reason for the slaughter of the sheep, instead of the reason which the Senator from Kentucky has given.

Mr. CARLISLE. Well, Mr. President, I suppose the duty upon wool is advocated partly at least upon the same ground that is supposed to justify other high rates of duty, and that is that we must compensate our producers for the difference in the cost of labor here and abroad. That heretofore, at least before this discussion commenced, was substantially the sole ground upon which these high rates of duty were advocated.

But some Senators upon the other side said during this debate that this was not the sole ground, but that they wanted to equalize the conditions between this country and other countries in all respects. Three gentlemen appeared before the Committee on Ways and Means and asked for an increase of duty upon all these classes of wools—one from Montana, one from Colorado, and one from Texas—and I will call the attention of the Senate for a very few moments to their statements.

The gentleman from Montana stated to the committee in detail the cost of producing wool in that State, including interest upon the capital invested, rent of the lands, wages of labor, taxes, and every element that could possibly be included in the cost. He took for illustration a flock of 2,000 sheep, producing, as he said, 10,000 pounds of wool, but I find in the The Manufacturer which I have before me, of a very recent date, a carefully compiled table showing the average weight of fleeces in every State and Territory in the Union, from which it appears that in Montana the average quantity is 7 pounds per fleece, which would make 14,000 pounds of wool from this flock, instead of 10,000 pounds.

This gentleman gave the total cost of producing this wool in Montana at $2,100, and the labor-cost was as follows: Herder, $420, and his board at $180, which is a pretty high rate, it seems to me; shearing,

$140—7 cents per fleece, making $740 for labor. But there was sold out of this flock $750 worth of lambs, which is more than the total labor-cost of producing all the wool and all the lambs.

In Colorado a flock of 2,000 sheep was also taken, producing 13,000 pounds of wool, notwithstanding the Manufacturer says that they produce 7 pounds to the fleece, which would be 14,000 pounds, and the total cost was $2,945. For labor, the herder cost $420, a farm hand $420, and extra for shearing $140, making $980, which is nearly 37 per cent. of the cost. But the lambs sold brought $750, leaving an expenditure for the labor in producing the lambs and the wool, of only $230, which is less than 8 per cent. of the total cost of producing both.

A gentleman from Texas appeared before us—and I speak of these States now because they are among the largest wool-producing States in the Union—in Texas over 28,000,000 pounds of washed and unwashed wool were produced this year; in Montana about 13,000,000 pounds, and in Colorado perhaps three or four or five million pounds; I have not the exact figures in my mind at this moment. In regard to Texas, Mr. Shepard, who seems to be a very prominent man among the wool-growers of the country, stated the cost of producing wool from a flock of 5,000 sheep, producing 35,000 pounds of wool, the whole cost being $7,977, including every element he could think of, interest, taxes, rent of land, and everything——

Mr. TELLER. I should like to inquire of the Senator where that is.

Mr. CARLISLE. In Texas. I have already spoken of Montana and Colorado.

Mr. TELLER. I heard that.

Mr. CARLISLE. In Texas in the cost of the labor are included the wages for one herder for every 1,200 sheep, whereas the gentlemen from Montana and Colorado both testified that one herder was sufficient for 2,000 sheep in those States. I think the sheep would not require so much attention in Texas as in the States of Colorado and Montana; but, however that may be, he gives the labor-cost for herders, $500; one foreman, $420; shearing, $600; extra labor, $250; making $2,470, which is less than 31 per cent. of the whole cost. They sold lambs for the sum of $1,500, leaving expenditures for labor on wool and lambs $970, which is a little over 12 per cent. of the total labor-cost of producing both.

Then this gentleman takes his own flock of 18,000 sheep, kept on a tract of 85,000 acres of land, producing 108,000 pounds of wool, at a total cost of $22,979, including his own services and attention and everything he could put into it.

Mr. TELLER. I should like to ask the Senator if this man was running his sheep on the public lands?

Mr. CARLISLE. He was renting a part of the land, he said.

Mr. TELLER. From whom?

Mr. CARLISLE. He was renting part of the land from the State of Texas.

Mr. TELLER. At what figures does he rent?

Mr. CARLISLE. That is all stated in the testimony, I think.

Mr. TELLER. Will the Senator tell us at what figures?

Mr. CARLISLE. I will turn to it in a moment, when I finish this statement.

Mr. REAGAN. I can not give the figures, but none of these herders or stock-raisers are on the public lands except where they have leased the school lands and paid a rental. I do not know what they paid for them. Besides that, the most of them own large bodies of land.

Mr. CARLISLE. This gentleman states that he owns quite a large body of land himself and rents the remainder from the State of Texas, I think, for 4 cents an acre. That is my recollection. The Senator from West Virginia [Mr. FAULKNER], who has the testimony before him, tells me it is 4 cents per acre.

The labor-cost, without reciting it in detail, was $5,711, which is less than 25 per cent. of the total cost, and he testifies that he sold $6,000 worth of lambs, which is more than the whole labor-cost of producing the wool and the lambs. This gentleman appeared before the committee and was very urgent and persistent in demanding that there should be an increased duty upon wool, and especially upon wool of the third class, which he says they could produce with sufficient protection; that is to say, he urged the imposition of a duty which would justify the people of Texas in going into the production of this inferior article instead of continuing to produce the superior one.

Mr. ALDRICH. Mr. President——

Mr. CARLISLE. Let me finish this statement. We investigated the subject to some extent to see whether he needed protection. It appeared from his testimony that he commenced this business in the State of Texas in 1881 with 3,000 sheep, worth $2 each, or $6,000, and that he has now 18,000 sheep, worth $36,000, and has sold every year 25 per cent. of his flock and got the money for it. That is to say, during a period of nine years he has multiplied his flock sixfold, besides selling all the wool produced by it, and selling 25 per cent. of his sheep in the market and getting the money for them; yet he says Congress, by refusing to increase the duties upon wool, has greatly injured his business!

Mr. BLAIR. That is worse than manufacturing.

Mr. CARLISLE. Certainly, a good deal worse.

Mr. ALDRICH. Will the Senator from Kentucky allow me a moment?

Mr. CARLISLE. Certainly.

Mr. ALDRICH. The inference which I draw from the statement made by the Senator is that these gentlemen could engage in sheep-raising under the conditions which he has named, that is, selling their lambs at the price named, and having the land increased in value, and give away their wool, and still make money.

Mr. CARLISLE. That is exactly the very point I make, and I say that under no circumstances can the people of this country who own high-priced lands compete with the people of the West and Northwest with their low-priced land; and consequently in Ohio and in Kentucky we can not continue the wool-growing industry as a profitable business on the high-priced lands in those States.

Mr. TELLER. I should like to ask the Senator from Kentucky what proportion he thinks of the wool of this country is raised by the herders on the public lands and the cheap lands of Texas.

Mr. CARLISLE. I am not able to state at this moment, but I do know this, or at least I think I know it, that the quantity produced upon the cheap lands in the Northwest is constantly increasing and that the number of sheep and quantity of wool produced on high-priced land is constantly decreasing.

Mr. TELLER. The Senator will allow me to say that an examination of the records will show that that statement is incorrect. I know, of my own knowledge, that the sheep industry is decreasing on the public lands very materially, and everybody knows that.

Mr. CARLISLE. Decreasing!

Mr. TELLER. Yes, decreasing.

Mr. CARLISLE. Inevitably the sheep industry will decrease on certain parts of the public lands and on all the public lands whenever they begin to fill up with population.

Mr. TELLER. Certainly.

Mr. CARLISLE. The raising of sheep is a pioneer industry, the first industry in which people engage when they have wide areas of unoccupied and cheap land, but the moment settlers begin to go in and divide up the land into farms, they engage in the production of wheat and corn and potatoes and other things, and sheep-raising in large flocks diminishes, and necessarily so. If we look back to the earliest history of mankind we find that the keeping of flocks was one of the very first occupations in which the people engaged.

Mr. TELLER. Will the Senator tell me how many sheep there are in the State of Colorado, with an area more than two and a half times that of the State of Ohio?

Mr. CARLISLE. No; I can not. I was under the impression that I had a statement showing it, but I find that it only states the quantity of wool produced.

Mr. TELLER. It is less than 2,000,000; about 1,700,000.

Mr. CARLISLE. Is it increasing or decreasing?

Mr. TELLER. It is decreasing. The Senator will allow me to say that it is decreasing in all that country, and inevitably must decrease; and I think it would not be out of the way to say that in ten years the sheep industry on the public lands will be practically ended.

Mr. CARLISLE. Why?

Mr. TELLER. Because the country is being settled.

Mr. CARLISLE. That is it. It is not the tariff; it is not the want of sufficient protection. It is because the people are opening up farms and producing wheat and corn and rye and all the varieties of crops which can be cultivated upon that soil, and that process will continue to go on; but there never will be a time when there will not be large numbers of sheep in this country, because every farmer, however small his holding, wants a little flock of sheep upon his land for the mutton and for the benefits derived from their pasturage.

Mr. ALLISON. I intended to ask the Senator from Kentucky where in the near future, in view of the statement of the Senator from Colorado, the chief seat of the wool industry will be in our own country.

Mr. CARLISLE. I think that the sheep industry, the wool-growing industry—I mean by large flocks—will naturally gravitate towards the unoccupied lands, and the large flocks will continue year by year to diminish and disappear from the populous part of the country, and with the constant increase in the value of land the time may come when there will be no large flocks of sheep in this country, as it will undoubtedly come when we shall have no such large herds of cattle as we have now on the great plains of the West; but every farmer will have his sheep and his cattle and we shall always have at least a partial supply of domestic wool.

But I do not believe if the consumptive demand in this country for woolen goods goes on hereafter as it has heretofore that we shall ever produce in this country a sufficient quantity of wool to supply all our demands. We have not done it up to this time, and after a high tariff of more than twenty years the quantity is diminishing instead of increasing, as Senators themselves state.

Mr. ALDRICH. Does the Senator from Kentucky understand that the wool which is produced in Texas or on any unoccupied lands south of Montana or Wyoming competes in any sense with the wool which grows in Ohio or Michigan or Pennsylvania?

Mr. CARLISLE. I think it does. True, it is not used for the same

purpose; I mean to say that it is not used in making precisely the same kind of cloth; but it enables our manufacturers to make and sell a different kind of cloth, which takes the place of the kind manufactured from the Ohio and Pennsylvania wool to a certain extent, because, as every Senator knows, when two articles can be applied to the same purpose they compete with each other to a certain extent, but not as much as if they were both used in making precisely the same kind of garment or the same kind of cloth; but they supply the same use, the same demand.

Now, Mr. President, we have been told in the case of sugar that it ought to be put on the free-list because we did not produce sugar "substantially," to use the language of the Committee on Ways and Means in its report, "to the extent of our wants" for home consumption. Let us test wool by the same rule. According to the best authorities we consume in this country about 600,000,000 pounds of unwashed wool every year, including our domestic production, the wool contained in imported woolen fabrics and the raw wool brought here from abroad. The whole consumption is about 10 pounds per capita. Now, as I have said, we have had a high duty comparatively upon this article for more than twenty years, and what is the result? Out of 600,000,000 pounds of wool we have imported in the form of manufactured cloth 150,000,000 pounds, and we imported in the year 1889 wool of the third class amounting to 100,000,000 pounds, upon which we paid a duty of about $3,000,000, and 29,626,000 pounds of clothing wool upon which the duties amounted to nearly $3,000,000 more, or about 10 cents per pound.

I have here the statement of the Woolen Manufacturers' Association, from which it appears that we produced in this country a little over 321,000,000 pounds of unwashed wool in 1888. So, then, after this long period of protection we have produced only about one-half of our domestic consumption, as this correspondent, whose letter will be printed in the RECORD, shows; not enough to furnish to each man, woman, and child in this country 24 ounces of wool per annum for clothing, when the absolute demand is for 72 ounces to make one dress for a woman or one suit of clothes for a man.

Mr. GIBSON. Will the Senator from Kentucky allow me to make a suggestion?

Mr. CARLISLE. Certainly.

Mr. GIBSON. I desire to state that under the Robert J. Walker tariff the sugar industry in the State of Louisiana produced a little more than 50 per cent. of all the sugar consumed in this country, and that if it were not for the high bounties placed upon sugar in Austria and Germany and France, and the disasters which were inflicted upon this industry in the State of Louisiana, that State, with Florida, Kansas, and Nebraska, under a properly regulated tariff, that is, a tariff which would establish between that industry and the other industries of the United States a just equilibrium and a proportionate share of the protection afforded by the Government, we should be able to produce, in less than five years, all the sugar that is required to supply the market of the United States.

Yet, whenever a tariff bill is brought in here by those who advocate a tariff for revenue for individual and corporate interests and their protection, even to the extent of prohibition, upon all commerce and for reduction of the revenues of the Government, or a tariff for revenue with incidental protection, all the gentlemen on the other side of this Chamber and all the leaders of the Republican party propose to trade off this sugar industry in order to secure, if possible, markets for Northern industries. Why should they not give Southern industries the benefit of tariff protection? Why exclude them and determine the policy by lines of latitude?

Mr. ALDRICH. Will the Senator from Kentucky allow me to supplement further the statement of the Senator from Louisiana?

Mr. CARLISLE. Certainly.

Mr. ALDRICH. I desire to supplement the historical statement made by the Senator from Louisiana with the further statement that fifty years ago under a tariff which, as he says, was 30 per cent. ad valorem, Louisiana produced more sugar than she did in 1890 when the protection was 80 per cent. ad valorem. In 1840, on the other hand, there were produced in the United States 35,000,000 pounds of wool, and in 1890 there were produced more than 300,000,000 pounds. This shows the relative claims of these two articles for the consideration of the American Congress.

Mr. GIBSON. I desire to say that the statement of the Senator from Rhode Island is not fair. It is misleading. There was no slaughter of all the sheep in this country during the civil war. The sheep produces its own wool. There is no manufacturing process carried on to produce wool. But we know that the most expensive industry in the United States, combining the highest skill and scientific processes and the most costly apparatus in any business in this country, and the most expensive labor, and the most scientific methods of agriculture are applied to the sugar industry. There is no agricultural product in the world requiring so large an amount of capital per acre, and there is no manufacturing process in the world which requires so much expenditure in machinery. No other one single industry concentrates so much capital or compels such a system or so much organization.

Now, I do not wish, and I never wish, to refer to that epoch, but during the civil war nothing was left in this garden spot of Louisiana but chimneys and ruins. We went down there from 225,000 tons a year and more to 5,000 tons in the last year of the civil war, and then the levees were swept away, and these public works were destroyed by the military commanders on both sides, as they were in Holland. The levees were broken down, and the lands were overflowed year after year, and not only that, but the export bounties that were given by Germany and Austria and France overwhelmed this industry in all other lands, reducing the price to a point but little above the cost of production. It is wonderful that the sugar industry has survived and prospered in the midst of so many catastrophes, burdens, and discouragements.

Now, I beg pardon of the Senator from Kentucky for consuming so much time. It is proposed whenever the tariff system comes up here to treat this industry in a left-handed manner, as if it were of illegitimate birth, disowned, disfavored by the very promoters of the protective system. I will on a proper occasion show that the much talked-of idea of reciprocity as now proposed will bring no relief to the people of this country and that it will not reduce the price of a pound of sugar to the consumer in the United States or open a market for a single pound of flour or a yard of cloth or a pound of meat. We propose to establish reciprocity with the people of South America and with Porto Rico and Cuba while we are building a high stone wall to shut off our kin people—our countrymen, if I may speak of them so—in Canada, and placing restrictions and impediments upon our commerce and trade with the largest consumer of our products. Why should we sacrifice our agriculturist in sugar to open markets for our manufacturers in the countries south of us, who really consume little or nothing of our commodities, and yet close the markets for our agriculturists in England in order to protect our manufacturing industries? Why not sacrifice wool as well as sugar?

Mr. DAWES. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Kentucky yield to the Senator from Massachusetts?

Mr. DAWES. Just for a single interrogatory.

Mr. CARLISLE. Certainly.

Mr. DAWES. The Senator from Louisiana has alluded to the amount of the production of sugar under the Walker tariff. Will he be kind enough to state the comparison between that production and the production of the present day?

Mr. GIBSON. I do not feel that I can intrude longer upon the Senator from Kentucky.

Mr. CARLISLE. The Senator from Louisiana no doubt will address himself to this subject hereafter.

Mr. GIBSON. I feel that I have already overstepped the limit.

Mr. DAWES. It will only take a minute to state it.

Mr. GIBSON. I do not know that I understood the question of the Senator from Massachusetts.

Mr. DAWES. My question was whether the production under the Walker tariff was greater or less than the production of the present day.

Mr. GIBSON. Why, Mr. President, the Senator from Massachusetts, who has been so long and so honorably connected with the making of tariff bills, ought to know that sugar and every other industry in this country advanced more rapidly under the Robert J. Walker tariff than under any other tariff in its whole history. If he will ask his neighbor the Senator from Iowa [Mr. ALLISON] he will make the same confession. If I had the RECORD here, I would quote his eloquent words in describing how the industries of this country throve under the Robert J. Walker tariff. I am not permitted by the restraint that we put upon ourselves in this body to trespass further upon the indulgent courtesy of my friend, the honorable Senator from Kentucky [Mr. CARLISLE].

Mr. DAWES. It would not take half so long to tell as to make the excuse.

Mr. GIBSON. I think the Senator from Massachusetts can have a private conversation with the Senator from Iowa, who can enlighten him better than I can upon the merits of the Robert J. Walker tariff.

Mr. CARLISLE. It was not my intention to introduce the sugar question into this debate, and I referred to it only for the purpose of showing that the same argument which justifies the placing of sugar upon the free-list would justify the placing of wool upon the free-list; that is to say, after a long trial under high protection we have not succeeded in encouraging its production to an extent which would supply, or substantially supply, the home demand.

Mr. President, I have already spoken longer upon this subject than I intended, but there is one aspect of it which I think ought to be considered. In my opinion, the admission of foreign wools free of duty will not in the end injure our wool-growers to any extent whatever, and it will vastly benefit the manufacturers of woolen goods and the consumers of their products. If our woolen manufacturers could have access to the great woolen markets of the world and make their selections from all the wools that are there offered for sale, it would enable them to produce various grades of goods which they can not now produce, and to produce them cheaply, and at the same time it would have a tendency to raise the price of wool in foreign markets and to that extent assist our domestic wool-growers.

The very moment a great country like the United States, with 65,000,000 people, enters the markets of the world to buy any particular article, the price of that article will go up, and the foreign manufacturer who now excludes the American manufacturer from the markets outside of his own country will be compelled to pay higher prices for his material than he pays now; and thus our manufacturers and the foreign manufacturers will be placed more nearly upon a footing of equality than they are now in the markets of the world, because we could help our manufacturers by equalizing the cost of production here and the cost of production elsewhere better than we can help them in any other way.

As I had occasion to say a few days ago, in the great contest for the markets of the world the result is not determined so much by actual prices as by relative prices. No matter what the cost of producing a given article may be, for whether it be $100 or $10, if it is the same to the foreign manufacturer as it is to the American manufacturer, we stand upon an equal footing with him. If, therefore, by our demand upon foreign markets the prices of iron and wool and other materials used by our competitors abroad in their markets is so raised that their cost of production is increased, it helps our manufacturers precisely to the same extent as if our cost of production was decreased—I mean in the contest for the markets abroad.

That is the philosophy which lies at the foundation of my position upon this subject, We need not attempt to cut down the rates of wages in this country, for we could not do it if we would. Senators upon the other side very frequently assume that if we had free trade or lower rates of duty all our manufacturing establishments would be closed, all our mines would be abandoned, and all the mechanical arts in this country would cease to exist. Why, Mr. President, the whole world could not supply us. The whole world could not supply the United States with the seven thousand millions' worth of manufactured products which we produce and consume annually. These industries would go on in this country, and the effect of our demand upon foreign producers for seven thousand millions' worth of manufactured products would inevitably be to raise the prices there and keep the prices up here to a considerable extent, equalizing, in other words, the cost of production, equalizing the price of the finished article, and we should go side by side with the English and the German and the French manufacturer into the markets of the world and undersell them.

The best way, and the only legitimate way, in my judgment, to preserve the home market for the domestic producer is to produce the article so cheaply at home that no foreign producer can invade it and sell his wares in competition with us, and that we can do and will do whenever we adopt a policy which places our manufacturers upon a footing of equality with the foreign manufacturers, either by reducing the cost of production here or by increasing the cost of production abroad; and this can be done without diminishing the rates of wages, for the statistics show beyond question that the higher the rate of wages paid in this country the lower is the cost of production and the lower the price of the article in the market.

Mr. Edward Atkinson, in his recent work, has demonstrated this so clearly that no man who reads it can doubt. Mr. Joseph D. Weeks, a protectionist of protectionists, but an intelligent and honest man, who deserves the thanks of the country for the conscientious manner in which he discharged his duty as the agent of the Census Department in 1880, has shown beyond question in the twentieth volume of the census reports, devoted to the wages of labor, that as wages rise the cost of production diminishes and the selling price decreases.

Why, Mr. President, suppose it takes ten men to produce a given quantity of a certain article in a day, and they are each paid a dollar a day, it will amount to $10 for labor, but suppose a machine is invented by which the same quantity can be turned out by one man in one day and he is paid $5 a day, the actual amount of wages paid by the manufacturer to a single laborer has increased 400 per cent., and yet he has secured the same amount of product with one-half the actual cost for labor.

Mr. HOAR. I should like to ask the honorable Senator a question with his permission.

Mr. CARLISLE. Certainly.

Mr. HOAR. In the case the Senator states, the other nine men are turned out of employ and are seeking to do the same job of which they have been deprived; is it likely that the man, No. 10, will get $5?

Mr. CARLISLE. I do not know that I understand the Senator.

Mr. HOAR. The Senator says that if ten men are doing a certain work for a dollar a day, and a machine is invented by which one man does the same thing, he will get $5 a day, and still the production will not be diminished while the wages will be increased. I asked him if, in the particular case which he has supposed, the other nine men being turned out of employment and seeking precisely the same ob , he is quite sure that man No. 10 will get $5.

Mr. CARLISLE. I did not say he would. I simply put a case to illustrate my argument, and there are actual cases, as the Senator very well knows, where a skilled man takes charge of a machine and receives four or five times as much as the unskilled man who worked on the same article before. I do not agree with an inference which might be drawn from the Senator's statement that the introduction of machinery is a misfortune to anybody.

It is true that in the case supposed the nine men will be turned out of that particular employment, but they will get employment at some other work at the same or perhaps better wages than they received before, and the general result will be that the whole community, including the laboring man himself, notwithstanding his frequent protests against the introduction of labor-saving machinery, will be vastly benefited by its introduction and use.

Its use has a tendency to cheapen the necessaries of life which he is compelled to have; it has a tendency to increase the purchasing power of the wages he receives for his labor. It increases his comforts and promotes his prosperity and welfare in every respect. I have no sympathy whatever with that spirit which would arrest the progress of the age. Let the inventions go on and let us multiply as many times as we can the machines in our shops and factories, cheapen the cost of production, diminish the prices of the necessaries of life, for which alone the laborer works, because he can not eat or drink or wear the money received for his labor.

His wages are worth nothing to him except what they will purchase in the market. As a general rule, he saves but very little if he saves anything, and every time we increase the cost of the things he has to buy with his wages it has precisely the same effect on him as if we directly diminished the amount of money received by him for his labor.

But, Mr. President, I owe an apology to the Senate for having occupied so much of its time, and will detain it no longer.

The letter referred to in the remarks of Mr. CARLISLE is as follows:

HYDE PARK, MASS., *June* 18, 1890.

DEAR SIR: I have been asked by members of the Wool Consumers' Association to lay before you a New England manufacturer's reasons why wool should be placed on the free-list, and why the tariff bill now before the Senate should not become a law. As it will require considerable space to do this, I will proceed at once.

In the earlier days of our Government it was thought expedient to extend aid to infant industries, struggling for a foothold, by means of a tariff sufficient to prevent ruinous competition from abroad, and in many cases this worked for the good of our people. But the same wisdom which gave this aid was prompt to withdraw it when it was apparent that it had failed to accomplish the desired result, and this not only without injury, but with positive benefit to the country. Take, for example, the silk industry. For many years the attempt was made to help on the production of raw silk by a duty upon it of from 12 to 50 per cent., and in some of the New England States, especially Connecticut, the fields were dotted with mulberry trees to furnish food for the silk-worm.

But no amount of Government protection could bring that industry up to the expectations of its promoters, and about 1854 raw silk was placed on the free-list, though many feared this would bring disaster to the farmers who had been engaged in this culture, especially in Connecticut, and to the numerous small silk-mills upon her streams. Yet, to-day, the wisdom of making silk free will hardly be questioned by any one, and least of all by the people of Connecticut, who have in their midst the great silk manufactories of Cheney Bros. and others; structures which never could have been supported by the domestic production of silk. To illustrate how manufactures will increase and flourish when freed from artificial impediments, I quote the following concerning silk manufacture from the American Almanac, 1886:

	1870.	1880.	Percentage of increase.
Establishments	88	382	334
Capital	$6,200,000	$19,100,000	208
Hands employed	6,699	31,337	367
Wages	$1,900,000	$9,100,000	373
Value of product	$12,700,000	$41,000,000	223

Now, in the same days when raw silk was taxed, raw wool also was heavily taxed, but in 1857 the same statesmanlike sagacity which had freed silk from its burden substantially relieved wool, and from that time to 1861 our manufacture of woolen goods increased in magnitude by leaps and bounds. When the war broke out every possible source of revenue was utilized, and wool had to bear its share of the public burden. In 1861 a tariff tax of 5 per cent. was placed on wool costing not over 18 cents; the next year it was raised to 15 per cent. on all wool costing between 18 and 24 cents; in 1863 Canada wool was admitted free; from 1864 to 1867 the tax was from 25 to 30 per cent. on value. This was the ultimate limit of the burden which the able and patriotic leaders of the Republican party thought wool should bear, and this with other like taxes was deprecated by those leaders, was excused as an undesirable necessity occasioned by the great cost of the civil war, and they solemnly pledged themselves to secure its removal as soon as that necessity had ceased. It was submitted to, under these pledges and the hope of an early relief, as cheerfully as might be. But alas! for misplaced confidence. In violation of those pledges, in 1867, two years after the war had ended, a combination of certain carpet manufacturers, woolen goods manufacturers, and Western wool-growers, as mischievous as any of the present trust combinations of Standard Oil or sugar monopolists, was suffered to log-roll a bill through Congress imposing a duty of from 50 to 60 per cent. on all clothing wools imported into this country. Many of our ablest manufacturers then predicted that this would do great injury to the woolen industry of the country, and those predictions have been abundantly verified.

It is needless to produce here statistics to show this. The fact is universally known and admitted; and the excuse offered for retaining or increasing the duty on wool is that it is for the benefit of the wool-raisers and to stimulate production. The same reason was given in 1867, and the wool-raisers this side of the Missouri River (for at that time hardly any wool was grown the other side) promised to give us all the wool the country needed in return for that high protection. They have not kept that promise. On the contrary, they have either gone out of the business or brought their flocks down to a mutton-consumption basis.

This is shown by the fact that the number of sheep east of the Missouri has diminished from 22,000,000 to 9,000,000; and even in the States and Territories west of the Missouri, where most of the wool is raised to-day, the same con-

dition is apparent in the slaughter of lambs for the table—notably in Colorado, Texas, and California. In the latter State the wool clip has fallen from 56,000,000 pounds to 30,000,000 pounds, as appears by the following table, for the accuracy of which I will vouch:

Year.	Clip.	Year.	Clip.
	Pounds.		*Pounds.*
1876	56,550,970	1882	40,527,639
1877	53,110,742	1883	40,848,690
1878	40,862,091	1884	37,415,330
1879	46,903,360	1885	36,561,390
1880	46,074,154	1886	38,509,160
1881	45,076,639	1887	31,564,231

This can not be from lack of enough protection on wool, for the tax of 10 cents per pound on this kind of wool is equal to a protection of 60 to 75 per cent. It is because mutton is worth 40 per cent. more now than it was in 1876, and the sheep farmer can get better returns, at less trouble, by selling his sheep for the table than by keeping them for their wool.

The following table shows the winter price of wether mutton in San Francisco during the period from 1876:

Year.	Price.	Year.	Price.
1876	$3.50	1883	$4.00
1877	3.50	1884	4.00
1878	3.50	1885	4.50
1879	3.75	1886	4.25
1880	3.75	1887	4.00
1881	4.00	1888	5.00
1882	4.50	1889	4.90

I have demonstrated in a letter previously published that in the twenty years from 1867 to 1887, a time of high protection on wool, the number of sheep in this country increased less than 3 per cent. annually, while their normal increase when not slaughtered for food is at least 10 per cent. annually; and that upwards of 20,000,000 sheep were killed yearly to meet the demand for mutton. I think that those statements have not been publicly questioned.

It is then evident from all the foregoing that the sheep farmer does not need protection to enable him to reap the full benefit of the market which he prefers, the mutton market; and that he does not deserve protection at the expense of other industries, because by his own act he has put it out of his power to keep his promises and supply the wool which the necessities of the country demand.

In the resolutions adopted by the National Association of Wool-Manufacturers at its annual meeting, October 2, 1889, it is stated that "the quantity of foreign wool introduced into this country in the shape of goods and yarns has increased to the enormous total of 141,474,144 pounds in 1888, equaling 44 per cent. of our total home production of wools of all descriptions," thus placing our home production at 321,532,000 pounds as it comes from the sheep's back; but Mr. J. P. Truitt, of Dolan & Co., of Philadelphia, a most unimpeachable authority, shows that all this domestic wool, when cleaned for cloth-making purposes, amounted in 1889 to 134,795,350 pounds.

Deducting 15 per cent. lost in manufacturing, there are left 114,576,048 pounds of cloth, not 24 ounces for each of our population, estimating the latter at 60,000,000. As it will take 72 ounces of woolen cloth to make a suit for a man or a dress for a woman, it is easy to see that many must get along with very little wool in their clothing even when we include all that is imported; and if restricted to home production the quantity of wool in a so-called woolen coat will be hardly enough to decently veneer the cotton and shoddy in it.

Therefore, the more prohibitory the duty on wool, the greater must be the quantity of shoddy and cotton used in manufacture to supply the place of the wool which our sheep farmers do not and will not supply to us. This state of things is not desirable from any point of view. It not only cripples the manufacturer and cheats the consumer, but it even injures the wool-raiser in the very matter which he is apparently so anxious to protect, the price of his wool. For the more extensively shoddy is used to clothe the people the less will be the demand for and the price of wool.

I am an ardent admirer of the tariff bill prepared by the House of Representatives when you were its Speaker, and known as the Mills bill, because it proposed to give our industry free wool and open to it the same chances for development that are enjoyed by the silk, cotton, and leather industries, which, getting their material at the world's market price, have expanded and grown until they are a credit to our country, and do a profitable exporting business. All that has been possible for them is possible for the woolen industry under similar conditions.

Put it upon the same plane, take it out of politics, and cease making a football of it, and this industry, which even now, in New England, has an output whose yearly value is nearly $150,000,000, and in which about 80,000 people find employment and the security of their homes, will again present as tempting a channel for New England capital as it did when our Lowells and our Lawrences were built up. Let us return again to the ante-war precepts, when legislation was not wholly in the interest of monopolists, nor neglected the busy wheel whose hum is New England's sweetest music, giving labor to her people and surrounding their homes with needed comforts.

As illustrative of what the woolen-manufacturing industry might do, if comparatively unhampered by vexatious legislation, I will refer briefly to the manufacture of carpets. In that business, 8,843,691 pounds of wool were consumed in 1860; in 1887, 77,504,477 pounds were used. Practically all of this was imported, as the home production of carpet wool that year was only 4,000,000 pounds, and double that quantity was used in other manufacture than that of carpets. The wool so imported paid a duty of at least 2½ cents per pound. Thus we see that the carpet industry, not debarred under a duty of only 2½ cents per pound from going upon the markets of the world for its raw material, in those twenty-seven years increased over 876 per cent.

It is interesting to note, also, that the duty paid that year on this imported wool was over $2,000,000, while the whole value of the home production was only $640,000! This exhibits to perfection the beauties of indiscriminating protection.

For advocating such views as I have here expressed during the last Presidential campaign, I and others met the determined opposition of Republican politicians and home-protection organizations; and we were called free-traders for asking that the pledges made by the representatives of the Government twenty-five years ago be redeemed. Of course, we know that those who cried out "free trade" did so only to cover up their real designs.

It is, however, rather amusing to hear them now attempt to curry favor with the people of New England by claiming that the McKinley bill puts more articles on the free-list than the Mills bill, as was done here a short time ago by Mr. DINGLEY, of Maine. We were also assured, two years ago, that the success of the Republican party with its high protective platform would revive all the drooping branches of business and make every one happy. Especially was this to be so in the woolen industry. But in looking back over the last two years we do not find much to be thankful for, unless we can be comforted like the farmer's wife from Mr. DINGLEY's district in Maine, who, when asked how she had been during the winter, answered that she "had enjoyed very poor health."

I find that in 1889 the number of failures among wool-dealers was 11, liabilities $2,293,000, assets $1,381,000; wool-manufacturers 61, liabilities $8,149,000, assets $5,651,000. Total failures, 72; liabilities, $10,442,000; assets, $7,032,000.

This is not very cheering of itself. When compared with the previous year it is less so. Then the number of failures among wool-dealers was 8, liabilities $536,000, assets $253,000, wool-manufacturers 49, liabilities $3,101,000, assets $1,723,000. Total, 57; liabilities, $3,637,000; assets, $1,976,000. In 1889 the number of failures was 15 per cent. greater, the liabilities 150 per cent. greater, the assets less than half as much.

If this is the result when increased tax on wool is only threatened, what will happen when such tax is an actual fact? The only hope is in the fact that the lessons taught by tariff reformers is daily taking a firmer and deeper root among the laboring masses. As when our Savior sought for disciples He took them from among the fishermen on the banks of Galilee, whose plastic minds were open to receive impressions, while educated ignorance, the child of prejudice, in the temples could receive no light, so now the truths of tariff reform find their converts among those whose labor is their sole capital.

If the adjustment of this matter rested with their votes, the woolen industry and all other manufacturing industries would quickly stand where they ought, side by side with cotton, silk, and leather; and indeed we have the reported statement of Mr. MCKINLEY, the author of the present bill, that every argument which can be urged in favor of taxing wool applies with equal force to taxing hides. As he seems now to be reconciled to free hides, may I not hope that before long he may become a convert to free wool?

Very truly yours,

ROBERT BLEAKIE.

Hon. JOHN G. CARLISLE.

Mr. SHERMAN. Mr. President, I do not think that at this period of the debate, or indeed at any other, it is necessary to enter into any general discussion upon the wool tariff. A very few facts demonstrate the wisdom of the policy provided by the act of 1867, and the facts speak more eloquently than words. I have before me a statement showing the products of wool in the United States, and the effect of the various tariffs upon wool. In a general way I may say that from 1810 to 1860, at the time of the passage of the Morrill tariff bill, there was no protection on wool. Practically wool was admitted duty free, although at different times and by different tariffs, especially that of 1842, there was a small duty on wool.

The result was that in 1810, the statistics of the earliest date that I have in hand, which are probably accessible to any one, it was shown that the number of sheep in the United States was 10,000,000, and the amount of wool produced was 13,000,000 pounds. So the matter continued until 1860, when the number of sheep had been increased to 22,471,275, or had more than doubled in fifty years, while the population had increased four or five fold. The quantity of wool produced was 60,511,343 pounds.

In 1867 the farmers of this country, feeling that gross injustice had been committed in respect to their interests, and feeling that the same principles which had been applied to all kinds of manufacturing industries had not been applied to the important industry of wool-growing, insisted by a popular demand coming from every State of the Union (because every State in the Union is more or less interested in the sheep industry) upon Congress giving them some reasonable protection, not so high a protection as is given in favor of manufacturers, but a reasonable protection, which was provided for by a duty of from 10 to 11 cents a pound.

At that time, or shortly after the passage of that act, the number of sheep had increased in 1870 to 28,477,951, and the number of pounds of wool had increased to 100,102,387, showing not only a large increase of the number of sheep but a still larger increase in the number of pounds of wool produced.

Under the operation of the act of 1867 the sheep in this country were enormously improved. The best breed of sheep from different parts of the world were brought here, improved, and perfected, so that in a short time the average for a sheep was 5 or 6 pounds of wool for each sheep, instead of 1½ pounds. So it continued.

In 1880, a period of over ten years, the number of sheep had increased to 40,765,900, while the number of pounds of wool yielded was 240,000,000, almost three times the amount of wool produced when the tariff of 1867 was framed. By 1884 an agitation had occurred and an endeavor had been made to reduce the duties not only on wool, but on woolen goods and all other lines of goods, to the extent that in the act of 1883 the duty on wool was somewhat reduced and the duty on woolens, and that made a very serious disturbance in the wool industry; so that in 1884 we produced the highest quantity of sheep and of wool in this country; the number of sheep had increased to 50,360,243, while the pounds of wool had increased to 308,000,000 pounds, or more than 6 pounds to a sheep, instead of 1½ pounds, as under the old system.

Under the operation of the act of 1883 the wool industry of this country has been greatly discouraged. There was a reduction, not very large it is true, but still there was a reduction of the duty on wool. The result was that rapidly the number of sheep was reduced, and consequently the amount of domestic wool produced in this country in 1887 had fallen to 265,000,000 pounds, and the number of sheep had fallen to the same extent, and that kind of discrimination still con-

tinues because the law has not been changed, although several efforts have been made to change the duty on wool and to restore the condition to the act of 1867.

However, at this moment the number of sheep and the number of pounds of domestic wool are rather increasing than otherwise, but not rapidly.

This bill practically maintains the present duties and gives only an increase over the act of 1883 of about 1 cent a pound, and scarcely that. The average is not quite 1 cent a pound in my judgment. The rate is less than the rate on almost any other article in the tariff, much less than the average rate. I believe it is not quite sufficient, but yet the wool-growers of this country believe that under the provisions of this bill as it is now reported not only will they reclaim their industry, but they will rapidly advance and increase it.

Most of the provisions of this bill which are beneficial to the wool-growers are contained in the legislative clauses or definitions. By the act of 1867 wool was divided into three classes, depending mainly upon the country from which it came. One was the clothing wool, the second the combing wool, and the third the carpet wool. The combing wool and the clothing wool are those used in making the cloth for the wear both of males and females, while the carpet wools are mainly the carpet wools from Mexico and other countries where the sheep have not been improved, and the rates of duty on those wools were made very low under the act of 1883.

The result of that has been to discourage the growth of sheep and the improvement of sheep, and the quantity and quality have both diminished so that here we have a striking lesson in the experience of the country for a period of more than twenty years, from 1867 to 1890. The beneficial effect of protection to the farmer has been to enormously increase this important industry and to supply two-thirds of all the wool necessary for the manufacturers in this country.

Mr. McPHERSON. Will the Senator yield to me for a question?

Mr. SHERMAN. Certainly.

Mr. McPHERSON. Do I understand the Senator to say that since the tariff act of 1883, in which the rates of duty on wool were reduced, the number of sheep has been reduced by reason of that tariff act?

Mr. SHERMAN. I do say so.

Mr. McPHERSON. Is the Senator not aware of the fact that there has been an increase, that there are a greater number of sheep, and that there was a greater increase from 1883 for three or four years after that than there had been under the preceding tariff of 1867?

Mr. SHERMAN. Every table of statistics and every statement I have seen shows the contrary. In 1884, before the tariff act of 1883 had really got into operation, practically the number of sheep had increased to 50,360,243. That was the highest notch, and then it went down rapidly.

Mr. McPHERSON. That was after the tariff act of 1883. It took effect some time in July, 1883.

Mr. SHERMAN. The effect of a tariff never can be estimated until at least a year after its passage. That is a rule which may be applied to all articles. I have no doubt the effect of the present tariff will not operate at all or increase prices to any considerable extent until a year from this time, because we know that all foreign merchants and persons engaged in business make their importations with a view to avoiding any increase of duty, and they generally get a year's supply in advance. It is so now, and one of the causes of the disturbance in our money market at this moment is the enormous amount of goods brought into the country in order to avoid the operations of the bill which we are about to pass, and that has really tended to make a stringency in the money market, and so every person familiar with this subject will tell you.

Let us go a little further. Why is it that the farmer demands protection on this article? Is it not a manufacture in the sense of production? The growth of sheep and the yield of wool is purely an industry. The farmer is constantly endeavoring to increase his sheep, and is constantly endeavoring to increase the yield of his sheep, because the profit after all is in the wool. If you destroy the woolen industry, you destroy the sheep industry, because nothing like the quantity of sheep would be produced in this country but for the fact that the wool crop, the clip of wool, is worth more than the sheep, and if you destroy the wool industry you destroy the sheep industry.

There is no sufficient motive to raise sheep merely for food, because beef can be raised cheaper for food than sheep, but it is because the sheep yield a large annual product year by year. If it is 6 pounds of wool it will be equivalent to $1.50, or about the value of a sheep, so that the annual increase caused by the clipping of wool is worth more to a farmer than all the sheep he can produce. Indeed, one year's clipping of clothing and combing wool is about equal to the value of the carcass of the sheep.

What the farmers of our country ask, and what they have demanded pretty diligently and sometimes boisterously, sometimes complaining of great injustice, is that the same principle which is applied to all other kinds of productions or manufactures should be applied to the farmer. Why should it not be? His productions are the result of his labor, not, it is true, in the workshop, but in the field. He must make his money by what he produces just as the manufacturer does, and the same principle which declares that it is good policy to protect the laborers and build up the manufacturing industries applies also to the farmer. He is encouraged by this protection.

It is true a large part of the productions of the farmer are not affected by your tariff law. There are articles of food, and whenever there is surplus production of any kind of food it must be exported abroad and there meet with competition from all the nations of the world. But in regard to wool it is quite different. We have not yet been able, although we ought to in this country, to provide every pound of wool needed for American manufactures, not only for the manufactories we have now, but also for all the manufactured goods of this kind that we import.

We have such a variety of soil and such a variety of climate, such a variety of mountains and dells, of wilderness and farms, that we can produce in this country, as is shown by the statistics, every pound of wool that is necessary, not only to supply our manufacturers for their industries, but even to go beyond that probably after awhile. Why is that? We can supply every variety and quality of it. The quality of the wool depends first upon the breed of the sheep, and next upon the food it consumes.

The cheaper wools are raised in the wild plains in Texas, California, and the Western country, but they are constantly improving their stock and beginning to raise combing wool and clothing wool, while in the Eastern States, especially in Ohio, we raise the very best of wool. That wool industry is very important to the farmer, not only as yielding him an annual crop by the clip, but also yielding him a healthful food for sale or for his family use, but it has also a much more important bearing upon agriculture even than this. It fructifies the ground. No manure is more valuable than to allow a flock of sheep upon thin, poor land.

It can be plowed in and yields an increase. Sheep culture is absolutely necessary for land that has been used constantly for farming, and no farmer can succeed well in cultivating his land unless he has more or less sheep.

So in every respect the sheep industry is one of the most valuable in the country, first, in supplying our clothing, next our carpets of all kinds and woolen goods of every kind and degree, and next in supplying food, and next in increasing and fructifying the lands on which the sheep live. So, then, it is a matter of vital importance, and I may say that no nation can be rich or independent unless it is able to raise its own clothing and be independent in raising wool for the manufacture of woolen goods, and no farm in the country which has been cultivated for more than ten or fifteen years can be productive unless it is fructified by the growth of sheep upon the farm. Therefore it is an industry of the highest importance and the highest interest and it ought to be protected.

Now all that is done by this bill is practically to re-enact the provisions of the act of 1867, which operated so well.

Mr. CULLOM. Will the Senator be kind enough to state exactly the difference between the present law and this bill?

Mr. SHERMAN. The rates proposed by this bill are a little less than the rates existing under the act of 1867. It advances the rates of the existing law about 1 cent a pound, although it can hardly be said that it is that much, because the rate on carpet wools, a class which is more largely imported than any other, is now put by this bill at 32 per cent. ad valorem.

No specific duty is put upon carpet wool, while the rate on clothing wool is 11 cents per pound, and on combing wool the same, and that rate is a little less than the rate of 1867, and but a shade more than the rate of 1883. But, as I said, the provisions contained in this bill, which have already been read, do define more accurately what is the difference between clothing wool, and carpet wool, and combing wool, so classify them and describe them as to prevent frauds.

It is admitted on all hands, by manufacturers and wool-growers alike, that under the provisions of the act of 1883 many frauds were practiced—what I call frauds. The importers do not consider them frauds; that is, they take advantage of the imperfect definitions of the old law to bring higher priced wools in at the lower rates. They consider that to be fair and just and that they have a right to do it. I can not say, therefore, in the strict sense, that there is an intention to deceive as a fraud, but still it is a fraud in law; it defeats the object of the law, because the classifications made by the wool tariff, classifying wools into three grades, did intend to describe clothing wools as more valuable than any other, combing wool as something substantially similar in value, and then carpet wool as of far less value; but on account of the imperfection of the language used for the change in the character of sheep in the different countries this language was not correct, and the present bill does attempt to define in specific words the various qualities of wool.

Why is this? Because in defining these classifications they use the description of the country. It is only necessary for me to turn to this bill to show you that it is largely dependent upon the description of the country in which the wool is produced, because at the time the act of 1867 was framed that class of wool was produced in those countries, and therefore in describing what was called carpet wools this was the description used:

Class 3, that is to say, Donskoi, native South American, Cordova, Valparaiso

native Smyrna, Russian camel's hair, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere, excepting improved wools hereinafter provided for.

This is the description given. Now, when you take the wools of those countries you find that they have been greatly changed. Those countries are advancing, especially South America. Sometimes it is said that the South American wool does not compete with ours. On the other hand, so remarkable has been the growth of the sheep industry in South America that they now produce some of the best combing and clothing wool that can be found anywhere.

Their wools command high prices. They have done precisely what we have done since the act of 1867. They have improved the character of their sheep and instead of producing carpet wool they produce wool of higher value; and therefore it is necessary to change the classification or description, and this has been done, aided by the experience of manufacturers of wool and the producers of sheep, and the arrangement or classification thus made has been agreed to between parties of opposing interests.

The sections which have been read only leave the law, so far as the rates of duty stand, as it is now. The slight increase that was made under the proposed bill that passed the Senate last year, of 1 cent a pound instead of two rates of 10 and 12 cents a pound, making the rate 11 cents a pound, has been adopted and applied to two of these great classes. Another provision has been made to prevent noils and some other parts of the fleece which were introduced as carpet wools, and which are really more valuable than the best clothing wool, and have been so classified as to bear their rightful proportion of the duty.

These are the general facts in regard to the duties on wool. The farmers in every part of this country ask of you only the same kind of treatment that you apply to others. I do not say anything now in regard to the rates of duty imposed on manufactured goods, because I do not care so much about them. I am willing to give the manufacturers of our country engaged in manufacturing woolen goods such reasonable protection as will enable them substantially to supply the home market. I know as a matter of fact they can not supply it, because fashion, custom, luxury enter into the question of the use of foreign goods, and I have no doubt, whatever rates of duty we may impose, that certain classes of woolen goods will be brought into this country simply as a mere matter of fashion, luxury, or expense. Some people will not wear American goods, not because American goods are not as good as any others, but simply because they think it more fashionable to wear the foreign goods.

I say, then, this classification of wool does bear a fair proportion to the different classes as their values in the market bear to each other, and no arrangement that I know of can be made to more justly classify and arrange these duties than has been made here by the joint consent of the wool-growers and the woolen manufacturers. As to whether the rates are too high or too low, I can only say that they are less than the average rates of duty imposed by this bill upon other articles, and there is no reason in the world why the same degree of protection should not be extended to farmers in raising wool as to the manufacturers in converting that wool into cloth.

I went over this subject two or three years ago much more fully and elaborately and with ample statistics than I care to do now in view of all the subjects which are to come before us, and I think I have said all that it is necessary for me to say at this time. It may be that upon fuller consideration some future provision may be proposed in regard to this bill, but if so it will not be with the intention of raising the duty beyond the rate now proposed, but for the purpose of making clearer the classifications which are given in the bill.

Mr. MCPHERSON. Mr. President, the statement made by the Senator from Ohio touching the comparison of the present bill with the law of 1867 I am not prepared at this moment to dispute. I think, however, the Senator is slightly mistaken in that comparison. But in respect of his statement comparing the proposed bill with the tariff law of 1883, we have the testimony before us in the tables which shows how near the Senator was to stating the exact facts.

Let me premise by saying that there was scarcely any increase in duty, as I understood him to say, above the tariff rates of 1883. Now, if you take the wools of the first class, costing 10 and 12 cents a pound, taking the valuations of 1889 as a basis, the increase of rate has been from 49 per cent. and 35 per cent., taking the two grades under the existing law, to an average ad valorem rate of 54 per cent., or an increase of 27.21 per cent.

Now, take wools of the second class, under the importations of 1889, coming in at different rates of duty, of 48 per cent., 43 per cent., and 26 per cent., and we have now got an average ad valorem rate of 61.52 per cent., or 53.41 per cent. increase.

Now we will go to wool of the third class, of which a very large quantity is imported, known as the carpet wools. Under the existing rate the percentage is 24.61 per cent. ad valorem; that is the wools of the lower grade coming in now at 2½ cents. The proposed rate of duty is 32 per cent.; and coming in at a duty of 12 cents a pound causes an increase from 30 per cent. to 50 per cent. Therefore the Senator can not say, I think, that there have been no increases of duty in the proposed bill over the existing tariff rates.

Mr. SHERMAN. I said there was 1 cent, and that is all there is about it. Taking the ad valorem computation here tends to deceive, and the Senator must be aware of it, because the prices of wools have gone down, and the specific duty remaining the same, 10 and 11 cents, would naturally increase the percentage as the price fell. But the rate fixed by this bill is only 1 cent on any grade above the rate fixed by the law of 1883. I have the two laws before me.

Mr. MCPHERSON. Yes, but the simple imposition of a rate of duty of 1 cent a pound upon wools of the first class when importations came in very largely under a 10 cents per pound duty, and last year amounted to $2,229,772.50, while only 13,185 pounds under the 12 cents a pound duty were imported. This bill will tend to increase practically all the wools of the first class 1 cent a pound, and the same rule applies with respect to the other classes.

Mr. SHERMAN. Does the Senator deny now the proposition I make that the increase is only 1 cent a pound on any grade? I have here the law of 1867.

Mr. MCPHERSON. I will not deny the statement at present, because I want to make a very correct computation and speak advisedly about it, but whatever argument the Senator may make touching the first-class wools or the second-class wools which enter largely, and in fact almost entirely, into the manufacture of cloths and clothing in this country, certainly the argument he makes can not and does not apply to the carpet wools, of which we raise little or scarcely any at all.

I am not willing to admit the argument of the Senator that by an increase of duty on wools of the first and second class, judging by the experience of the past—and there is no way of judging the future except by the past—it will have the tendency of increasing the growth and production of sheep in this country to an extent that will give us the clothing wools we need, for the sheep industry in this country has been going down year after year. The farmer no longer grows wool in this country upon the old farms throughout all of the Eastern and Middle States, and in fact in very many of the Western States.

He does not grow sheep for the purpose of the wool that they produce, but he grows them for mutton. You go to any one of our great cities or any of our live-stock centers where the sheep and the cattle and the produce of our Western farms and prairies come to market, and what do you find? You will find scarcely a single sheep coming in there that is more than six months or a year old. In short, I think it may be correctly said that of the whole number of sheep to-day that come to our great market-places for consumption, more than one-half of them are less than a year old. In fact they come as lambs and then only perhaps the male members of the flock are sent to market.

It is not an uncommon thing to see thousand and tens of thousands of lambs come from the State of Texas, even in the months of February and March, to the city of New York to be marketed. What is the result? The result is simply that of course there is a diminution in our flocks. There has been an increase and there is an increase every year in the production of sheep in this country of about 50 per cent., but they do not live long enough to be counted. Therefore it does not follow, but it is proof positive to the contrary, that sheep are grown for the purpose of producing wools. They are grown for quite a different purpose; they are grown for mutton, and they always will continue to be.

The Senator from Ohio stated that the farmer can grow cattle cheaper than he can grow sheep. That can not be true for this reason: That the farmer will produce a sheep fit for mutton in two or three months, and certainly, as the farmer is dependent upon his own home supply, he can not always avail himself of beef, and therefore he resorts to the easier and better mode of killing a mutton instead of a beef. The quantity is smaller and it is easier to preserve and to keep it, and it has become the great food of the farmer in this country.

Then we are informed that there are about sixty-four or sixty-five millions of people in this country under the new census and a little over a million of them are sheep-growers or wool-growers, and that the number of sheep in the country is only about 44,000,000 all told, making about forty-four sheep to each one of the wool-growers when divided among them. Wool-growing, therefore, can not be an industry. It is simply an incident of farming, and the farmer disposes of the product of that flock every year. He does not keep them for the wool, but for the mutton.

Now, Mr. President, I notice that the Senator from Ohio did not vouchsafe any statement whatever with respect to the carpet wools. I would like to have sent to the Secretary's desk a statement to be read with respect to the carpet-wool industry in this country, a statement made by the carpet manufacturers themselves, which states this question a great deal better and plainer than I have ever heard it stated before. It is very short. I shall not ask to have but little of it read.

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection.

The Secretary read as follows:

XII. In a word, it is our judgment as carpet manufacturers that the practical effect of this bill, taking into account the changes in classification, in rates, in limit, and the arbitrary definitions and restrictions, will be to about fourfold the present duty charges upon carpet wools on the average; that is to say, to add two and a half fold to the duty charges of the war tariff, thus making necessary enormous compensatory duties on carpets in order to permit the Ameri-

can carpet manufacturers to continue to hold their market against foreign competition.

These demands for increased duties and more vexatious restrictions upon our raw materials are all founded upon an hypothesis as novel as it is misleading. It is claimed that with prohibitory duties, or nearly so, the United States can raise all the third-class wools needed in her carpet manufacture. This proposition is one which protectionists must dismiss altogether from their plans.

None of the postulates by which the system of protective duties is defended will apply to third-class wools. It is an accepted axiom of protection that tariffs shall be levied only upon such articles (besides mere luxuries) as we are capable of producing in sufficient quantity to regulate market prices. The logical application of this principle requires that third-class wools shall be placed upon the free-list. While the undersigned make no demand for free third-class wools, they protest against singling out their industry as the one only industry which is to be made to suffer under a new tariff, by reason of the conspicuous violation of the foundation principle of the protective system.

Mr. McPHERSON. Mr. President, these gentlemen go further, and say:

No duty upon carpet wools can be high enough to induce their production in the United States.

I think everybody will admit that carpet wools are the refuse of the world.

Mr. SHERMAN. The Senator must know that that is denied over and over again in testimony taken before the committee, and that we do produce it, and we can produce it to any extent.

Mr. McPHERSON. The denial of it is not found in the fact when you come to take into consideration the amount of carpet wools imported into this country that there is not a great amount of them produced here:

Carpet wools are the refuse of the world, grown on the native sheep of semi-barbarous countries, and commanding prices so low that they can not even be grown at a profit in Texas, on lands that cost nothing.

They go on further to say:

The quantity of carpet wools grown throughout the world is steadily decreasing, even to the extent of causing some apprehension as to the future supply. The reasons for this are apparent. The fiber of third-class wool is unfitted for the higher forms of manufacture, and, as a consequence, it commands a price far below that of other wools. These other wools can be raised anywhere in the United States at a cost to the producer no greater than the cost of raising the third-class wools.

Now, here is the testimony of Mr. Shepard:

Mr. A. E. Shepard, the president of the Texas Wool-Growers' Association, delegated to address your committee in January last upon the ability of the United States to produce third-class wools, was asked by a member of your committee what rate of duty would be sufficient to induce the raising of third-class wools in Texas, and he replied: "Sufficient protection to make it as remunerative for us to raise that class of wool as to raise fine wool, and nothing else. I mean that you should give us equal protection to enable us to do that."

In other words, you must impose the same rate of duty upon the third-class wools per pound that you do upon the first-class wools per pound in order to enable them to grow them.

Another word with respect to the duty upon the first and second class wools. Mr. President, this is the only civilized country in the world, so far as we are informed, which levies a duty on raw wool. In short, every country without exception, whose wool-manufacturers come in competition with ours, enjoys the advantage of free wool, as the following tables will show:

TABLE I.—*List of free-wool countries.*

Austria,	France,	New South Wales,
Belgium,	Germany,	Norway,
British India,	Great Britain,	Portugal,
Canada,	Greece,	Sweden,
Chili,	Italy,	Victoria,
Denmark,	The Netherlands,	New Zealand.

All of these countries that are our principal competitors in the manufacture of woolen goods allow the importation of wools duty free. Now, what are the countries that levy tax upon wool? Among them we find the United States of America. One that should be found in the list of free-wool countries is found in the list of these countries that impose a duty.

TABLE II.—*Showing countries levying import duties upon unmanufactured wool, with amount of same reduced to United States currency.*

	Per pound.		Per pound.
Brazil	*$0.02	United States of Colombia	$0.023
United States	.10	Russia	.016
San Salvador	.06	Korea	(‡)
Ecuador	.059	Roumania	.01
Porto Rico	.059	Turkey	.0072
Mexico	.046	China	.0036
Peru	.041	Spain	.0031
Argentine Republic	(†)	Switzerland	.0006
Hayti	.040	Siam	(§)
Honduras	.032		

*And 65 per cent. ad valorem.
† 25 per cent. ad valorem.
‡ 8 per cent. ad valorem.
§ 3 per cent ad valorem.

And among them all there could not be found a single one where the rate of duty is more than half that of the United States and scarcely one of them that is one-fourth of the duty levied in the United States.

It will thus be seen that in the list of free-wool states are found the largest producers of fine and medium wools in the world, and in the list of wool-tariff countries only wools are produced of the lowest and cheapest grades, and, with the exception of the United States, no country levying tariff duties on wool of as much as 2 cents per pound makes any attempt to manufacture raw wools.

Woolen goods are one of the necessities of civilized existence, and the experience of the whole civilized world teaches that entire freedom to purchase raw wools untaxed is to the advantage of both manufacturers and growers.

It has been urged that the wool-growing industry of the United States will be prosperous and expansive according as the manufacture is prosperous and expansive, and not otherwise. If this be true, why has the duty been increased upon the raw wools, which will make a great difference to the manufacturer while it can make no difference to the grower so long as the rate remains as at present amply protective against the directly competing wools?

Fine combing wools are produced only to a limited extent in the United States; strictly fine qualities are grown in but small quantities. A large proportion of all the fine combing wool has been and must be imported. So long as our manufacturers must enter foreign markets for wool they must encounter disadvantages, which in turn become their competitors' advantages. Their purchases must be concentrated upon certain kinds of wools not grown here and necessary to the particular fabrics they intend to make.

This concentration enhances the cost of these wools. For the wools with which our finest woolens are made we must go to the Cape of Good Hope; for the body of the goods we need the fine clips of the River Plate and Australia, and for our choice worsted goods, both for men and women's wear, we have to look to the long fine staple of Australia and New Zealand. In 1888 we imported over 114,000,000 pounds. How much were the wool-growers benefited by the $4,729,486 gathered in by the Government?

Mr. SHERMAN. What does he say was the importation?

Mr. McPHERSON. I do not know that my figures are entirely correct. I have not verified them, as is my custom.

Mr. SHERMAN. Does not the Senator know that the product in this country is about 300,000,000 pounds, and twice and a half times the amount of the importation, and yet the Senator says we do not produce the very finest wools that can be produced, while the finest wools that are produced anywhere are produced in the United States?

Mr. McPHERSON. I admit in limited quantities in some portions of Pennsylvania and Ohio they produce the fine wools, but it has never been increased under the high rates of duty which have prevailed here for years, beginning in 1867, as the Senator says, to the present time. They have produced these wools in no such quantity as they are required.

The manufacturers who paid the duties recouped themselves by adding the duties to the cost of the cloth, and under the operation of an indirect tax gently shifted the load to the uncomplaining consumer. The wool-grower was not benefited by the tax and the consumer was injured.

Mr. SHERMAN. I should like to know where that statement comes from. Is it the Senator's own statement?

Mr. McPHERSON. It was furnished me with some statistical information.

Mr. SHERMAN. The Senator has been misled in this.

Mr. McPHERSON. I have not the papers with me, but I can bring them to-morrow.

Mr. SHERMAN. The whole amount of unwashed wool of the first class imported to this country was 22,297,725 pounds in the year 1889, and the whole amount of the second class imported into this country in the same year was 6,558,664 pounds, while the amount of the home production of these classes of wool is not less than 250,000,000 pounds. So when the Senator says that we consumed one hundred millions of foreign imported wools of the first and second classes, he must be mistaken.

Mr. McPHERSON. Possibly there may be some mistakes in the figures, and if so I will correct them. My statement did not apply to wools of the first and second class alone.

Mr. SHERMAN. Nearly all the importation into this country is of the third class, carpet wools, and much of the first and second classes is included in that.

Mr. ALDRICH. Will the Senator allow me a moment? I have been out of the Chamber for a few moments and I do not understand whether the Senator from New Jersey gave the name of the gentleman who has furnished him the information.

Mr. McPHERSON. I have not given the name, and I do not know but that the figures may have been misplaced in some way. If they be incorrect, I will correct them.

A free selection of many varieties of wool is essential for the manufacture of the cloths required by the trade, and the seclusion of foreign wool so interferes with the necessary supply of raw material as to reduce rather than increase the quantity of American wool used. Besides this, the woolen manufacture can not be successfully developed without the free selection of raw material, and the prosperity and activity of the home manufacture of woolens is the first and essential element in increasing the use and demand for American wool.

The system of secluding wool by more or less prohibitory duties has proved so destructive to the manufacture that during the two years ending with November, 1889, one hundred and two failures of wool-manufacturers took place, involving liabilities of over $10,000,000. It follows

of necessity that our manufacturers must either import the wools not grown in this country or limit the range and quality of their product. Our contention is that if the wools now imported could be obtained by our manufacturers free of duty in order to make the higher fabrics, they would displace the imported goods and afford so much more employment to our own labor.

In spite of the heavy duty on this character of wools, since 1867 there is no native industry to protect. These heavy duties have restricted the home manufacture, besides greatly increasing the cost of clothing by helping the foreigner to send to this country vast quantities of woolen goods that with free wool and moderate duties upon the goods might be manufactured at home.

And with a readjustment of values, such as free wool would require, what would be the effect upon the American wool-grower? The world's production of wool in 1889 was nearly 2,000,000,000 pounds, and is not in excess of the demand. Of this amount the United States produced about 245,000,000 pounds, and imported in different forms about 350,000,000 pounds, our consumption being about 600,000,000 pounds.

Mr. SHERMAN. That includes the whole amount of wool in the manufactured goods.

Mr. McPHERSON. In the manufactured goods.

Mr. SHERMAN. If the Senator would drop off that figure he would find that the imported wools are comparatively small that are brought in in the imported cloth.

Mr. McPHERSON. I stated that it came in in different forms. About 600,000,000 pounds consumption were imported, as my paper states, in different forms, meaning in raw wool and also in cloth.

As much of the importation was low-grade cheap carpet wools, which no American producer can afford to grow, and much more a high grade of wools which long experience has shown we can not produce, if admitted free of duty no injury could result therefrom to the wool-grower at home, but instead a decided benefit, because of the increased use of and greater demand for the home product resulting in the building up in this country of a manufacture which in a few years would be able to supply all the demands of our people for all grades of cloths at lower prices than had ever been known before.

The bulk of the wools grown here, while showing a wide range of character, find their greatest use and value when mixed with imported clips impossible for us to reproduce. This should be an intelligent and convincing argument to the American wool-grower when coupled with the fact that the entire product of the country is far below the amount consumed.

There is scarcely an intelligent and practical woolen manufacturer in the country who will not say that the wool-grower in this country is not protected over 5 cents per pound with a duty of 10 cents per pound, and who will not further say that if the duty on raw wool were removed, and a new equalization or readjustment of wool values were made to meet the changed conditions all over the world which such a policy would enforce, the value of his wool would be permanently enhanced by more than he now receives under a so-called protective tariff.

But this is not all. The cost of clothing would be reduced, and the money thus saved would come back to him in the purchase of other farm products upon which he almost exclusively relies for his profits. In the principal farming States east of the Missouri River wool-growing was once an industry, but it is no longer an industry, not even an incident to farming, and may now be classed as a by-product. It is because mutton is worth 40 per cent. more now than it was in 1876, and the sheep-farmer can get better returns at less trouble by selling his sheep for the table than by keeping them for their wool.

Mr. J. R. Dodge, the able Statistician of the Department of Agriculture, estimated the number of sheep in the United States in 1867 at 42,000,000. In short, from 1867 to 1889, under high protective tariffs, we find we have to-day about 600,000 more sheep than we had in 1867.

Twenty-two years of a high wool tariff failed permanently to increase the flocks.

Mr. SHERMAN. I wish the Senator would read that last sentence over again. I want to emphasize it as to the number of sheep in this country compared with 1867.

Mr. McPHERSON. This is copied from J. R. Dodge:

Mr. J. R. Dodge, the able Statistician of the Department of Agriculture, estimated the number of sheep in the United States in 1867 at 42,000,000 (Bulletin National Association Wool Manufacturers, iv, 236), while his latest estimate, that of April 1, 1889, shows a total of only 42,599,079.

It is copied from this bulletin.

Mr. MITCHELL. How many?

Mr. McPHERSON. Forty-two million.

Mr. MITCHELL. In 1867?

Mr. McPHERSON. Forty-two million.

Mr. MITCHELL. The number was 24,000,000 in 1867.

Mr. SHERMAN. I had a statement read a few moments ago from the very table referred to. I think somebody has taken advantage of the Senator.

Mr. McPHERSON. What does the Senator from Oregon state the number to have been in 1867?

Mr. MITCHELL. In 1867, 24,000,000.

Mr. McPHERSON. What was the number in 1887?

Mr. TELLER. I suggest that the Senator ought to give us the name of the author of that statement so that we may know if he is to be relied upon.

Mr. McPHERSON. I will. What was the number of sheep in 1887?

Mr. SHERMAN. In 1884 it was 50,000,000.

Mr. McPHERSON. In 1887 what was it?

Mr. SHERMAN. I had the table here awhile ago, but the Reporters took it. I think it was about 42,000,000.

Mr. MITCHELL. In 1867 the number was about 24,000,000.

Mr. SHERMAN. I have the table now.

Mr. MITCHELL. In 1887 the number was about 44,000,000.

Mr. McPHERSON. In other words, there has been no increase in late years, but a gradual decrease in the number of sheep.

Mr. MITCHELL. If the Senator will allow me a moment, I will state that from 1867 until 1883, under the protective tariff of 1867, there was a gradual and immense increase in the number of sheep and the production of pounds of wool in the country; but after the enactment of the tariff of 1883, which largely reduced the rates, in the next five or six years there was a reduction in the number of sheep of about 7,000,000.

Mr. McPHERSON. This report proceeds to go on and state the relative number of sheep as reported by the Department of Agriculture in the principal farming States of the Union, showing a very great decrease in the number of sheep during that period of time.

Mr. MITCHELL. The decrease could only have been since 1883. Prior to that time, from 1867, there was a gradual, and what may be called an immense, increase annually.

Mr. McPHERSON. I will proceed with my statement.

In the principal States where wool-growing and farming go hand in hand, the flocks of sheep have steadily and seriously decreased, as is shown by the following comparison of the sheep reported in the years 1867 and 1889:

TABLE III.—*Showing the relative number of sheep reported by the Department of Agriculture in the principal farming States of the Union.*

States.	February, 1867.	February, 1889.
Maine	895,884	547,725
Vermont	1,335,980	365,770
New York	5,373,005	1,548,426
Pennsylvania	3,456,568	935,646
Kentucky	933,193	805,978
Virginia	700,666	435,846
Missouri	1,005,509	1,109,444
Illinois	2,764,072	773,468
Indiana	3,033,870	1,420,000
Ohio	7,159,177	4,065,556
Michigan	4,028,767	2,134,134
Wisconsin	1,664,388	793,146
Iowa	2,399,425	540,700
Total	34,750,504	15,475,839

At the famous wool-trade dinner held in Boston on April 10, 1877, Mr. George W. Bond, than who no higher authority exists or existed so far as the question of wool is concerned, made the following deliberate statement in a thoughtful and conservative speech upon this very subject:

As you know, the wool-growers did insist upon an extremely high tariff, particularly upon merino wool; but having obtained it, I for one did not desire it to be disturbed until it should have a fair trial, though I never doubted, judging from the experience of this and all wool-growing and manufacturing countries, that it would prove disastrous to their interests. It has had ten years of trial, and the result has been in accordance with all such experience, as will be seen from the prices realized for Ohio wool:

From 1824 to 1861: Fine, 53.3 cents; medium, 42.4 cents; coarse, 34.5 cents.

From 1862 to April, 1867: Fine, 57.4 cents; medium, 50.3 cents; coarse, 47 cents.

From April, 1867, to 1877: Fine, 45.4 cents; medium, 44.2 cents; coarse, 40.7 cents.

From 1877 to 1889: Fine, 38 cents; medium, 38.9 cents; coarse, 33.4 cents.

Mr. Bond's prediction has been singularly verified. His statement is here supplemented from 1877 to 1889 from Mansur & Co.'s wool circular.

Tariffs are not enacted to depress the prices of commodities, although the distinguished Senator from Rhode Island [Mr. ALDRICH] and the distinguished Senator from New York [Mr. HISCOCK] are fond of pointing to low prices as the result of that system. No one doubts that the intention of the tariff of 1867 was to enable the wool-growers to charge a higher price for their wool than similar or better wool could be bought for abroad. With twenty-two years of a high wool tariff, the highest ever known in the history of any country, it has failed permanently to increase the flocks or enhance the price of the fleece.

With free wool the United Kingdom and France have both gradually increased their flocks—one maintaining 235 sheep and the other 100 sheep to the square mile, while the United States, with high protection, can not maintain 14 to the square mile.

Our carpet wools are almost wholly imported, and a tax upon them protects no American producer of wool.

Mr. MITCHELL. Will the Senator allow me to interrupt him at that point?

Mr. McPHERSON. Yes.

Mr. MITCHELL. The Senator has several times made the statement that no carpet wools are produced in this country, and he repeated it again just now. The estimate of the Bureau of Statistics in 1883 of the wool produced in this country that year was 320,000,000 pounds—233,000,000 pounds of clothing wool, 65,000,000 pounds of combing wool, and 22,000,000 pounds of carpet wool.

Mr. CARLISLE. How much carpet wool?

Mr. MITCHELL. Twenty-two million pounds in 1883. There is not so much produced now, because there has been less protection afforded to the coarser wool than to the other classes of wool. The estimate now is about 10,000,000 pounds.

Mr. CARLISLE. But there is as much protection afforded to that class of wool as there was at the time of which the Senator speaks. I have a statement here which I believe is made by the American Wool Manufacturers' Association in 1888, that there were only a little over 640,000 pounds of third-class wool produced in this country.

Mr. MITCHELL. There are several estimates made by witnesses whose testimony is incorporated here in this document. The Senator will find in Miscellaneous Document No. 149 the testimony of the wool-growers of this country. The estimate places it at about 10,000,000 pounds now.

Mr. McPHERSON. I know it has been said that a certain amount of carpet wool is produced in this country, and in proof of it they show the fact that the manufacturer of carpets requires a larger amount of wool than we import; but the answer to that is found in the simple fact that they are making carpets of shoddy, mungo, waste, and everything of that kind, and therefore no correct estimate can be given.

No industry in the country to-day has a darker outlook than has the carpet-manufacturing business, caused by overproduction and no outlet for the surplus stock. The home market was glutted and the goods could not be sold elsewhere. This bill, should it become a law, will simply add to the present depression in the carpet-manufacturing industry, and deprive labor of employment without conferring benefits upon any one else in this country.

In a recent conversation with a prominent manufacturer in my State he said that the high rates of duty on wool had transformed the woolen factories into shoddy mills. In 1880 the mills used over 50,000 pounds of shoddy. The demand for substitutes for wool had become so great that in 1888 we imported over 4,000,000 pounds of shoddy, mungo, and rags, and in 1889 the importation was eight and one-half millions. This reduces the price of domestic wool, throws upon the market a vast quantity of cheap, worthless goods, made from shoddy and cotton, which the inexperienced purchaser will always buy because they look well and seem cheap, and because he has not the money to pay for a genuine article.

Mr. ALDRICH. I think the Senator ought to give us the author of that paper.

Mr. McPHERSON. Which paper?

Mr. ALDRICH. The one he has just been reading.

Mr. McPHERSON. This is my own paper.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. McPHERSON. It is my own paper, with the exception that I have copied in one or two cases the information I have received, which purported to be taken from statistical information, and I believed it to be truthful. I did not verify it; I had not time to do that; but I will see that verification is made, and if there is anything in the statement which is not exactly true I shall have it corrected.

Mr. SHERMAN. Mr. President, I shall not detain the Senate more than two or three minutes.

I advise the Senator from New Jersey to look over his figures, because he certainly has made statements which are entirely at variance with the papers upon which we are framing this bill, and upon which we rely, not only as to the amount of importations but as to all the facts connected with the whole sheep industry of the country. He has produced some statement from a carpet manufacturer, I am bound to say, and the Senator must know, too, that the carpet manufacturers, their representatives and agents, concurred in this arrangement of the wool schedule so far as the duty on carpet wool is concerned. I do not know who this man is (the name is not given) who is discontented with the arrangement; but, on the other hand, when we come to compare the duty on carpet wool, which is 32 cents, only a slight increase, if any at all, upon the former rate, according to the tables I have before me, with the duty in favor of the carpet manufacturers, I find a very different state of facts, and I hope the Senator will have this corrected when he comes to deal with the carpet manufacturers. He complains that they are now a very much oppressed industry by this duty of 32 per cent. on their carpet wool.

I find that of every one of the grades of carpets in this bill one is 65.23 per cent., another is 71.92 per cent., another is 82.36 per cent., and another is 82.25 per cent. What class of goods this gentleman manufactures I do not know. If that is the protection that he thinks is necessary for him I would not—I was going to say I would not trust the man who came here as a manufacturer of carpets under existing law who demanded for himself more protection and then refused to give to the farmer one-third as much as he received on every article he manufactured. Whoever he is, and I can fire at the heap, I am bound to say that the information we have before the Committee on Finance is that the carpet manufacturers and their leading representatives in different parts of the country agreed to the rate that has been proposed upon carpet wools.

Mr. McPHERSON. I find no fault with the statement made by the Senator from Ohio. I do not know that the carpet manufacturers agree, but I was only stating the extra amount of the cost of carpets by reason of the higher duty upon wool. I read the complaint of the carpet manufacturers themselves as explained in their own statement.

Mr. SHERMAN. I was only complaining of any carpet manufacturer who would come here and demand high rates of duty upon the manufacture of carpets. I am perfectly willing to give them all reasonable rates, but they should not complain of that and deny to the farmer a rate of duty one-third as much on his production.

The Senator from New Jersey stated another thing that is not correct. He stated that there were no carpet wools produced in this country, and that we can not produce them. Here are witnesses all around me who know that in Texas, in California, in Montana, in Idaho, and the Dakotas, everywhere, they not only produce carpet wools, but very good carpet wools, carpet wools that are advancing now and probably will take their place after awhile as clothing wools and combing wools have done.

Mr. McPHERSON. How long, may I ask the Senator from Ohio, has such a condition of things existed?

Mr. SHERMAN. I do verily believe that but for the act of 1883 we should have produced in this country all the carpet wools that are necessary for our carpet industry by this time.

Mr. McPHERSON. Does the Senator from Ohio believe that the cheap carpet wools can be grown anywhere in the United States of America and grown with profit?

Mr. SHERMAN. They can be grown with profit in Texas, in New Mexico, in Arizona, in California, in Colorado, in Wyoming, and in Montana.

Mr. McPHERSON. But they can grow better grades of wool at a great deal more profit.

Mr. SHERMAN. They will after awhile, but they can only grow better grades of wool when the sheep are put in small flocks on a farm. It is the food and the care and attention that make the superior product. As a matter of course, they can not raise the fine-blood merino sheep as yet on the plains, because those sheep can not endure the climate and the exposure. They are like high-bred Durham cattle, or the Devon cattle, they must be cared for; they are the product of care and cultivation. But the wilder sheep, the common Mexican sheep, can be grown anywhere. Indeed, Mexico furnishes the type of this kind of sheep.

Now, here is another thing. I will give the Senator figures from this official statement. The total number of sheep in this country in 1886 was 48,322,331. The number gradually rose from 1867 up to 1884, when it attained the largest figure, 50,626,626; and from that time until the present, although now there is a kind of reaction, the number of sheep has declined. The Senator quoted 1867, but it was 1887, I suppose. The number that year was 44,759,314. Under the operation of the reduction of duty enacted by the act of 1883 the decline was about 6,000,000 sheep. If the increase had gone on after 1883 as it had gone on from 1867 to 1883 the amount of sheep in 1884 would have been 52,300,000; in 1885, 56,000,000; in 1886, 59,900,000; in 1887, 64,000,000; and I have no doubt at this time the number would have been over 70,000,000 sheep.

Mr. McPHERSON. What is the number of sheep at the present time?

Mr. SHERMAN. About 46,000,000, I believe it is.

Mr. MITCHELL. No, not so much as that. Some estimates make it only 42,000,000 or 43,000,000.

Mr. SHERMAN. I wish to be always very exact about such figures. I think the Senator from New Jersey ought to revise his figures. There has been a decline.

Mr. McPHERSON. As to my figures, they were given to me by an authority that I thought was entirely accurate, and he says that the latest estimates of Mr. Dodge, the Statistician of the Department of Agriculture, for April 1, 1889, show the total for the year to be 42,599,000. So it does not differ very materially from the Senator's figure.

Mr. SHERMAN. This important fact is shown by the statistics I have already given, that from 1810 to 1860, under a tariff which practically through its whole course allowed wool to be admitted free of duty, the number of sheep and quantity of wool had only doubled in fifty years, while population and production of every other kind had enormously increased; and from 1867, you might say from 1860, when the Morrill tariff act was passed, practically from 1867 up to 1883, the number of sheep had increased nearly threefold.

I think the number increased from about 18,000,000 in 1867—I can not state the exact number that year as it is not given in the table before me—but at any rate it ran up to 50,000,000, and the quantity of wool had increased from 1½ pounds to the fleece to the average of 6 pounds. In Ohio it was not at all unusual with the finer sheep to go up as high as 10 and sometimes to 20 pounds. We have all read no doubt of very

remarkable sheep that have yielded some 20 pounds of wool, which is very extraordinary. But the average had gone up to 6 pounds.

So, under a fair protective tariff which would induce the farmer himself not only to pay attention to the character of the sheep, but to their care and culture and custody, the sheep industry is rapidly prospering. If the law of 1867 had remained to this date there would have been no need to have any imported wool to supply all the clothing that could be manufactured by the manufacturers of the country.

Even to-day, as it is, the quantity of wool supplied by the domestic markets is about 270,000,000 pounds, while the entire importation of clothing and combing wools does not exceed twenty or twenty-five million pounds. The rate of duty on carpet wools was put clear down by the act of 1883; they were practically almost free; some of the grades were free; and the result was that, instead of raising our own carpet wools, the amount of importations rapidly rose until four-fifths of the wool introduced into this country is carpet wool, as the Senator from New Jersey calls it, the dregs of the earth, and it is brought here and made into carpets, while if the old policy had been maintained under the act of 1867, in all human probability all that carpet wool would have been grown in our Western States. As a matter of course, in the older States, where farms are more valuable, they can not afford to raise the coarser sheep; they give them more attention, and they therefore expect a better yield. But there is no trouble at all in this country of ours in producing all the carpet wool and all other wools that are necessary to supply our own demand.

Mr. DANIEL. Before the Senator takes his seat, will he be kind enough to tell us what was the effect of the tariff of 1867 on the price of wool to the farmers?

Mr. SHERMAN. It varied more or less by the season, but I do not think there was any very radical change. If anything, there was a decline. My observation is, as a rule, that a rate of duty put upon any kind of production, whether a production of the farm or a production of the workshop, inevitably tends to lower the price. I have no doubt of that; but any duty whatever put upon any form of industry tends to encourage it and increase it either in its manufacture or production. Whatever may be the source of production or the mode of production it naturally tends to lower the price; and that is what we desire. We on this side of the Chamber desire as much cheap food and cheap articles and cheap goods as any one else.

The question is whether on the whole that result can be obtained by building up in our own country domestic manufactures, or whether it will be obtained by depending solely upon foreign manufactures and foreign products. All experience has shown that a protective tariff, by diversifying and increasing our interests, by increasing manufactures and increasing production, tends to reduce prices, and that is one of the benefits derived from the system, not only in making us independent by supplying all our wants, but actually bringing home to the consumer improved articles at a cheaper price. All the statistics on this subject will show that that is the tendency of a protective tariff.

Mr. CARLISLE. Mr. President, I hold in my hand a recent number of The Manufacturer, which contains what appears to be a carefully compiled table showing the number of sheep in the country at the present time, according to the recent reports of the Agricultural Department, the number of pounds of washed and unwashed wool produced in each State and Territory; and from this it appears that there are now 44,336,072 sheep in the United States.

Mr. SHERMAN. That is what I supposed there were.

Mr. CARLISLE. It shows that the average weight of the wool clip in the State of Ohio is 5 pounds instead of 6, as stated by the Senator from Ohio.

Mr. SHERMAN. I stated that the average in 1884 was 6 pounds all around. It may have declined. I have no doubt that there has been less care taken of sheep, and that the sheep industry throughout the country has declined since the tariff act of 1883.

Mr. CARLISLE. From this statement it appears that washed and unwashed wool produced in the country during the present year was 13,695,377 pounds greater than last year, and the increase of scoured wool on the market was 4,832,870 pounds more than last year. So the number of sheep is increasing to some extent, and also the number of pounds of wool.

Mr. SHERMAN. As I said, I think now the tendency to decline has somewhat changed. We have the exact figures in Ohio. I have the census report as to the production of sheep in Ohio, furnished mainly by our United States authorities, and I notice in that report the number of cattle and the number of sheep in Ohio is somewhat increasing this year as compared with last year. They have there an annual assessment of all kinds of live animals, so that we are able to know every year about the growth, the increase or decrease. I think that the sheep industry is rather increasing now than otherwise.

Mr. MITCHELL. There were at least 50,000,000 pounds less wool produced last year in this country than in 1883.

Mr. SHERMAN. I suppose that is true.

Mr. GRAY. Mr. President, it is somewhat confusing to hear the Senator from Ohio say that the object of this duty, as of all protective duties, is to cheapen the commodities to which they relate, and that the effect of the tariff of 1867 has been, in his opinion, to reduce the price of wool for the American wool-grower. We had been led to believe by some of the orators upon that side of the Chamber, by several in this debate, and within a very few days, that cheapness was a thing we ought to despise, condemn, trample under foot.

One of the Senators on the other side eloquently said that cheapness excited him to wrath, and he expressed himself in eloquent denunciation of it. In fact, we had as the key-note of this Administration, before it came into power, from its leader, the distinguished gentleman now President of the United States, the assertion in a very epigrammatic form that a cheap coat meant a cheap man inside of the coat.

So it is a little confusing to hear the Senator from Ohio now laud what he says is the effect of the tariff, the cheapening of commodities; and he has confessed that the effect of the tariff of 1867 was a decrease in the price of wool to the American wool-grower.

It would be curious, if the Senator from Ohio had remained in his seat, to have asked him why it was that the tariff of 1883, which lowered the duties, had the effect which he also states that it had, to drive out of business to a large extent the wool-growers of the United States or in his part of the country.

But we can not clear up all these things in a day, or in a moment.

It cheapens the article to increase the duty and it cheapens it to decrease the duty. However, we can not explain these things in a moment; we can not get, *uno flatu*, at the philosophy that underlies these remarkable phenomena.

But, Mr. President, I only rise now to call attention to what seems to me the most important thing in regard to the amendment of the Senator from Kentucky, which puts wool upon the free-list. This discussion has been very interesting in regard to the statistics of sheep-raising and sheep-husbandry in the United States, and there has a great deal been said here to show that after all the wool-grower, by being less avaricious in his demands upon the law-making power, widening the horizon of his hopes and desires, may by a fair accommodation secure the market that he desires and at the same time not put an undue burden upon the manufacturer, and, what is worse than all, upon the great mass of consumers of this country, in order to accomplish his object.

The serious thing about this increase of the duty upon wool, the serious thing about refusing to put it upon the free-list, is this: I find here from the Committee on Finance this explanation of the changes that have been made in the wool schedule:

WOOL AND MANUFACTURES OF WOOL.

Say the committee:

The demand from the representative wool-growers of the country that the rates upon wool should be largely increased, has led the committee to recommend the adoption of the new classification herein suggested, which it is hoped will result in a uniform and honest classification of wool.

The important part of this report from the Finance Committee is as follows; it is very brief:

The increase of rates for the manufactures of wool have been made necessary by this increase in the wool rates.

Ah, Mr. President, here, after all, is the ultimate reason for this increase of tax upon the clothing of the people, the increase of the tax upon the raw material which enters into their manufacture. It is because of that fact, and not because I have any desire, or any one on this side has any desire, to interfere with the prosperity of the wool-growers that we think the Senate should pause before it takes this most important step of raising the price of wool to the manufacturer and the price of clothing to the people.

Mr. GIBSON. I should like to suggest to the Senator from Delaware that the effect of the tariff upon any imported commodity which competes with the products of our own country is to reduce the price of the article itself. That appears to be the doctrine of our friends on the other side, and the compensation is given to the manufacturer because of the higher tariff rates placed on the raw material!

Mr. GRAY. To reduce the raw material?

Mr. GIBSON. Yes.

Mr. GRAY. That is one of those conundrums which arise out of the confusion of statement and argument upon the other side, and I am not ingenious enough to attempt even to answer them all. The argument on that side is made, I know, with a great deal of pertinacity that the effect of these duties is to decrease the price of the commodities to which they refer.

But, Mr. President, the common sense of this whole matter, the philosophy that appeals to the plain mind of the country, is that when you impose a tax it has to be paid by somebody, when you increase the cost of the raw material to be manufactured you thereby increase the cost of the products manufactured, and if you increase the tax on raw wool then, as this Committee on Finance has said, it becomes necessary to increase the tax on the manufactured articles. Somebody at last in this dismal progression must pay that increased cost, and those who must pay it, to my apprehension, surprising and unsophisticated as perhaps Senators on the other side would think it, are the great mass of the consumers of this country.

Do Senators realize, when they propose this increased tax on wool and the consequent necessary increased tax on manufactures of wool, the extent of it? I have before me a table giving the tariff rates on

woolen goods from the beginning to the present time, including the proposed tariff rate in the bill now before us. It is interesting, and without stopping to read it in detail I shall ask to have it printed in the RECORD.

OUR INFANT WOOLENS.

The following table will show the progress made in the course of one hundred years in nursing the woolen infant, by means of tariff pap, to the self-supporting stage of existence.

Articles.	Rate of duties under the tariff of—					
	1791.	1859.	1861.	1864.	1883.	1890.
	Per ct.	*Per ct.*				
Dress-goods of cotton and worsted, costing 15 cents the square yard.	5	19	30 per cent	55 per cent	68 per cent	88 per cent.
Same, costing 20 cents square yard	5	19	30 per cent	50 per cent	60 per cent	90 per cent.
Same, all wool or of mixed materials, costing 24 cents square yard	5	24	30 per cent	47 per cent	77 per cent	100 per cent.
Same, costing 30 cents square yard	5	24	30 per cent	55 per cent	70 per cent	90 per cent.
Same, costing 60 cents square yard	5	24	30 per cent	45 per cent	55 per cent	70 per cent.
Same, weighing over 4 ounces square yard	5	24	25 per cent. and 12 cts. per lb.	40 per cent. and 24 cts. per lb.	40 per cent. and 35 cts. per lb.	50 per cent. and 44 cts. per lb.
Ready-made clothing	7½	24	25 per cent. and 12 cts. per lb.	40 per cent. and 24 cts. per lb.	35 per cent. and 40 cts. per lb.	60 per cent. and 50 cts. per lb.
Tapestry Brussels carpet	7½	24	30 cts. per sq. yd	50 cts. per sq. yd	20 cts. per sq. yd. and 30 per cent.	28 cts. per sq. yd. and 30 per cent.
Tapestry velvet carpets	7½	24	50 cts. per sq. yd	80 cts. per sq. yd	25 cts. per sq. yd. and 30 per cent.	40 cts. per sq. yd. and 30 per cent.
Brussels carpets	7½	24	40 cts. per sq. yd	70 cts. per sq. yd	30 cts. per sq. yd. and 30 per cent.	40 cts. per sq. yd. and 30 per cent.
Druggets and bockings	5	24	20 cts. per sq. yd	25 cts. per sq. yd	15 cts. per sq. yd. and 30 per cent.	20 cts. per sq. yd. and 30 per cent.
Silk goods, including velvets and plushes	7½	19	30 per cent	60 per cent	50 per cent.	Average probably 90 per cent.
Woolen hosiery and underwear—						
Costing 32 cents per pound	5	24	30 per cent	90 per cent	77 per cent	214 per cent.
Costing 42 cents per pound	5	24	30 per cent	79 per cent	79 per cent	175 per cent.
Costing 62 cents per pound	5	24	30 per cent	62 per cent	74 per cent	135 per cent.
Costing 82 cents per pound	5	24	30 per cent	54 per cent	82 per cent	120 per cent.
Linen goods	5	15	30 per cent	Average 37½ per cent.	35 per cent	50 per cent.
Cotton hosiery—						
Costing 62½ cents per dozen	7½	24	30 per cent	35 per cent	40 per cent	110 per cent.
Costing 2.10 cents per dozen	7½	24	30 per cent	35 per cent	40 per cent	76 per cent
Costing 4.10 cents per dozen	7½	24	30 per cent	35 per cent	40 per cent	64 per cent.

But I want to call attention, for I intend to occupy the Senate but a few moments, to one article in this most remarkable category of taxation, in this great tax-list, which is proposed now to be enacted into law, indirect, it is true, but burdensome many times more than any tax-list which the tax-payer is called upon to pay to the collector who comes with his demand for so many dollars and so many cents as his contribution to the expenses of the Government under which he lives—a tax-list much more important and much more affecting his daily life and his prosperity than any other that he is called upon to pay.

Now, wool hosiery is an article used by all the people. It is an article of absolute necessity in a large part of our country, where climatic conditions make it necessary for sanitary well-being. It will appear by the table to which I have referred that those grades which cost 32 cents per pound are subject to a tax of 77 per cent. by the present law, and that the tax is raised to 214 per cent. under the proposed law. Woolen hosiery costing 42 cents per pound is increased from a tax rate of 79 per cent. ad valorem under the existing law to 175 per cent. ad valorem.

On woolen hosiery costing 62 cents per pound it is increased from 74 per cent. to 135 per cent.; on that costing 82 cents per pound it is increased from 35 per cent. to 50 per cent., thus fulfilling in this enormous increase that great rule which has become an economic rule on the part of those who lay these taxes and make these schedules, and that has been alluded to by the Senator from North Carolina [Mr. VANCE] so often, that the increased burden must be borne by the cheaper articles, and by those articles which enter into the daily consumption of the people, and therefore bearing most hardly upon the poor. The discrimination is in favor of those who buy and use the higher priced articles.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. GRAY. Certainly.

Mr. ALDRICH. Will he be kind enough to inform me in what part of the world woolen hosiery can be bought for 32 cents a pound?

Mr. GRAY. I have no information on the subject other than that derived from these schedules.

Mr. ALDRICH. I did not suppose the Senator had.

Mr. GRAY. I only read from a table made out by a dealer in woolen hosiery, and that is the description of grades contained in the bill before us.

Mr. ALDRICH. I wish the dealer would tell the Senator where woolen hosiery can be bought at that price. The price of scoured wool in England is 50 cents a pound.

Mr. GRAY. I have had some experience before with the Senator from Rhode Island, who contradicts a statement where there seems to be no other way of getting around it.

Mr. ALDRICH. It seems to me that the fact is transparent upon the face of it, that where wool before it is scoured is worth 20 or 24 cents a pound, and a shrinkage of 50 per cent. would make it cost scoured from 40 to 50 cents a pound, there can be no such thing as woolen hosiery manufactured and sold at 32 cents a pound.

Mr. GRAY. I read this table from those who appear to know something about it for what it is worth. I should be very glad to give the Senate confirmation of the truth of what I say when I have time to do it from the language used in this very bill, but I will not pause to do that now. I read it for what it is worth, as it purports to come from persons who have expert knowledge of what they are talking about.

Whatever we may say about the analysis of the different grades of this hosiery there is no dispute as to the increase of the duty, and what I want to call the attention of the Senate and the country to is that it is made necessary, they say, by this increase of the duty upon raw wool.

This is an enormous addition to the tax burdens of the people who are compelled to buy and compelled to use this most necessary article of clothing, being a rate of duty in the cheaper grades of those articles that are used by the poorer people of the country of more than double, more than a hundred per cent.

I think we may well pause and turn our attention from the well-being of the wool-growers and not confine our discussion entirely to a matter of a few cents more or less to them, but let the consumers have their day before this Senate, and let their interest be considered as over against those who are so clamorously demanding this increase, in order, as they say, to make prosperous an industry which already seems to be conducted in a natural way and under natural conditions to the great profit of those who conduct it wisely, those who avail themselves of the cheap lands and great ranches and the wide ranges of the trans-Mississippi. Let the condition so favorable to them be their sufficient protection.

Mr. President, I do not pause now to dwell upon the arguments the Senator from Kentucky [Mr. CARLISLE] has already made so clear, that after all the wool-grower himself will be embraced within the benefits of this scheme of lower taxation by the encouragement to the manufacture of woolen goods in this country, which it will give by making a better market for his product when mixed with the wool which must of necessity be imported in order to make certain classes and the most important classes of these goods.

Let me call attention, before I take my seat, to a statement that has been sent to me to-day, coming from a firm of manufacturers and importers of woolen and worsteds for men's wear, giving a table showing the amount of duty under the present law on the average class of woolen cloth that comes into this country:

Amount and percentage of duty on worsted and woolen goods for men's wear as now assessed under the tariff of 1883 *and the Dingley resolution of May* 9, 1890, *compared with the amount and percentage of duty on the same class of goods as provided in the McKinley tariff bill now pending in the United States Senate.*

These calculations are based on goods weighing 1¼ pounds per yard, 56 inches wide.

Present duty, from 77 to 124 per cent.—average 100½ per cent.
Proposed duty—

Made necessary, as the Finance Committee says, by this increase in the duty on wool—

Proposed duty from 96 to 162 per cent.—average 129 per cent.

I submit the statement:

Statement of the amount and percentage of duty on worsted and woolen goods for men's wear as now assessed under tariff of 1883 *and the Dingley resolution of May* 9, 1890, *compared with amount and percentage of duty on same class of goods as provided in McKinley tariff bill now pending in the United States Senate.*

[Note.—These calculations are based on goods weighing 1¼ pounds per yard, 56 inches wide. Present duty from 77 to 124 per cent.; average, 100½ per cent. Proposed duty from 96 to 162 per cent.; average, 129 per cent.]

One and one-fourth pounds per yard is the average weight of fall and winter suitings.

One pound per yard is the average weight of spring and summer suitings.

One and three-fourths pounds per yard is the average weight of winter overcoatings.

Foreign cost per yard, United States money.	Amount of duty per yard and percentages of same on foreign cost.				Increases by proposed new law.	
	Under present law.		Under proposed law.			
	Rate of duty 35 per cent. and 35 cents per pound. Am't per yard.	Percentage of duty on foreign cost.	Rate of duty 50 per cent. and 44 cents per pound. Am't per yard.	Percentage of duty on foreign cost.	Increase per yard.	Percentage on foreign cost of increase.
Cents.	*Cents.*	*Per cent.*	*Cents.*	*Per cent.*	*Cents.*	*Per cent.*
49	61	124	79½	162	18½	38
50	61½	123	80	160	18½	37
51	62	122	80½	158	18½	36
52	62	120	81	156	19	36½
53	62½	118	81½	154	19	36
54	63	117	82	152	19	35
55	63	115	82½	150	19½	35½
56	63½	114	83	148	19½	35
57	64	112	83½	146	19½	34
58	64	110	84	145	20	34½
59	64½	109	84½	143	20	34
60	65	108	85	141	20	33
61	65	107	85½	140	20½	33½
62	65½	106	86	139	20½	33
63	66	105	86½	137	20½	32½
64	66½	104	87	136	20½	32
65	67	103	87½	135	20½	31½
66	67	101	88	133	21	32
67	67½	100	88½	132	21	31½
68	67½	99	89	131	21½	31½
69	68	98	89½	130	21½	31
70	68½	98	90	129	21½	30½
71	69	97	90½	127	21½	30
72	69	96	91	126	22	30½
73	69½	95	91½	125	22	30
74	70	95	92	124	22	30
75	70	93	92½	123	22½	30
76	70½	93	93	122	22½	29½
77	70½	92	93½	121	23	30
78	71	91	94	120	23	29½
79	71½	90½	94½	120	23	29
80	72	90	95	119	23	29
120	*92	77	115	96	23	19

*Forty per cent. and 35 cents per pound.

In connection with this table I ask the Secretary to read a statement made by this firm, which very tersely, very ably and clearly, as I think, presents an argument that is worthy of consideration of the Senate.

The PRESIDENT *pro tempore*. The Secretary will read it, if there be no objection.

The Chief Clerk read as follows:

We present a statement of the duty on worsteds and woolens for men's wear, according to the present tariff and the Dingley resolution of May 9, 1890, compared with the duties on the same class of goods provided in the pending tariff bill.

Those who contemplate these figures will be impressed with the large amount of the present duty, and the question will naturally arise that, if it is in the power of a high tariff to make any class of industry prosperous, why the manufacturers of woolens are not so. If this end has not been accomplished by such extreme duties, they will be perplexed that the cause has not been discovered, and that still higher duties are relied upon to accomplish this purpose.

The explanation of the claimed prostration of the woolen industry appears to us to have its basis in the following causes:

When this enormous duty was established, the manufacture of such goods became so profitable that the mills and machinery of the country were perhaps fully doubled, which led to an overproduction. The large profits possible under such a tariff induced the establishment of enormous mills on the principle of stock companies. Capitalists having no knowledge whatever of the business subscribed the capital and formed these corporations, employed superintendents, presidents, and treasurers to conduct them, at liberal pay, whose largest interest in the concern was their fixed salaries.

These corporations engaged the services of business firms to sell their product on commission, and upon these firms they largely depended for suggestions regarding the style and character of the goods they should produce. Thus, the sellers of the product and the managers of the corporations were but incidentally interested in the economies, expert handling of every facility of the mill, and, above all, in the judicious production of styles and fabrics in market demand, at the same time absorbing for their salaries and commissions a sum which in itself would be a fair return as a net profit of such a manufactory.

There is no amount of duty possible that will make such management in any branch of industry permanently successful, and the larger the amount of duty the more likely is the industry to fall into this class of management. In other countries, similar industries are dependent for success upon the knowledge, skill, capital, and personal direction of those who own and operate them. The owner possesses the capital and the knowledge, conducts his own manufactory, and sells his own goods, receiving bona fide orders for them at fixed prices from the "warehouse man."

The most wealthy and successful manufacturers abroad would consider the salaries paid by American corporations to presidents, treasurers, superintendents, and commissions for selling, a full and large return upon their business, which, to a great extent, with American manufactories, is all embraced in what would be called expenses, and is charged to the net cost of goods. If the profit in the manufacture of woolen goods in Europe were sufficiently large to create the same system of production and distribution which these conditions originated here, it would effectually weaken foreign competition.

The claim that this duty is necessary for the protection of American wages is easily exploded by taking the amount of duty per yard, and considering the labor necessary to produce the yard. Without going into this subject in detail, we would simply call attention to the fact that of an average fabric of a class costing, say, 73 cents per yard abroad the American weaver can make 100 yards per week, upon which there is a present duty of $69.50. Of course there is considerable of other labor, such as spinning, dyeing, and finishing.

The American weaver would receive $12 per week, and the English weaver $6 per week. It will be observed how much of this duty goes to support bad management, created by the allurements of the large profits possible under a high tariff. With the increased tariff, doubtless, there will be a temporary boom and gathering of profits for a short season, but the stimulus to incompetent and extravagant embarkation in the business will shortly leave this branch of industry in even a worse condition.

It is well known that the success and stability of any branch of industry are better maintained when the profits are moderate, and the business therefore necessarily confined to those who have experience, knowledge, and skill in its prosecution. It is a fact that the woolen industry years ago was more generally prosperous under a lower tariff, because it was subject to these conditions. We have been dealers in woolen goods since 1857, and have reached our present business by a continual connection with consumers of men's woolens.

The output of our American mill is larger than the source from which we obtain our foreign supply, and if the demands of the trade were exclusively for American fabrics it would be to our interest. We are concerned in the stability and prosperity of the woolen industry, and fully recognize the fact that the permanent employment of American labor at good wages is the basis of national prosperity upon which we all depend.

Respectfully,

EDWARD T. STEEL & CO.,
Manufacturers and Importers of Woolens and Worsteds for Men's Wear.
PHILADELPHIA, *August* 28, 1890.

Mr. GRAY. Mr. President, only a word further. It does seem to me that in this very practical business transaction of imposing a tax we have not been as thoughtful as we ought to be upon the fact that there are two sides to this negotiation. We are here as representing the tax-laying authority of the United States, and we have here the demand of a class represented by the wool association, gentlemen of eminence, respectability, and worth, who ride here in palace cars, who stay here for long weeks, who besiege the doors of the Ways and Means Committee and the Finance Committee of this body, on the one side; and there is the great body of the American people, out of whose pockets and out of whose hard toil, day by day, these taxes must come, on the other side of this negotiation.

Let us deal fairly with both; do no injustice to the wool-grower, but ask whether it is altogether fair that we should listen with such attentive ears to his arguments in favor of an increase of duty upon the raw material that he produces without giving as much attention, at least, without turning our eyes and ears to those mute appeals that come up from all over this country from the men and the women and the children, who ask you why is it necessary for the protection of this wool association that you should increase the taxes on our woolen clothing, that of our wives and little ones, to a rate that means more than double the present rate, and which in some cases reaches as high as 214 per cent., if the tables from which I read are to be relied upon.

Mr. President, this onerous tax, not for revenue, as is confessed, but for the protection of a class, however worthy, comes out of the pockets of the people, as I have already said. It comes from those who have earned it, and it is to be paid to those who did not earn it, and on the plea that thereby an American industry is to be supported, and patriotic motives are appealed to, sentiment, and all the time that sentiment and that patriotic appeal rest upon the hard, naked fact that it takes from the toilers of this country a percentage of their toil to pay it. It means that many more hours or days of labor to those who buy these necessaries of life.

Senators on the other side have said at various times that the tax in a given case was so insignificant that it was not to be regarded and could not be looked upon in the light of a burden, and they have said at other times that the tax itself would have the tendency to reduce prices to consumers.

Mr. President, the plain, common sense of the people, that average judgment and intelligence which is rarely mistaken, knows better than this. Those who are called upon through their business to distribute these articles of necessity to the people know better than this.

There was sent to me the other day an advertisement that was displayed in the street cars of Philadelphia, one of which I saw myself, which, whatever may be said here, shows that those who are concerned in the distribution of these articles of common necessity feel, by an instinct as unerring as it is intelligent and significant, that this enormous in-

crease of duty on woolen goods is going to be a burden to the consumers of the country. Here it is just as it was and is displayed in the advertising spaces of these public cars:

THE
McKINLEY TARIFF BILL
DOUBLES THE DUTY ON
FOREIGN HOSIERY.
NO CHANGE IN PRICES WITH US
AS YET.

COOK & BROTHER,
49, 51, and 53 N. Eighth st.

Mr. STEWART. What is the name of the firm?

Mr. GRAY. Cook & Co., as reputable a firm as there is in the city of Philadelphia. I know it very well.

Mr. STEWART. They are importers, are they not?

Mr. GRAY. They have committed the crime of importing cheap hosiery for the millions of people in this country. Yes, sir; I confess for them their guilt under that charge.

Mr. STEWART. Then that did not come from the common people, but it came from the importers?

Mr. GRAY. They, with business instincts, with sentiment and with favoritism thrown aside, tell the people that this McKinley tariff bill doubles the price of hosiery, and they do, in order to put in a stroke of business themselves, tell the people they will do well by laying in hosiery now, as prices have not gone up yet.

Mr. President, it is a significant fact about all this, it is the plain and undeniable fact, that an increase of duty on these necessaries of life means an increase of burden by imposing on the people of this country higher prices for their clothing, higher prices for all articles of universal consumption and daily use; and we ought to pause now at the threshold of this important measure and consider whether the people are able or should be called upon to bear this burden for the sake of increasing the price of wool to those who are growing it on the cheap lands west of the Mississippi.

Mr. BLAIR. May I ask the Senator whether it would not be well to suggest along with this advertisement from Cook & Co., who want to increase their trade, that the true effect of the McKinley tariff bill is going to be to reduce the price of hosiery and let the consumers have the benefit? The instinct of the importer teaches himthat he has got to sell out very quickly or lose on his goods.

Mr. GRAY. Over and over again we have had that suggestion made, and for a hundred years the people have been paying taxes and waiting for the time when the tax may be taken off or lessened; and the Senator and I will grow older than we are before we reach it.

Mr. BLAIR. The Senator is on the side of Cook & Co. I want the people there to hold on. They will get their goods cheaper a little later on, in the course of a month, when the bill is enacted into law.

Mr. GRAY. Always to-morrow, never to-day.

Mr. BLAIR. Cook & Co. and the Senator need to make hay while the sun shines.

Mr. GRAY. With the Senator and the rest of the people in this regard—

Man never is, but always to be, blest.

And if that is all he has to say to them he has a right to say it, and he may do it.

I want to read in connection with what I have just said the report made in one of the hearings before the Finance Committee of a committee who I expect were importers of hosiery, but let me just here in passing remark that although I feel I ought to apologize for alluding to the testimony of an importer, and although we have been called upon several times to explain why it was we had the hardihood to bring into court an importer of any of the articles of daily domestic consumption and ask him to tell us anything about the business which presumably he understood and knew something about, this very bill by its title and by every paragraph in it deals with imports, is a tax on imports.

That is all there is to it, and it would seem that an importer ought to be the very man of all men to speak in regard to a scheme of taxation upon imports. But, however, for what it is worth, not so much of course as a manufacturer who is interested directly in a tax that comes from the people and goes into his pocket, but for what it is worth, let me read a paragraph from the statement of this committee made before the Finance Committee:

An increase of the duties—

Say they—

An increase of the duties on all these goods will produce possibly higher prices for the stock on hand for a short while or perhaps for a longer period of time, if the great manufacturers here form a trust excluding all new mills and preventing them, by reducing their own goods under cost for some time, from prospering. The members of the trust, say ten or twenty, will make handsome profits, perhaps $30,000 each a year, which would put at best $1,000,000 into their treasury, which, with most of them, is overflowing already. For this one million coming to at most twenty men, the whole population of the United States, men, women, and children, would be taxed from 25 to 40 cents a head a year; say 60,000,000, supposing that 10,000,000 do not wear any stockings, $15,000,000 to $24,000,000.

Now, that is one article of very necessary use. It is not worth while to travel outside of this and consider the whole scheme of this taxation. Mr. Wells, a gentleman whom I will venture again to cite as an authority in this presence, in a very careful study which he seems to have made of this matter, has estimated that the tax resulting to the people of the United States from this indirect tax of the tariff amounts to about $40 a year to each head of a family.

Mr. President, I doubt whether there is any scheme of taxation, municipal, county, or State, anywhere within the confines of this broad land of ours that imposes such a tax rate upon the mass of the people as that. The tax that is imposed by State, county, or municipality is set down in dollars and cents and is paid in money into the hands of the tax collector; but these disguised taxes, these masked batteries that attack the prosperity and the well-being of the masses of this country, are the taxes that bear most hardly and meet the poor man at every turn, when he goes out in the morning with his taxed dinner pail, when he comes home in the evening to eat his supper off of his taxed earthenware, when he seeks to dress himself on Sunday in a decent worsted coat, which for a little while under some classification of law could be gotten at a comparatively reasonable rate, but having been discovered by these tax-gatherers from the people who place the tax in their own pockets, even that opportunity was closed to him, and the worsted clothing made for the man of moderate means, the wage-worker in this country, the decent apparel with which he could go to the house of God on Sunday with his wife and little ones, was at last discovered. He was caught with this comparatively cheap coat on his back, and straightway these private tax-gatherers said, "This ought not to be; this is a crime; this spoils the symmetry of the tax-law, and you must put that into a class where it will be taxed at the same rate as the broadcloth that goes upon the back of his more fortunate neighbor." That is the result of the bill that passed the Senate some time in May last, directly affecting, as all these tax schemes do, the least expensive class of goods that are worn and used by men of small means.

I recollect very well that the Senator from Rhode Island [Mr. ALDRICH] when I was alluding to this fact, when the Dingley act came over here to place the worsted cloths in another classification so as to make them pay 44 cents a yard and 50 per cent. ad valorem, instead of the lower rate at which they had been brought in, said that those worsteds were only the higher grade of clothing, such as he himself wore, and the Senator from Vermont, I think, touched his own coat. "That is the kind of goods," he said; it was only the higher grades, that were not worn by the masses, being in that expensive schedule that was supposed to be out of their reach. The Senator shakes his head, but I am sure if he will recollect a moment and tax his memory he will not disagree with me.

Mr. ALDRICH. If the Senator will recall the matter, I think he will remember that he said the cloths referred to, namely, worsted cloths, were cheap cloths and used for making articles of cheap clothing. I stated that worsted cloths were used by everybody and that Senators and gentlemen everywhere wore worsted cloths made up into clothing. That was the statement.

Mr. GRAY. I recollect very well the effect of the Senator's statement. Of course, I can not repeat his words at this length of time, but it was to traverse the statement I made, that the worsted clothing which was the subject of that Dingley act and upon which the tax was then increased was not of the less expensive kind of fabric which went into the wear of men of small means, those worsted cloths which would make a decent Sunday coat, as I said just now, at a comparatively inexpensive rate as compared with some other goods.

Mr. President, I have here, and I will not detain the Senate, a price-list of an importer of cloths, one of those extensive merchant tailors which the Senator from Vermont alluded to, in which the worsteds that were dealt in by him and manufactured into the expensive cloths that he spoke of cost anywhere from two to three dollars a pound, while these worsteds that we were dealing with in the Dingley act, expressly in the terms of the act itself, in the tax law, were worsteds costing less than 80 cents per pound. Therefore, it would be just in that category to which I have alluded. So we go all along, wherever we touch this tariff we strike in the interest of those who are the beneficiaries of it, those articles of universal consumption which go into the daily life and daily use of all people, and the small tax from 60,000,000 people means a large sum to those who collect it.

Mr. HAWLEY. Before the Senator passes from the subject of worsteds I respectfully ask him if he is not perfectly well aware that worsteds are all wool? Worsteds are simply wool, wool slightly different in form of manufacture, of dressing, spinning, that is all; and we do not know of any reason why worsteds should not be taxed in the class as woolens, as they were intended to be.

Mr. GRAY. I did not say just now that there was any particular reason why they should not be discriminated against. I said it so happened that by a classification made, if you please, erroneously, by the law of 1883, I believe, these worsteds were enabled to come in at 35 per cent. ad valorem and 30 cents per pound—something like that—at something less than the rate that obtained on woolen cloth; I am not exactly sure of my figures in that respect, but 15 or 20 per cent. or 30 per cent. less than the duties that were exacted for other woolen cloths.

This difference, if I understand it at all, between the tax on worsted cloths and on ordinary woolen cloths was because those long combing wools, from which worsted cloth is made, came in free of duty; and therefore the tax upon the product of the manufacture of those wools was less, and rightly less, than it was upon those where a tax was laid upon the raw material.

But, Mr. President, by the Dingley act we raised the tax on the manufactured products and left the raw material free, legislating in the interest of the manufacturer entirely, and leaving out of consideration altogether any incidental effect that it might have in the more or less increase it made in the clothing of the mass of the people of this country.

Mr. ALDRICH. Mr. President——

Mr. GRAY. One moment, and I shall be through. Of necessity, as it would seem, in a tax scheme of this kind, where you seek to protect an industry, you are compelled—and I am not finding particular fault with the Senators who framed this bill; it seems to have been a necessity of the situation in which they found themselves—you are compelled to go to those articles and those commodities that are universally used, that are of every-day consumption, for upon those and those alone when the tax is laid can any very considerable harvest be reaped.

The consumption of the rich, great as it may be, is insignificant in comparison with the consumption of the masses. The silks, the velvets, the diamonds, the pearls that are used by the rich, great as their aggregate may be, are nothing in comparison with the aggregate of these small expenditures, made every day by all the people over this land; and therefore, where you want to protect an industry, as you call it, where you want to turn money into the coffers of an enterprise, you have got to seek, from necessity, an industry, a manufacture that deals with these matters of common, every-day use.

Mr. MITCHELL. May I ask the Senator a question?

Mr. GRAY. Certainly.

Mr. MITCHELL. Has the Senator any advices as to the fact that the price of worsted clothing in this country has been increased to the consumer by the passage of the Dingley bill?

Mr. GRAY. What was the object of passing it, unless it was? I have no advices. The bill was passed in May last, and I have been pretty continuously here since then; I have had no opportunity of making the inquiry. I have no doubt that the price will be found to have been increased.

Mr. MITCHELL. I do not understand that prices have been advanced at all, so far as that is concerned. I can point the Senator to this fact, as the result probably of the passage of the Dingley bill, that according to recent statistics some thirty-five hundred looms in England engaged in this business have stopped work since the passage of the Dingley bill, and the amount of worsted cloths that have been imported into this country in the last two or three months is less than one-half of the amount imported in the same months a year ago. As a further development, a great many looms have been started up in this country engaged in the manufacture of those worsteds, giving employment to a great many hundred operatives in this country.

Mr. GRAY. I doubt very much whether it was sound economics or very much worth while for the American people, in order to destroy 3,500 looms in England, to add a tax of many thousands of dollars to the people who wear coats in this country. It may be some satisfaction to the Senator from Oregon, but if there was a profitable trade between the people who could make that article cheaply for the people of this country who wear woolen clothes and decent coats, I do not see that it was such a time that it should be the object of special legislative attack.

Mr. MITCHELL. The Senator assumes, in all that, that the price in this country has been advanced.

Mr. GRAY. So I do assume; and, as I said awhile ago, it is assumed by the people. It is assumed, as I said just now, by the people who deal in hosiery. I suppose the Senator would be one of those who state that doubling the duty on hosiery will not increase the price to the women and children next winter of this most important article; but people know better; those who deal in it know better; the common sense of the case contradicts it.

Mr. ALDRICH. I wish to call the Senator's attention to the debate upon the Dingley bill, so called, and to statements made then by the Senator from Delaware. He said:

They—

Referring to the worsteds in question—

happen to have made a very important element in the clothing commodities of the country, and have produced at a comparatively reasonable cost, as compared with other woolen products, a useful, and comfortable, and decent, and respectable garment, within the reach of those classes that are not wealthy, within the reach of those who have to consult their income and their outgoing expenses.

Again:

Mr. President, I still think the Senator from Vermont is mistaken as to the matter of fact, the information that he has in regard to the character of these so-called worsted cloths. I have made some inquiry among many persons in the trade—I think most of us have been somewhat interested in the fabrics of which our cloths are made—and I have always understood, as the result of my inquiries, that worsted cloth was a cheaper cloth than the high-grade woolen cloths.

And again:

Unless I am greatly mistaken—I admit the Senator from Rhode Island is better informed—the class of wools from which worsteds are made is not precisely the same class in all respects from which the best woolen cloths are made.

The Senator was then laboring under the impression that worsted cloths, using the term in a generic sense, were much cheaper than woolen cloths?

Mr. GRAY. I was.

Mr. ALDRICH. And I simply sought to correct him by stating that worsted cloths included as well the very best quality of cloths that were used, if there is any difference in classes of the people of the United States, by what would be understood to be the better class of people.

Mr. BLAIR. The richer class.

Mr. ALDRICH. The richer class, not the better—I will retract what I said; the richer class of people.

Mr. GRAY. Does not the Senator from Rhode Island think he would have been treating me with a little more fairness, considering his opportunity of knowledge and my lack of opportunity of knowledge, to have also informed me and the Senate that the very article we were dealing with in that Dingley bill, by the very terms of the law, referred to worsted cloths of less than 80 cents a pound in value?

Mr. ALDRICH. I was not discussing with the Senator from Delaware the question as to those particular cloths, but as to the worsted cloths taken by and large, what the term meant. The Senator said a few minutes ago that worsted cloths were made from wools that were admitted free of duty, as I understood him.

Mr. GRAY. Yes, sir.

Mr. ALDRICH. I beg also to correct the Senator in that regard. There are no wools admitted free of duty that I know of at the present time.

Mr. GRAY. Let me read, then, from the source of my immediate information. I may be mistaken. I only want to say before I do it that whatever may have been the debate at that time, I confess I was not then so well informed as the Senator from Rhode Island; I doubt whether I am ever so well informed; but the fact remains now, and I allude to it for that purpose, that in this very matter of worsted cloth the purpose was to bring it in some classification so that it might have the tax burden upon it that other cloth had, which was an article that belonged to the cheaper grades of cloth that went into the manufacture of clothing that was comparatively inexpensive, being made of worsted cloths less than 80 cents per pound. But my authority for what I said in regard to the matter, to which the Senator last alluded, is one of the statements made in the hearings before the Committee on Finance by Ernest Werner and P. B. Worrall, the subcommittee, in which they stated:

The differential rates of duty on worsteds in the tariff of 1883 were based on the discrimination which was made in the wool schedules of the same tariff, in favor of combing wools by allowing them to come in at the same rate of duty, whether washed or unwashed, while clothing wools washed were obliged to pay twice the duty of combing wools washed.

I see my mistake, and I am thankful to the Senator from Rhode Island for correcting it; but the force of my argument still remains, not coming in free of duty, but coming in at about one-half of the duty imposed on the other class of wools.

Mr. ALDRICH. Now, if the Senator will——

Mr. GRAY. One moment, and I am through.

It is to be noted that this discrimination in favor of combing wools is retained in the present bill, without the corresponding reduction of compensatory duties on the goods.

Mr. ALDRICH. If the Senator will allow me, I will correct both his statement and that of the importers from which he has read. The gentlemen who signed that statement should have known what is known to every intelligent observer in the United States, that worsted cloths are now made, and have been for several years, from wools of the first class, and not from wools of the second class; that they are made almost exclusively from merino wools, which are classified among wools of the first class; and that what are known technically as combing wools are not used to any considerable extent in the manufacture of worsted cloths either in the United States or anywhere else in the world.

Now, one other word. The Senator from Delaware says we complain of Senators upon that side of the Chamber for citing importers in evidence upon this question. We do not complain that they cite importers or that the importers appear here by or through Senators upon the other side, but we do find fault that they furnish no other evidence and they apparently appear for no one else except the importers. They do not cite the evidence of a single consumer in the United States. They have never brought here the opinion or the statement of a man who was not directly interested in breaking down the American market and destroying American manufactures.

I think from a patriotic standpoint we have a right to find fault with Senators upon the other side that they never bring any one to the bar of the Senate to plead their cause or to sustain the charges which they make other than the importers. As the Senator from Massachusetts [Mr. HOAR] suggests, they are dependent upon foreign manufacturers and their prosperity depends upon the lack of success and prosperity of the American people.

Mr. GRAY. Mr. President, I would be very far from accusing the

Senator from Rhode Island of anything like indirection in any argument that he made, but if it were not for my high opinion of his character and what I know of his fairness and directness I should have said that there was an object in view when he asked us to bring here the consumers as witnesses in regard to these schedules, running through these tables and through one hundred and eighty-seven pages of this complicated and labyrinthine scheme of taxation.

He knows that the great mass of the consumers of this country have not the time to examine this bill and understand it. He who sits day by day and night by night with an expert by his side in order to thread the maze of this piece of oppressive taxation asks us to bring the consumers and those upon whom it is laid to explain what he has acquired with such toil and labor and expenditure of time. It is because these importers have an interest which enables them and stimulates them to examine this very thing that we bring them here as the best possible witnesses on the question.

Mr. ALDRICH. My estimate of the character and intelligence of the American people is such that, upon a question of this kind, which has been debated publicly for thirty years—yes, a hundred years, as the Senator from Connecticut [Mr. HAWLEY] well says—I am certain that, if they believed their interests were involved or at stake and this legislation or any other that was before Congress proposed to destroy their rights or interests, to place unnecessary burdens upon them, they would be heard here in emphatic protest; their testimony would be too plain to be mistaken; and it would not be necessary that they should be represented by the importers, who appeared in the Marble-Room of the Senate several months ago, or by importers' arguments alone upon the floor of the Senate.

The Senator from Massachusetts [Mr. HOAR] says very truthfully that, while the items of this bill may be and some of them are complicated, each one refers to the interests of some particular class, and the people understand them as well as Senators here.

Mr. STEWART. I should like to inquire what the particular question under consideration is. What is the pending amendment?

The PRESIDENT *pro tempore*. The Chief Clerk will report the amendment proposed by the Senator from Kentucky [Mr. CARLISLE].

The CHIEF CLERK. On page 84, line 15, strike out all of paragraph 357 down to and including line 5, on page 88.

Mr. STEWART. The effect of that would be to put wool on the free-list, I understand.

Mr. CULLOM. Certainly.

Mr. STEWART. That is the effect of the amendment?

The PRESIDENT *pro tempore*. The Chair is not authorized to state the effect of the amendment.

Mr. STEWART. No; the Chair is not authorized to state, but that I understand to be the effect of the amendment. That is rather a broad proposition. It has been assumed that the tariff on wool was a tax which produced a direct burden upon the people. First, the assumption is that the wool-growers of this country are not to be a very large part of the people; second, assuming that if wool was on the free-list we would obtain the wool from South America, from India, and Australia, as the wool-growers there and the Mexicans can produce wool more cheaply than we can here, because they have cheaper labor; and assuming that those wool-growers, after they had destroyed the wool-growing in this country, would voluntarily sell wool cheaper than it would be sold for if we cultivated it in this country.

Now, there is a rule that applies to prices everywhere, and that is the rule of supply and demand. If there is a large amount of wool produced in this country or in any other country, it will inevitably have a tendency to bring down the price everywhere in the world. If with regard to this article, as many others, you have free wool, you will destroy the wool-growing in this country and diminish the aggregate of wool production, and as you can not compete those who do produce wool will sell it for as much as they can get.

Suppose that you had all your woolen manufactures destroyed in this country, do you think you would get cheaper commodities? What is produced in this country supplies a large portion of the market of the world, because it supplies to a great extent the people of the United States, who are very large consumers. That makes a larger supply, and reduces the price of clothing to all the people of the world, and those who sell here and get this market must comply with the conditions produced by this production; they must sell cheaper.

Take your iron and steel. The great development of those industries has forced the world to sell cheaper. The only way we can cheapen commodities is to produce more largely. The only way we can produce more largely in this country is by accepting the conditions of this country, which are higher wages and a higher state of civilization, better pay. That is the only way we can manufacture and the only way we can produce here.

If we were to stop the production here and cut off the home supply, do you think that articles of the world's use, such as clothing and iron and steel would be cheaper? Certainly not. They were not cheaper, although wages were just as cheap and cheaper thirty and forty years ago, but they have grown cheaper all the while by the additional supply which the people of the United States have furnished.

The idea of calling this a tax is incorrect; it is absurd. It is no tax. It is a charge on the foreign producer, on whatever he may produce, for trading in our market; and while we levy that charge we protect our own markets and build up our industries here and cheapen the articles to the consumers. It is not a tax upon our people. They are not complaining. It is the foreigners that want these markets who complain. It is Great Britain, that is spending her millions to acquire markets, that complains. It is Great Britain, that is subsidizing her steamers to go to every port of the world in order to get markets, that complains. It is Great Britain, that has her navy and her army to subjugate millions and hundreds of millions of mankind for a market, that complains that she can not have our market free. That is the trouble. There is where the argument comes from. It comes from that portion of the public press that is interested in importations.

The attempt to convince the American people that it is a tax has failed and will fail. It is no tax. It simply increases the price of commodities. If it is levied properly it increases them alike, and if we should pay higher, which I claim we do not in the long run, if we should have to pay higher for a particular thing, the man gets a higher price for all he produces, and the whole transaction is simply on a higher basis. Our wages must remain on a higher basis than slave and cooly labor in other countries, and everything else must correspond. It is simply doing business on a higher plane. We are enjoying, and on that basis we can enjoy, more of the comforts and luxuries of life. That is ascertained.

Now, it is said that this wool tax is specially odious. Why is this particular attack made upon it? I do not understand why it is. I do not understand why patriotic Americans should prefer to encourage and benefit the people of South America and India or Australia rather than our own people. All these pleas for free trade mean to favor other countries, to give other countries our market; and whatever you may say about the common people, whenever the question has been fairly submitted to them they have usually decided right. They have been and will be in favor of a tariff.

No party can propose to represent a foreign interest as against the interest of the American citizen, and succeed. It has been tried on this wool question. This particular question was fairly submitted to the American people by President Cleveland. This was his special hobby. It was submitted to the American people, and they could see that to destroy the wool industry in this country was not only unjust to the farmer, but they could see that when that industry was destroyed the price of wool would go up and the farmer would have more to buy and less to buy with.

Destroy your home industries and allow the countries of Europe, that have their own people protected by tariffs and by their trade regulations, to enjoy our markets without giving their markets to us, and you will place our people in a very dependent condition. If you destroy our industries and give our markets to foreigners for nothing, they will not surrender their markets to us. Let any Senator investigate the question, and tell me where we could get an extra market that would amount to anything by free trade. Would Great Britain or any of the European countries buy more wheat of us than they want? Great Britain as a nation does not buy wheat, but her people do, and individuals buy it in the Liverpool market or where they can buy it cheapest, and they only buy what their people want to eat, and nothing more.

Do you suppose you can increase your exports of wheat by giving away our market? No. Take any other article. Do you suppose you can increase your exports of cotton by giving away our market? No. Then, if you destroy the home manufacturer, how are you going to pay for these foreign articles? You can not pay for them; you will have to do as they did in the early times, in the free-trade times; you will have to deal by barter for those articles. You can not get the money. If you take the money to pay for them you bankrupt the country. They will not take your wheat, and they will take no more of any article than they need, and whether you have free trade or not they will only buy what they want.

That is what we buy of other countries; we buy what we need. We do not ask what China buys of us. We buy what tea we want. We have no regard for the trade with Brazil. We buy only what coffee we want, and it does not make any difference what they buy from us, we buy only what we must have. And if we destroy our home market by inviting them with their cheap labor and with their high tariffs to supply us with manufactured articles, and thus break down our manufacturers, we deprive our people of a home market, and where are we going to find a market for their products? What are we going to buy with, if we have no home market? Our home market is 95 per cent. of the whole market, and of that 95 per cent. I think more than 60 per cent. comes from manufactures of one kind or another. More than half of that market comes from manufacturing. If you break up this manufacturing and reduce your market so that you can not sell your products, how are you going to get money to buy abroad?

Now, to get things cheap is not the greatest desideratum in the world. It is to get things, and if you have no money to buy them with, it does not make any difference to you about their price. If you can not sell your commodities, you can not buy. I do not believe in cheap men, and I do not believe in any cheaper commodities than the genius of our country can produce, that can be produced with free labor without mechanical devices.

Sixty-five millions of people, with the genius and enterprise of the

people of the United States and with resources unlimited in extent and in variety, can produce all that man needs on as cheap a basis as we are entitled to have them. We should not destroy our market by buying from abroad, but we should avail ourselves of our right to be producers and reduce prices by adding to the commodities of the world and taking care of ourselves as other nations do.

I tell my friends on the other side that they can not take this duty off wool, and that free wool will not be endured by the common people of this country. When that proposition is fairly submitted to them, stripped of all others, there is no doubt about what the result will be. They know more about the consequences of these things than you think they do. They are not importers; they are not on the other side of the question, but they are producers and consumers, and they are aware of the fact that, if they are to have a market here, they must stand a tariff and build up our home manufactures, and let the wool be manufactured in this country. They understand that, and they are willing that the manufacturers of woolen goods shall be well protected, so that there shall be little or no importation of wool in any shape, whether in the shape of cloth or of the raw material. They are willing to submit to that to build up our home market, and they know that their prosperity depends upon this. There is not a wool-producer in the West who does not understand it. They do not object to a high tariff on manufactured articles, because you furnish the great market. What advantage they can get abroad is nothing to them. What they ask of you is to consider their interests and let them live. There is no harm done; each supports the other as one great family, and that is what the United States must and can do.

Why this talk about a tax when it is merely protection to a home industry, when it is building up our own industries, and when nobody complains of it, except the foreigners who pay it, because it prevents them from enjoying our market which is so valuable to them? That has been the contest from the beginning, and every time you had free trade in any shape, and you can trace it through, you have had hard times. It is only a protective tariff that enables us to build up our own manufactures and our own industries.

We have competition between 65,000,000 people; we have got cheaper supplies for the laboring man in this country than almost any country in the world, certainly 50 per cent. cheaper than they were fifty years ago, if they had enjoyed the same luxuries then and the same advantages. This country must, with its resources, its free institutions, its genius, its enterprise, have a capacity to take care of itself. I would be ashamed to say that there was anybody in this country who would avail himself of the higher wages, of the better education, of everything that pertains to the advancement of civilization and the comfort of civilized life, and at the same time would claim that what he wanted to use must be produced by slave labor in some other country. If it was not for the selfishness of those who are for the tariff calling everything raw material that comes to their shops, there would be no difficulty about this question.

Place it all around, and it is no tax; place it all around and it equalizes itself; place it all around and it makes one family of this great country and insures its prosperity and independence, and insures ultimately cheaper productions than we should otherwise have. Drive away your manufactures and you will have trusts in other countries, monopolies cruel and unrelenting, which you can not reach. There will be no competition if you destroy the manufacturing interests of this country and destroy production here. I have witnessed it on many articles. For example, with no tariff on quicksilver, it was in the hands of a few monopolists, and they put it up to ruinous prices. We put on a tariff that enabled it to be produced in this country, and quicksilver went down, because foreigners no longer had the monopoly. It was so with borax, and it is so with almost every article that you may name.

It is human nature to get all a man can; and if you give foreigners of any kind the monopoly of your market and you produce nothing, they do not hear your complaints when they fix the price upon you. Let no foreigner fix the price of any article that can be manufactured in this country by free labor and the genius of Americans for manufacturing. With the genius we have for machinery and for inventions, and enterprise, and intelligence, let the price of no article be fixed by foreigners that we can produce here.

Now, I look upon this tariff as no tax, but as a protection or benefit to every laboring man. It does not cost a cent. Take the matter of coffee. I was here when the tax was taken from tea and coffee. I heard the poor man's cry at that time the same as I hear it now. I was sitting in this chair at that time. I listened to it and I voted to remove that tax. I doubted the propriety of it at the time, and I think I said so. At all events, I recollect distinctly that that was my opinion.

We have not gained one cent by the removal of that tax. Brazil has sold us the coffee at the same price, and we have lost, I suppose, about $125,000,000 without getting any cheaper coffee, and given that amount to Brazil. We have got no cheaper tea. I am unable to find the article, followed through a series of years, that we get cheaper by making free trade. We simply build up a trust somewhere else, and they will charge all they can, and if we are not producing they charge twice as much as if we are. If you are producing nothing in this country, you are dependent upon other countries. Independence is only acquired by home production. You must be able to do it yourselves. Wool can not be by any party put upon the free-list. We have the unlimited regions of the West, where wool can be produced, so far as the land is concerned, cheaper than anywhere in the world, but so far as labor is concerned, no. Our labor must be more highly paid, and if they can not get high pay they will go into something else and the whole business will cease.

We have an unoccupied country, a boundless region, that is hardly fit for anything else than raising sheep, and we can produce our supply at home. What is necessary is to put such a tariff upon wool as to enable us to pay our laborers, so that our laborers will stay in that industry, and not put them in competition with the coolies of India or the peons of South America. That we can not do. You must not ask us to do it. They are Americans, living in a higher civilization, contributing to your prosperity, and you contributing to them; but for the sake of benefiting other countries, and not America—and there can be no other benefit—would you destroy this great industry?

I tell you again that it can not be done. The American people are beginning to understand their own interest, that they are one great family, and they must protect each other, and if they pay a higher price for an article they pay it to Americans, and they receive in return a higher price for what they have to give in exchange, and with that they are satisfied.

That is the patriotic view of the question. Free trade is the anti-American view of the question. It was repudiated in the beginning of your Government. When your Constitution was discussed by the States after the war of Independence, that was almost the only question discussed. We had no carrying trade, and we were unable to establish manufactures; and for the purpose of protecting American industries, and to build up manufactures and protect American commerce and the carrying trade, the Constitution was formed. These were the petitions that were sent in. It is American to protect America against all the world and build up this country. That is the true American idea, and it must and will prosper and it will succeed, and free trade can not be maintained. Whenever you go before the people on that issue you will be defeated, for it is unpatriotic and un-American.

Mr. REAGAN. Mr. President, I propose to make a brief response to the extraordinary statement made by the honorable Senator from Rhode Island [Mr. ALDRICH] that we have no consumers here to protest against a high protective tariff and against this bill.

Mr. President, we can hardly bring the men from the plow and the field to the lobbies of the Capitol in Washington to protest that they are being robbed for the benefit of others. We can hardly bring the man from his plane and saw, whose daily labor is necessary for the support of his family, to the lobbies here to testify to the wrongs done him by class legislation. We can hardly bring the blacksmith from his anvil here to testify that he does not want a high protective tariff.

But, Mr. President, these are not the only sources of information as to the public desire and the public interest. The manufacturers, by possessing large wealth and large intelligence, can easily concentrate their intelligence and their wealth and bring it to bear with all its power upon the Congress of the United States, and they do it.

But the people at home do have a way of reaching Congress. They have thirty-odd Senators here, representing consumers, protesting against the outrage of this bill. That ought to pass for something. They have nearly the half of the representation in the other wing of the Capitol protesting against this bill in the name of the consumer, and it is not yet two years since the American people were appealed to on this very question, when, by 100,000 majority, their verdict was rendered against a high protective tariff, notwithstanding they did not secure the election of their President under the recognition of the State-rights principles in the Constitution of the United States and its peculiar structure; but a majority of 100,000 of the American people, if it is assumed that that was the question in issue, pronounced against a high protective tariff.

Mr. DAWES. The Senator is speaking of the count now.

Mr. REAGAN. Mr. President, there are other sources of information. If we look to the press of the country, which is a reflex of the popular interest and popular opinion of the people of this country, there come up daily protests against the wrong of this bill. Go to the great metropolitan press of New York and there you find a large number of the leading papers of that city, and that State, and of the Union, the Herald, the World, the Sun, the Times, protesting against the monstrosity of this bill in the name of the people. You find it all over the country.

There is still another and more direct way in which the consumers of this country are protesting against this bill. They are assembling in their State conventions and in their Congressional conventions all over the Union, and they are sending their protests here against the passage of this bill, and it is not limited, Senators may as well understand, to the action of Democrats as such. The Farmers' Alliances all over the country are protesting against this bill, the labor organizations are protesting against it, and the State labor convention of Missouri only a day or two ago denounced this bill.

These are voices coming from the people. It is the concentrated will of the people expressed through these State and Congressional conventions and through the press and through the voice of their representatives here in Congress by which the consumers are heard. So I could but feel surprised when the Senator from Rhode Island assumed that we had brought no consumers here to protest against the outrage of putting an average tax of fifty-odd per cent. upon the imports into this country.

Mr. CARLISLE. Mr. President, the Senator from Rhode Island [Mr. ALDRICH] made a statement a few moments ago in regard to the manufacture of worsted goods which I think can not be sustained.

It is undoubtedly the fact that there is a discrimination made in the tariff law as it now exists and in this bill as reported between the clothing wools, that is to say, the wools of the first class and the wools of the second class, or combing wools.

Under this bill and under the law as it stands clothing wools, wools of the first class, imported washed, are required to pay double the duty imposed upon the unwashed wool, being 22 cents instead of 11 cents, whereas the combing wools, unwashed, are not required to pay this double duty, but all classes of scoured wools are required to pay three times the duty of the unwashed wool. This, therefore, is undoubtedly a discrimination in favor of the combing wools, from which, as I understand it, the worsted goods are mainly, if not entirely, made.

In the litigation which occurred before the United States court very recently, in which the validity of the decision made by the Secretary of the Treasury placing worsted goods upon the same footing with woolen goods was involved, this very question was made. It was contended before the court that the Secretary of the Treasury was right in his rulings classifying the worsted as woolen goods, because they were made from the same kinds of wool by reason of recent discoveries of machinery, as it was claimed, by which these shorter wools could be combed, and therefore used in making worsted goods.

But, as a matter of fact, the jury found against them. It was disputed by the parties who had brought the suit and was not sustained by the court, and upon that information I state that, in my opinion, the Senator is mistaken in saying that any considerable quantity of worsted goods are made from wools of the first class or clothing wools; and, if this be true, there ought not to be the same rate of duty upon the worsted and upon the woolen goods.

I want to say here that I voted in the House of Representatives during the present session to place worsted goods upon the same footing, classifying worsted goods with woolen goods, because, on the information which I then had, I thought it was an act of justice to the manufacturers of woolen goods, but subsequent investigations have induced me at least to doubt very much the correctness of that vote.

The Senator who last addressed the Senate upon the other side of the Chamber [Mr. STEWART] asserts that we appear to forget on this side of the Chamber that the wool-growers of the country are a part of the people. Why, Mr. President, of course they constitute a part of the people of the United States. There are about 65,000,000 people in the United States, men, women, and children, and about 44,000,000 sheep, which is about two-thirds of a sheep to each individual.

These sheep produce about 268,000,000 pounds of unwashed wool, according to the most recent statistics we have, which is about 4.4 of a pound of wool to each individual; whereas, as a matter of fact, each individual uses 10 pounds of wool in his woolen clothing, his carpets, and other manufactures of wool necessary for the use of the people.

So we have this state of the case, that 1 in 65, that is 1,000,000 out of 65,000,000 of people, produce wool, and they produce 4.4 pounds of wool to each individual of the 65,000,000, who consumes 10 pounds, and every single individual in the United States—speaking now of averages—is compelled to pay a higher price upon 10 pounds of wool included in his clothing and carpets and other articles in order to get some sort of benefit from 4.4 pounds of wool in this country, and that is given to 1,000,000 people to the exclusion of all others.

That is what the application of the rules of arithmetic shows in regard to this matter; and therefore we are perfectly justified in saying that when the charge is to be imposed upon all the people it is for the benefit of only a part of the people engaged in a particular industry, and even those people are not all engaged exclusively in that industry by any means, for if you take even the State of Ohio you will find that the total value of all the wool produced in that great wool-growing State is only about 4 per cent. of the values of its whole agricultural products, and all the people of Ohio and all the people of the United States are to be taxed upon their clothing and their carpets and their woolen goods of all kinds to protect 4 per cent. of the agricultural products of that State.

Mr. DAWES. I desire to ask the Senator, in connection with his statement that out of 10 pounds of wool used by every individual in this country only 4 of them are produced here——

Mr. CARLISLE. Four and four-tenths.

Mr. DAWES. In that neighborhood. What I wanted to ask the Senator was whether he would rather have that produced in this country or have it produced abroad.

Mr. CARLISLE. I would by far rather have it all produced here.

Mr. DAWES. I am happy to find the Senator agreeing with me in one point. He would rather have it all produced here.

Mr. CARLISLE. Undoubtedly.

Mr. DAWES. Then the question between him and me would be, what is the best means of producing it all here?

Mr. CARLISLE. That is exactly the question between us. I think we have all substantially the same end in view, but we differ as to the means by which it is to be accomplished. I would much prefer to see all the wool consumed in this country produced at home by our own people, and I would much prefer to see all the manufactured woolen goods consumed by our people produced here. I think the best way to bring about both of those results or, if not both, certainly to bring about one of them, which would certainly be a great improvement over the present condition of affairs, would be to give our manufacturers free wool and let them engage upon equal terms with their competitors abroad.

Mr. DAWES. I should like to ask the Senator if he could indicate about what time that would bring about the result of producing the whole of the 10 pounds here.

Mr. CARLISLE. After the innumerable false prophesies made by our protectionist friends in regard to the time when we would feel the benefits of the protective system, I should not like to undertake to prophesy.

Mr. DAWES. I should like to try the experiment with a new prophet. The Senator says he wants to see the day when all the wool each man uses will be produced in this country, and then he intimates that, on the whole, we had better let other people produce it rather than produce it in this country.

Mr. CARLISLE. I attempted to make an argument during the discussion to-day to show that it would not injure our wool-growers, and I have stated that it was the opinion of many gentlemen of extensive knowledge upon this subject and of long experience that it would in fact benefit them by increasing the manufacture of woolen goods in this country, and thereby make a more extensive market for our domestic wool to mix with the foreign wool. Whether that be true or not, I do not know; but, undoubtedly, we have found, according to the statement made by the Senator from Ohio to-day, that the imposition of the duty has not increased the price of the wool here, and, that being the case, I am unable to see how it can encourage the production of wool here.

Mr. DAWES. I remember when the tariff of 1867 was enacted a great lover of the wool-growers in this country got up in the House of Representatives and was very angry at the wool-manufacturers and declared very loudly that he would from that time forth make war upon the woolen manufacturers in the interest of the wool-growers, and he said, "Mr. Speaker, war to the knife and the knife to the hilt;" and when some man interrogated him and asked him what he would do with the wool produced in this country when he had killed off the woolen manufacturers, he was reminded of the story of the darky who said that when all the rest of the world was dead he was going to keep store. [Laughter.]

Mr. CARLISLE. I think, Mr. President, that the tendency of the system and policy which my friend from Massachusetts advocates is to produce this very kind of warfare between different classes of producers in this country, each one contending that the imposition of a duty upon something which he has to use in his industry is an injury to him.

Mr. DAWES. So long as the relation established between the wool-grower and wool-manufacturer in 1867 was maintained both prospered. The wool-grower prospered; the number of sheep produced in this country increased year by year; the number of pounds of wool produced by the sheep increased; the improved character of the sheep increased every year, as did the manufacture of woolen goods; but when that relation was destroyed in 1883 the very reverse was produced.

Mr. CARLISLE. Well, Mr. President, I do not think it can be established at all that the slight change made by the rates of duty upon wool by the act of 1883 was any injury whatever to the wool-growers of this country. The price of wool was falling before that. It has fallen some since that time. Of course there have been fluctuations, as there are in the prices of all articles; but I say that in my opinion if we had a duty of a thousand per cent. upon wool the same fluctuations in price would occur, the same decrease in the number of sheep would occur in some sections of the country, while there would be an increase in the number in other sections of the country, but ultimately a decrease in the same section where the increase was formerly. Changed conditions, the influx of people from other parts of the country, the settlement of the country, and a thousand things with which the tariff has nothing whatever to do cause these periodic increases and decreases in prices and increases and decreases in the number of sheep and the amount of wool produced. One of the great causes for the diminution of the number of sheep at the present time and during the last eight or ten years has been the slaughter of these animals for food. It is shown by statistics that, as nearly as it can be ascertained, about twenty million sheep are slaughtered every year for the market, simply because it is far more profitable to dispose of them in that way than it is to keep them for wool.

Mr. DANIEL. Mr. President——

Mr. ALDRICH. Will the Senator yield to me for two or three minutes?

Mr. DANIEL. Certainly.

Mr. ALDRICH. I desire to say a few words in answer to a statement made by the Senator from Kentucky in regard to the class of wools used in the manufacture of worsted goods. I was surprised to hear the statement from that Senator, who is usually so intelligent and well informed upon these subjects. I will say to him that I speak with absolute knowledge when I say that the wools used in the manufacture of worsted goods, that is the cloths for men's wear, are almost exclusively merino wools and other wools which are included in what are known as clothing wools in the laws of the United States; in other words, wools of the first class in this bill.

In 1867, when these classifications were made, the long English wools were the only wools combed, and they were used at that time in making worsted dress-goods or stuffs which had a luster and which were then in fashion all over the world. They were the only kinds of wools that could be used in the manufacture of those goods, and those goods were about the only kinds of worsted goods made. Subsequent improvements in machinery and subsequent inventions allowed all kinds of merino or short wools to be combed, and they have been found not only better, but indispensable, in the manufacture of all kinds, or nearly all kinds, of worsted goods, which include goods for men's wear and the finer kinds of worsted dress-goods for women's wear. These are all made—I speak within bounds when I use the word "all," because any exception would be rather extraordinary—from merino wools, either from Ohio or Michigan or from the finer grades of Australian wool.

Mr. CARLISLE. What then becomes of the combing wools?

Mr. ALDRICH. They are used in making carpets. There are very few combing wools imported. If the Senator will look at the importations for the year ending June 30, 1890, he will find the importations of those wools are only 7,000,000 pounds against 22,000,000 of the wools of the first class, and there are but very few of those wools produced in this country. There are some produced in the Senator's own State, Kentucky—more there than anywhere else—and some other portions of the country, but the quantity of long English wools used here is very small, and that amount is used in carpets or in coarse goods for men's wear, or for purposes where a strong wool which takes a good color is required.

Mr. CARLISLE. I know that in the trial to which I referred the manufacturers of worsted goods, who were resisting the claims of the importers, who sued to recover duties paid under protest, made the very claim which the Senator from Rhode Island now makes, and the testimony was taken upon the subject, and I shall endeavor to get the report of that trial.

Mr. ALDRICH. If the Senator will allow me, the contention then made was that as these various classifications were inserted in the act of 1867, when the conditions to which I have referred existed, therefore the worsted goods now used could not have been intended as the worsted goods which the act of 1883 provides for, and that they should be dutiable as woolen goods. But the court held, and I think very properly, that the re-enactment of this provision in 1883, when worsted goods were made from the merino wools, nullified this claim in regard to what was true in 1867.

Mr. DAWES. I should like to inquire of the Senator from Kentucky if this was not the condition of that suit, that it was not that the jury found that, notwithstanding the goods might be made from the first-class wools, yet the ruling of the court was that, by force of the name or description, they must be considered as worsted and not as woolen goods. I understood that was the decision.

Mr. CARLISLE. The court held, as the Supreme Court has held and all other courts have held for many years, that the article must be dutiable according to its commercial designation, and, these being called in the act of 1883 "worsted goods," they were worsted goods under the law and should bear the rate of duty provided in the law for worsted goods. I am not sufficiently familiar with all the proceedings of the trial to undertake to say exactly what was the decision by the court or exactly what was left to the jury. I therefore prefer not to do so; but I shall endeavor to get the report of the trial.

Mr. DAWES. My impression was, not that the jury found that the goods themselves were made from second-class wool, but the ruling of the court in the case was in accordance, as the Senator from Kentucky says, with the uniform decisions that, whether they were made from one class or another, they came in by a duty which was fixed by the nomenclature.

Mr. CARLISLE. That may be true.

Mr. DANIEL. Mr. President——

Mr. COLQUITT. Will the Senator from Virginia yield to me?

Mr. DANIEL. Certainly.

Mr. COLQUITT. The Senator from Virginia has yielded for a considerable time out of courtesy to other members of the body on both sides who have engaged colloquially in the discussion of this matter, reserving his right to the floor. I would ask the consent of the Senator from Rhode Island that we now adjourn, leaving the Senator from Virginia on the floor so that he may proceed with his remarks to-morrow.

Mr. ALDRICH. Before an adjournment is taken, I desire to suggest that we agree, by unanimous consent, to have evening sessions upon Monday, Tuesday, and Wednesday of next week.

Mr. CARLISLE. May we not also agree upon some time in the morning to take the vote on the pending amendment, so that the Senate may proceed to consider the remainder of this woolen schedule, which is important?

Mr. ALDRICH. I hope we may be able to get a vote on the pending amendment the first thing to-morrow morning. I should be very glad if we could. Perhaps I had better ask unanimous consent for evening sessions to-morrow morning.

The PRESIDENT *pro tempore*. The Chair was about to suggest that the request for unanimous consent had better be made when a quorum is present.

Mr. ALDRICH. I think the Chair is right about that, and I will make the request to-morrow morning. In accordance with the request of the Senator from Georgia, I now move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Saturday, August 30, 1890, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *August* 29, 1890.

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

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 10060) for the erection of a bridge across the Missouri River between the city of St. Charles, Mo., and the county of St. Louis, Missouri.

ORDER OF BUSINESS.

The SPEAKER. There is no private business on the Speaker's table and no unfinished business. The gentleman from Wisconsin [Mr. THOMAS] is recognized.

Mr. THOMAS. I move that the House resolve itself into Committee of the Whole for the consideration of business on the Private Calendar.

N. K. FAIRBANK & CO.

Mr. ADAMS. I ask the gentleman from Wisconsin [Mr. THOMAS] to withhold his motion for one moment that I may submit a request on behalf of my colleague [Mr. TAYLOR, of Illinois], who is kept from the House by illness. He simply desires to have printed in the RECORD a telegram from N. K. Fairbank & Co. somewhat similar to the telegrams received by my colleague [Mr. MASON] and put into the RECORD of yesterday, but not covering exactly the same ground. The telegrams printed in the RECORD of yesterday were telegrams from prominent men in Chicago testifying to the high personal character and standing of Mr. N. K. Fairbank. I indorse these statements most earnestly, for I know Mr. Fairbank personally.

There were also telegrams from representatives of the firm of N. K. Fairbank & Co. at other places than Chicago, stating positively that compound lard was not placed by that firm in packages marked with the clover-leaf brand. The telegram which I wish to insert is from the firm at Chicago, denying positively that lard branded by them "white clover, pure" is in fact adulterated lard. They make no charge against members of this House or the Agricultural Department. They intimate that members of the House and the Agricultural Department have been imposed upon by outside persons, and they ask an official investigation.

Mr. Fairbank is a constituent of my colleague [Mr. TAYLOR, of Illinois]. My colleague has been absent several days by reason of illness. Otherwise he would have done his duty by his constituent, Mr. Fairbank, by having this telegram printed in the RECORD, as were those presented by my colleague [Mr. MASON].

Mr. THOMAS. You do not ask to have it read?

Mr. ADAMS. No, sir; I do not wish to delay the House.

The SPEAKER. If there is no objection, the telegram submitted by the gentleman from Illinois [Mr. ADAMS] will be printed in the RECORD. The Chair hears no objection.

The telegram is as follows:

CHICAGO, ILL., *August* 25, 1890.

Hon. ABNER TAYLOR, *House of Representatives, Washington:*

Please deny, in the strongest possible terms, the charge made by Congressman CONGER that lard branded by us "White Clover Pure," is, in fact, adulterated. Such lard as sold and shipped by us is always absolutely pure. Our competitors, through some unscrupulous agency, have fraudulently substituted the contents of our packages for base purposes, and we demand an official investigation.

N. K. FAIRBANK & CO.

LEAVE OF ABSENCE.

Mr. FLOWER. Mr. Speaker, I ask unanimous consent that my colleague, Mr. CUMMINGS, be excused from attendance, on account of sickness.

There being no objection, the leave of absence was granted.

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

To Mr. LAWLER, indefinitely, on account of sickness in his family.

To Mr. HATCH, indefinitely, on account of sickness in his family.

To Mr. SKINNER, indefinitely, on account of sickness in his family.

To Mr. RUSK, for this day, on account of sickness.

To Mr. REED, of Iowa, for two weeks, on account of sickness.

To Mr. SHIVELY, for four days, on account of sickness.

To Mr. MOORE, of New Hampshire, on account of important business.

To Mr. OATES, on account of important business, until September 6.

To Mr. FITHIAN, until September 10, on account of important business.

To Mr. MCCORMICK, for the rest of the week, on account of important business.

To Mr. CHEATHAM, until Friday next, on account of important business.

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

Mr. MCRAE. Mr. Speaker, I ask unanimous consent that indefinite leave of absence be also granted to my colleague, Mr. ROGERS.

The SPEAKER. On what ground?

Mr. MCRAE. On account of important business.

The SPEAKER. Is there objection?

There was no objection.

BUSINESS ON THE PRIVATE CALENDAR.

Mr. THOMAS. I now renew the motion, Mr. Speaker, that the House resolve itself into Committee of the Whole to consider business on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the Private Calendar, Mr. ALLEN, of Michigan, in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills upon the Private Calendar, and the Clerk will report the bill last before the committee, coming over under the head of unfinished business.

CLAIMS UNDER THE BOWMAN ACT.

The Clerk read as follows:

A bill (H. R. 7616) for the allowance of certain claims for stores and supplies taken and used by the United States Army as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the "Bowman act."

Mr. THOMAS. Mr. Chairman, there has been an arrangement between some parties and myself in relation to this bill, and I would suggest that by unanimous consent House bill No. 11382, which is somewhat of a revised bill, containing the same cases, so far as I know, with some eliminations, be substituted in place of the bill now under consideration. I make this request for unanimous consent if it is satisfactory to the other side.

Mr. ENLOE. Mr. Chairman, I want to ask the gentleman from Wisconsin a question first. The bill to which he refers (House bill 11382), as printed, contains all amendments necessary to perfect the text of the bill which was introduced and considered previously. This was done for the purpose of having the matter in an amended shape before the committee when it came up for consideration, so that the perfected bill might be considered. I understand the gentleman now moves to substitute this bill (No. 11382) for House bill No. 7616. Is that the motion?

Mr. THOMAS. That was the proposition I made, with the exception, of course, that the same objection obtains to this bill that I have to a great many cases in the other bill, and especially to the very last case.

Mr. MCCREARY. Let me ask the gentleman this question: In what respect does the bill (H. R. 11382) to which the gentleman refers, differ from the former bill under consideration?

Mr. THOMAS. The most important changes are the elimination of certain matters that had not been reported from the Court of Claims, but which had inadvertently crept into that bill, as I understand.

Mr. MCCREARY. Are all of the bills reported favorably from the Court of Claims included in this substitute bill?

Mr. ENLOE. All in which there are findings before the Committee on War Claims of the House.

Mr. THOMAS. I understand they are all here.

Mr. KERR, of Iowa. Let me ask the gentleman another question. Does this bill provide that these claims are subsequently to be submitted to the Attorney-General?

Mr. THOMAS. I am going to propose an amendment to that effect myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. ENLOE. I hope the suggestion of the gentleman from Wisconsin will meet with the approval of the committee. It will very much facilitate the consideration of the bill, and it contains everything that ought to be in the bill, I am satisfied.

The CHAIRMAN. The Chair will state that that bill has not yet been reported from the committee. The gentleman offers it as an amendment to the pending bill, in the nature of a substitute, and asks unanimous consent that this may be done. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMAS. Now, Mr. Chairman, I hardly think it is necessary to read this substitute bill.

The CHAIRMAN. Unless dispensed with by the committee, the rules require that it shall be read.

Mr. DINGLEY. I want to suggest, while all that can be done in the House it can hardly be done in committee. The gentleman may make his motion recommending the substitution; and then when we come to the House it can be done.

The CHAIRMAN. The Chair is of the opinion that this is a substitute in the nature of an amendment.

Mr. DINGLEY. Of course, if considered as an amendment, in that way it may be recommended to the House. That may be done.

The CHAIRMAN. Is there objection to the motion of the gentleman from Wisconsin?

Mr. KERR, of Iowa. I will not object, provided consent is asked and given by the gentleman that the bill as amended, or the substitute rather, be printed in the RECORD.

Mr. THOMAS. I have no objection to that, Mr. Chairman, and I have no objection to the reading of the bill at large, if necessary. But my only idea was that it would take up too much time.

Mr. DOCKERY. I hope there will be no objection.

Mr. MORGAN. I wish to ask the gentleman from Wisconsin a question——

Mr. ENLOE. Mr. Chairman, there seems to be considerable anxiety on the part of gentlemen as to what this bill contains. I will say to gentlemen that it contains everything that the other bill contained, and some two or three cases that were not in the other bill, that were subsequently reported by the Court of Claims.

Mr. HOLMAN. I hope the bill will be read.

Mr. MORGAN. If it should happen that there are claims that have been reported by the Court of Claims, that have been omitted by accident, will you consent to have them come in?

Mr. ENLOE. If any such thing as that should occur they could be offered in an amendment, but to consent to such an arrangement as that would be equivalent to saying that the bill should not pass the House.

Mr. THOMAS. Mr. Chairman, I rise to a parliamentary inquiry. I want to know, if that bill is substituted, whether it is subject to amendment the same as the bill for which it is a substitute?

The CHAIRMAN. Certainly; it is in exactly the same position as to amendments as the bill for which it is substituted.

Mr. RICHARDSON. I desire to ask the gentleman from Wisconsin [Mr. THOMAS] one question. If I understand correctly, the substitute which he offers contains only the claims for supplies furnished to the Army. There is nothing in the bill but claims for supplies.

Mr. THOMAS. Well, I am not sure but there may be one case, possibly, different from that, but all but one, I believe, are for supplies.

Mr. CULBERSON, of Texas. Mr. Chairman, I call for the reading of the bill.

Mr. SIMONDS. There is no rule requiring the reading of the bill.

Mr. MCCOMAS. Mr. Chairman, I hope gentlemen will not insist on the reading of the bill. It was read once before.

Mr. ENLOE. I understood the gentleman to ask for unanimous consent to substitute this bill for the other, and that was given; and so this bill is substituted for the other.

The CHAIRMAN. The gentleman from Iowa [Mr. KERR] asks for unanimous consent that this bill be printed in the RECORD. Is there objection?

Mr. HOLMAN. I hope the bill will be read. I think the bill ought to be read.

Mr. MCCOMAS. I will say to the gentleman from Indiana [Mr. HOLMAN] that the bill was read once before.

Mr. MCCREARY. I understand there was a bill similar to this pending before the House, and by unanimous consent the gentleman from Wisconsin [Mr. THOMAS] was allowed to substitute the bill which you hold in your hand for the original bill. Now, that original bill had been read a first and second time, and we were considering it, and I ask this question: Whether it is necessary, now that this bill is substituted for the original bill, that it shall have a first and second reading, it being a substitute for the original bill.

The CHAIRMAN. The Chair thinks this is a substitute in the nature of an amendment which has not yet been read. The Chair is of the opinion that unless there is unanimous consent to the contrary, under the rule it will have to be read.

Mr. MCCREARY. I think it will have to be read once, but I do not think it will have to be read twice.

The CHAIRMAN. It has not yet been read.

Mr. MCCREARY. This is an amendment in the nature of a substitute, and any member can demand the reading of it once.

Mr. DOCKERY. But he can not have it read twice.

Mr. McCREARY. No; because the original bill has been read twice.

The CHAIRMAN. Like any other amendment offered, it must be read at the time it is offered.

Mr. McCREARY. I agree with the Chair that it must be read now once, but I do not understand that that would be its first reading, this being in the nature of a substitute for the original, which has had a first and second reading. That being so, the substitute can now be read once.

The CHAIRMAN. It is a substitute in the nature of an amendment.

Mr. ENLOE. Will the Chair hear me for a moment on that? I ask the Chair if it was not by unanimous consent that this was adopted as a substitute? That being so, it is now standing in the attitude in which the original bill stood, is it not? It takes the place of the original bill.

Mr. RICHARDSON. The demand for its reading ought to have come in before it was adopted as a substitute. It can not come in now; it is too late.

Mr. ENLOE. It is too late to demand the reading now. The demand should have been made before it was adopted as a substitute for the original bill, which had already been read.

The CHAIRMAN. The Chair is of the opinion that, if insisted upon, this substitute must be read. Is there objection?

Mr. HOLMAN. I think the bill ought to be read once.

Mr. RICHARDSON. Mr. Chairman, let me suggest to the gentleman from Indiana [Mr. HOLMAN], if he will hear me for a moment, the bill will have to be read item by item under the five-minute rule. If it is read now it will only take up an hour of time to enumerate these names. I hope the gentleman from Indiana will not insist upon consuming this hour. We have not had a private-bill day in sixteen weeks.

Mr. HOLMAN. I do not think this is a measure that warrants a departure from the regular order of procedure.

Mr. RICHARDSON. I will remind the gentleman that oftentimes in Committee of the Whole the first reading of the bill is dispensed with.

Mr. HOLMAN. But not a bill of this character.

Mr. MORGAN. These are the tactics that have been pursued for eight months on this bill, and we will recollect the gentleman on matters of such importance.

The CHAIRMAN. The gentleman from Mississippi is not in order.

Mr. MORGAN. I will say that much, however, out of order.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. HOLMAN. I will certainly have the bill read.

The Clerk proceeded to read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and required to pay, out of any money in the Treasury not otherwise appropriated, to the several persons in this act named the several sums mentioned herein, the same being in full for, and the receipt of the same to be taken and accepted in each case as a full and final discharge of, the several claims examined, investigated, and reported favorably by the Court of Claims of the United States under the provisions of the act of March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," namely:

To Thomas N. Allison, administrator of James L. Allison, deceased, of Jackson County, Alabama, $920.

To St. Cecilia's Academy, of Nashville, Tenn., $930.

To William W. Anderson, of Harrison County, Kentucky, $425.

To John R. Watkins, administrator of Matilda W. Anderson, of Haywood County, Tennessee, $2,530.

To T. S. Galloway, administrator of Jackey Armour, deceased, of Fayette County, Tennessee, $1,131.

To Betty L. Abbington, administratrix of James B. Abbington, of Shelby County, Tennessee, $2,774.50.

To A. H. Alfrey, of Benton County, Arkansas, $415.

To Anna M. Anderson, administratrix of George A. Anderson, deceased, of Washington County, Maryland, $1,396.50.

To W. R. Billingslea, administrator of Sarah Billingslea, of Warren County, Mississippi, $2,233.

To Sarah A. Bishard, administratrix of Daniel Bishard, of Bourbon County, Kansas, $225.

To T. J. Powell, administrator of Warren M. Benton, of East Carroll Parish, Louisiana, $14,585.

To John League, administrator of Elizabeth Becton, of Shelby County, Tennessee, $1,055.

To Mary A. Blackwell, of Shelby County, Tennessee, $940.

To Henry Bazinsky, administrator of Abraham Bazinsky, of Warren County, Mississippi, $23,648.

To Urias Buskirk, of Logan County, West Virginia, $672.

To George W. Bowen and William T. Bowen, administrators of James Bowen, of Culpeper County, Virginia, $4,488.87.

To William K. Booe, of Lonoke County, Arkansas, $420.

To Mrs. Sarah Agnes Park, Thomas M. Brown, Eliza C. Brown, Mrs. Evelyn Dyer, heirs of Thomas J. Brown, deceased, of Monroe County, Arkansas, $1,164.

To Joshua Baker, of Gibson County, Tennessee, $154.

To Aaron Stanton and James C. Brandon, executors of Charlotte S. Brandon, deceased, of Adams County, Mississippi, $5,602.

To Thomas M. Barksdale, of Limestone County, Alabama, $150.

To Moses Brooks, of Shelby County, Tennessee, $783.

To William H. Borders, of Washington County, Kentucky, $180.50.

To Elizabeth Ann Best, executrix of David Best, deceased, of Frederick County, Maryland, $671.

To George H. Beckwith, of Jefferson County, West Virginia, $1,820.

To J. E. Boswell and W. H. McKinstry, executors of Dixon S. Boswell, of Fayette County, Tennessee, $1,025.

To Alfred M. Belt, McGill Belt, and E. Oliver Belt, administrators of John L. Belt, deceased, of Frederick County, Maryland, $470.

To R. H. Wood, executor of John H. Bills, deceased, of Hardeman County, Tennessee, $2,209.

To Joseph Blakemore, of Cherokee County, Alabama, $475.

To Jesse A. Bailes, of Jefferson County, Tennessee, $192.

To William M. Brewster, of Claiborne County, Tennessee, $575.50.

To Ella Bryan, administratrix of William A. Bryan, of Fayette County, Tennessee, $725.

To Chesley J. Burnett, of Hamblen County, Tennessee, $264.20.

To Oliver G. Butts, of Loudoun County, Virginia, $400.

To George L. Branscom, of Hardeman County, Tennessee, $432.

To Levi W. Brooks, of Walker County, Georgia, $1,332.

To Stephen Bird, executor of John Bird, deceased, of Mississippi County, Missouri, $7,139.50.

To James G. Field, administrator of Edmund Bickers, deceased, of Culpeper County, Virginia, $1,153.50.

To George Cooper of John, of Loudoun County, Virginia, $314.

To John M. Campbell, of Gibson County, Tennessee, $1,046.50.

To Anna M. Cogswell, of Hot Springs County, Arkansas, $3,884.

To William H. Cook, sr., of St. Mary Parish, Louisiana, $2,085.

To George W. Chapman, administrator of John M. Cook, of Franklin, La., $1,210.

To Andrew Cathey, of Tishomingo County, Mississippi, $575.

To Ellzey Chamblin, of Loudoun County, Virginia, $890.

To E. J. Conard, of Loudoun County, Virginia, $1,526.

To Mary A. Conard, administratrix of John W. Conard, of Loudoun County, Virginia, $2,431.

To Alexander Chavis, administrator of Jordan Chavis, of Haynes Bluff, Miss. (Warren County), $950.

To James W. Allen, administrator of Thomas B. Crenshaw, of Shelby County, Tennessee, $943.40.

To Ebenezer Cunningham, of Cherokee County, Alabama, $1,480.

To Broussais Coman, administrator of James L. Coman, deceased, of Madison County, Alabama, $673.

To James S. Coleman, executor of Daniel Coleman, deceased, of Jefferson County, West Virginia, $560.

To A. M. Cloud, administrator of B. F. Cloud, deceased, of Claiborne County, Tennessee, $1,912.

To Ada E. Lawrence, administratrix of C. De France, of Adams County, Mississippi, $514.

To W. P. Wilson, administrator of Eliza M. Dawson, of Shelby County, Tennessee, $19,237.68.

To Elizabeth P. Dyer, of Fayette County, Tennessee, $480.

To W. H. Douglass, of Shelby County, Tennessee, $390.

To Clarence M. Dowling, administrator of Michael Dowling, of Shelby County, Tennessee, $1,778.

To Jeremiah F. Dorris, of Carroll Parish, Louisiana, $3,155.

To James Dillard, of Goochland County, Virginia, $1,537.

To Joseph Dunbar, administrator of Celeste Dunbar, of Jefferson County, Mississippi, $300.

To William C. Davidson, of Jackson County, Alabama, $650.

To Edwin Dickinson, of Fayette County, Tennessee, $4,300.

To Eli T. Diamond, of Lee County, Arkansas, $1,300.

To Mary T. Dominique, administratrix of Louis Dominique, of Baton Rouge, La., $580.

To F. M. and Josiah E. Davis, executors of Eliza Davis, deceased, of Washington County, Maryland, $366.

To Laura B. Buford and V. Ruth Bowhannan, administratrixes of Mary J. Dooley, deceased, of Shelby County, Tennessee, $1,533.87.

To Annie E. Davis, administratrix of John H. Davis, deceased, of Hinds County, Mississippi, $495.

To B. J. Kimbrough, administrator of Asa Douglass, deceased, of Shelby County, Tennessee, $640.

To Daniel Earnhart, of Fayette County, Tennessee, $534.

To Susan S. Eyler, administratrix of Andrew J. Eyler, of Washington County, Maryland, $520.

To Elias Eakle, of Washington County, Maryland, $451.

To Leonard Emmert, of Washington County, Maryland, $342.

To J. A. Thomas, administrator of Mary Emerson, deceased, of Hardeman County, Tennessee, $290.

To R. W. Montgomery, administrator of Benjamin C. Embry, deceased, of Green County, Kentucky, $220.

To Willis Ferrill, of Shelby County, Tennessee, $450.

To Thomas S. Fogg, of Giles County, Tennessee, $2,167.41.

To Elizabeth J. Finney, of Fayette County, Tennessee, $285.

To Mary S. Fogg, of Madison County, Tennessee, $660.50.

To Samuel F. Beach, executor of Anthony R. Frazer, of Alexandria County, Virginia, $12,890.87.

To Samuel M. Foltz, executor of Jacob Foltz, deceased, of Washington County, Maryland, $125.

To Jacob Friend, executor of Henry Friend, deceased, of Washington County, Maryland, $570.

To S. S. Gloyd and Jacob A. Gloyd, executors of Samuel Gloyd, deceased, of Montgomery County, Maryland, $550.

To John A. Gwin, of Marshall County, Mississippi, $606.

To Horace P. Hobson, administrator of John O. Graves, of Fayette County, Tennessee, $3,231.

To M. W. Prewitt and J. K. Gates, executors of James F. Gates, of Fayette County, Tennessee, $625.

To Joseph Grantham, of Clarke County, Virginia, $1,885.

To William J. Grantham, of Jefferson County, West Virginia, $365.

To Amos L. Moody, administrator of Argy L. Garner, deceased, of Colbert County, Alabama, $8,030, for the use of the heirs of Argy L. Garner, deceased.

To Varina B. Gaither, of Concordia Parish, Louisiana, $8,200.

To Charles Carpenter, administrator of Celia A. Groves, deceased, of Madison Parish, Louisiana, $8,276.

To William S. George, $178.85, and to Belle Dinges, $178.85, as heirs of Solomon George, deceased, of Loudoun County, Virginia.

To William B. Grover, administrator of Emily J. Grover, deceased, of Henrico County, Virginia, $3,025.

To Samuel S. Gloyd, of Montgomery County, Maryland, $492.

To William W. Green, of Camden County, Missouri, $270.

To William Garrett, of Davidson County, Tennessee, $3,690.

To Thomas E. Holmes, of Montgomery County, Maryland, $624.

To Isabella Hance, administratrix of William Hance, deceased, of Montgomery County, Maryland, $3,835.30.

To John W. Hopkins, of Pulaski County, Kentucky, $1,175.

To Indiana E. Hughes, administratrix of John P. Hughes, deceased, of Shelby County, Tennessee, $1,436.

To William R. Harper, administrator of Ecloe A. Harper, deceased, of Chattooga County, Georgia, $1,161.70.

To R. A. Hurley, administrator of A. F. Hurley, deceased, of Montgomery County, Maryland, $700.

To Floyd S. Hudgins, of Chattooga County, Georgia, $1,413.

To Robert C. Hardwick, of Hardeman County, Tennessee, $187.

To John Loague, administrator of Delos A. Harrell, deceased, of Shelby County, Tennessee, $885.
To Mattie B. Pitman, administratrix of Fannie T. Hunt, deceased, of Shelby County, Tennessee, $2,946.
To William Owen, administrator of Sarah Harris, deceased, of Warren County, Mississippi, $870.
To Francis A. Harwell, of Cherokee County, Alabama, $281.
To Robert E. Hale, of St. Francis County, Arkansas, $800.
To Newitt Harris, of Fayette County, Tennessee, $600.
To James Higginbotham, of La Fayette Parish, Louisiana, $2,623.
To William M. Hawkins, administrator of William Hawkins, deceased, of Monroe County, Arkansas, $1,020.
To Benjamin Holt, of Wayne County, Tennessee, $176.
To Tilghman Hilleary, jr., of Frederick County, Maryland, $1,036.
To Caroline C. Hedges, of Hinds County, Mississippi, $5,135.50.
To John Heflebower, of Washington County, Maryland, $1,764.50.
To H. H. Hughey, of Lincoln County, Tennessee, $275.
To W. H. Halliburton, administrator of James Furlong, deceased, of Arkansas County, Arkansas, $4,400.
To Ann E. Graves, executrix of Samuel Hutzell, deceased, of Washington County, Maryland, $570.
To Americus V. Warr, administrator of Nicholas H. Isbell, deceased, of Fayette County, Tennessee, $13,475.15.
To Furney Jones, of Claiborne County, Tennessee, $440.
To James C. Jenkins, administrator of Thomas C. Jenkins, deceased, of Hardeman County, Tennessee, $1,275.
To Harriett Jones, administratrix of John L. Jones, deceased, of Shelby County, Tennessee, $870.
To William Johnson, of Fayette County, Tennessee, $1,325.
To John T. Jones, of Phillips County, Arkansas, $6,705.
To J. L. Johnston, guardian of Elizabeth M. Johnston, of Monroe County, Tennessee, $705.
To Clayton O. Keedy, administrator of John D. Keedy, of Washington County, Maryland, $645.
To Jacob H. Keedy, of Washington County, Maryland, $134.
To John H. King, of Washington County, Maryland, $500.
To James W. Knott, of Shelby County, Tennessee, $150.
To George Koonce, of Jefferson County, West Virginia, $1,580.
To Daniel Beard of N., administrator of Eli Koons, deceased, of Washington County, Maryland, $105.
To William R. Kearney, of Hardeman County, Tennessee, $420.
To Charles F. King, of Franklin County, Ohio, $190.
To Benjamin Kenney, of Shelby County, Tennessee, $350.
To Charlotte L. Drain and Francis P. Drain, administratrix of John Lamden, deceased, of Alexandria County, Virginia, $4,144.
To John H. Lighter, administrator of Peter Lighter, deceased, of Frederick County, Maryland, $427.
To Phillip Lindsay, of Lauderdale County, Alabama, $331.
To G. Silberberg, Bertha Silberberg, Samuel Marks, Nora Marks, and Hannah Lubinsky, heirs at law of Simon Lubinsky, deceased, of Warren County, Mississippi, $713.
To William Lloyd, of Jefferson County, West Virginia, $1,708.
To Henry N. Lansdale, of Frederick County, Maryland, $642.
To David M. Lindsey, administrator of James Lindsey, deceased, of Washington County, Maryland, $1,057.
To Eliza C. LaRue, of Jefferson County, West Virginia, $1,890.
To Jackson P. Lewis, of Shelby County, Tennessee, $305.
To Joseph Lowe, of Loudoun County, Virginia, $740.
To Nancy Lewis, of Hinds County, Mississippi, $306.60.
To H. C. Dunavant, administrator of Samuel B. Lanier, deceased, of Mississippi County, Arkansas, $10,187.30.
To Abner D. Lewis, of Fayette County, Tennessee, $3,021.
To Elizabeth Mulvehill, of Frederick County, Virginia, $4,345.17.
To T. S. Galloway, administrator *de bonis non* of James Marshall, deceased, of Fayette County, Tennessee, $922.
To Elizabeth Griggs, administratrix of Charles Murphy, deceased, of Hardeman County, Tennessee, $3,187.
To John W. McKnight, of Paducah, Ky., $951.
To Eliza Marsteller, administratrix of C. C. Marsteller, deceased, of Prince William County, Virginia, $2,537.
To Joanna McKenna, administratrix of Samuel McKenna, deceased, of Memphis, Tenn., $3,097.
To John B. McGhee, administrator of Ann E. McGhee, deceased, of Monroe County, Tennessee, $705.
To John Mack, of Jackson, Miss., $300.
To Rachel Martin, administratrix of Thomas L. Martin, deceased, of Montgomery County, Arkansas, $1,112.
To Arthur Miller, of Madison Parish, Louisiana, $760.
To Hezekiah Myers, of Sharpsburgh, Md., $252.
To John H. Mitchell, of Fort Smith, Ark., $2,070.
To John R. McKinnie, administrator of David McKinnie, deceased, of Hardeman County, Tennessee, $1,142.
To John R. McDowell, administrator of John McDowell, deceased, of Fayette County, Tennessee, $15,570.
To Ann Moreau, of Avoyelles Parish, Louisiana, $5,995.
To Sarah E. Mendenhall, administratrix of F. M. Mendenhall, deceased, of Shelby County, Tennessee, $583.73.
To Susan Merrill, of Lee County, Mississippi, $815.
To Thomas B. Moore, administrator of Lydia Miller, deceased, of Jefferson County, West Virginia, $3,295.
To John Murdock, of Washington County, Maryland, $72.
To George Minga, Isle of Wight County, Virginia, $258.
To Duncan Marr, of Clarksville, Tennessee, $9,424.
To Victor H. Newcomer, executor of John G. Miller, deceased, of Washington County, Maryland, $332.
To James W. Johnson, administrator of Samuel McClung, deceased, of Greenbrier County, West Virginia, $2,006.
To H. A. Bell, executor of Rebecca Montgomery, deceased, of Oktibbeha County, Mississippi, $1,302.
To William G. Davis, administrator of Coleman Marshall, of Jefferson County, Tennessee, $610.
To Robert S. McDonald, of Benton County, Mississippi, $1,959.
To David S. Noe, of Hamblen County, Tennessee, $860.
To James C. Noe, of Grainger County, Tennessee, $1,090.
To William Nuckolls, of Hardeman County, Tennessee, $2,173.60.
To R. C. Oglesby, of Washington County, Mississippi, $9,546.
To John A. Oursler, of Fayette County, Tennessee, $2,439.10.
To Henry Piper, of Washington County, Maryland, $452.25.
To Samuel D. Piper, of Washington County, Maryland, $957.90.
To William A. Brown, administrator of Dedrick Pike, of Monroe County, Arkansas, $2,258.
To Elizabeth Smith, administratrix of John Putnam, deceased, of Sebastian County, Arkansas, $1,568.
To John Rolater, administrator of James Pinkston, of Cherokee County, Alabama, $406.
To Raleigh Poindexter, of Fayette County, Tennessee, $842.70.
To Françoise P. Perrett, of St. Mary's Parish, Louisiana, $820.
To Morgan Price, of Garland County, Arkansas, $920.
To Elizabeth Pitts, of Cherokee County, Alabama, $231.
To Alfred Poffinberger, of Washington County, Maryland, $313.
To Samuel I. Piper, of Washington County, Maryland, $1,625.25.
To Emmet Y. Parham, of Henderson County, Tennessee, $1,055.
To Piety Priddy, of Shelby County, Tennessee, $933.
To William P. Posey, of Lauderdale County, Tennessee, $370.
To Joseph M. Pilkington, of Pettis County, Missouri, $2,860.
To Thomas S. Poindexter, W. G. Poindexter, and Oliver E. Poindexter, heirs of C. C. Poindexter, deceased, of Tipton County, Tennessee, $657.
To J. W. B. Robinson, administrator *de bonis non* of Andrew Park, deceased, of Monroe County, Arkansas, $830.
To William N. Potts, of Madison County, Kentucky, $1,431.
To William Robinson, of Roane County, Tennessee, $578.
To Malindo Rodgers, of Greenbrier County, West Virginia, $210.
To Robert W. Renick, of Greenbrier County, West Virginia, $3,332.
To Madison Randolph, of Shelby County, Tennessee, $1,117.
To the corporation of the Roman Catholic Church clergy, of Charles County, Maryland, $4,035.50.
To John B. Reid, of Fayette County, Tennessee, $1,000.
To William F. Rice, of Colbert County, Alabama, $1,050.
To John R. Reaves, administrator of Edmund Reaves, of Hardeman County, Tennessee, $2,163.
To H. B. Rohrback, of Washington County, Maryland, $504.
To William C. Ramey, of Jefferson County, West Virginia, $1,815.50.
To Herman L. Routzahn, administrator of John Routzahn, of Frederick County, Maryland, $248.
To Betty B. Reily, of Frederick County, Virginia, $900.
To Robert E. Russell, of Loudoun County, Virginia, $750.
To Edward Tearney, administrator of Samuel Ridenour, of Jefferson County, West Virginia, $1,815.
To Thomas H. Reynolds, of Lauderdale County, Tennessee, $1,127.
To George A. Davis, administrator of Samuel Reel, of Washington County, Maryland, $653.
To Mary E. Gibson, administratrix of James M. Rodgers, of Shelby County, Tennessee, $2,518.
To Absalom Riley, of Loudoun County, Virginia, $655.
To Pierre Pamios, administrator of Nicholas Rue, deceased, of Pointe Coupée Parish, Louisiana, $760.
To William A. Smith, of St. Mary's County, Maryland, $1,925.
To Thomas Stewart, of Limestone County, Alabama, $1,678.
To William Shifler, of Washington County, Maryland, $140.
To John Hoffman Smith, of the District of Columbia, $9,774.
To Mary Sydenstricker, of Greenbrier County, West Virginia, $395.
To Almira E. Still, administratrix of William F. Still, deceased, of Madison County, Tennessee, $808.
To Elisha N. Shadden, of Pulaski, Tenn., $710.
To Jeremiah B. Simmonds, of Pine Bluff, Ark., $1,485.
To David Singleton, of Adams County, Mississippi, $820.
To Mary Smith, of Fayette County, Tennessee, $1,126.50.
To James Sessions, of Warren County, Mississippi, $605.
To Mrs. Elizabeth Seward, of Gibson County, Tennessee, $187.
To Robert Smith, of Madison County, Tennessee, $510.
To Jesse M. Shivers, administrator of James Shivers, deceased, of Hardeman County, Tennessee, $2,813.
To George K. Sims, of Gibson County, Tennessee, $796.
To James H. Stafford, of Warren County, Mississippi, $1,386.
To C. W. Hunt, administrator of William L. Shelton, deceased, of Jackson County, Alabama, $1,386.50.
To Louisa Schrader, widow of Charles Schrader, deceased, and tutrix of her minor children, of Pineville, La., $275.
To Robert D. Salmons, for the use of George C. Harris and John M. Henry, trustees for the creditors of Robert D. Salmons and Isaac D. McGoodwin, administrator of William H. Wooten, deceased, of the State of Kentucky, $3,475.
To A. T. Sneuffer, administrator of Richard Thomas, of Frederick County, Maryland, $535.
To Thomas Trundle, of Frederick County, Maryland, $650.
To Otho W. Trundle, of Frederick County, Maryland, $925.
To James Tucker, of Fayette County, Tennessee, $500.
To Lucius J. Seals, of East Feliciana Parish, Louisiana, $1,275.
To Thomas Polk, administrator of Levi M. Todd, of Fayette County, Tennessee, $1,650.
To J. A. Thomas, of Madison County, Tennessee, $150.
To Martha L. Trigg, of Shelby County, Tennessee, $4,550.
To D. A. and J. M. Thomas, administrators of W. C. Thomas, of Jackson County, Alabama, $1,628.
To Sarah M. Thomas, of Adams County, Mississippi, $2,044.07.
To Joseph S. Thompson, of Lee County, Arkansas, $1,340.
To Frank Slade, administrator of John E. Tunis, of Norfolk County, Virginia, $10,807.
To A. H. Taylor, administrator of Theodocia Turner, of Gibson County, Tennessee, $600.
To J. A. Thomas, administrator of Samuel Thomas, of Madison County, Tennessee, $150.
To J. A. Thomas, administrator of Mary Emerson, of Madison County, Tennessee, $290.
To C. L. Thomas, administrator of Lewis Thomas, deceased, of Clark County, Arkansas, $1,338.
To Milton J. Durham, administrator of Leonard Taylor, deceased, of Boyle County, Kentucky, $1,626.
To S. H. Broadnax, administrator of George T. Taylor, of Tipton County, Tennessee, $1,435.
To George W. Thornton, administrator of Mary Thornton, deceased, of Cherokee County, Alabama, $602.10.
To J. R. Vinyard, administrator of W. K. Vinyard, deceased, of Phillips County, Arkansas, $509.
To Jesse K. Vawter, of Jennings County, Indiana, $175.
To Jacob D. Virtz and L. H. Vincent, administrators of Peter Virtz, deceased, of Loudoun County, Virginia, $1,287.10.
To Robert H. Walton, of Hardeman County, Tennessee, $360.
To Mary E. Wagely, administratrix of David A. Wagely, deceased, of Jefferson County, West Virginia, $991.
To Fletcher R. Veitch, John W. Veitch, Margaret Veitch, and Lizzie V. Boyle, of Prince George County, Maryland, $7,293.
To R. T. Coles, administrator of William H. Wortham, deceased, of Madison County, Alabama, $1,445.
To Luther Walters, Floyd County, Georgia, $771.
To Thomas H. Wysong, Jefferson County, West Virginia, $1,325.
To Thornton O. Wyndham, of Clarke County, Virginia, $2,090.
To Charles W. Woods, of Montgomery County, Maryland, $610.
To John H. Elliott, administrator of John R. Whitlock, deceased, of Cherokee County, Alabama, $400.
To John Walker, of Jackson County, Alabama, $478.

To Harrison Winfield, of Warren County, Mississippi, $462.
To Julius Witkowski, of Carroll Parish, Louisiana, $7,900.
To William R. Webber, administrator of Mathew W. Webber, deceased, of Fayette County, Tennessee, $895.
To Mary E. Wells, sole heir of Daniel J. Wells, deceased, of Hardeman County, Tennessee, $455.
To Mary E. West, executrix of Richard T. West, deceased, of Montgomery County, Maryland, $1,095.
To Sarah McFerrin, administratrix of Robert Waters, deceased, of Shelby County, Tennessee, $1,752.
To J. C. Williamson, administrator of J. I. Williamson, deceased, of Fayette County, Tennessee, $1,375.
To George H. Wenner, of Loudoun County, Virginia, $1,197.
To William H. Wilson, administrator of Isaac N. Webb, deceased, of Harrison County, Kentucky, $270.
To Hattie E. Winn, of Carroll Parish, Louisiana, $2,200.
To T. S. Galloway, administrator of Mary G. Wilkes, deceased, of Fayette County, Tennessee, $1,430.
To William D. Walker, of Warren County, Mississippi, $627.
To T. S. Galloway, administrator of Mary G. Wray, deceased, of Fayette County, Tennessee, $1,150.
To John B. Wiltberger, executor of Charles H. Wiltberger, of the District of Columbia, $3,581.
To William W. Watson, Tensas Parish, Louisiana, $2,775.
To Simon Witkowski, of Carroll Parish, Louisiana, $7,200.
To E. D. Young, of Warren County, Mississippi, $6,304.
To M. W. Young, of Benton County, Mississippi, $794.
To Jonathan Yaste, of Frederick County, Maryland, $868.
To Thomas D. Meares, administrator of Armand D. Young, deceased, of New Hanover County, North Carolina, $10,210.

Mr. HOLMAN (during the reading of the bill). In view of the amendments which are to be offered, for myself I will not insist upon the further reading of the bill.

The CHAIRMAN. Is there objection to dispensing with the further reading of the bill. [After a pause.] The Chair hears none.

Mr. MORGAN. That is the first reading?

Mr. THOMAS. Mr. Chairman, in order fully to understand the provisions of this bill, I will state when this matter was up before the Committee on War Claims, in placing these cases in what I called an "omnibus bill," I took the position that the Court of Claims had granted them without inquiry whether they were right or wrong. The consequence is there is a difference of opinion in the committee as to the propriety of passing this bill, and in order to reconcile that difference the members of the committee have agreed upon amendment in three particulars, which I think will avoid all objection.

The first amendment is:

Insert after the word "appropriated," in line 5, page 1, the following: "Except as hereinafter provided."

The second amendment reads as follows:

Amend by inserting after the word "Government," in line 3, of page 2, as follows:

"*Provided, however*, That no one of the said claims or sums hereinafter mentioned shall be paid until the Attorney-General shall, in the order in which they were passed by the Court of Claims, first cause the record and evidence in the Court of Claims and such other pertinent evidence as he shall deem necessary as to the loyalty of the claimant or claimants, and the justice of the amount found due in each such claim or case to be examined, and thereupon shall certify that he finds no probable cause for a new trial; and if he shall find probable cause for a new trial he shall so certify.

"The Attorney-General is hereby directed to cause such examination to be made within six months from the passage of this act. In all cases where the Attorney-General shall certify that he finds probable cause for a new trial, the claimant shall be entitled to a new trial on motion to that effect, without costs of motion, which motion shall be addressed to the Court of Claims, on notice to the Attorney-General, within one year after the date of such certificate, and in all the cases or claims mentioned in this act where the Attorney-General certifies that he finds probable cause for a new trial no payment shall be made under the provisions of this act."

The third amendment is to amend by striking out the word "namely," in line 3, page 2, of the bill, and insert:

The several persons, claims, and sums are as follows.

The object of these amendments, Mr. Chairman, is to have the Attorney-General do exactly what I think the Committee on War Claims should have done. This bill carries on its face very nearly the same amount that the old bill did, by reason of several claims having been added by order of the Committee of the Whole at the time the bill was up last, while several other claims have been stricken out for the reason that the Court of Claims did not pass upon them at all. The whole amount carried by the bill is $537,014.15.

Mr. ENLOE. I would like to correct my friend from Wisconsin in regard to the cases stricken out, and which he said had never been considered by the Court of Claims. They were stricken out because there were no findings of the Court of Claims before the committee.

Mr. THOMAS. I will correct it by saying that there was no evidence before the Committee on War Claims that they had passed the Court of Claims. That is what I am getting at.

Mr. ENLOE. The findings had been misplaced or lost.

Mr. THOMAS. I have not investigated that.

There are two hundred and ninety cases or thereabouts in this bill. There are one hundred and seventy-six of these cases in which the Federal archives intimate or show that the claimants were disloyal. Eighty-four of these one hundred and seventy-six cases were not examined, so far as the Confederate archives are concerned, by the Court of Claims; so that we have no opinion of the Court of Claims upon these eighty-four cases. My examination of these cases would indicate also that the decision of the Court of Claims had been made without that examination into the merits of many other claims that ought to have been made.

Now, as I have stated in this committee when the bill was up for consideration before, I am not censuring the court. The court is but a commission in this case, inquiring into the facts, while sitting, it is true, as a court; but its findings are not conclusive upon Congress. The attorneys on each side make up their cases, and the court has to go by the case as made up; and I think that in the Attorney-General's Office the young men managing the cases before the court (and I do not know who they were) were a little careless, to say the least of it, in bringing out the facts on the part of the Government.

Now, I find a vast number of these cases, when I come to examine the testimony taken by the court and the evidence given before the Southern Claims Commission, where, in my judgment, if the same facts had been brought out before the committee that had been brought out before the Southern Claims Commission, these parties here never would have gotten an award.

Now, under that state of the case the committee will see the importance of adopting the amendment which I propose. It is to submit each and every one of these cases to the Department of Justice with the power to cause to be examined, not only the evidence taken before the Court of Claims, but also any other evidence which the Department may find that is pertinent to the case, and if, in the opinion of the Attorney-General, a case is good, then it is to be certified for payment, but, if wrong, he is to certify it for a new trial. The parties are to have a year in which to move for a new trial without costs of motion, and in a case where a new trial is ordered that case is not to be paid under the provisions of this bill. That is the substance of the amendment. I do not think it is necessary for me to go into the merits of any of these cases, and I shall leave the matter now until I hear what the other side have to say.

Mr. DINGLEY. Will the gentleman before he sits down answer two or three inquiries?

Mr. THOMAS. Yes, sir.

Mr. DINGLEY. Do I understand from the gentleman's statement that the Committee on War Claims have not themselves investigated the facts in a single one of these cases amounting to over $537,000?

Mr. THOMAS. That is so.

Mr. DINGLEY. Has the Court of Claims adjudicated any of these cases? Has there been anything more than a report of the facts, as they found them, for Congress to adjudicate?

Mr. THOMAS. In answer to the inquiry of the gentleman from Maine, I will say that the decision of the Court of Claims was made in each of these cases under the Bowman act. That act provided that the court should hear testimony, first, as to the loyalty of the claimant, and then, if they found that he was loyal, they were to go on and investigate the merits of the case and make a report to Congress of the facts, subject, however, to the action of Congress.

Mr. DINGLEY. Another inquiry. I notice that here is a bill involving several hundred private claims that have not been adjudicated by any court, but simply the facts in each case reported. How does it happen that all these several private claims have been bunched in one bill, for the first time in the history of Congress.

Mr. THOMAS. All I can say in answer to that question is that a majority of the Committee on War Claims—I presume I am not doing anything improper in stating the action of the committee—a majority of the Committee on War Claims were of opinion that that was the proper way to do, so they presented the bill to the House in that form.

Mr. DINGLEY. Was any such bill reported to the committee, or were there several private bills referred to the committee, and did the committee then make one omnibus bill and report that to the House?

Mr. THOMAS. The gentleman is correct, if I remember the circumstances. Each case was referred to the committee, some by bill and some by petition, and from those cases this bill was made up by the committee. I filed with the House a dissenting report, deeming it the duty of the committee to examine and investigate each claim upon its merit and to present it here by itself, so that the House might have an opportunity to consider each claim unembarrassed by any other interest.

Mr. Chairman, I wish to make another suggestion. I suppose there is not another gentleman in the House who does not thoroughly understand the exact position of this bill, and I was about to suggest that unanimous consent be had that the general debate upon this bill shall not occupy more than one hour.

Mr. RICHARDSON. Before that proposition is put, I desire to ask the gentleman from Wisconsin a question. Is it not a fact that this bill includes the same claims that were included in the bill which passed the Fiftieth Congress?

Mr. THOMAS. The same claims, I understand.

Mr. RICHARDSON. The bill that then passed this House included claims amounting to about $240,000, and we have here the same identical claims, for the same amounts, that were included in that bill, and that bill was passed by the House almost unanimously in the Fiftieth Congress.

Mr. DINGLEY. That was an omnibus bill, I believe?

Mr. RICHARDSON. Yes, that also was called an omnibus bill. The claims were the same that are included in this bill and they were fully discussed at that time and generally understood, I think, by

every member of the House. The bill failed in the Senate; that is, it was not rejected there, but it failed for want of time to consider it.

Mr. THOMAS. Mr. Chairman, I understand that a portion of the claims in this bill—not all of them by any means, but a portion of them—are the same that were included in the bill that passed the House in the Fiftieth Congress.

Mr. RICHARDSON. Yes, the same claims are included in this bill.

Mr. WHEELER, of Alabama. And the other claims in this bill are of the same character.

Mr. THOMAS. Well, Mr. Chairman, I wish to say, upon that point, that in the Fiftieth Congress the claims that were bunched together and that passed the House in the bill referred to took exactly the same course. That is, they were not considered separately by the Committee on War Claims, but were put together in one bill upon the assumption that the court had decided rightly, and they were brought into the House and passed in that way; but the bill failed in the Senate.

Mr. KERR, of Iowa. I wish to ask the gentleman from Wisconsin whether any bill covering all those claims had been introduced in the Fiftieth Congress.

Mr. THOMAS. I am not able to answer that question.

Mr. WHEELER, of Alabama. Will the gentleman from Wisconsin allow me to ask him a question?

Mr. THOMAS. Certainly.

Mr. WHEELER, of Alabama. Is it not true that all the claims embraced in this bill which were not before the Fiftieth Congress are of the same character as those which were before that Congress?

Mr. THOMAS. They are all for supplies claimed to have been furnished to the Army during the time of the late war. The claimants all claim to be loyal——

Mr. WHEELER, of Alabama. And prove it.

Mr. THOMAS. And the court has certified that it finds from the testimony that they were loyal. The only difference between myself and anybody who may adopt the view of the court is that I find upon investigation there are a great many claimants—not all by any means, but a great many—who in my judgment could not be thought to be loyal, and still they may be.

For instance, in the State of the gentleman from Alabama there are, I remember, several cases where the sons or sons-in-law of a man went into the Confederate army and were supplied by their father or father-in-law with clothing and money in order to get ready for that service; and the father or father-in-law has brought no testimony before the court to show that he was loyal to the Government of the United States. Now, that may be so; I can conceive of a case where it could be so—that his affection for members of his family might induce him to furnish them clothing and money though they went into the army against his will. But testimony to that effect was not brought before the Court of Claims.

Mr. ENLOE. I wish to ask the gentleman from Wisconsin whether he would not be willing to let the question of general debate be settled now, and then have this discussion continue under that arrangement.

Mr. THOMAS. I think that is the best way.

Mr. ENLOE. If we expect to make any progress we must proceed in that way.

Mr. McCREARY. I understand the gentleman from Wisconsin [Mr. THOMAS] has moved that general debate be limited to one hour.

Mr. THOMAS. I wish to correct the gentleman. I did not make a motion, but submitted a request for unanimous consent.

Mr. McCREARY. I wish to say that many of the claims embraced in this bill were considered in the Fiftieth Congress; and substantially this bill has been debated several days in the present Congress. The general principles applicable to these claims are understood by members and have already been debated at length. I therefore see no necessity for any consumption of time now in general debate, especially as the bill has to be read paragraph by paragraph. I therefore suggest to the gentleman from Wisconsin that he ask unanimous consent to close the general debate in five minutes, or at the outside thirty minutes.

Several MEMBERS. Five minutes.

Mr. THOMAS. I have no objection at all to that suggestion. If it is the desire of the House to go at once into the consideration of this question under the five-minute rule, I am perfectly satisfied.

Mr. CLEMENTS. I do not want to be understood as assenting to the suggestion that this bill must be read section by section or paragraph by paragraph. The pending proposition is simply a substitute for the bill; it has been read once, and there is no rule requiring an amendment in the form of a substitute to be read paragraph by paragraph.

Mr. McCREARY. I shall not ask the reading by paragraphs, though some member indicated a few moments ago that the bill was to be read in that way.

Mr. KERR, of Iowa. My understanding, when the objection to dispensing with the reading of the bill was withdrawn, was that it should be read paragraph by paragraph.

Mr. REILLY. I think that was the understanding when the gentleman from Wisconsin offered his proposition by unanimous consent.

Mr. CLEMENTS. There was no such question submitted to the Committee of the Whole.

Mr. ENLOE. I hope the Chair will submit the request of the gentleman from Wisconsin and let us make progress in some way. If we must debate the bill by paragraphs, let us proceed to do so.

Mr. THOMAS. Gentlemen on this side who have spoken to me desire to occupy, I understand, about thirty minutes, among them the gentleman from Maine [Mr. DINGLEY].

Mr. ENLOE. I understand the gentleman from Maine is willing to take his opportunity under the five-minute rule.

Mr. CUTCHEON. I think all gentlemen desiring to speak can get the time they require under the five-minute rule. I ask unanimous consent that general debate be now closed on the bill. It has already run for several days.

The CHAIRMAN. The gentleman from Michigan [Mr. CUTCHEON] asks unanimous consent that general debate be now considered as closed. Is there objection? The Chair hears none. The gentleman from Wisconsin [Mr. THOMAS] will send to the Chair the amendments which he offers to the bill.

The Clerk proceeded to read the amendments submitted by Mr. THOMAS.

The first amendment was read, as follows:

After the word "appropriated," in line 5, insert the words "except as hereinafter provided."

The amendment was agreed to.

The next amendment submitted by Mr. THOMAS was read, as follows:

Insert after the word "Government," in line 3, on page 2, the following:

"*Provided, however*, That no one of the said claims or sums hereinafter mentioned shall be paid until the Attorney-General shall, in the order in which they were passed by the Court of Claims, first cause the record and evidence in the Court of Claims and such other pertinent evidence as he shall deem necessary as to the loyalty of the claimant or claimants and the justice of the amount found due in each such claim or case to be examined, and thereupon shall certify that he finds no probable cause for a new trial; and if he shall find probable cause for a new trial he shall so certify. The Attorney-General is hereby directed to cause such examination to be made within six months from the passage of this act. In all cases where the Attorney-General shall certify that he finds probable cause for a new trial the claimant shall be entitled to a new trial on motion to that effect, without costs of motion, which motion shall be addressed to the Court of Claims on notice to the Attorney-General within one year after the date of such certificate; and in all cases or claims mentioned in this act where the Attorney-General certifies that he finds probable cause for a new trial, no payment shall be made under the provisions of this act."

Mr. McCREARY. I would like to ask the gentleman from Wisconsin a question. Why is it necessary, after these claims have been considered and favorably reported upon by the Court of Claims, that they shall be again referred to the Attorney-General for further investigation?

Mr. THOMAS. Well, it is for the reason, Mr. Chairman, that I do not consider for one that the Court of Claims has made as accurate and careful an investigation of many of these cases as I think should have been made. It is true that they have made a report of their findings on each of the cases referred to them, as embodied in the bill which is reported to the House, and in each case they have found the party to be loyal and also found the amount to be due as mentioned in the bill. The findings in each case are made on the testimony submitted to the court. But, as I explained to the House before, I am inclined to think that the court did not make that careful investigation of the facts in many of the cases which I think should be made before we are warranted in making an appropriation to pay them.

Mr. McCREARY. Under the provisions of what is known as the Bowman act it is required—

That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts, the committee or House may cause the same, with the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the Court of Claims of the United States, and the same shall there be proceeded in under such rules as the court may adopt. When the facts shall have been found the court shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration.

Mr. STONE, of Kentucky. I would like to make a statement to my colleague, if he will yield for a moment.

Mr. McCREARY. In an instant I will.

What I wish to state, Mr. Chairman, is this: These claims were referred to the Court of Claims, the court consisting of five gentlemen who are presumed to be learned in the law; and they have made an investigation, examined the testimony, presented and submitted a favorable report to the House upon each of the claims so referred to them. Now, I see no necessity, neither do I see any wisdom, in referring these claims to the Attorney-General, who is already overburdened with work—one man—to examine the cases *seriatim*, each one upon the testimony submitted before the court already, and which have been already examined and favorably reported upon by five officers of the Government acting as a court and proceeding under the provisions of the law to investigate and report upon the claims.

Mr. WHEELER, of Alabama. And the Attorney-General represented in each case.

Mr. McCREARY. And, as is well suggested by the gentleman from Alabama, the Government represented by the Assistant Attorney-General before the court in the investigation of each of the claims.

Therefore, Mr. Chairman, I for one can see no necessity for sending these cases back for a new report and a new investigation by another

officer of the Government after they have already received a full investigation and favorable report from the Court of Claims.

Mr. STONE, of Kentucky. I wish to state that the position my colleague takes to-day is precisely the position that prevented this bill from being passed through the House four months ago. There are a number of gentlemen who believe that the claims embodied in this bill ought to pass without question. There are at the same time another portion of the members of this House, and the chairman of the Committee on Claims himself, who believe that many of the claims have not been sufficiently investigated to warrant an appropriation, and that there ought to be some further investigation of them before payment is ordered.

The form in which the bill comes before us to-day is the result of a compromise reached in the committee between these different views; and I hope the House will adopt that compromise and get the matter out of the way, and get these amounts paid out as soon as possible to the parties who are justly entitled to receive them.

So I repeat, Mr. Chairman, while the position the gentleman takes, according to my idea, is exactly correct, yet in view of the fact that this is a compromise idea, agreed upon by the committee, which we asked the House to concur in, I hope no gentleman on the floor, no friend of the bill, or of any claim in the bill, will raise any sort of objection to allowing it to pass just as reported.

Mr. McCREARY. Mr. Chairman, all legislation is more or less the result of compromise. I was interested in the passage of this bill because I thought it right each day when it was considered heretofore. I was not aware that there had been any compromise made by the members of the committee or by those who had been advocating and opposing the passage of the bill on the floor of the House. I simply arose to state that I saw no good reason for referring the claims now to the Attorney-General, and I say again that I see no good reason for so referring them. It will only result in delaying them and deny that speedy justice to those who are entitled to it which we ought to accord.

But I yield to the decision reached by gentlemen who are, like myself, anxious to see the bill pass; and if my friend from Wisconsin, the chairman of the committee, and his associates think justice will be advanced and that it will be the part of wisdom to let these claims go through the process which he has outlined in the amendment, that is to say, a further supervision by the Attorney-General, I shall make no no further objection.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Wisconsin.

The amendment was adopted.

Mr. THOMAS. I now offer the further amendment which I ask the Clerk to read.

The Clerk read as follows:

Amend by striking out the word "namely," in line 3, on page 2, of the bill, and inserting:

"The several persons, claims, and sums are as follows."

Mr. HOLMAN. Mr. Chairman, I have not the substitute before me—I believe it has not yet been printed—but would be glad to have the proposition as it would stand if amended read.

The section of the bill was read as proposed to be amended.

The amendment was agreed to.

The CHAIRMAN. The Clerk will now read the paragraphs of the substitute.

The Clerk proceeded to read the substitute.

Mr. CLEMENTS. Mr. Chairman, I desire to make a parliamentary inquiry. Under what rule are the items of the bill now being read in this manner?

The CHAIRMAN. Under the five-minute rule by paragraphs. The Chair will state that this is an amendment in the nature of a substitute. The committee are not informed whether this is identical with the original bill as to the items or not.

The Clerk resumed the reading of the bill.

Mr. CLEMENTS. Mr. Chairman, the substitute was read this morning when it was offered, down to a certain point, and then the further reading of it was dispensed with. This is not an original bill, and therefore it is not necessary to read it by paragraphs, but as an amendment; and it was read as far as anybody required it to be read this morning. The reading was then dispensed with by unanimous consent. There can be no information gained by a repetition of the bill item by item, as read this morning.

Mr. BUCHANAN, of New Jersey. I think the bill ought to be read.

Mr. DOCKERY. Mr. Chairman, I desire to make a parliamentary statement. As I understand, this substitute is in the nature of an amendment and has been read to the House. I know of no rule that requires it to be read again under the five-minute rule. The substitute, of course, can be amended. I do not think the rule would require it to be read again by paragraphs.

Mr. BUCHANAN, of New Jersey. I will inquire whether any substitute to the bill has been read at length?

The CHAIRMAN. This bill that is now pending as a substitute has been read in part.

Mr. CLEMENTS. And the original bill has been read in the House or in committee. This amendment in the nature of a substitute comes in as an entirety, and does not come within the meaning of the rule which requires that a bill must be read by paragraphs.

Mr. BUCHANAN, of New Jersey. But it has not been read at length.

The CHAIRMAN. The substitute was being read this morning, when the further reading was waived.

Mr. KERR, of Iowa. But it was waived with the understanding that it was to be read again a second time by paragraphs.

Mr. BUCHANAN, of New Jersey. I will say to the gentleman that no time will be gained by dispensing with the reading of the items.

Mr. DOCKERY. Mr. Chairman, I am advised by one or two gentlemen around me that the reading of the substitute was dispensed with when it was offered originally, with the understanding that it was to be read by paragraphs. In view of that fact, of course I do not desire to insist that the reading shall stop now.

Mr. CLEMENTS. I do not understand that any such consent as that was given.

Mr. RICHARDSON. It was suggested. There was no agreement.

Mr. CLEMENTS. It was suggested, but it was objected to.

The CHAIRMAN. The Chair will state the position as he understands it. It was tacitly agreed at the time. The gentleman from Indiana called for the reading of the substitute, and after it had been about two-thirds read he withdrew his request and the balance of the bill was not read, but there was an understanding that the bill should be read by paragraphs, treating it like other bills in that regard. While it is a substitute in the nature of an amendment, it contains so many items that the committee can not be informed as to the items without its being read at length.

Mr. ENLOE. I think we would save time by going ahead with the reading of the bill.

The CHAIRMAN. Without objection, the Clerk will proceed with the reading.

Mr. CLEMENTS. When it was intimated that this bill was to be read again, that was objected to, and we are not now under the rule which requires a bill to be read by paragraphs. This is simply an amendment.

Mr. BUCHANAN, of New Jersey. I will say to the gentleman from Georgia [Mr. CLEMENTS] that he will not save any time by such a course as that.

Mr. McCREARY. I will say to the gentleman that there was an understanding, when the gentleman from Indiana [Mr. HOLMAN] and others withdrew their call for the reading of the bill, that the bill should be read by paragraphs, and I think it will facilitate the consideration of it if it is read now.

The CHAIRMAN. The Chair is of the opinion that that was the understanding.

Mr. ENLOE. Mr. Chairman, I would like to state to gentlemen who want to consider this bill and want an opportunity to vote on it, that I think we are taking the best course to get to a vote on the bill, and I do not think, in view of the amount of time that has been consumed in debate on this bill on previous occasions, and in view of the number of Fridays upon which we have been denied the opportunity to consider bills on the Private Calendar, I do not think gentlemen will be disposed to consume time unnecessarily. I think the bill had better be read.

Mr. KERR, of Iowa. I ask unanimous consent that the reading of the bill begin where it was left off at the other reading.

Mr. McCREARY. That is right.

Mr. CHEADLE. That is fair.

Mr. McCOMAS. That is all right.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the reading be resumed at the point where it was stopped, on page 19. Is there objection?

Mr. BUCHANAN, of New Jersey. I object.

The CHAIRMAN. The items have been read up to that point.

Mr. ENLOE. It seems to me the gentleman from New Jersey [Mr. BUCHANAN] might be willing that we go on, as we are trying to deal with this matter somewhat in the spirit of compromise. I have no doubt but that the parliamentary situation would have placed it within the power of the House to have dispensed with any other reading of the bill, but by general consent here those of us who did not want to take any unfair advantage of the situation are perfectly willing that the reading should begin where it was left off before.

Mr. BUCHANAN, of New Jersey. I have nothing to compromise. I am perfectly willing that this bill shall be considered and voted on on its merits. If the reading of the bill is to be resumed where it was left off, I will have to object, as there are only a few members who have been able to procure copies of this bill, and we do not know what is in the amendment proposed as a substitute. It has not been printed.

Mr. McCOMAS. It has been printed, and I will suggest to the gentleman that nineteen pages have already been read.

Mr. BUCHANAN, of New Jersey. But it has not been printed.

Mr. McCOMAS. Yes, and I will give the gentleman my copy of the bill.

Mr. DINGLEY. I think the gentleman might well consent that the reading begin where it was left off. I appeal to the gentleman from New Jersey to let that be done.

Mr. McCOMAS. That will give ample opportunity for debate.

Mr. BUCHANAN, of New Jersey. I have not been able to see a copy of this substitute. If I can be furnished with a copy of the substitute so that I may be informed as to the contents of it, I will not object.

The CHAIRMAN. Does the gentleman withdraw his objection?

Mr. BUCHANAN, of New Jersey. I do not until I have an opportunity to see a copy of the bill.

The CHAIRMAN. The matter before the committee being a substitute in the nature of an amendment, would, of course, stand in the same situation as any other amendment, but there was a tacit understanding that the bill should be read to the committee, and it was partially read; and now the request is that the reading may be resumed where it was left off. Is there objection to that?

Mr. BUCHANAN, of New Jersey. I now have a copy of the substitute, and I withdraw my objection.

The Clerk read as follows:

To A.T. Sneuffer, administrator of Richard Thomas, of Frederick County, Maryland, $535.

Mr. McCOMAS. I ask unanimous consent to make an amendment in the paragraph just read by striking out the letter "e" in the word "Sneuffer," and inserting the letter "o"; so as to make it read "Snouffer."

The CHAIRMAN. Without objection, the amendment will be considered as agreed to.

There was no objection.

The Clerk read as follows:

To William H. Wilson, administrator of Isaac N. Webb, deceased, of Harrison County, Kentucky, $270.

Mr. STONE, of Kentucky. I desire to offer an amendment to the section just read, by striking out the sum "$270" and inserting "$2,130." When this claim was first brought before the Court of Claims it was for $2,130 worth of property taken and used by the Government, and only $270 of it was commissary stores, and the balance, $1,860, which was found to have been the value of the property taken, is rated as quartermaster's stores that were taken possession of at the town of Cynthiana, Ky., and used for hospital purposes, and it was so reported in the findings of the Court of Claims. Why the bill was drawn this way I do not know. My attention was called to it.

Mr. THOMAS. I will ask the gentleman if he has the finding of the Court of Claims.

Mr. STONE, of Kentucky. I have.

Mr. THOMAS. I will ask the gentleman if he will have it read, as several gentlemen here did not understand the matter.

Mr. STONE, of Kentucky. I will. If it is not perfectly acceptable I will not insist upon the amendment, as I do not want to cause delay by discussion.

Mr. THOMAS. I had an impression that it was for injury to real estate.

Mr. STONE, of Kentucky. No; it is not real estate; it was quartermaster's stores taken. I do not want to enter into any discussion, but think it should be perfectly acceptable, and that it comes directly within the line.

The Clerk read as follows:

FINDINGS OF FACT.

At a Court of Claims held in the city of Washington on the 18th day of June, A. D. 1888, the court filed the following findings of fact, to wit:

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives.

T. W. Tallmadge, esq., appeared for claimant, and the Attorney-General, by Lewis Cochran., esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

On a preliminary inquiry the court, on the 26th day of April, 1886, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 4th day of June, 1888.

The petition alleges that during the said war of the rebellion the United States forces, by proper authority, during the month of July, 1862, took from said Isaac N. Webb quartermaster stores and commissary supplies of the value of $2,580, and appropriated the same to the use of the United States Army in the following manner:

Cooked rations for the board of sixty men of the Seventh Regiment Kentucky Volunteers, from —— day of —— to —— day of ——, at 75 cents per day each, to amount of $720, for the payment of which a claim was presented to the Commissary-General of Subsistence under an act of Congress approved July 4, 1864, and was by said Commissary-General disallowed, reference being made to the declaration and proof in said claim for more specific description of said commissary supplies.

That the quartermaster stores which was the property of said deceased, and appropriated by the United States Army, consisted of articles of furniture then in the hotel at Cynthiana, Ky., and were appropriated by order of General Burnside for hospital purposes, and of the reasonable value of $1,860.

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, find the facts to be as follows:

The claim for property alleged to be quartermaster stores was not presented to the Quartermaster-General, and is therefore barred by a law of the United States. (Dodd's Case, 21 C. Cls., p. 117.)

The commissary supplies were furnished as alleged between about November 30 and about December 15, 1862, to the value of $270.

BY THE COURT.

Filed June 18, 1888.
A true copy.
Test, this 21st day of June, A. D. 1888.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Mr. THOMAS. The findings as reported by the court would indicate that the whole claim, as suggested by the gentleman from Kentucky, ought to be allowed if any of it is allowed, for the reason that the court said that supplies were furnished. Two hundred and seventy dollars' worth of meal for rations was taken and the other was furniture taken for hospital use by order of General Burnside. The court say it was not presented to the proper department is the reason they did not allow it, as the whole claim had been presented to the Commissary-General. They found, however, that the property was actually taken. I had the impression that it was thrown out because it was for real estate.

Mr. STONE, of Kentucky. That is a different case, I suggest to the gentleman.

Mr. HOLMAN. I hope the amendment will be read again.

The amendment was again reported.

Mr. HOLMAN. Two hundred and seventy dollars is the amount mentioned by the court.

Mr. STONE, of Kentucky. The amount found by the court was $270 for commissary stores. The whole claim was presented to the Commissary-General. There was $1,860 of it that was quartermaster's supplies. That was the finding of the court. They said that $270 of it was commissary supplies, and the committee in drawing the bill put in the $270 as the amount when $2,130 should have been put in.

Mr. HOLMAN. As a matter of fact, the court found for only $270.

Mr. STONE, of Kentucky. The court found for $2,130, and stated the amount of commissary stores as $270, and the other as quartermaster stores.

Mr. HOLMAN. Oh, no.

Mr. STONE, of Kentucky. That is it exactly.

Mr. HOLMAN. As to the $1,860 and odd of the claim they did not pass. They say that was barred by the statute.

Mr. STONE, of Kentucky. They say it was barred because presented to the Commissary-General instead of the Quartermaster-General.

Mr. HOLMAN. Well, it was not presented to the Quartermaster-General, and the Bowman act expressly states that the court shall not consider a claim that is barred by any statute of the United States.

Mr. STONE, of Kentucky. I hope this House is not going to vote down a proposition of this kind because the claimant in this case did not know that there was a division between commissary and quartermaster supplies when he filed his claim, and that they had to be filed in separate Departments.

Mr. HOLMAN. I beg my friend's pardon. That is not the point.

Mr. STONE, of Kentucky. It is the exact point made by the court.

Mr. HOLMAN. There is no evidence before the House at all in favor of this claim.

Mr. STONE, of Kentucky. The evidence is clearly set out by the court.

Mr. HOLMAN. The court simply says in effect that they did not consider that claim because it was barred by the statute.

Mr. STONE, of Kentucky. The court says:

That the quartermaster stores which was the property of said deceased, and appropriated by the United States Army, consisted of articles of furniture then in the hotel at Cynthiana, Ky., and were appropriated, by order of General Burnside, for hospital purposes, and of the reasonable value of $1,860.

What can be plainer?

Mr. HOLMAN. They state in express terms, as my friend will see, that they have no jurisdiction.

Mr. STONE, of Kentucky. They say this:

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, find the facts to be as follows:

The claim for property alleged to be quartermaster stores was not presented to the Quartermaster-General, and is therefore barred by a law of the United States.

Mr. HOLMAN. Why, certainly.

Mr. STONE, of Kentucky. It was simply filed with the Commissary-General because the claimant did not understand that part of the claim should have been filed with one Department and part with another.

Mr. HOLMAN. Then, as a matter of course, we have no evidence; because the court could not pass upon it.

Mr. STONE, of Kentucky. I dislike to take up the time, and therefore ask for a vote of the committee without further statement.

Mr. KERR, of Iowa. I understood it was $1,800, if I am not mistaken.

Mr. ENLOE. I wish to say to the gentleman from Indiana that technically he is right; that $270 is the amount that was found by the Court of Claims. They took the evidence in the whole case and examined it, and after an examination of the whole facts they found the taking of the property and the value of it; but because the statute of limitation operated against that branch of it, they did not find that this should be paid, but found that it was due.

Mr. HOLMAN. But the jurisdiction depended in the first place upon the finding whether the party was loyal and whether the claim was barred, and if it was barred by any statute the court had no jurisdiction and could not inquire into the facts.

Mr. ENLOE. I will admit that the gentleman is technically right, but I believe this claim ought to be allowed.

Mr. STONE, of Kentucky. Mr. Chairman, I ask for a vote.

The question was taken on the amendment of Mr. STONE, of Kentucky; and the Chairman declared that the ayes seemed to have it.

Mr. HOLMAN. I ask for a division.

The committee divided; and there were—ayes 49, noes 2.

Mr. HOLMAN. Mr. Chairman, I will not insist upon a quorum for the reason that I notice that the chairman of the Committee on War Claims [Mr. THOMAS] has consented to this proposition and votes in favor of it, and of course he has examined the subject and understands it better than I do.

The amendment was agreed to.

The Clerk read as follows:

To Jonathan Yasté, of Frederick County, Maryland, $368.

Mr. KERR, of Iowa. I move to strike out the last word. This bill as it comes before us to-day obviates an objection that I made to its consideration several months since. We now have a bill which has been introduced in the House in the proper form and reported favorably by a committee of the House. In regard to the reports from the Court of Claims, the law expressly provides that they shall be referred to this House for consideration, and I think the intention of the act was that when the claims were thus presented here they should have consideration. For that reason I think that upon every separate item of this bill there ought to have been a report from the Committee on War Claims showing that they had investigated the matter and had found favorably upon it.

Mr. McCOMAS. If the gentleman will permit me to interrupt him, there is a report in every case.

Mr. RICHARDSON. There is a separate report from the committee on each item.

Mr. McCOMAS. And the finding of the Court of Claims is attached in each case.

Mr. KERR, of Iowa. But there is no report from the House committee.

Mr. McCOMAS. Certainly; there is a special report in each case. The proper thing has been done. It was proper to require it to be done, and it has been done.

Mr. KERR, of Iowa. Then the objection that I made when the matter was up before, and which was made at a time when the facts seemed to warrant it, no longer holds good. If since that time there have been reports made upon every item, of course that objection fails.

Mr. RICHARDSON. I do not concede that there were not reports in each case before. There may not have been reports in each case at this session of Congress, at the time when the gentleman took the floor against this bill, but there had been in a previous Congress a report from the Committee on War Claims in each case.

Mr. KERR, of Iowa. Well, Mr. Chairman, I concede that that objection is no longer tenable. But there is another thing in regard to these claims. I think the evidence ought to be very clear and conclusive in all these cases before there should be a favorable report from the committee, because of the fact, as I understand it, that nearly all of these claims had been investigated by the Southern Claims Commission and had been reported unfavorably.

Mr. McCREARY. Could there be any better safeguard thrown around this bill than a favorable report in each case from the judges of the Court of Claims, each claim being subsequently examined by the Attorney-General before payment?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. McMILLIN. Mr. Chairman, in reply to what the gentleman from Iowa [Mr. KERR] has said, I think it is not improper to draw a distinction. I would not myself favor grouping all reports from the Court of Claims in one bill and forcing the House to a vote upon them. But the claims embraced in this bill are not of a class that can establish a dangerous precedent in that regard. These are claims for supplies furnished by loyal men to the armies of the United States during the war. If they had been reported upon favorably by the Quartermaster-General's Office, they would have all gone into one bill and, under the 4th of July law, would have constituted one act for the relief of the various claimants concerned. Hence, no hardship can come from putting these claimants in the condition in which they would have been if the Quartermaster-General had done with these claims what the Court of Claims now says was proper to be done, and these cases can not be made a precedent for indiscriminate claims coming from various sources and arising under widely different circumstances.

These claims are necessarily limited in time, and they are now comparatively few in number. The statement has already been made that they had been severally reported upon by the Committee on War Claims, and, as I have said, they are now only in the condition that they would have been in if the Quartermaster-General's Office had done as it is conceded by all it should have done and allowed these claims in the first instance.

Mr. DINGLEY. Mr. Chairman, in connection with what the gentleman from Tennessee [Mr. McMILLIN] has just said, I think there should be an additional fact stated in order that we may understand the real position of this bill. It is true that if the Quartermaster-General had adjudicated these cases they would have been sent to the Committee on Appropriations, to be placed properly in one bill; but not having been adjudicated, but simply referred to the Court of Claims for report of the facts, they stand before Congress precisely in the same attitude as any other claims.

It seems to me that the Committee on War Claims in this matter has set a precedent which, if it should be followed, would be likely to result in a great deal of confusion and danger in the future legislation of the House. There have been referred to that committee a number of private bills involving about half, perhaps, of the various claims embraced in this bill. That committee, instead of reporting as they should have done under the rule, upon each individual bill as sent to the committee, have ingrafted one private bill upon another, making an omnibus bill, in violation of the rules of the House and contrary to what the House itself could have done if each bill had been reported separately to the House.

Now, without discussing at present the propriety of these claims, the question is whether the Committee on War Claims or the Committee on Claims can, under the rules, as a matter of parliamentary precedent, unite in a single omnibus bill every claim on which the Court of Claims has made a report of facts—not an adjudication, because if there had been an adjudication then the matter would have gone to the Committee on Appropriations and would have been properly included in the regular appropriation bill. I submit that these matters having gone, not as adjudicated claims, but simply on a statement of the facts, to the committee, the committee was bound to report separately each bill referred to it, and had no right to violate the rules of the House by ingrafting one private bill upon another, bringing here a bill containing two hundred and eighty-nine private claims, of which, as I am informed, nearly one-half have never been even referred to the committee in the form of private bills.

Mr. McMILLIN. Will my friend permit me to say that I think he is in error as to his premises?

Mr. DINGLEY. I would like to be corrected if I am in error.

Mr. McMILLIN. The fact is that most if not all of these claims were filed in the Quartermaster-General's Department as required by law; my friend from Kentucky [Mr. STONE] says all of them. They were rejected there, and this proceeding is in the nature of an appeal, an appeal which the law provides from the decision of the Quartermaster-General. Hence I think it would be a hardship to hold that these claimants who, as the Court of Claims has held, are entitled to recover, should be placed in a worse condition than they would have been if their claims had been allowed in the Quartermaster-General's Department.

I agree with my friend from Maine that we ought not to establish a precedent which will allow all classes of claims to come in here in a single bill. I am interested, as he is, in pursuing those methods which conduce to good legislation; but in this proceeding we do not establish any such precedent as he apprehends. These are claims which would have been embraced in a single bill if the Quartermaster-General's Department had done what the Court of Claims and the committee say they should have done. These claims stand on the same footing as the "4th of July claims." This proceeding is an appeal from the action of the Quartermaster-General's Department.

Mr. McCOMAS. These are "4th of July claims."

Mr. DINGLEY. Of course they are different from the "4th of July claims," so called, because the "4th of July claims" are claims which have been adjudicated by the proper officers under the law. These have not been adjudicated by the Quartermaster-General's Department.

Mr. McMILLIN. They were adjudicated, but rejected.

Mr. DINGLEY. But there could not have been an adjudication in the sense in which I use the term unless the claims were examined and allowed by the proper adjudicating officer.

Mr. ENLOE. I would like to ask the gentleman from Maine whether it makes any difference in regard to the question of adjudication whether the adjudication be favorable or unfavorable. As I understand, the adjudication is a passing upon the merits of the claim and evidence on which it is based. That was done in this case, and the decision reached in the adjudication was unfavorable. This appeal was provided by Congress, and now the claims come here with a favorable finding of the court and the committee.

Mr. DINGLEY. Of course I can understand that these particular claims may involve considerations of equity which may commend them to Congress. But what I desire to protest against is the dangerous precedent that we may be setting. These claims stood before the committee in no other relation than any other claim; and I desire to protest against a violation of the rules of the House by a committee to which private bills are sent when that committee ingrafts one private bill upon another, making two hundred and eighty-nine private bills brought in as one. Although in this case the proceeding may result in substantial justice—I am not here to say anything about the merits of these claims—I can see that in a short time the Committee on Claims or the Committee on War Claims, proceeding on the precedent which we may now set, may place in one omnibus bill a large body of private bills involving a variety of private claims and may report this omnibus bill to the House for action. I wish at this time to enter my protest against accepting as a precedent for our guidance in the future the action that has been taken in this case.

I understand that as to a large portion, at least half, of the claims contained in this bill no bill has been referred to the committee. I do not know whether that is the fact or not, but I so understood from the chairman of the committee.

Mr. THOMAS. That is the fact.

Mr. DINGLEY. The chairman of the committee informs me that there are included in this bill claims which have never been sent to the Committee on War Claims in the form of a private bill.

Mr. McCOMAS. That is a mistake.

Mr. KERR, of Iowa. A bill involving all these items was introduced on the 12th of July by the gentleman from Tennessee.

Mr. DINGLEY. I know that was done subsequently, to cover the difficulty.

Now, I do not wish to be understood as objecting to this bill. I do not know but it may be a proper and just measure. I simply desire to place myself on record as protesting against this method of doing business, for gentlemen can see that if it is to be continued in the future great abuse and great danger may result.

Mr. SIMONDS. Mr. Chairman, the gentleman from Maine [Mr. DINGLEY] has stated repeatedly that this action of the Committee on War Claims is a violation of the rules of the House. I submit that it would be a matter of extreme difficulty for the gentleman to point out what rule of the House has been violated by the reporting of the bill under consideration in the manner in which the committee have presented it.

Mr. DINGLEY. I refer, Mr. Chairman, if the gentleman will permit me, to the original bill reported by the committee, being an omnibus bill embodying a vast number of claims. It has been repeatedly decided by the presiding officers of the House that it is out of order to incorporate the provisions of a bill for the relief of any one person in a pending bill for the relief of another; and certainly if the House can not do that under its own rules, the committee would have no authority to do it.

Mr. SIMONDS. I am perfectly well aware, so far as that is concerned, of what the Digest and the rules provide in that connection. But the gentleman misapprehends, I think, the question presented here, for that has not the slightest pertinence to the matter which is now pending before the House. That refers to the incorporation of other bills by way of amendment to a pending bill.

Mr. DINGLEY. But does the gentleman say that the committee could do directly what the House itself can not do; that is, to ingraft one private bill upon the other?

Mr. SIMONDS. The answer to the question of the gentleman is the suggestion that the committee have done nothing of the sort.

Mr. DINGLEY. This bill is an evidence of what they have done.

Mr. SIMONDS. The committee report a bill covering a class of claims—a number of them. It has not taken any private bill and ingrafted other bills, by way of amendment, upon it; and the rule to which the gentleman refers pertains exclusively to the procedure in the House when a bill is under consideration.

Mr. DINGLEY. But the original bill reported by the committee had not been referred to that committee. The only way they obtained jurisdiction to make a report to the House at all was on some one of the private bills referred to them.

Mr. SIMONDS. I will reach that point in due time if the committee will give me a little latitude to proceed with this argument.

First, Mr. Chairman, let me say a word as to the character of the court that passed upon the claims embodied in this bill. The gentleman from Maine has stated in the course of his argument and has said again and again that the Court of Claims has not adjudicated these claims. Now, I for one, should be exceedingly glad if the gentleman would tell us exactly what he means by "adjudicating" the claims?

Mr. DINGLEY. That a judgment has not been rendered.

Mr. SIMONDS. The court can not render a judgment.

Mr. DINGLEY. Precisely; but——

Mr. SIMONDS. The law does not permit them to do it.

Mr. DINGLEY. Ah, but the gentleman makes——

Mr. SIMONDS. Now, if the gentleman will permit me to proceed without interruption, he will have an opportunity of answering in his own time. Let us examine first the proceedings of the court in determining these cases and in reporting their findings to Congress. The court find, first, that the claimant is loyal; second, that the United States Government owes him so much money; and on that they base their report to Congress. There is nothing needed, then, to make their action an adjudication except a judgment, which could be rendered but for the fact that the law forbids the court to give judgment. And that is the reason there is no "adjudication" of the claims in the sense that my friend from Maine uses the term.

Now, every one of these cases has come before the committee by a bill or petition, without a solitary exception; and, as I am credibly informed, a bill has been introduced for every one of these claims at this session, though it would be unfair to require that, in view of what the Bowman act provides for continuing the cases from one term of Congress to another.

The Committee on War Claims can not in the very nature of things give to each claim the kind of examination that the gentleman from Maine demands. These claims are the accumulation of six years, and Congress has during all of this time refused to act upon them. Six years' claims have come to the committee in a bunch; and it is impossible for the War Claims Committee to take each one and examine it separately, as has been done in the Court of Claims. It would be manifestly impossible for the committee to do this, and it is the purpose of this amendment to permit the Attorney-General of the United States to go over each one of the claims carefully and give to each one that examination which we of the committee had not time to give it.

These claims have all been considered by the Court of Claims, and, Mr. Chairman, let me ask, have gentlemen of this Chamber taken occasion of late to find out how that court is organized? Let me state to them: First, we have William A. Richardson, of Massachusetts, who was appointed on June 2, 1874, and chief-justice in January, 1885. He was appointed by President Grant. He had been a judge of probate and of insolvency in his own State for a period of more than sixteen years, and was one of the commissioners to revise the statutes of the State. He was Secretary of the Treasury of the United States at the time of his appointment. Then we have Charles C. Nott, of New York, who was appointed by Abraham Lincoln in February, 1865, who had been long engaged in the active practice of the law in the city of New York, and was for several years the commissioner of loans in that State. Glenni W. Scofield, of Pennsylvania, was appointed the 20th of May, 1881, by President Garfield. He had been a judge in that State, and many years a Representative in Congress. He was the Register of the Treasury at the time of his appointment. Lawrence Weldon, of Illinois, was appointed in 1883 by President Arthur; had an extensive practice of the law in his own State, and had served as United States district attorney in Illinois during President Lincoln's Administration. And John Davis, of the District of Columbia, also appointed by President Arthur in 1885. He had practiced law in New York City and in this District, and was assistant counsel for the United States before the French-American Claims Commission.

All of these gentlemen have had an extensive experience on the bench—almost every one of them without exception.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMONDS. I would like to be permitted, Mr. Chairman, to proceed for a few moments longer.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for five minutes. Is there objection? The Chair hears none.

Mr. SIMONDS. It is hardly possible that a court could be constituted of gentlemen more thoroughly competent to carefully examine the cases which are referred to them. And right here I would like to have the committee understand the percentage of these claims that go to the Court of Claims that are allowed there. I ask the Clerk to read.

The Clerk read as follows:

UNITED STATES COURT OF CLAIMS, CLERK'S OFFICE,
Washington, April, 1890.

MY DEAR SIR: Replying to your letter of inquiry of date April 22, 1890, I have the honor to state that the first finding under the Bowman act was made April 28, 1884.

Up to this time there have been tried by the court, of these cases referred under the Bowman act, 1,020 cases. The amount passed upon by the court is upwards of $7,000,000. This amount includes not only the Bowman-act cases when the question of loyalty is precedent to give jurisdiction, but all other cases referred by War Claims Committee and other committees of Congress under that act wherein loyalty was not a subject of inquiry.

Of this number of cases tried, 358 have been decided in favor of claimants, which embrace the classes above referred to.

I respectfully invite your attention to the accompanying extract from the report of the Attorney-General, commencing in 1886 and ending in 1889. It will be seen upon reference to his last report that the percentage of allowances in proportion to the amount claimed is about 7 per cent.

It is suggested that if the findings, in cases that form a part of this aggregate, in which loyalty was not a jurisdictional question, be eliminated, that the amount allowed for cases for stores and supplies will scarcely reach 6 per cent.

This, it is respectfully suggested, is a fair basis for the percentage of allowances throughout the time covering the trial of Bowman-act cases in the Court of Claims.

Yours, very respectfully,

ARCHIBALD HOPKINS, *Chief Clerk.*

Hon. W. E. SIMONDS, *House of Representatives.*

Mr. SIMONDS. It will be seen from the letter which has just been read, Mr. Chairman, that the Court of Claims have only allowed about 7 per cent. of the whole amounts which have been submitted to that court, and evidently only about 33 per cent. of the number of cases. When this letter was under discussion before, the gentleman from Arkansas [Mr. ROGERS] said his attention had been called to the manner in which the Assistant Attorney-General had conducted his part of the business, and he said:

The Assistant Attorney-General under the last Administration who had charge of these measures was a Union soldier, I believe, with the rank of colonel. He read law in the office of Secretary Stanton. He is one of the brightest men that I know in his profession, and I know no man anywhere of higher character or purer professional life than his.

The gentleman from New Jersey [Mr. BUCHANAN], speaking of the same matter, stated at that time:

I just want to say this, that I have the word of the present Attorney-General that there is nothing in the record as to the management of these cases to show the least dereliction on the part of the late Attorney-General, or of the gentleman named by the gentleman from Arkansas.

Now, you have before you the composition of the court. You have before you the character of the Attorney-General who appeared on behalf of the Government. You have before you the statement as to the number of cases which are allowed and the percentage of the amounts which are allowed. I submit that every one of these cases has had the most thorough discussion and examination that is possible, and it is not reasonable to expect the Committee on War Claims or anybody else to take this accumulation of six years and go over the cases in the way the gentleman from Maine [Mr. DINGLEY] seems to demand. Now, these cases have all come to this House either by bill or petition separately, and, as I said before, a bill has been introduced in the present session as to each one of them and gone to the Committee on War Claims.

They come up here together. The gentleman from Maine [Mr. DINGLEY], if I understand him, says in substance that it is violating the parliamentary procedure of this House for us to put these claims into a single bill. He might just as well say that the river and harbor bill is a violation of the parliamentary procedure of this House. He might just as well say every appropriation bill, the sundry civil and every other one, is a violation of parliamentary procedure.

Mr. DINGLEY. The river and harbor bill is authorized by the rule.

Mr. SIMONDS. Certainly it is, but there is no special authority given there that they may bunch everything together under that rule.

Mr. DINGLEY. That was the intention originally as to that.

Mr. SIMONDS. The same remark is applicable to all the appropriation bills, every one of them; and, as I am credibly informed, the so-called "4th of July claims" have been paid in the same way, and, as I am credibly informed, the Southern Claims Commission findings were put into one bill in the same way. And I believe that when these claims are fairly classed together, as they are, having been thoroughly examined and adjudicated by a competent court, it is not the thing to rise here and say that the Committee on War Claims have failed in their duty in a single particular. [Applause.]

Mr. BUCHANAN, of New Jersey. Will the gentleman from Connecticut permit a single remark? The statement I made was in reference to the administration in the Attorney General's Office so far as the late Attorney-General was concerned and so far as his chief assistant in charge of these claims were concerned, but it did not extend to all the subordinates in that office.

Mr. THOMAS. Mr. Chairman, many members of this House and the newspapers of this city have felt called upon to criticise the position taken by the minority of the War Claims Committee as to this bill. The gentleman who has just sat down represents the majority of the Committee on War Claims and I think that that committee should have investigated these claims, notwithstanding the fact that the Court of Claims has, as he says, adjudicated upon the question and decided that these parties were loyal and entitled to the allowance of the claims. Now, the law itself provides that the adjudication of the Court of Claims, when made, shall not be final, but shall be subject to the revision by Congress, or by a branch of Congress sending the claim to them.

To illustrate to this House how following these decisions blindly would operate, I wish to call attention to the last case upon this bill. I do it because it is the last case, and there are hundreds, or I believe there are hundreds, of just such cases that have been decided there; and if it were not for the amendment providing that the Attorney-General shall thoroughly examine these cases not only on testimony taken before the court, but also in the light of any testimony he can find, I could not conscientiously vote for the passage of this bill.

The last item of the bill is:

To Thomas D. Mears, administrator of Armand D. Young, deceased, of New Hanover County, North Carolina, $10,210.

Now, sir, I hold in my hand absolute evidence from the rebel archives that this man, Armand D. Young, of the county and State mentioned, in the years 1862 to 1864, during the rebellion, signed as security the bonds of one P. H. Langdon and one Richard F. Langdon as assistant quartermasters of the Confederate army. He became security for the performance of their duties, stood in their places, and was responsible upon written bonds which to-day are filed in the archives.

Now, if this court is so perfect in its decisions, why did it not take that and adjudicate upon it? A hundred or more cases are in the same position. These certificates are from the Confederate archives. The Department of Justice furnished a copy of these on June 21, 1889. I thought it was most astonishing that they should decide that case in this way, and when I came to look at the decision I found it was several months previous to this time.

The attorneys of the Government, who have been loudly lauded here, could not even step over to the War Department and examine the Confederate archives in order to protect the Government. Sir, I am not here to shield them. I do not care if they were army officers. I care nothing about their standing. I say that they, or their subordinates who are operating under them, neglected their duty, and it becomes my duty, sir, when I am a member of a committee of this House, when a matter of that kind is referred to me, to investigate it and report the facts, instead of bunching them all together in an omnibus bill and swallowing them blindly without regard to the facts when the facts were easy to ascertain, because they are matters of record.

Mr. WHEELER, of Alabama. The question I desire to ask the gentleman is——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOREY. Mr. Chairman, I heartily concur in the suggestion of my friend from the State of Maine [Mr. DINGLEY] as to the viciousness of the policy of bringing into this House an omnibus bill covering a large number of private claims. I am unable to discover any reason why this mass of claimants should be given that great advantage over other private claimants who are appealing to this body for relief.

On the other hand, I see the best of reasons why this course should not be pursued in this class of cases. We have the fact stated that in eighty-four cases the court which ascertained the facts in reference to these claims did not have recourse to the rebel archives, where testimony would be found in reference to the loyalty or disloyalty of the claimants. Mr. Chairman, we have heard it stated here to-day that the law officers who represented the Government when these claims were being heard were men of high character, diligent in the performance of their duties. I am not here to attack any officer of the Government, nor to cast any imputation upon his conduct before that court, but I noticed that when my friend from New Jersey [Mr. BUCHANAN] was quoted as giving a certificate of character to these law officers he rose in his seat and qualified that statement and limited it to the Attorney-General and certain attachés of his office.

Mr. BUCHANAN, of New Jersey. And I made that limitation advisedly.

Mr. MOREY. Yes, sir; and made the limitation advisedly. I will say here I have been informed, but am not able to designate the gentleman, and would not do it without definite information, but I have been informed that in many of these cases the law officers charged with defending the rights of the Government accepted without question and as correct the brief as to the law and the facts of the attorneys of these claimants themselves. It is unfair to this House, it is unfair to the thousands of applicants for relief at the hands of this body, to bring in here an omnibus bill embracing hundreds of claims belonging to one class of cases and appropriating more than one-half million of dollars, and compel members of this House to vote away this vast sum of money without an opportunity to distinguish between the fraudulent and just claims which may be embraced in the bill.

The principle is vicious, because it appeals to every member to vote for every other member's claim for the purpose of securing his own claim. It is a principle which is not applied to other private bills, and ought not to be applied to any class of private claims. I shall vote for every just claim against our Government, for I know how difficult it is for an individual to get justice from a great government; but I am unwilling to vote for a bill covering hundreds of such cases in a lump without separate examination and report thereon by a committee of this House, and I shall vote against this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TUCKER. Mr. Chairman, I offer an amendment to come in on page 15 of the bill, after the word "dollars," in line 7, inserting the following:

To John Kelly, of Alleghany County, Virginia, $6,571.71.

I will just state, Mr. Chairman, that that claim was in the original bill and has been omitted in the substitute. The matter has been before the Court of Claims and passed upon, and was recommended by the Committee on War Claims of this House.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. THOMAS. I would state that that case was left out of the substitute bill for the reason that, I was informed, the Court of Claims had recalled it for further investigation.

Mr. TUCKER. I will say to the gentleman from Wisconsin, the chairman of the Committee on War Claims, that after he told me that was his impression I sent to the clerk of the Court of Claims the following note, and have here his reply to it.

The note and reply are as follows:

DEAR SIR: Will you kindly let me know at once if the Court of Claims has ordered a rehearing in the case of John Kelly, Alleghany County, Virginia (claim for supplies), and which claim is on page 15 of H. R. 7616?

Very truly,

H. ST. G. TUCKER.

COURT OF CLAIMS, *August* 29, 1890.

DEAR SIR: The court filed findings of fact in the case of John Kelly *vs.* United States, No. 446, February 7, 1887, and the same was certified to Congress February 8, 1887.

No proceedings have been had since in the case.

Truly, etc.,

J. RANDOLPH, *Clerk.*

The amendment was agreed to.

Mr. HOLMAN. Mr. Chairman, I believe that paragraph of the bill has not been read.

The CHAIRMAN. The Clerk will read.

The Clerk read the paragraph, as follows:

To Thomas D. Meares, administrator of Armand D. Young, deceased, of New Hanover County, North Carolina, $10,210.

Mr. HOLMAN. Mr. Chairman, I make a formal motion to strike out the last word to enable me to say a few words in regard to this bill. I wish to make a few observations upon an amendment offered awhile ago by the gentleman from Kentucky [Mr. STONE], which was adopted, increasing an appropriation of $270 up to $2,130; but before speaking of that amendment I wish to say a word in regard to these claims generally.

Years ago when claims of this class came before the Congress gentlemen very properly said: "This claimant has not had his day in court and it is the duty of Congress to act upon the necessarily partial statements that have been made and to reach the best conclusion that can be reached under the circumstances;" but the committee are of course aware of the fact that the great body of these claimants have now had their day in court. I think no tribunals have ever been created in this country so competent, from the nature of their organization, as the two tribunals organized by law, the one applicable to the loyal section of the country, the other to the section that had been in insurrection.

The 4th of July act, passed on the 4th day of July, 1864, conferred ample powers upon the Commissary-General and upon the Quartermaster-General, and the act of 1871 created the Southern Claims Commission, a very able body of lawyers. The latter commission was in existence for ten years, and both tribunals had the power to send their agents everywhere to take testimony, both for the Government and against the Government, and that testimony was reported and acted upon without any expense whatever to the claimants. About 7 or 8 per cent. of the claims was allowed by those tribunals, and now many claims which were entirely or partially rejected there have been resurrected and brought up for reconsideration by the Court of Claims.

Instead of it being a matter of surprise that only 7 or 8 per cent. of the claims was allowed by that court the wonder is that the court was able to allow anything near 7 per cent. of the claims, for the reason that those claims had already been examined by tribunals having much better opportunities for examination than the Court of Claims can possibly have, because Congress has never been so liberal in any other case as it was in furnishing those two tribunals with ample facilities to obtain testimony in every State of the Union.

But what I desire especially to speak of now is the amendment offered by the gentleman from Kentucky [Mr. STONE], and to show how readily we make mistakes when we attempt to adjudicate these matters in a hurry. The gentleman from Kentucky made a motion to increase the amount of the appropriation I have referred to, and he will discover that, in the hurry of the moment, he entirely misapprehended the finding of the Court of Claims in that case. My friend read as a part of the judgment of the court an extract from the petition which is quoted in the opinion of the court. The court say:

> The petition alleges that during the said war of the rebellion the United States forces, by proper authority, during the month of July, 1862, took from said Isaac N. Webb quartermaster stores and commissary supplies of the value of $2,580, and appropriated the same to the use of the United States Army, in the following manner:
>
> Cooked rations for the board of sixty men of the Seventh Regiment, Kentucky Volunteers, from —— day of —— to —— day of ——, at 75 cents per day each, to amount of $720, for the payment of which a claim was presented to the Commissary-General of Subsistence under an act of Congress approved July 4, 1864, and was by said Commissary-General disallowed, reference being made to the declaration and proof in said claim for more specific description of said commissary supplies.
>
> That the quartermaster stores which were the property of said deceased, and appropriated by the United States Army, consisted of articles of furniture then in the hotel at Cynthiana, Ky., and were appropriated by order of General Burnside for hospital purposes, and of the reasonable value of $1,860.

That is as far as the petition goes. Now, what do the court say, and what are we acting upon in allowing this claim? The court says just this and no more:

> The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, find the facts to be as follows:
>
> The claim for property alleged to be quartermaster stores was not presented to the Quartermaster-General, and is therefore barred by a law of the United States. (Dodd's Case, 21 C. Cls., p. 117.)
>
> The commissary supplies were furnished as alleged between about November 30 and about December 15, 1862, to the value of $270.

Now, that is the whole finding of the court. It applies simply to the $270, because the court had nothing else before it. I have read the petition to show what allegations and claims were made, and then the decision applying simply to the $270. It is clear that the decision of the court was confined to that, because, under the Bowman act, the court had no jurisdiction of the case if it was barred by the statute of limitations. So my friend will see that he has inadvertently made the petition a part of the decision of the court, and that the House therefcre has acted in this matter upon no testimony whatever.

Mr. STONE, of Kentucky. Mr. Chairman, this discussion for the last few minutes has been useless. The amendment to which the gentleman refers has been adopted by a majority of 47 in a total vote of 51. Sometimes I have seen a man defeated in his efforts to do a thing show that it hurt, but usually gentlemen when they are defeated have the grace to submit to the decision of an overwhelming majority without *ex post fac'o* complaints.

Now, the gentleman from Indiana [Mr. HOLMAN] talks about how these claims come here, says that they have had their day in court, and that the cases have been adjudicated by the Quartermaster-General and the Southern Claims Commission. The gentleman from Indiana himself was the chief factor in framing the law by which these bills come before Congress, and that, I think, is a sufficient answer to what he has said on that subject.

Mr. HOLMAN. If my friend refers to the Bowman act he is right.

Mr. STONE, of Kentucky. The gentleman from Indiana told you that I had read from the petition for the claimant. I read from no such thing. The Clerk read the finding of the Court of Claims and I read the finding of the Court of Claims. The court expressly say that they find that property to the value of $2,130 had been used by the United States troops, part of it in rations for the men and part in hospital supplies. Possibly the gentleman from Indiana has no conception of what rations mean to hungry soldiers, or of what the comforts of the hospital mean to a man who has been shot down in battle.

Mr. HOLMAN. Those men are not here asking anything, as my friend knows.

Mr. STONE, of Kentucky. No, sir; but they were asking something at that time.

Mr. HOLMAN. And they got it.

Mr. STONE, of Kentucky. Yes, they got it; and honesty dictates that the Government of the United States should now be willing to reimburse the parties who furnished to its suffering or dying soldiers some of the comforts of life.

Mr. HOLMAN. What evidence has my friend that one dollar of that claim of $1,860 is correct?

Mr. STONE, of Kentucky. The Court of Claims says that it finds it correct. The amount claimed was $2,580, and after investigation $2,130 was found to be due, $1,860 being for hospital supplies. And I want to tell the gentleman from Indiana that when these supplies were taken for the use of the Federal soldiers, the citizens of Cynthiana were contributing hospital supplies to men on the other side who were lying there; and the citizens of Cynthiana who were there were showing consideration and kindness (more than the gentleman is willing to have shown by the Government of the United States) to the men upon the side to which the gentleman belonged, who were there in hospitals.

Mr. HOLMAN. That certainly has nothing to do with this claim.

Mr. STONE, of Kentucky. It may have nothing to do with it; but the gentleman states that this claim is not honest, that it is not just, and that the court has never found the amount to be due. The court says in so many words in this very finding that the property was taken and used by the Federal Army—taken by order of General Burnside.

Mr. HOLMAN. Will the gentleman allow me——

Mr. STONE, of Kentucky. Yes, I will allow my friend——

Mr. HOLMAN. The gentleman is laboring under a misapprehension——

Mr. STONE, of Kentucky. No, I am not. I understand the whole case.

Mr. HOLMAN. If the gentleman will turn that paper right over and read——

Mr. STONE, of Kentucky. Here is the petition, and here is the finding of the court.

Mr. HOLMAN. I ask him to examine that paper and see whether the court is not simply stating what the petition alleges.

Mr. STONE, of Kentucky. The court would not say the statements were true if it had not evidence to sustain the finding.

Mr. HOLMAN. The court does not say they are true.

Mr. STONE, of Kentucky. I stand by the court, and say that the statements of the petition are true.

Mr. HOLMAN. Does not the finding of the court show that it is simply reciting the statements of the petition?

Mr. STONE, of Kentucky (reading):

> That the quartermaster's stores which were the property of said deceased and appropriated by the United States Army—

That is what the court says.

Mr. HOLMAN. Not at all; that is simply a statement of what the petition alleges.

Mr. STONE, of Kentucky. Well, Mr. Chairman, I can not afford to talk to a man who is fixed in his obstinacy and will not believe the truth that his own eyes have proved to him.

[Here the hammer fell.]

Mr. HOLMAN. I hope the time of the gentleman will be extended.

Mr. STONE, of Kentucky. I hope I may have a minute or two more.

Mr. HOLMAN. I trust the gentleman will have five minutes. I interrupted him.

The CHAIRMAN. If there be no objection, the gentleman will proceed for five minutes.

There was no objection.

Mr. STONE, of Kentucky. I want to say a few words about this matter in general——

Mr. HOLMAN. I hope my friend will have that petition read.

Mr. STONE, of Kentucky. I do not care anything about the petition; I have been reading what the court said.

Mr. HOLMAN. The court was simply stating the contents of the petition.

Mr. STONE, of Kentucky. You have been told to-day the character of the court by the gentleman from Connecticut.

Mr. HOLMAN. I am not assailing the court.

Mr. STONE, of Kentucky. They are Republicans—I imagine as black as Egypt.

Mr. HOLMAN. I think so, most of them.

Mr. STONE, of Kentucky. But so far as legal ability is concerned I apprehend they are equal to any five gentlemen whom my friend from Indiana could pick out in the United States.

Mr. HOLMAN. They are excellent gentlemen.

Mr. KERR, of Iowa. Was any other part of this petition considered by the court except the part that they held they had jurisdiction of?

Mr. STONE, of Kentucky. The court would not state in so many words that certain things were true if the matters from which the proof of the statement resulted had not been considered by them.

Mr. KERR, of Iowa. Was anything considered by the court except that part of the claim which they said was not barred?

Mr. STONE, of Kentucky. The court said in so many words—

That the quartermaster stores which was the property of said deceased, and appropriated by the United States Army, consisted of articles of furniture then in the hotel at Cynthiana, Ky., and were appropriated by order of General Burnside for hospital purposes, and of the reasonable value of $1,860.

M. HAUGEN. Is not that a recital of the statement of the petition?

Mr. STONE, of Kentucky. No, sir; that is the very finding of the court.

Mr. HOLMAN. Will my friend allow me——

Mr. STONE, of Kentucky. Yes, sir.

Mr. HOLMAN. My friend has fallen into a most extraordinary error——

Mr. STONE, of Kentucky. No doubt I have from your point of view.

Mr. HOLMAN. If my friend will examine again the document from which he has just read, he will find that in the language which he quotes the court is simply reciting the statement of the petition.

Mr. STONE, of Kentucky. I will ask my friend a question. If the petition of the claimant states the truth——

Mr. HOLMAN. But how do you know that?

Mr. STONE, of Kentucky. Is it necessary for the court to say explicitly that the petition states the truth? I would like you to answer that question.

Mr. HOLMAN. My friend——

Mr. STONE, of Kentucky. Are you a lawyer?

Mr. HOLMAN. I am more a farmer than I am a lawyer. [Laughter.]

Mr. STONE, of Kentucky. Yes, you are like a good many other members of the House who claim to be farmers because they have not practiced law since they have been elected to Congress. Upon the same principle I might claim that I am a lawyer because I have not sowed 150 acres of wheat by my own labor since I was elected to Congress in 1884.

Mr. HOLMAN. If my friend will allow me one word further——

Mr. STONE, of Kentucky. There are no quotation marks accompanying what I have read. This is the finding of the court.

Mr. HOLMAN. The court never indicates in that way recitals from the petition.

Mr. STONE, of Kentucky. Well, Mr. Chairman, I am not going to undertake to argue with a man who will not believe. No man is so hard to convince as a man who will not believe.

Now I want to say a few things in regard to these claims in general.

Since my entrance into Congress, Mr. Chairman, I have been connected with the War Claims Committee, and I have not ceased during my service in this body in trying to do right and justice to those people who were loyal to the Government when I was not loyal—people who had no sympathy with me and who never furnished anything to me during the time that I was in the Confederate service. But I came here with a belief that the Government should do its duty to this class of claimants. I found them before Congress. I believe that these claims, where these people were loyal to the Government during the war, should be paid; and I do not believe that any should be paid who were not loyal. I have always taken the position that no claim ought to be audited or paid which belongs to a man who aided or assisted the rebellion in any way. I was in the Confederate army, believing that I was right; and I believe that every man who entered that side and engaged in that service ought to have believed that he was right; and if there were any who either from hypocrisy or any other cause entered that service, not believing it to be just and right, certainly they ought not to be rewarded by this Government.

But, Mr. Chairman, I started to say a word in connection with my service on the Committee on War Claims for the purpose of saying this, that my service in the Confederacy has had no tendency to prejudice my mind in the slightest degree against this class of loyal claimants. I know it may be assumed by gentlemen occupying a different position from myself that such a service in the past would very likely have that tendency.

Mr. THOMAS. Will the gentleman permit me a moment?

Mr. STONE, of Kentucky. Certainly.

Mr. THOMAS. I wish to state to the gentleman that I am satisfied it is the universal opinion of gentlemen on this side of the House that the gentleman from Kentucky has acted honestly, fairly, and favorably and has probably been as much in favor of doing justice to the Union soldier as any man in the Union Army.

Mr. BROSIUS. There is no doubt of that.

Mr. STONE, of Kentucky. I thank the gentleman for the statement. I have tried to do what I thought was honest and right and correct, feeling that I could be impartial in regard to these matters. I have believed, Mr. Chairman, that there was no necessity for living in the past in regard to these matters; that I was sent here for my people and for my State, and I represent as honest and intelligent a people as exists in the United States; so that I can not do less than to undertake to be fair and honest about every matter that came before the committee of which I had the honor of being a member. To say that I have never made a mistake would be going beyond the bounds of what humanity can ever claim. I may have done so, but if I did it was an error on my side in trying to do justice to the claimants here and not against them.

[Here the hammer fell.]

Mr. THOMAS. Will the gentleman yield for a question?

Mr. STONE, of Kentucky. If I have time to answer it.

The CHAIRMAN. The time of the gentleman has expired, and the Chair will have to submit the question to the committee for unanimous consent, as there has been so much debate. The gentleman from Wisconsin asks to be allowed to occupy the floor for five minutes. Is there objection?

Mr. THOMAS. I only want to ask the gentleman a question, and will not occupy a minute.

The CHAIRMAN. The Chair hears no objection.

Mr. THOMAS. I understand the gentleman from Kentucky to say that he does not wish persons who were in the Confederate army, or sympathized with the Confederacy, to receive any of the benefits of the Bowman act.

Mr. STONE, of Kentucky. No, sir; I do not. They went in the same boat with me, and they must fare as I do.

Mr. THOMAS. Are you not satisfied that there are claims embodied in this bill where the parties were not absolutely loyal?

Mr. STONE, of Kentucky. I can not say that I am absolutely satisfied of it, but I think it possible.

Mr. THOMAS. The claim of Hiram D. Young, for instance, who signed the bond of an assistant quartermaster in the Confederacy. Now, he must have sympathized with the Confederacy.

Mr. STONE, of Kentucky. Well, I could not say in regard to any special claim, and would not like to make any statement upon that; but only this, that if this gentleman was connected with the Confederate Government in any way he ought not to be paid.

Mr. WHEELER, of Alabama. That was a case, very possibly, where the quartermaster was engaged in collecting supplies and distributing them to indigent people, because several quartermasters were engaged in that duty and were not actually in the military service.

Mr. THOMAS. Now, all I contend for is to have an honest and fair investigation of these claims.

Mr. STONE, of Kentucky. The gentleman is aware that I have never objected to that.

Mr. McCOMAS. I suggest to the gentleman from Wisconsin if he has doubt of any claim that he move to strike it out.

Mr. RICHARDSON. The investigation of them is provided in the amendment.

Mr. THOMAS. The Attorney-General is capable of examining any claim under the amendment.

Mr. JOSEPH D. TAYLOR. Mr. Chairman, I desire to offer an amendment to come in after line 21, but before doing it I wish to explain a few matters.

Mr. CHEADLE. Does the amendment refer to this same item?

Mr. JOSEPH D. TAYLOR. No; to another item.

Mr. CHEADLE. Will you permit me a single statement, then, in regard to this item?

Mr. JOSEPH D. TAYLOR. I yield.

Mr. CHEADLE. I wish to say a word relative to the item, as I understand it, on page 29, to allow William H. Wilson, administrator of Isaac N. Webb, of Harrison County, Kentucky, $270, and the amendment which I understand was submitted by the gentleman from Kentucky which increases it to $2,100.

Mr. HOLMAN. The increase is actually $1,860.

Mr. CHEADLE. It does seem to me that according to the findings of the Court of Claims there ought not to be any misunderstanding in the minds of the committee and no controversy as to this item.

The court, after reciting the petition, say:

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, find the facts to be as follows:

The claim for property, alleged to be quartermaster stores, was not presented to the Quartermaster-General, and is therefore barred by a law of the United States.

The commissary supplies were furnished as alleged between about November 30 and about December 15, 1862, and to the value of $270.

It does seem to me that there ought to be no misunderstanding among the committee about that; that the claim ought to be allowed for $270.

Mr. JOSEPH D. TAYLOR. Mr. Chairman, I desire to make an amendment, and I will explain why I desire to ask unanimous consent to make it at this time. During the first session of the last Congress a bill which I had introduced, containing the provisions of the amendment I now hold in my hand, was reported favorably to the House and was considered in the Committee of the Whole, and would have passed the House had not a gentleman on the other side, just before the House was to adjourn or take a recess, interposed an objection. The gentleman was subsequently induced by those who knew the character of the bill to withdraw his objection, which did not relate to the bill at all, and he did so; but the Chairman held that the withdrawal came too late, as a motion to take a recess had been made in the mean time, and that it was now too late for him to withdraw his objection. The result was that the passage of the bill was thereby defeated, and no other opportunity came during that Congress.

The bill proposed simply to refer a certain claim of Battelle & Evans to the Court of Claims. This is all that was sought by the bill, and it is all that is sought by this amendment. The claim is one that the Government justly owes, but its payment was prevented by circumstances over which the claimants had no control.

They agreed, in 1862, to furnish beef to General Lander's division, then stationed along the line of the Baltimore and Ohio Railroad, between New Creek (now Keyser) and Cumberland, Md. While this contract was in force, in May, 1862, the army was ordered into active service, under General Frémont, and these contractors were ordered to follow the army on its forward movement, which they declined to do until some new contract was entered into.

It was then agreed that they should be paid whatever was right if they would continue to supply the army with fresh beef, and that the hides and tallow should be returned to the railroad by the Government. When Battelle & Evans presented their accounts for payment the accounting officers refused to pay anything beyond the price fixed in the first contract, and while the claim for the additional compensation promised by the commissary was being prosecuted in the Departments, which the Court of Claims at that time required to be done, under the decision of what is known as the Clyde case, the claim itself became barred by the statute of limitations in any proceeding in the courts.

In 1872 Congress passed an act authorizing the Court of Claims to take up and pass upon the claim of "cattle and beef sold and delivered," but no allowance was made for the damage arising out of the failure of the United States to furnish transportation for the hides and tallow, as had been agreed upon between Battelle & Evans and the commissary. This was an oversight in the passage of the bill, which was intended to cover all of the claims. They were paid only for the beef they delivered. The first contract only provided for the delivery of the beef at New Creek, West Virginia, and along the railroad. They did not agree in that contract to furnish beef at another point, and the contract agreed upon, in writing, shows this fact. And the Commissary-General agreed, when the army was about to move, that if they would follow up the army with their cattle they should not only be paid for their beef what was right, but he agreed on behalf of the Government that the hides and tallow should be returned to the Baltimore and Ohio Railroad.

This was never done. The hides and tallow were destroyed. No payment was ever made for the hides or tallow, or for the failure to return the same as was agreed. The only surviving party now is Mrs. Battelle, who resides in Bellair, Ohio, who is a very estimable lady and in very destitute circumstances, and greatly needs the residue of this claim, and all I now ask is that this claim be referred to the Court of Claims for decision, and that she may be allowed to receive whatever is due her, and I propose to amend this bill so as to accomplish this end by providing that if her claim is allowed that it go in this list.

Mr. KERR, of Iowa. I make the point of order that it is not in order to ask such an amendment as that.

Mr. JOSEPH D. TAYLOR. I anticipated this, and hence I ask unanimous consent. It is only a small claim; and I want to say another thing, and that is that this bill ought to have passed on a division of recognitions, which was agreed upon at the time I was allowed to bring up this bill. Our side got one bill less than the other side. The vote on the bill was cut off, and I never got a chance to have it considered after that, although it was reported unanimously by the committee.

Mr. OUTHWAITE. Will the gentleman allow me to ask him a question?

Mr. JOSEPH D. TAYLOR. Certainly.

Mr. OUTHWAITE. Has this claim been passed upon by the Court of Claims?

Mr. JOSEPH D. TAYLOR. No, it was not; that is what I want done now, and this widow is so old and so infirm that I ask that this amendment be added here, with the proviso that it go to the Court of Claims, and that whatever damages are allowed her be paid under the same conditions under which these other claims are to be paid. Let the amendment be read and then you will understand it better.

The Clerk read as follows:

After line 21, page 29, insert the following:

"*Provided*, That the claim of Battelle & Evans, growing out of an alleged contract made by them with the United States, through the commissary of subsistence and the quartermaster at New Creek, in the State of West Virginia, in 1862, for the delivery of beef to the United States Army, and for the return of the hides and tallow of the animals slaughtered under the said contract to some point on the Baltimore and Ohio Railroad, is hereby referred to the Court of Claims for trial and adjudication; and if in such case it shall be shown to the court that either of such officers of the Government stipulated and agreed with the claimants to deliver the said hides and tallow to or for the use of the said Battelle & Evans at some point upon the said railroad, and that the Government failed to perform said engagement as to the whole or any part of said property so agreed to be delivered, then and in that case the court shall render a judgment for any damages that were thereby sustained in favor of the said Battelle & Evans, or their legal representatives, and which damages shall be found by the court not to have been heretofore paid, and the same shall be paid upon the same terms and condition as is herein p ovided as to other claims."

Mr. THOMAS. Mr. Chairman, I must raise the point of order upon that. It is not germane to the bill. It will not do, in my judgment, to attach such an amendment to a bill of this kind.

Mr. JOSEPH D. TAYLOR. What is the point of order?

Mr. THOMAS. It has nothing to do with this kind of a bill. It is piling up one bill upon another, the very thing the rules say we shall not do. It is an entirely different situation from claims of the kind provided for in this bill, cases decided by the Court of Claims, in which the loyalty of the party and the amount due have been adjudicated.

Mr. KERR, of Iowa. I make the point of order that no bill embracing this subject is before this House or has ever been introduced.

Mr. JOSEPH D. TAYLOR. I wish to say in reply to that——

Mr. THOMAS. Mr. Chairman, it is piling one bill upon another, and we have no right, in my judgment, and the House has no right, to put half a dozen bills on this bill which have no relation to the subject-matter of the bill.

Mr. JOSEPH D. TAYLOR. Mr. Chairman, just one word in reply to that. That is what this bill is—two hundred and eighty-nine bills piled together and grouped in one bill. Because my claimant happens to be a widow living on the borders of the Ohio River, is that any reason why her claim should not be included? It is said it is no part of any bill that is before this House, but I will say that I have taken a bill and have added to it and changed it so as to adapt it to this bill and make it simply an amendment which could make no trouble.

If the Court of Claims, as my amendment provides, does not find that there is something due to this woman, it will not have to be paid; and she can not get a dollar from this great Government unless the claim is just and fair. Therefore, I trust that the gentleman will not make this point of order; and as I have adapted the amendment to the bill I hope the point of order will be overruled.

Mr. THOMAS. I would be very glad to accommodate the gentleman, but if we did not insist upon this point of order it would be setting a precedent by which any bill in this House might be added to this bill.

Mr. JOSEPH D. TAYLOR. If this bill is not considered until next Congress this woman will probably die in the mean time.

Mr. THOMAS. If you can add this amendment to the bill you can add any bill before the House to it. I say that that would certainly be in violation of the rules, and set a bad precedent.

The CHAIRMAN. The Chair will ask the gentleman from Ohio whether the claim has ever been heard and reported upon by the Court of Claims?

Mr. JOSEPH D. TAYLOR. It never has. I provide by this amendment that it shall be reported on by that court before it shall pass into the hands of the Attorney-General.

The CHAIRMAN. The bill before the committee is for the allowance of certain claims for stores supplied for the use of the Army of the United States, as reported by the Court of Claims, under the provisions of the Bowman act. Therefore, the Chair thinks this amendment is not in order; and the point of order is sustained.

Mr. HOLMAN. Mr. Chairman, I ask unanimous consent to print in the RECORD the report of the Court of Claims in the case of Wilson, administrator, against the United States, out of which this $1,860 item grows.

The CHAIRMAN. Without objection, leave will be given.

There was no objection.

The report is as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 3426) for the relief of the estate of Isaac N. Webb, deceased, William H. Wilson, administrator, report as follows:

The Committee on War Claims of the Forty-ninth Congress, to whom was referred the claim of William H. Wilson, administrator, not being fully and clearly advised of the facts in said claim, referred the same to the Court of Claims for a finding of facts under the provisions of the Bowman act. This claim has been returned by said court with findings of fact, which are appended hereto.

Your committee therefore report back the bill and recommend its passage.

[House Report No. 2746, Fiftieth Congress, first session.]

The Committee on War Claims, to whom was referred the claims of William H. Wilson, administrator, and others, report as follows:

The Committee on War Claims of the Forty-ninth Congress, to whom was referred the claims of William H. Wilson, administrator, and others, not being fully and clearly advised of the facts in said claims, referred the same to the Court of Claims for a finding of facts under the provisions of the Bowman act. These claims have been returned by said court with the several findings of fact. The committee are satisfied as to the loyalty of the several claimants, and

that property to the amount specified was taken from them, and that the same was used by the Army of the United States, and that the amount found due them by the Court of Claims should be allowed and paid to them.

Your committee report herewith a bill appropriating the money to pay the several claimants, and recommend its passage.

[House Mis. Doc. No. 488, Fiftieth Congress, first session.]

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of William H. Wilson, administrator, against the United States.

William H. Wilson, administrator of Isaac N. Webb, *vs.* The United States. Congressional case No. 317.

CLERK'S OFFICE, *Washington, June 21, 1888.*

SIR: Pursuant to the order of the court, I transmit herewith a certified copy of the findings of fact filed by the court June 18, 1888, in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

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

[Court of Claims. Congressional case No. 317. William H. Wilson, administrator of Isaac N. Webb, *vs.* The United States.]

FINDINGS OF FACT.

At a Court of Claims held in the city of Washington on the 18th day of June, A. D. 1888, the court filed the following findings of fact, to wit:

The claim in the above-entitled case, for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives.

T. W. Tallmadge, esq., appeared for claimant, and the Attorney-General, by Lewis Cochran, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

On a preliminary inquiry the court on the 26th day of April, 1886, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 4th day of June, 1888.

The petition alleges that during the said war of the rebellion the United States forces, by proper authority, during the month of July, 1862, took from said Isaac N. Webb quartermaster stores and commissary supplies of the value of $2,580, and appropriated the same to the use of the United States Army, in the following manner:

Cooked rations for the board of sixty men of the Seventh Regiment Kentucky Volunteers, from —— day of —— to —— day of ——, at 75 cents per day each, to amount of $720, for the payment of which a claim was presented to the Commissary-General of Subsistence under an act of Congress approved July 4, 1864, and was by said Commissary-General disallowed, reference being made to the declaration and proof in said claim for more specific description of said commissary supplies.

That the quartermaster stores which was the property of said deceased, and appropriated by the United States Army, consisted of articles of furniture then in the hotel at Cynthiana, Ky., and were appropriated by order of General Burnside for hospital purposes, and of the reasonable value of $1,860.

The court, upon the evidence, and after considering the briefs and arguments of counsel on both sides, find the facts to be as follows:

The claim for property alleged to be quartermaster stores was not presented to the Quartermaster-General, and is therefore barred by a law of the United States. (Dodd's Case, 21 C. Cls., p. 117.)

The commissary supplies were furnished as alleged between about November 30 and about December 15, 1862, to the value of $270.

BY THE COURT.

Filed June 18, 1888.
A true copy.
Test, this 21st day of June, A. D. 1888.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

[In the Court of Claims. December term, 1884. William H. Wilson, administrator of Isaac N. Webb, *vs.* The United States. No. 317, Congressional.]

PETITION.

[Presented by T. W. Tallmadge, attorney.—Filed April 16, 1885.—J. R.]

To the honorable the Court of Claims of the United States:

Your petitioner, William H. Wilson, respectfully represents that on the 10th day of April, 1865, at the special term of the county court for the county of Harrison, State of Kentucky, he was appointed administrator upon the estate of Isaac N. Webb, with the will annexed, and therefore presents this claim as legal representative of Isaac N. Webb, who was a citizen of the United States and died at Cynthiana, Ky., December, 1877, or January, 1878, where he resided during the late war of the rebellion, and he did not give any aid or comfort to the late rebellion, but was throughout that war loyal to the Government of the United States.

That during the said war of the rebellion the United States forces, by proper authority, during the month of July, 1862, took from said Isaac N. Webb quartermaster stores and commissary supplies of the value of $2,580, and appropriated the same to the use of the United States Army in the following manner:

Cooked rations for the board of sixty men of the Seventh Regiment Kentucky Volunteers from —— day of —— to —— day of —— at 75 cents per day each, to amount of $720, for the payment of which a claim was presented to the Commissary-General of Subsistence under an act of Congress approved July 4, 1864, and was by said Commissary-General disallowed, reference being made to the declaration and proof in said claim for more specific description of said commissary supplies.

That the quartermaster stores, which was the property of said deceased and appropriated by the United States Army, consisted of articles of furniture then in the hotel at Cynthiana, Ky., and were appropriated by order of General Burnside for hospital purposes, and of the reasonable value of $1,860, the specific articles and value of said furniture to be shown in the prosecution of this case, as alleged in original claim filed before Congress, with petition therein presented.

That no remuneration has been made for this your petitioner's claim, either to the deceased, his legal representatives, or any other person for him, but petition has been presented to the Congress of the United States for relief, and on or about the 18th day of February, 1885, was, by the Committee on War Claims of the House of Representatives, referred to the honorable Court of Claims under section 1 of an act of Congress, approved March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government."

Your petitioner further states that the said claim has not been assigned or transferred, and he is the party duly authorized aforesaid to present the same before the honorable court; that it is correct and just; that he did not give any aid or comfort to the late rebellion, but was throughout that war loyal to the Government of the United States.

And your petitioner claims the sum of $2,580, and prays for a finding of the facts before set forth, and such facts as may be shown by the evidence, and the report thereof to the committee by which the case was transmitted as provided in said act of March 3, 1883.

W. H. WILSON,
Administrator of Isaac N. Webb, deceased.

Personally appeared before me W. H. Wilson, who, being duly sworn, says that the statements contained in the foregoing petition are true, to best of his knowledge, information, and belief.

Subscribed and sworn to before me this 13th day of April, 1885.
[SEAL.]

ORIE LEBUS,
Notary Public, Harrison County, Kentucky.

State of Kentucky, Harrison County court.—Special term.

APRIL 10, 1885.

On motion of William H. Wilson, it is ordered that administration upon the estate of Isaac N. Webb, deceased, be, and the same is hereby, granted unto him, with his will annexed, whereupon he took the oath prescribed by law, and together with J. T. Cook, his surety, who is accepted and approved by the court, entered into and acknowledged bond to the Commonwealth of Kentucky as administrator aforesaid, conditioned according to law, and thereupon the court grants letters of administration herein to him in due form.

A copy—Attest:
[SEAL.]

R. M. COLLIER,
C. H. C. C. D. C.

Mr. JOSEPH D. TAYLOR. I ask unanimous consent to print in the RECORD the report of the Committee on War Claims in regard to the bill which I offer as an amendment.

The CHAIRMAN. Is there objection?

Mr. KERR, of Iowa. I object.

The CHAIRMAN. The gentleman from New Jersey [Mr. BUCHANAN] offers an amendment, which the Clerk will read.

The Clerk read as follows:

Add at the end of the bill the following:

"And the Court of Claims shall retain jurisdiction of the claim of Forman Mathews and David Stout Parker, of Ocean County, in the State of New Jersey, for recovery of the value of their schooner, the Twilight, sunk by collision with a public vessel of the United States, and, upon full hearing of said cause, shall enter such judgment therein as right and law may require, with leave to either party to appeal to the Supreme Court of the United States."

Mr. THOMAS. I make the same point of order on this amendment.

Mr. BUCHANAN, of New Jersey. What is the point of order?

Mr. THOMAS. That it is not germane to this bill.

Mr. BUCHANAN, of New Jersey. Why, Mr. Chairman, since this discussion has gone on I have looked at the several reports as to the different items in this bill, and I find that it contains everything from potatoes to peanuts and from rails to rubbish, and certainly somewhere within that wide range a schooner would find a place. This claim has been reported from the Court of Claims, and stands on precisely the same footing as these other claims. It was referred in the Forty-eighth Congress to the Court of Claims. That court has made its report, and this amendment is simply to send the claim back to the Court of Claims to pass its judgment upon it.

The CHAIRMAN. Was it reported by the Court of Claims under the Bowman act?

Mr. BUCHANAN, of New Jersey. It was.

Mr. KERR, of Iowa. I do not understand that it was so reported.

Mr. BUCHANAN, of New Jersey. It was so reported. It was referred under the Bowman act, and I do not ask as much for this claimant as is asked for the others. I do not ask this House to-day upon the findings of fact reported under the Bowman act to say that the claimant shall be paid; but I ask less than is asked for the others. I ask that it be referred back to the court to see whether under these findings this private legal claim should be paid or not, with leave for an appeal to the Supreme Court of the United States.

The CHAIRMAN. The Chair will ask the gentleman from New Jersey whether the claim mentioned in this amendment is for supplies taken for the use of the Army of the United States.

Mr. BUCHANAN, of New Jersey. It is not for supplies furnished to the Army; neither is that bill exclusively for supplies furnished to the United States Army, especially since it has been amended.

The CHAIRMAN. The Chair is of opinion that if there were any items in the bill that were not for that purpose they would be subject to a point of order.

Mr. THOMAS. The point of order has never been raised, and this bill is not even for supplies to the United States Army.

The CHAIRMAN. The Chair is clearly of opinion that the amendment is not germane to the bill. The character of the bill is shown by its title, which is "A bill for the allowance of certain claims for stores and supplies taken and used by the United States Army," etc.

Mr. BUCHANAN, of New Jersey. Well, if the Chairman please, I will move to amend the title when we reach that. [Laughter.]

The CHAIRMAN. The amendment is not in order, in the opinion of the Chair.

Mr. ENLOE. I move that the committee now rise and report this bill to the House.

Mr. PAYSON. I desire to offer an amendment to come in at the end of the bill.

Mr. KERR, of Iowa. Has the last paragraph of the bill been read?

The CHAIRMAN. It has.

The amendment of Mr. PAYSON was read, as follows:

Amend by adding the following words:
"All Treasury drafts in payment of the claims appropriated for in this act shall be made payable and delivered to the parties named, respectively, or, in case of the death of the party, to his or her executor or administrator."

Mr. RICHARDSON. Mr. Chairman, I desire to say a word upon that amendment.

Mr. McCOMAS. I hope the gentleman will not object to that. It is a very just and wise amendment.

Mr. RICHARDSON. Mr. Chairman, I think the arrangement now carried out by the Deparment is a good one. These drafts are now made out in favor of the claimant. Nobody else but the claimant can draw money upon a warrant for a war claim; but it has been a regulation of the Department for twenty-five years, ever since the war, that the warrant shall be delivered to the attorney who has been representing the claim for perhaps twenty years, and has advanced his own money in order to prosecute and perfect it. The attorney then goes to the claimant and together they collect the money and the settlement is made. Now, that is fair. I am no attorney, and I have no interest in anybody who is an attorney; in fact I do not care about the attorney's interest at all, except that I wish to treat everybody fairly.

But if you mail a draft to some place in Tennessee or Kentucky or some other remote portion of the country, and the claimant alone can collect the money, evidently the attorney, who may be in Washington, or New York, or Chicago, or some other distant city, will in many cases stand a very poor chance of getting his fee. On the other hand, when you pursue the course which the Secretary of the Treasury has pursued for many years, both parties are protected. The Secretary can adjust any differences that may arise between the attorney and the claimant. He is authorized to do that, and he has made regulations by which the adjustment can be made satisfactory. On the whole it seems to me better to let the matter stand as it has been for many years past under the regulation I have stated.

Mr. McCOMAS. I hope that the amendment will be adopted. For many months I have been most earnest in my efforts to secure the passage of this bill. I know a great many honest people who have made these claims and have employed attorneys, and who will settle with them if they obtain this money, after twenty-five years of waiting; but I am anxious that honest claimants may know and that the country may know that, as this amendment indicates, this is a claimants' bill and not an attorneys' bill. There can be no difficulty about the matter which the gentleman from Tennessee suggests. Let the attorneys settle with their clients in the way proposed, but let Congress do this long-delayed justice to these claimants and pay the money to the parties named in the bill or their representatives. It would give this legislation a better standing in another body as well as a better standing before the country, and I appeal to my friend not to oppose the amendment, but to accept it in good faith and let us pass this bill.

Mr. RICHARDSON. The gentleman from Maryland says this amendment will commend this bill to the Senate. In reply to that I want to say that in the Forty-ninth Congress, when we passed the 4th of July bill providing for the payment of war claims such as these, the gentleman from Illinois [Mr. SPRINGER] offered an amendment identical with that which his colleague from Illinois [Mr. PAYSON] has offered to this bill and the House adopted it. The bill went to the Senate, and instead of being commended to the Senate by that amendment, the Senate unanimously struck the amendment out. The bill came back here and went to a committee of conference of which the gentleman from Kentucky [Mr. STONE] and myself were members, according to my present recollection. We met the Senate conferees and agreed that that amendment should be stricken from the bill. The bill came back to the House and the gentleman from Illinois [Mr. SPRINGER] objected to its consideration. Unanimous consent was required to get the bill considered. We went to the gentleman from Illinois and appealed to him to withdraw his objection, and about two days before the session closed he did so and the bill passed.

Mr. McCOMAS. Well, let us do our whole duty and let the Senate take care of itself.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYSON. Mr. Chairman, the suggestions made by the gentleman from Tennessee [Mr. RICHARDSON] are not even persuasive to me. I am utterly indifferent as to what the fate of this amendment shall be in any other place. I am more anxious that the amendment shall be adopted, if it commends itself to the considerate judgment of this House of Representatives. I know, as everybody knows, the evils—I hardly know how to measure the words that I shall use with reference to this matter—I know the evils, the scandals, the robberies, that are carried on by claim agents in and about this city when claims are allowed by Congress. Every man within sound of my voice knows of them by information, if not directly from honest and poor claimants this country over, if not from the experience of some among his own constituents.

The gentleman from Tennessee says that the easy way, the best way, to manage the business is to let the attorney, the claim agent, who is sometimes, often possibly in a majority of cases, a scalper, sit down with his client, with the Treasury draft in his hand, and arrange his percentage. That may be the best way for the benefit of the scalper, but certainly not for the benefit of anybody else. Mr. Chairman, what harm can it do, when we are opening the doors of the Treasury here for honest claimants, to say that in the first instance the money of the United States shall go to the citizen, to the honest claimant, and to nobody else, to the man or the woman who, twenty or twenty-five years ago, had his or her property taken to aid in putting down the rebellion? What harm can it do to say that one hundred cents on the dollar shall go, in the first instance, to that man or that woman, and let him or her arrange with the attorney?

My experience and my observation in the ranks of a deserving profession authorize me to say that no honest lawyer will be injured by the adoption of this amendment. No honest man, prosecuting a claim for a reasonable fee, will be less likely to receive that fee by reason of the adoption of this amendment.

These "scalpers" undertake to exact fees of 25 and 50 per cent. In regard to these claims I want the 100 per cent. to go to the claimant himself, permitting him to settle with his lawyer. It seems to me I need not enlarge upon this amendment.

The CHAIRMAN. Debate on the pending amendment is exhausted.

Mr. CUTCHEON. I move to amend by striking out the last word. I hope this amendment will prevail. More than that, I wish we had placed a precisely similar amendment upon the pension appropriation bill in regard to the fees of pension attorneys. It is a fact known to every member of the House who has anything to do with pensions that pension attorneys have their claims collected gratuitously by the United States before the honest pensioner can ever touch a farthing of his pension. The United States collects in this way a million dollars of attorneys' fees in pension cases every year. I trust that the Government of the United States is not going any further in this direction.

In regard to the war claims now before us, the gentleman from Tennessee says that the draft will be made out in the name of the claimant and will be sent to the attorney. What will the attorney do? He will write a letter to the claimant stating that he holds the Treasury draft, and if the claimant will make out a power of attorney authorizing him to collect the money, he will take out his percentage and remit the balance. It is within my personal knowledge that frequently 35 per cent. of the amount of the claim has been exacted in this way for attorneys' fees. I trust that we shall put such a proviso on this bill as will prevent anything of that kind in regard to these war claims; and I hope that hereafter our pensioners will be protected from this species of extortion.

Mr. DOCKERY. The gentleman from Missouri [Mr. CUTCHEON] will allow me to call his attention to the fact that this House passed at the last session—by a unanimous vote, I believe—a bill to reduce the fees of pension attorneys to the extent, in the aggregate, of half a million dollars annually. It is not the fault of this body that that bill is not now a law.

[Here the hammer fell.]

Mr. CHEADLE. I move to amend the amendment by striking out the last two words. Mr. Chairman, I wish to emphasize, if possible, what the gentleman from Illinois [Mr. PAYSON] has said in regard to the necessity for this amendment. It does seem to me that this Congress ought not to consent to the passage of a bill carrying so large a sum of money as this without providing that every dollar of the money appropriated shall go to the claimants from whom it has been withheld for a quarter of a century. I have been in Congress only a short time, yet I have been here long enough to know something of the robbery practiced by these claim attorneys. I know that in one case in the Fiftieth Congress more than 33 per cent. of the amount of a claim went to the attorney as a fee for his services when they were not worth in fact one-tenth part of the amount he received.

I know also that in the case of pensioners, one or two pay days pass after the pension is allowed before the pensioner can receive anything, it being necessary that the claim of the pension attorney shall be satisfied before the pensioner can obtain one cent of the pension granted him by the Government.

Mr. WILLIAMS, of Ohio. Yes; sometimes a whole year passes after the allowance of the pension before the pensioner begins to receive anything.

Mr. CHEADLE. I submit that every consideration of justice and equity demands the adoption of the amendment of the gentleman from Illinois, and I trust that it will be agreed to without dissent.

Mr. WHEELER, of Alabama. Mr. Chairman, I think the amendment suggested by the gentleman from Illinois [Mr. PAYSON] ought to commend itself to the favorable consideration of members of the House, and certainly no friend of this bill will jeopardize or delay its passage by opposition to the amendment under consideration. Some gentlemen argue that the amendment will commend the bill to the Senate, while others seem to argue to the contrary. I am utterly opposed to shaping our legislation upon any such basis, but as the matter has been discussed gentlemen will recollect that the Senate inserted in

the direct-tax bill an amendment almost precisely of the same tenor, thereby showing that they concur in the view suggested in the amendment of the gentleman from Illinois.

Now, a moment as to the general character of this bill and a word in reply to the remarks of the gentleman from Indiana [Mr. HOLMAN] and others. I want to call attention to some of the cases embraced in this bill, and I may as well take the first case— that of Mr. Allison. I hold in my hand the report of the Southern Claims Commission. This case is found on page 411, reports 71 to 74. It shows that this tribunal tried this case nearly twenty years ago, and found that $2,506 was justly due to Mr. Allison. The court found the supplies were sold to the Government and used by the Army, and that at reasonable market prices they were worth $2,506.

It appears from the decision that his loyalty was fully established, but apparently after the trial was over, or at least after the evidence was closed, two men testified or presented affidavits that Mr. Allison had used disloyal expressions, and therefore the court rejects the claim. When this claim is presented to the Court of Claims, twenty years later, they find that Mr. Allison was loyal and therefore entitled to the whole amount of the claim; but, possibly in a spirit of compromise, they cut it down from $2,500 to $900 by reducing the prices charged for the articles furnished; and certainly an examination of those prices will convince any reasonable man that they were not too high, but that they were proper and just.

Let me urge one further consideration as showing the injustice suffered by claimants of this character. The value of the supplies furnished by this man in 1863 was $2,500, which amount was at that time justly due him. That sum running at legal interest, compounded regularly since that time, would amount to over $17,000, which is the sum he is now justly entitled to. And yet, after working and waiting for twenty-seven years, he is compelled to come here begging Congress to give him $900; and, as has been remarked, one-third of this will probably go to the attorney, so that this claimant will receive not over $600 in settlement of a claim which justly amounts to $17,000, and there are men on this floor who would prevent his getting the little pittance of $600 if it was in their power to do so.

Now bear in mind that Mr. Allison has waded through two courts in his efforts to get justice, both courts finding that the articles were purchased and used by the Government, and the Court of Claims also finding that he was always loyal, and the Southern Claims Commission finding this fact substantially the same as determined by the Court of Claims.

A great deal has been said by the gentleman from Wisconsin [Mr. THOMAS] with regard to the loyalty of these claimants, and he has also intimated that these courts were not sufficiently strict in considering the question of loyalty, that they were careless and declared men to be loyal when according to the evidence they should have found otherwise.

Had the gentleman looked into these cases and examined the evidence upon which the judgments of these courts were based he would never have ventured such an opinion. The facts are just the reverse. The courts were almost cruel in their exactions regarding proof of loyalty.

Why, sir, I hold in my hand one of the judgments of the Southern Claims Commission with regard to the question of loyalty. The claimant proved clearly and positively that he was a loyal man. There was not one word or syllable to controvert the evidence upon this point. All the witnesses testified that he was loyal to the United States Government during the entire war; but the court accepted the evidence of a neighbor, who testified that threats were made against Union men; that five Union men in that locality had been shot down and thrown over a precipice; and simply and solely because this man was neither shot down nor injured nor thrown over a precipice the court is not satisfied that he was loyal and rejects his claim.

I read from the third general report of the Southern Claims Commission, page 221. It is the case of Lindsey Allen, of Franklin County. Here is the language of the court:

> This claimant professes to have been loyal to the United States, and his witnesses testify to his loyal reputation and to his very strong expressions of condemnation of the Confederacy and its leaders; yet he was never personally threatened, molested, or injured on account of his Union sentiments. Yet one of the witnesses, who expresses the opinion that Mr. Allen was a Union man, says: "Threats against Union men were constantly in circulation during the war, and he knows that such threats were in several instances carried into effect. Five Union men were shot and thrown from a bluff within 6 or 7 miles of claimant, and another was hung in Marion County, Alabama, all because of their Union sentiments. They were non-combatants, connected with no army, and two of them were between sixty and seventy years old when killed." The loyalty of the claimant and his escape from personal injury are wholly irreconcilable with the facts above recited.

The court here virtually decides that because this man (Mr. Lindsey Allen) was not killed he could not have been loyal, and because he was not either killed or injured the court rejects his claim. And this is the court which gentlemen say found men were loyal upon insufficient evidence.

And all this cant about loyalty is flaunted before Congress in the face of the fact that the Supreme Court of the United States has declared over and over again that proof of loyalty to the United States during the war is not *per se* essential to enable a claimant to recover payment for property taken from him by the Government or its officials.

The legislative appropriation bill of July 12, 1870, included an appropriation for the payment of judgments rendered by the Court of Claims, but with the proviso that (see 13 Wallace, page 133)—

> The proof of loyalty required by the abandoned and captured property act, and by the sections of several acts quoted, shall be made by proof of the matters required, irrespective of the effect of any executive proclamation, pardon, amnesty, or other act of condonation or oblivion. And in all cases where judgments shall have been heretofore rendered in the Court of Claims in favor of any claimant, on any other proof of loyalty than such as is above required and provided, and which is hereby declared to have been and to be the true intent and meaning of said respective acts, the Supreme Court shall, on appeal, have no further jurisdiction of the cause, and shall dismiss the same for want of jurisdiction.

In the case of the United States *vs.* Klein, 13 Wallace, page 128, the Supreme Court held that by imposing the conditions contained in the proviso, Congress had encroached upon the Constitution and that Congress had exceeded its powers.

The Court proceeded to consider the various laws enacted by Congress during the war regarding property in the Southern States, and on page 137 the decision says:

> It is thus seen that, except to property used in actual hostilities, as mentioned in the first section of the act of March 12, 1863, no titles were divested in the insurgent States unless in pursuance of a judgment rendered after due legal proceedings. The Government recognized to the fullest extent the humane maxims of the modern law of nations, which exempt private property of non-combatant enemies from capture as booty of war.

Even if it were true that any of the claimants whose claims you are now considering aided the cause of the Confederacy, it is also true that they all received a pardon from the President twenty-five years ago; and in the opinion in the Klein case, pages 147 and 148, the court says:

> To the Executive alone is intrusted the power of pardon, and it is granted without limit. Pardon includes amnesty. It blots out the offense pardoned and removes all its penal consequences. It may be granted on conditions. * * * Now, it is clear that the Legislature can not change the effect of such a pardon any more than the Executive can change a law.

The act of March 3, 1883, by which the cases now before us were referred to the Court of Claims, endeavored to circumvent the force and effect of the decision of the Supreme Court by providing that the Court of Claims was given jurisdiction in only those cases where the claimant proved loyalty, and for that reason it is only such cases that are now before this body. All the legislation of Congress upon this subject has been very unjust to the citizens of the Gulf and Atlantic States.

The act of July 4, 1864, provided for the payment for quartermaster stores and subsistence supplies furnished to the Army of the United States by loyal citizens in States not in rebellion. This, of course, excluded all Southern States except Kentucky and Missouri. (See Statutes at Large, volume 13, page 381.)

The joint resolution of June 18, 1866, volume 14, page 360, enacted that the provisions of this law—

> Be, and the same are hereby, construed to extend to the counties of Berkeley and Jefferson, of the State of West Virginia.

The joint resolution of July 28, 1866, volume 14, page 370, provided that the law—

> Is hereby extended to the loyal citizens of the State of Tennessee.

The first law which sought to give claimants in the other Southern States an opportunity for the adjudication of these claims was the act of March 3, 1871, which authorized the Southern Claims Commission, to consist of three commissioners—

> Whose duty it shall be to receive, examine, and consider the justice and validity of such claims as shall be brought before them, of those citizens who remained loyal adherents to the cause and the Government of the United States during the war, for stores or supplies taken or furnished during the rebellion for the use of the Army of the United States in States proclaimed as in insurrection against the United States, including the use and loss of vessels or boats while employed in the military service of the United States. And the said commissioners in considering said claims shall be satisfied from the testimony of witnesses under oath or from other sufficient evidence of the loyalty and adherence of the claimant to the cause and the Government of the United States before and at the time of the taking or furnishing of the property for which any claim shall be made, and of the quantity, quality, and value of the property alleged to have been taken or furnished. (See 16 Stats., page 524.)

The gross injustice done to claimants by this tribunal caused numerous appeals to Congress, and on March 3, 1883, the law was enacted called the "Bowman act."

Section 1 provides—

> That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts, the committee or House may cause the same, with the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the Court of Claims of the United States, and the same shall there be proceeded in under such rules as the court may adopt. When the facts shall have been found, the court shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration.

Section 2 provides—

> That when a claim or matter is pending in any of the Executive Departments which may involve controverted questions of fact or law, the head of such Department may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said court, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall not enter judgment thereon, but shall

report its findings and opinions to the Department by which it was transmitted for its guidance and action.

Section 3 provides that—

The jurisdiction of said court shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army or Navy during the war for the suppression of the rebellion, or for the use and occupation of real estate by any part of the military or naval forces of the United States in the operations of said forces during the said war at the seat of war.

Section 4 provides that—

Unless the said court shall, on a preliminary inquiry, find that the person who furnished such supplies or stores, or from whom the same were taken as aforesaid, was loyal to the Government of the United States throughout said war, the court shall not have jurisdiction of such cause, and the same shall, without further proceedings, be dismissed.

The claims we are now considering were before the Southern Claims Commission under the act of March 3, 1871, which I have cited. They were appealed to Congress, and by that body referred to the Court of Claims under the act of March 3, 1883, from which I have just read; and that court adjudicated the cases in favor of the claimants.

These old men have been disappointed and their cases delayed long enough. The injustice of Congress to these claimants is too apparent to be longer continued, and the limit of endurance of these poor people has been reached. The time has come when a vote is to be taken, and I appeal to all men who believe in fair dealing, in honesty, in integrity, and in humanity to vote for this bill and let the struggle cease.

[Here the hammer fell.]

Mr. ENLOE. Mr. Chairman, permit me to say just a word, and that is to express the hope that gentlemen, in their solicitude to protect these claimants, will not consume the entire remainder of this day and thereby prevent them from an opportunity of getting anything at all. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Illinois [Mr. PAYSON].

The amendment was adopted.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

The CHAIRMAN. The Clerk will report the next bill on the Calendar.

Mr. MCCOMAS. Mr. Chairman, I move that the committee now rise and report this bill to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. ALLEN, of Michigan, reported that the Committee of the Whole House, having had under consideration the bill H. R. 7616, on the Private Calendar, had directed him to report the same to the House with various amendments, and, as so amended, that the bill do pass.

Mr. MCCOMAS. I move the previous question on the bill and amendments.

Mr. HOLMAN. The adoption of the previous question will not cut off a demand for a separate vote on one of these amendments, will it?

The SPEAKER. Not at all.

The previous question was ordered.

The SPEAKER. The Clerk will report the several amendments. Unless a separate vote is asked for on the amendments as they are read they will be considered as having been agreed to.

Mr. HOLMAN. I ask a separate vote on the amendment in relation to the claim of Wilson, administrator, *vs.* The United States.

The SPEAKER. The Clerk will report the rest of the amendments on which a separate vote is not demanded.

The remaining amendments were read and agreed to.

The SPEAKER. The Clerk will now read the amendment on which the gentleman from Indiana demands a separate vote.

The Clerk read as follows:

After the word "Kentucky," in line 18, strike out the words "two hundred and seventy" and insert in lieu thereof the words "two thousand and one hundred and thirty."

Mr. HOLMAN. On that I ask a separate vote.

The amendment was adopted.

The SPEAKER. The Chair understands that these are amendments to a substitute; and the question now is on the adoption of the substitute as amended.

The substitute as amended was adopted.

The question recurred on the engrossment and third reading of the bill as amended.

The question was taken; and on a division, demanded by Mr. HOLMAN, there were—ayes 89, noes 8.

Mr. HOLMAN. In view of the large preponderance of the affirmative vote, I shall not ask a further count.

So (no further count being demanded) the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The SPEAKER. The question recurs on the passage of the bill.

The bill was passed.

Mr. MCCREARY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. THOMAS. I move that the House resolve itself into Committee of the Whole for the further consideration of business on the Private Calendar.

Mr. TRACEY. Pending that motion I ask unanimous consent to put on its passage a bill which has passed the Senate and is included in this omnibus bill which has just passed the House, and also to strike that from the bill which has just passed. The matter to which I refer has passed both the Senate and the House separately.

Mr. THOMAS. I must insist on the motion.

Mr. TRACEY. I hope the gentleman will not object. This is simply carrying out the intention of the Senate and the House.

Mr. DUNNELL. Regular order.

The SPEAKER. The regular order is the motion of the gentleman from Wisconsin.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. ALLEN, of Michigan, in the chair.

J. F. BAILEY & CO.

The CHAIRMAN. The House is now in the Committee of the Whole for the consideration of bills on the Private Calendar, and the Clerk will report the first bill.

The Clerk read as follows:

A bill (H. R. 3913) granting jurisdiction to the Court of Claims, notwithstanding any statutory bar, of the claims of J. F. Bailey & Co. and others.

The bill was read at length.

Mr. O'NEILL, of Pennsylvania. I ask unanimous consent that this bill be passed over informally without prejudice, not to lose its place on the Calendar.

Mr. THOMAS. I am willing that it shall be passed over, but am not willing that it shall be done without prejudice. I want to get to the other bills on the Calendar.

Mr. O'NEILL, of Pennsylvania. This only allows the bill to retain its place.

Mr. THOMAS. Very well; I withdraw the objection.

There being no objection, the bill was informally passed over.

CHARLES STOTESBURY, ADMINISTRATOR.

The CHAIRMAN. The Clerk will report the next bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 3308) to open and set aside an order of the Court of Claims canceling a portion of a judgment against the United States, remitted through mistake as to the facts in regard to the same by claimant to the United States, and to refer the matter to the Court of Claims for such further action as said court shall find to be just and equitable.

The bill is as follows:

Be it enacted, etc., That the order made on the 28th day of April, 1884, in the Court of Claims of the United States, in the case then pending in said court in which Charles Stotesbury, as administrator of William Stotesbury, deceased, was claimant, and the United States were defendants, said case being numbered 13416, in and by which order, upon the remitting by claimant to the United States of the sum of $4,933, residue of the sum for which judgment was entered in said case on the 7th day of January, 1884, and upon the payment of the sum of $6,368, and interest from the time of presenting transcript of the judgment to the Secretary of the Treasury, pursuant to the statute, the United States were acquitted of said residue, and said judgment was canceled upon said terms, be, and the same hereby is, opened and set aside, and the matter referred back to the Court of Claims.

SEC. 2. That the claimant have permission and opportunity, upon notice to the Attorney-General of the United States, to make a motion before the Court of Claims, at any term thereof within one year from the passage of this act, to restore said judgment to full force and effect as to the portion thereof remitted and canceled, and if, upon the hearing of said motion, said court shall find that said remittitur of said sum of $4,933 judgment was made by claimant through mistake of the facts, and that said remittitur and cancellation of said residue of said judgment were, and are, under all the facts and circumstances of the case, unjust and inequitable to the beneficiaries entitled to the said judgment, and that it would be just and equitable so to do, then in that case said Court of Claims is authorized and empowered, and jurisdiction and authority are hereby given said court, to grant said motion and to restore said remitted part of said original judgment as a valid and existing judgment against the United States for the sum of $4,933; otherwise to reaffirm said order of April 28, 1884.

SEC. 3. That in case said Court of Claims restores said remitted part of said original judgment as a valid and existing judgment against the United States, pursuant to the provisions of the second section of this act, the amount thereof shall be paid by the Secretary of the Treasury, out of any moneys in the Treasury applicable to the payment of prize to captors; and if there shall not be money applicable for that purpose in the Treasury, or sufficient therefor, then the same, or any part thereof for which prize-money in the Treasury is insufficient, shall be paid out of any money in the Treasury not otherwise appropriated.

Mr. HOLMAN. I hope the report accompanying the bill will be read.

The report (by Mr. LAIDLAW) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 3308) to open and set aside an order of the Court of Claims canceling a portion of a judgment against the United States, remitted through mistake as to the facts in regard to the same by claimant to the United States, and to refer the matter to the Court of Claims for such further action as said court shall find to be just and equitable, respectfully report as follows:

That a bill was introduced into the House of Representatives of the Forty-ninth and Fiftieth Congresses embracing the same subject-matter as this bill, and substantially to accomplish the same ends. That it was referred to the Committees on Claims in said former Congresses (Forty-ninth and Fiftieth) and by said committees reported favorably to the House in said Forty-ninth Congress, with certain amendments recommended in the report, a copy of which

report is hereto attached. The present bill contains the amendments recommended in said report. The present committee adopt the report of the former committee as their own, and recommend that the present bill do pass, excepting as to the amendments proposed in the former report.

[House Report No. 2172, Forty-ninth Congress, first session.]

The Committee on Claims, to whom was referred the bill (H. R. 1533) to open and set aside an order of the Court of Claims canceling a portion of a judgment against the United States, remitted through mistake as to the facts in regard to the same by claimant to the United States, and to refer the matter to the Court of Claims for such further action as said court shall find to be just and equitable, having considered the same, submit the following report:

The claimant, as administrator of the estate of William Stotesbury, deceased, obtained, in 1884, a judgment in the Court of Claims against the United States for the sum of $11,301, from which judgment the United States appealed to the Supreme Court; that thereafter the claimant, through his attorney, remitted $4,933 of said judgment; whereupon the balance was paid by the United States and the appeal dismissed.

The claimant has produced evidence tending to show that he was induced to remit said sum under a mistake of fact, and that by reason of such deception he was induced to take a less sum than he was entitled to under said judgment.

The committee is of opinion that he should be permitted to make his showing in the court which rendered the judgment, and, if the facts warrant it, he should receive the amount remitted.

The CHAIRMAN. The question is on laying the bill aside.

Mr. THOMAS. Mr. Chairman, this is a most remarkable bill, and I would like to have some explanation of it.

Mr. BUCHANAN, of New Jersey. No more remarkable than some of the items we have already passed.

Mr. THOMAS. No; but there is no provision similar to the one in the other bill protecting the interests of the Government.

As I understand this bill, Mr. Chairman, there was a settlement between the Government and the claimant, in order that he should not run the risk of an appeal to the Supreme Court, by which he remitted a certain sum. Now he proposes to submit it to the court again and have this sum that he remitted returned to him, on the ground of some misrepresentation; but the bill does not provide that in that case the matter shall go to the Supreme Court for review.

Mr. KERR, of Iowa. Mr. Chairman, it looks very much to me as if this judgment was paid, or the case settled, on a compromise; and it does not seem that it would be proper under those circumstances, after the claimant had received about half of his claim and got this money, which apparently was paid to him in consideration of his abandoning the rest of his claim, that the Government, after it has parted with $4,000, and on that sum lost its right of appeal, apparently as a matter of compromise, should now be compelled to go and adjudicate the whole matter over again, when it has parted with half of the money, when the whole claim might have been decided adversely to the claimant if the whole matter had gone up at first.

Mr. WILLCOX. Mr. Chairman, the chairman of the committee having this matter in charge [Mr. LAIDLAW] is not present in the House to-day, and I think it would be unfair to dispose of it without his being present to explain the bill. It is a matter that I am not familiar with, although I am on the same committee. I therefore move that this bill be passed without prejudice at this time.

The CHAIRMAN. The gentleman from Connecticut [Mr. WILLCOX] moves that this bill be laid aside without losing its place on the Calendar. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the next bill.

HEIRS OF MARK DAVIS, DECEASED.

The next bill on the Private Calendar was the bill (H. R. 4496) for the relief of the heirs of Mark Davis, deceased.

The bill was read, as follows:

Whereas it is shown that the military authorities of the United States in command of the city of New Orleans, on the 23d day of February, 1863, demanded and received, at the said city of New Orleans, from the agent of Mark Davis, a loyal citizen of the United States then residing at Petersburgh, in the State of Virginia, certain personal property, consisting in part of fifty-five promissory notes of the amount and value in the aggregate, without interest, and deducting certain indorsements thereon, of $27,383.38, and legal currency to the amount of $275.30, and also demanded and received possession of certain real estate belonging to said Mark Davis, and subsequently collected certain rents for the use and occupation of the same, the amount whereof does not clearly appear, all of which said personal property and real estate were duly receipted for by the officer receiving the same; and

Whereas the said Mark Davis has since died, leaving a will wherein certain parties are constituted residuary legatees of his estate: Therefore,

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the residuary legatees named in the last will and testament of Mark Davis, deceased, or to their heirs and assigns, out of any money in the Treasury not otherwise appropriated, the sum of $21,828.33, that being the face amount and value of the promissory notes and cash so taken: *Provided*, That the payment of the said amount to the said residuary legatees, their heirs or assigns, shall be received as full acquittance and discharge of all claim or demand against the United States growing out of or in any way connected with the said taking, whether of the personal property or real estate.

Mr. HOLMAN. I think the report should be read.

Several MEMBERS. The report is very long.

Mr. BUCHANAN, of New Jersey. I think there should be some explanation of this bill. I understand it is a bill for the relief of the heirs of Mark Davis.

Mr. THOMAS. The gentleman from Virginia [Mr. VENABLE] will be able to state the facts, as I understand it.

Mr. KERR, of Iowa. I ask for the reading of the report.

Mr. VENABLE. This is the claim of the heirs of Mark Davis, of the city of Petersburgh, who was a merchant there and had retired from business as early as 1843. The principal part of his fortune consisted of business real estate in the city of New Orleans. It was there in the hands of Edward Barnett, esq., an attorney at law and real-estate agent. When the Union Army came to New Orleans the first act of General Butler was to issue a proclamation protecting absolutely from use by the Government or from confiscation the property of private citizens. Notwithstanding that, when General Butler was superseded in command, this property was taken from Barnett by Capt. James W. McClure, and upon that demand by Captain McClure Barnett surrendered to him money, notes, and leases belonging to Davis, the property amounting in all to $21,828. Davis was always represented to be a loyal, unswerving adherent of the Union. He moved from Virginia as soon as the war closed, and died in New York. The facts in this case are set forth elaborately in this report.

Mr. HILL. Will the gentleman allow me to ask him a question? What became of that money and property that were taken?

Mr. VENABLE. It is in the hands of the United States Government to-day.

Mr. HILL. The securities and all?

Mr. VENABLE. The securities and all; that is, if they have not been used by the Government. Here is a receipt from Mr. Barnett by J. W. McClure for this money, for these rent notes, and for these leases. Here is Mr. Armstrong's delivery to Mr. Barnett, after the war in 1865, of the property itself, but no delivery of these notes or money or bonds which Barnett turned over to McClure.

Mr. HILL. I would like to ask if any application was ever made to the Government for the restoration of these securities.

Mr. VENABLE. Not that I know of.

Mr. HILL. I would also like to ask whether they are valuable now or not.

Mr. VENABLE. Here is the proof that the Government officers there took those notes, took the buildings and rented out those buildings to tenants during the whole two years.

Mr. WILLCOX. Do I understand the gentleman to say that the Government has got this identical property?

Mr. VENABLE. No, the Government surrendered this property in 1865. It took it in 1863.

Mr. MAISH. Except the leases, the rent notes, and the cash.

Mr. VENABLE. They did not surrender them.

Mr. BREWER. I ask for the reading of the report.

Mr. MAISH. It is a very long report.

Mr. HILL. I think it had better be read.

Mr. VENABLE. This is a unanimous report made by Mr. THOMAS, the chairman of the committee.

Mr. HILL. How much is the amount?

Mr. VENABLE. Twenty-one thousand eight hundred and twenty-eight dollars and thirty-three cents.

Mr. THOMAS. Mr. Chairman, this case comes from the Committee on War Claims, and the report was made by myself. It is a copy of reports made in several Congresses, both in the House and in the Senate. At the time I made it I supposed there was no question as to the loyalty of this man, Mark Davis. I will say to the House that since there has been a question raised I have very carefully investigated the matter, and am still of the opinion that there ought to be no question as to his loyalty. This is a peculiar case, and the only question about the whole matter is a question as to whether the man was loyal or not. The facts are that he had property in New Orleans—a large number of houses and stores—that were taken possession of, he being an old gentleman, residing in the State of Virginia, and the property was used and occupied by the Federal troops.

The rent that the property had been fetching, the amount of money for which it was rented, was accounted for by the Government. The property had been rented and notes given for the rent, and after the notes became due the Government took them up and said, "We will relieve the men who had this property from paying the rent, because we are occupying it." So I think there is no question about the amount.

Now, I made investigation of the Confederate archives to find if there was any other man by the name of Mark Davis. I made that inquiry after I had made the report, and consequently it did not appear in the report. The fact is that the Confederate archives show the following, as I am informed by a letter of the Secretary of War of February 25, 1890:

One Mark Davis subscribed $3,000 to the Confederate States loan, at Richmond, Va.

One M. Davis subscribed $300 to Confederate States loan, at Richmond, Va.

One M. Davis, of Liberty, Va., requested arms for use of the Old Dominion Rifles; signed a petition for the discharge of a tanner, and as secretary of the war committee for Bedford County, Virginia, volunteered (on behalf of citizens of Liberty, Va.) to take care of sick and wounded soldiers.

One M. Davis was second lieutenant Company D, Ninth or Nineteenth Tennessee Cavalry, Confederate States army.

There are also on file with the Confederate archives three vouchers signed M. Davis at Liberty, Va., for rent of factory for hospital purposes; one signed M. Davis (same signature as above) at Lynchburgh, Va., for hire of a slave, and one signed M. (his x mark) Davis, at Danville, Va., for building a bake-oven.

Mr. BREWER. Where did this man live?

Mr. THOMAS. He lived at Petersburgh, Va. Now, all the neighbors, acquaintances, and friends of this man say that he was an old

man at this time. He is now deceased. They say he had retired from business, and that he had exhibited his loyalty to such a degree as to become unpopular in the neighborhood where he lived. His financial agents made oath that they handled all his funds and money during the rebellion and that he made no such loans, and that this is not the man. I will read one of the affidavits, and there are a great many of them.

It is as follows:

The deponent, M. M. Davis, now of the city of New York, but a resident of Petersburgh, Va., from April, 1861, to 1865, says that he is a nephew of the late Mark Davis, sr., whose claim is now pending before the House of Representatives for money collected by the Federal officers for his rent of property in New Orleans during the war. That he was the financial agent of the said Mark Davis, sr., from January 1, 1861, till 1875. That he knew all the financial acts of his said uncle and was intimately acquainted with all his transactions. The affiant further says that his uncle, Mark Davis, sr., did not, on the 26th day of December, 1862, or at any other time, subscribe $3,000 or any other sum to the Confederate States loan, and for the following reasons:

First. The said Mark Davis always, without exception, signed his name Mark Davis, sr., and no name of Mark Davis without the senior can be his name or signature. In examination of his papers I find his signature was invariably Mark Davis, sr., and this was to distinguish him from other Mark Davises. It was a very common name, and he had a nephew named Mark Davis.

Second. His property was chiefly in New Orleans. When General Butler took possession of the city in May, 1862, his main source of income was cut off and he was not able to make and pay a subscription of $3,000.

Third. He was a foreigner and was loyal to the United States Government. He had no confidence in the success of the Confederate cause, and would not have invested in a cause that he felt was bound to fail.

Fourth. That said Mark Davis, sr., placed his money with me and made his payment through me during the period of the war. No sum could have been paid as a subscription to Confederate loan without my knowledge, and I never knew or heard of such subscription or loan.

M. M. DAVIS.

Now, a number of the affidavits are from Mark Davis's neighbors. This is the affidavit of his nephew, and there is also the affidavit of another nephew who was with this nephew, and they transacted all his financial business. The fact that this man at that time was known in his neighborhood as a Union man, and that the whole family was so known; the fact that there are in Virginia a great many men by the name of Mark Davis; the fact that this man, Mark Davis, sr., invariably signed his name Mark Davis, sr., wherever he subscribed it, and the fact that there is no other evidence to show that he is the man referred to in the Confederate archives, convinces me beyond a reasonable doubt; and taking that in connection with the fact that the gentleman from Virginia [Mr. VENABLE] has personally examined the matter, I am of the opinion that there is no probability of this man being the man mentioned in the Confederate archives.

There is another thing, Mr. Chairman, that I wish to call the attention of the committee to. If by any accident it should prove that this man was the man mentioned in the Confederate archives, we have the decision of the Supreme Court to show that he is entitled to this amount notwithstanding. The fact is that when New Orleans was captured General Butler issued a proclamation declaring that property of citizens should be protected and should not be confiscated or taken except through the regular channels of the court. Afterwards a new commander came into possession of New Orleans, reversed that order, and took the property, especially that of citizens not there, and devoted it to the use of the Government. This property was taken in that way.

1. The Supreme Court of the United States decided in 1864 that the military occupation of the city of New Orleans by the forces of the United States after the dispossession of the rebels from that immediate region in May, 1862, may be considered as having been substantially complete from the publication of General Butler's proclamation of the 6th (dated on the 1st) of that month; and all the rights and obligations resulting from such occupation, or from the terms of the proclamation, existed from the date of that proclamation.

2. This proclamation, in announcing, as it did, that "all rights of property" would be held "inviolate, subject only to the laws of the United States," and that "all foreigners not naturalized, claiming allegiance to their respective governments, and not having made oath of allegiance to the government of the Confederate States," would be "protected in their persons and property as heretofore under the laws of the United States," did but reiterate the rules established by the legislative and executive action of the National Government, and which may also be inferred from the policy of the war in respect to the portions of the States in insurrection occupied and controlled by the troops of the Union. It was the manifestation of a general purpose, which seeks the re-establishment of the national authority and the ultimate restoration of States and citizens to their national relations under better forms and firmer guaranties without any view of subjugation by conquest.

3. Substantial, complete, and permanent military occupation and control, as distinguished from one that is illusory, imperfect, and transitory, works the exception made in the act of July 13, 1861, which excepts from the rebellious condition those parts of rebellious States "from time to time occupied and controlled by forces of the United States engaged in the dispersion of the insurgents;" and such military occupation draws after it the full measure of protection to persons and property consistent with a necessary subjection to military government. (The Venice, 2 Wallace, pages 258 and 259.)

A military commander commanding the department in which the city of New Orleans was situate had not the right on the 17th of August, 1863, after the occupation of the city by General Butler, and after his proclamation of May 1, 1862, announcing that "all the rights of property of whatever kind will be held inviolate, subject only to the laws of the United States," to seize private property as booty of war, or, in face of the acts of Congress of 6th of August, 1861, and July 17, 1862, make any order as commander confiscating it. (Planters' Bank *vs.* Union Bank, 16 Wallace, page 483.)

But I am frank to say that if I had a suspicion, under all the circumstances and in view of all the evidence, that this Mark Davis had been disloyal I should have been willing to leave this matter to a court to decide whether he ought to have his pay or not. But the testimony, when you come to look at it, is overwhelming that he was not the Mark Davis who subscribed to the Confederate loan, that he was not the man who did any disloyal act. He was loyal throughout the war. He was so old that he was not subject to military duty. He had no reason for being disloyal. He and his family were known in the neighborhood as Union men, and then and for a good many years afterward they were under the ban on account of their loyalty.

Mr. HILL. Will the gentleman permit a question?

Mr. HOLMAN. I hope, Mr. Chairman, that we shall get to a vote upon this bill without further delay.

Mr. BUCHANAN, of New Jersey. Was this property seized under the Butler administration in New Orleans, or under the subsequent administration?

Mr. THOMAS. Under the subsequent administration.

Mr. HILL. If that is so, then the decision which you have read would not be in point.

Mr. THOMAS. Oh, yes. The decision is that General Butler having made and published his proclamation, after that the citizen was protected, and any subsequent commander at New Orleans who took the other course and seized the property of the citizen violated the law, unintentionally perhaps, and his actions were void, and that the party was entitled to recover.

Mr. HILL. I understood you to say that the subsequent commander at New Orleans, General Banks, I believe, revoked that order of General Butler.

Mr. THOMAS. No, I did not say that.

Mr. BANKS. I do not remember that I ever revoked any order of General Butler.

Mr. BUCHANAN, of New Jersey. I wish to ask the gentleman whether this Mark Davis did not subsequently apply to the General Government for a pardon, and whether he did not receive a pardon?

Mr. THOMAS. It appears that he did. He had lived in a State that was in insurrection, and he felt that that fact would warrant him in asking a pardon. But he stated at the time that he had committed no treasonable offense against the United States. He and a number of others asked and obtained pardon; but it was conceded by his neighbors at the time that he made the application under the advice of attorneys for the reason that it was feared by some that the mere fact of residence in a hostile territory might be regarded as an offense requiring pardon.

Mr. BANKS. And because pardon and amnesty were necessary to secure his safety afterwards.

Mr. THOMAS. Yes; and, as is suggested by the gentleman from Massachusetts, because the pardon was necessary to secure the safety of his person and property, whether he had been in the rebellion or not.

Mr. KERR, of Iowa. If the Government took possession and held possession of the property of a person who was in rebellion, was not that, in effect, a practical confiscation of the property, and did not that fact obviate the objection that the property had not been condemned by process of law?

Mr. THOMAS. The law provided that in districts controlled by the Government of the United States, not the theater of war, as New Orleans was in possession of the Army of the United States, the confiscation should be by process of law. They proceed against a man in the courts, charging him with being a rebel against the Government and asking in court that it be so adjudged and his property be confiscated. In that way his property might be taken; but the Supreme Court decided that after General Butler had proclaimed, in New Orleans, that property rights should be held sacred, and that property should not be confiscated by the Army, but should be left to process of law—that after that proclamation was issued, which was a proclamation of safety to the inhabitants, declaring that their property should be protected, any taking of property by the military force was null and void. However, I do not base this claim upon that ground. I base it upon the loyalty of this Mark Davis, for I do not believe there is anything that can be shown against it.

Mr. SMITH, of Illinois. Before the gentleman from Wisconsin [Mr. THOMAS] takes his seat I would like to ask him one question. As he examined the evidence in this case and prepared the report, and as he has been a Union soldier himself, I wish to ask him whether he is satisfied from the evidence that this claimant was a Union man, loyal to his Government.

Mr. THOMAS. Beyond a doubt.

Mr. SMITH, of Illinois. That is all.

The question being taken, the bill was laid aside to be reported to the House with a recommendation that it do pass.

NORFOLK COUNTY FERRY COMMITTEE.

Mr. BOWDEN. The next bill on the Calendar is a House bill for the relief of the Norfolk County ferry committee. A Senate bill similar in substance has come over to the House and been favorably reported here. I suggest that the Committee of the Whole consider the Senate bill instead of the House bill.

The CHAIRMAN. Without objection, that will be done. The Chair hears no objection.

The bill was read, as follows:

A bill (S. 471) for the relief of the Norfolk County ferry committee.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Norfolk County ferry committee, of Norfolk, Va., out of any money in the Treasury not otherwise appropriated, the sum of $42,300, that being the amount collected by the Quartermaster's Department of the United States Army as tolls and ferriages for the transportation of civilians, their animals and freights, for three years and eleven months, excepting eight days, beyond the current expenses and repairs of said ferry, as found by the Court of Claims.

Mr. BOWDEN. Mr. Chairman, the report in this case is long, and if the committee will indulge me I can state the claim in a few words.

This is a bill to pay the amount of the finding of the Court of Claims in favor of the Norfolk County ferry committee. This ferry, the boats of which ply between the cities of Norfolk and Portsmouth, is the property of the corporation of Norfolk County and the city of Portsmouth. The profits realized from the running of the ferry go to the support of the free schools of Norfolk County and Portsmouth. In May, 1862, the Federal authorities took possession of this property and used it both for civilian travel and for the transportation of troops and munitions of war. It was a very valuable franchise and paid very largely.

The Government has never given to the owners any compensation for the use of that property, although it was within the Union lines and not at the seat of war, that section of country being at the time represented in this House and also at the other end of the Capitol. Although after the war a settlement was sought, yet it was denied by the various departments until finally the claimants made an appeal to Congress. They have been urging this appeal for the last ten or twelve years. The claim was referred to the Court of Claims, and was there inquired into. It embraces no charge to the Government for the transportation of troops or munitions of war, but simply compensation for the civilian travel while the Government occupied the property. The net profit on this civilian travel, according to the award of the court, was $42,300.

Having thus briefly stated the case, I will gladly answer any questions in regard to it.

The question being taken, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM JEWELL COLLEGE, MISSOURI.

The next business on the Private Calendar was the bill (H. R. 1574) for the relief of William Jewell College, of Liberty, Clay County, Missouri.

The bill, with the amendments reported by the Committee on War Claims, was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the trustees of William Jewell College, of Liberty, Clay County, Missouri, out of any money in the Treasury not otherwise appropriated, the sum of $5,200, in compensation for the use, occupation, and damages to the college building while used by the United States Army, subsequent to September 16, 1861: *Provided*, That the said sum be accepted in full payment of all claims against the United States down to the date of the passage of this act.

The amendments reported by the committee were read, as follows:

Strike out the words "five thousand two hundred," line 7, and insert "two thousand two hundred;" strike out the words "and damages to," line 8, and insert the word "and" after the word "use," line 8, and insert the word "of," line 8, after the word "occupation."

Mr. DOCKERY. The effect of these amendments is to reduce the amount appropriated to the extent of $3,000, and to strike out all compensation for damages.

Mr. HILL. I ask that the report be read or that the circumstances of the case be stated.

Mr. DOCKERY. Mr. Chairman, this bill, as amended by the Committee on War Claims, appropriates $2,200 to the trustees of William Jewell College, located at Liberty, Mo. This amount is appropriated as compensation for the use of the college building and grounds as a hospital by United States troops after the battle of Blue Mills, in 1861, and also for the use of the college and grounds in the summer of 1862 by the Fifth Missouri Cavalry, commanded by Col. William R. Penick.

A MEMBER. This is to pay for rent and occupation?

Mr. DOCKERY. Yes, sir; rent and occupation. No allowance for damages is included in the bill.

Mr. CUTCHEON. Was there any contract, or was this property simply taken and used?

Mr. DOCKERY. It was taken and used by the military forces. The bill provides simply for the payment of rent.

The CHAIRMAN. The question is first on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

HEIRS OF THOMAS BLACK.

The next business on the Private Calendar was the bill (H. R. 1512) for the relief of the heirs of Thomas Black.

The bill was read, as follows:

Be it enacted, etc., That the sum of $4,617.60 be, and the same is hereby, appropriated, to be paid to the heirs of the late Thomas Black, deceased, out of any moneys in the Treasury not otherwise appropriated, in compensation for property taken by the naval forces of the United States during the war of the rebellion from the said Thomas Black, a loyal citizen of the United States.

The report (by Mr. CULBERTSON, of Pennsylvania) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 1512) for the relief of the heirs of Thomas Black, report as follows:

The facts out of which this bill for relief arises will be found stated in House report from the Committee on War Claims of the Forty-eighth Congress, a copy of which is hereto annexed and made a part of this report.

Your committee adopt the said report as their own, and report back the bill and recommend its passage.

[House Report No. 2677, Forty-eighth Congress, second session.]

Under the act of March 3, 1871, this claim was filed by Thomas Black, a native of Maine, who had moved to South Carolina prior to the late war, and had acquired property on Edisto Island in that State. When the claim was filed, Mr. Black was old and infirm, and died September 25, 1877, leaving three daughters, and leaving no personal property to be administered, as all the parties were very poor at the time of his death.

According to law, the commissioners could not receive testimony after March 10, 1879. Owing to the death of Mr. Black and the poverty of his three daughters, there was no administration until May 13, 1879, and the testimony was then taken and filed with the commissioners May 17, 1879; but the commissioners did not consider or act upon the testimony on the ground that it was filed too late, and they had no jurisdiction to act upon it. There was no adverse action on the claim itself.

The first question, then, is, should the claim be now considered, if otherwise meritorious, notwithstanding the proof was filed two months and seven days too late for the commission to exercise jurisdiction? It appears that the death of this old man, poor and infirm, and the leaving in poverty three daughters, sufficiently accounts for the delay, since there was no person competent to press the claim until May 13, 1879, and the testimony was filed in four days after administration granted; and especially should the United States be lenient in the case of this claim, when it is so clearly and conclusively shown that Thomas Black was one of the few in the South who remained at all times loyal to the Union during the war.

This brings us to consider the proof of his loyalty. This should be clearly established, for there is a presumption that one who resided in the Confederate lines during the war was not loyal to the Union, although there were several loyal men who were so resident at Charleston, S. C., and who were well known to be such. Among them, as appears from the testimony, was James L. Petigru, esq., the ablest lawyer of his day in the State; and the loyalty of Thomas Black, an humble citizen, is fully established by the testimony of Hon. Charles Macbeth, mayor of Charleston during the war, and of Hon. James B. Campbell, a prominent citizen of Charleston, who was elected to the United States Senate by the first South Carolina Legislature which convened after the war had ended, and by other reliable witnesses.

Mr. Black was arrested and confined by order of General Ripley, commanding the Confederate forces in and near Charleston, on account of his adherence to the cause of the Union, and with difficulty obtained his release from imprisonment, as he would not declare adherence to the Confederate cause. On this point of loyalty there does not seem to be any room for doubt from the evidence. The claim arises as follows: Mr. Black's home was on Edisto Island, and the Confederate forces ordered him to leave the island, which was about to fall into the hands of the United States forces. He was thus compelled to go to Charleston, but returned to the island to look after his property, when he was taken by armed negro troops on board the United States gunboat Penguin, whence he was released through the kind offices of Captain Boutelle, then of the United States Navy, and now of the Coast Survey, who states that he was released without parole and unconditionally, the only instance of the kind that he remembers to have occurred.

The soldiers who landed at Edisto Island, after occupying it, tore down the houses on Mr. Black's plantation in order to use the lumber for Government purposes, and also took for the Government use a large barge, a pile-driver, a cart and harness, and the provision crop of Mr. Black. These articles, with some others taken, were for the convenience and use of the Army.

The barge was a 14-oared boat, 45 feet long, and was worth $375, and the pile-driver $275, according to the testimony of Charles Deignan, an expert of forty years' experience in ship and boat building. The items of the claim are proven by an eye-witness, and the values are substantiated by testimony of several witnesses, excepting the lumber charged for in the claim. While it is in evidence that this lumber was taken and used by the United States troops, yet the quantity of lumber is not given, and we therefore do not consider this item proven.

The rest of the claim appears to us to be fully established, and we therefore recommend that the bill do pass, with the following amendment as to the amount: Strike out "$992.60" and insert instead thereof "$617.60," so that the claim shall be reduced from $4,992.60 to $4,617.60.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

DAVID B. SANDERS.

The CHAIRMAN. The Clerk will report the next bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 2950) for the relief of the heirs of David B. Sanders, deceased.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the heirs of David B. Sanders, deceased, late of Livingston County, Kentucky, out of any money in the Treasury not otherwise appropriated, the sum of $3,357.50, for fuel, forage, lumber, and brick furnished to and used by the Army of the United States.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2950) for the relief of the heirs of David B. Sanders, deceased, reports as follows:

This is a claim for quartermaster stores furnished the Army of the United States during the late war. Claim stated at $5,000.

Claimant filed his claim in the office of the Quartermaster-General for adjudica-

tion under the act of July 4, 1864. The claim was given to Special Agent J. C. Dougherty for examination and report; and on December 26, 1874, he reported to the Quartermaster-General that the decedent's loyalty was established, and recommended payment for the following stores:

For 40 tons of hay, at $15	$600.00
For 2 tons of Hungarian grass, at $15	30.00
For 2,500 binds fodder	37.50
For 600 cords wood, at $2.50	1,500.00
For 8,000 feet of lumber, at $20	160.00
For 55,000 feet of lumber, at $10	550.00
For 6,000 brick, at $8	480.00
Amounting to	3,357.50

Col. James A. Ekin, deputy quartermaster-general, transmitted the claim to the Quartermaster-General with a recommendation that the claim be suspended, and no action has been taken on said claim.

Your committee are satisfied that the claimant was a loyal citizen, and that stores of the value of $3,357.50 were taken and used by the Army of the United States, and report back the bill and recommend its passage with the following amendment:

Strike out the word "heirs" wherever it occurs in the bill and insert in lieu thereof the word "estate."

The amendment recommended by the committee was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JOHN N. DORR, SR.

The CHAIRMAN. The Clerk will report the next business on the Calendar.

The Clerk read as follows:

A bill (H. R. 2917) for the relief of John N. Dorr, sr.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John N. Dorr, senior, of Crittenden County, State of Kentucky, out of any money in the Treasury not otherwise appropriated, the sum of $150, for one horse taken from him by the United States Army during the late war.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2917) for the relief of John N. Dorr, sr., report as follows:

That the claim is for a horse taken from the claimant by the Army of the United States during the late war. Claim stated at $150.

The proof filed in support of the bill shows that in 1863 the command of Colonel Johnson, United States Volunteers, took from the claimant one horse of the value of $150, for which he has not been paid. The loyalty of the claimant and the value of the horse are established by the best citizens of Crittenden County, Kentucky.

Your committee report back the bill and recommend its passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

J. L. CAIN ET AL.

The CHAIRMAN. The Clerk will report the next business on the Calendar.

The Clerk read as follows:

A bill (H. R. 2990) for the relief of J. L. Cain and others.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the respective sums of money as hereinafter provided to the respective persons named herein, or to their heirs or legal representatives, to wit, for cotton taken by order of General A. E. Burnside to strengthen the fortifications at Knoxville, Tenn., November 17 and 18, 1863, to wit, J. L. Cain, 6 bales, 2,269 pounds, at 75 cents per pound, $1,701.75; Hugh G. Kyle, administrator of A. A. Kyle, deceased, 7 bales, 3,500 pounds, at 75 cents per pound, $2,625; Alexander Kennedy, 10 bales, 4,500 pounds, at 75 cents per pound, $3,375; W. C. Hazen, surviving partner of G. M. Hazen, deceased, 34 bales, 17,303 pounds, at 75 cents per pound, $12,975.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2990) for the relief of J. L. Cain and others, report as follows:

The facts out of which this bill for relief arises will be found stated in House report from the Committee on War Claims of the Fiftieth Congress, a copy of which is hereto annexed for information.

Your committee adopt the said report as their own and report back the bill and recommend its passage.

[House Report No. 3490, Fiftieth Congress, first session.]

The Committee on War Claims, to whom was referred the bill (S. 97) for the relief of J. L. Cain and others, report as follows:

The committee find the facts of this case fully and accurately stated in Senate report from the Committee on Claims of the present Congress, which report is hereto annexed and made a part of this report.

Your committee adopt the said report as their own and report back the bill and recommend its passage.

[Senate Report No. 778, Fiftieth Congress, first session.]

The committee to whom was referred the bill (S. 97) for the relief of James L. Cain, A. A. Kyle, Alexander Kennedy, and W. C. Hazen, surviving partners of G. M. Hazen & Son, have carefully investigated the facts bearing upon the relief asked by said bill and find that the Committee on War Claims of the House of Representatives of the Forty-ninth Congress referred these several claims to the Court of Claims under the provisions of the act approved March 3, 1883.

The following are the facts found by the record of the Court of Claims, as shown by certificate of their findings certified on the 25th of November, 1887:

[Court of Claims. Congressional Case No. 358. James L. Cain, A. A. Kyle, Alexander Kennedy, and W. C. Hazen, surviving partner of G. M. Hazen & Son, *vs.* The United States.]

FINDINGS OF FACT.

At a Court of Claims held in the city of Washington on the 16th day of May, 1887, the court filed the following findings of fact, to wit:

This case, referred to the court by the Committee on War Claims of the House of Representatives March 4, 1885, was submitted on briefs and arguments by J. F. Kenney, esq., for claimants, and Robert A. Howard, esq., Assistant Attorney-General, and Edward W. Watson, esq., of the Department of Justice, for the defendants, and the court finds the facts to be as follows:

I.

The claimants were residents and citizens of Tennessee, and throughout the war of the rebellion were loyal to the Government of the United States, and did not give any aid or comfort to the rebellion.

II.

About the 1st of September, 1863, Knoxville was occupied by United States forces under the command of Maj. Gen. A. E. Burnside.

In November following a Confederate army, under the command of General Longstreet, was on a march to attack it.

A large amount of military stores had, in the mean time, been deposited there, but no sufficient fortifications had as yet been constructed.

III.

In this emergency the following cotton belonging to the several claimants, with cotton of other parties, in the city of Knoxville, was furnished or taken and used under the direction of the engineer officers for the use of the Army,

Six bales, of 2,269 pounds, belonging to said J. L. Cain.

Seven bales, of 3,500 pounds, belonging to said A. A. Kyle.

Thirty-four bales, of 17,300 pounds, belonging to said George Hazen.

Ten bales, of 4,500 pounds, belonging to said Alexander Kennedy.

IV.

The cotton so taken was effectively used for the defense of the city.

After the repulse of the enemy, the claimants applied to General Schofield, who had succeeded General Burnside in command, for the return of their cotton. But, instead of returning it, it was disposed of, as appears in Finding V, under the following order:

[Special Orders, No. 57.]

HEADQUARTERS DEPARTMENT OF THE OHIO,
Knoxville, February 26, 1864.

* * * The chief quartermaster of this department will proceed to collect all cotton that has been used in the construction of fortifications and for other purposes in the vicinity of Knoxville, not absolutely necessary for the public service, and ship the same to Louisville, to be turned over to the chief quartermaster, there to be disposed of for the benefit of the Government according to existing regulations.

He will also take the necessary steps to ascertain the parties to whom such cotton may have belonged, the amount taken from each party, their loyalty, and give the proper vouchers therefor, according to the loyalty of each.

Brigadier-General Tillson will render such assistance as may be in his power to the quartermaster to enable him to carry out this order.

By command of Major-General Schofield.

HENRY CUSTISS, *A. A. G.*

V.

The cotton was taken by General Burnside, November 25, 1863, but the order of General Schofield to gather up from the fortifications was not issued until February 26, 1864. Nearly four months elapsed from the first taking before this order was fully executed. The waste in the mean while was found to be large. Of the 313 bales originally taken from all the citizens only 218 bales were saved. What became of the 95 bales of deficiency does not definitely appear. Some have been taken by the soldiers to fill their bunks; some used to calk pontoons; some lost by pillages, and much worn out and used up in the works.

Of the 218 bales recovered, 40 were used by the medical department; 158 stored by the quartermaster near the railroad depot awaiting shipment were accidentally set on fire by boys playing in its vicinity, and all, with the exception of about 20 bales, consumed. Twenty bales were shipped to the chief quartermaster at Louisville. What became of the other 20 bales does not appear.

Nor does it appear from which one of the citizens the cotton lost, burned, sold, or used had been originally taken.

VI.

Said cotton so taken, or furnished, from the claimants was never returned to them, nor have they received any compensation therefor. The market value of the cotton at the time and place was 75 cents a pound, amounting to the several parties as follows:

J. L. Cain	$1,701.75
W. C. Hazen, surviving partner of G. M. Hazen & Son	12,975.00
A. A. Kyle	2,625.00
Alexander Kennedy	3,375.00

BY THE COURT.

A true copy.
Test, this 25th day of November, A. D., 1887.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

The findings of fact clearly show that the claimants were loyal to the Government of the United States during the entire war; that the property taken from them by General Burnside in order to meet the emergency which arose by reason of the advance of General Longstreet's army was intended by the commanding general to be compensated for, as is shown by the second clause of Special Orders, No. 57, in which he says: "He will also take the necessary steps to ascertain the parties to whom such cotton may have belonged, the amount taken from each party, their loyalty, and give the proper vouchers therefor according to the loyalty of each."

After the emergency had passed that induced the general commanding to seize and use this cotton, the claimants applied to General Schofield to return the same to them, instead of doing which he ordered it to be taken to Louisville to be turned over to the Quartermaster-General, to be disposed of for the benefit of the Government.

Your committee, under these circumstances, can see no just reason why the action of the agents of the Government, under the facts found by the Court of Claims, should not impose upon the United States the obligation to pay to the claimants the value of the property taken by the Government from them.

Your committee would therefore recommend that the bill be amended in line 10, after the words "to wit," by striking out "I," and inserting "J.;" and in line 22, by striking out "seven" and inserting "five;" and in line 23, by striking out all after the word "dollars," and that the title be amended so as to read, "For the relief of J. L. Cain and others," and as so amended the bill is reported favorably with the recommendation that it do pass.

Mr. STONE, of Kentucky. I move that the bill be laid aside to be reported to the House with favorable recommendation.

Mr. DINGLEY. Let me ask the gentleman what amount is carried by the bill.

Mr. STONE, of Kentucky. About $20,000.

Mr. CUTCHEON. I remember that we passed a bill in the last Congress covering some of this cotton.

Mr. STONE, of Kentucky. Yes, sir; there were several bills passed at different times in regard to this matter.

Mr. CUTCHEON. How are you able to identify the cotton?

Mr. STONE, of Kentucky. I am not able to identify it. The Government did that for itself, and the gentlemen from whom the cotton was taken established their claim before the court; and all, with the exception of the four who are named in this bill, have been paid.

Mr. CUTCHEON. What rate does the committee recommend?

Mr. STONE, of Kentucky. Seventy-five cents a pound—what it was found to be worth at the time.

Mr. CUTCHEON. On what theory do you propose to pay 75 cents a pound?

Mr. STONE, of Kentucky. On the theory that the court found it to be worth that price at the time it was taken. In fact, soon afterwards it was worth over a dollar a pound.

Mr. CUTCHEON. That may be; but I happen to know something about this cotton myself, as I said in the last Congress. I was there in Knoxville when the cotton was taken and used for fortifications. It might have been worth 75 cents a pound if they could have gotten it out to market, but I would like to know how, in the condition that East Tennessee was in at that time, they could have found a market for the cotton.

Mr. STONE, of Kentucky. I understood the gentleman was there. I was there, too. [Laughter.]

Mr. CUTCHEON. Yes, but on the other side of the cotton. [Laughter.]

Mr. STONE, of Kentucky. Yes; the gentleman was on the inside and I was on the outside of the fortifications at that time.

Mr. CUTCHEON. Yes, Fort Sanders and this cotton was between us at that time, I am glad to say. [Laughter.]

Mr. McMILLIN. Then did not my friend get the benefit of the cotton?

Mr. CUTCHEON. Yes; I was very glad to get the benefit of it.

Mr. FARQUHAR. Did not you think your breastworks were worth 75 cents a pound at that time? [Laughter.]

Mr. McMILLIN. This is a just claim, Mr. Chairman, and it ought to be paid. One similar to it has already been paid in the last Congress. I sincerely hope there will be no question about its payment.

Mr. CUTCHEON. The only point I am making is as to whether, under the circumstances, it was worth 75 cents a pound. I know the cotton was taken for the purpose named.

Mr. CLEMENTS. It was worth that to any man inside of the breastworks, was it not? [Laughter.]

Mr. CUTCHEON. Yes; it was probably worth that to me, at least the bale I was behind. [Laughter.]

But if the committee has deliberately decided on the proof that it was worth that, I have not any objection to paying for the cotton. I know that there was some very loyal people in East Tennessee at that time, and I know the cotton was used for that purpose, because I was behind one of the bales myself.

Mr. STONE, of Kentucky. Undoubtedly there were times when cotton was worth many times over 75 cents for such purposes.

Mr. CUTCHEON. I have no objection, so far as my particular bale is concerned, to paying for it. I think it was worth fully that. Certainly I thought so then. [Laughter.]

Mr. THOMAS. Mr. Chairman, I have some objections to this bill. From the finding of the court it does not appear what became of a portion of the deficiency of 75 bales, which was alleged to exist. I thought it was a little doubtful as to where the cotton had gone. The court found that it was taken and never returned to the parties. It struck me at the time that this ought to go in and be paid for out of the cotton fund, instead of making an appropriation from the Treasury, and I would like to see the bill so amended, if the gentleman from Kentucky will consent to amend it, by providing for the payment out of the cotton fund.

Mr. STONE, of Kentucky. It would be useless to do that, because this cotton was taken possession of by the Government, and but a small quantity of it was sold and the proceeds turned into the Treasury. What is known as the "cotton fund" in the Treasury was cotton that was actually sold by the Government, and it would be very unfair to the people who are interested in that fund to require cotton taken and used under the circumstances that this was taken and used to be paid out of that fund. It would be taking the money that belongs to somebody else and appropriating it to this purpose.

Mr. THOMAS. Very well; I will not insist.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. THOMAS. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. ALLEN, of Michigan, reported that the Committee of the Whole House had had under consideration sundry bills on the Private Calendar and had directed him to report the same to the House with various recommendations.

HOUR OF MEETING SATURDAY.

Mr. BUCHANAN, of New Jersey. Pending action on these bills, I would like to ask unanimous consent that an extra hour be allowed for debate only upon the eight-hour adjustment bill, and that for that purpose the House meet at 11 o'clock to-morrow morning; and that immediately after the reading of the Journal debate upon that bill be in order, but that no vote be taken before 12 o'clock.

Mr. DINGLEY. The consideration of the bill to go on as usual in the morning hour, after that.

Mr. BUCHANAN, of New Jersey. And the morning hour to commence whenever the bills on the Speaker's table are disposed of.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the session of the House to-morrow begin at 11 o'clock instead of 12 o'clock, the extra hour to be devoted to debate only upon the eight-hour adjustment bill. Is there objection? [After a pause.] The Chair hears none.

MARK DAVIS.

The Clerk read as follows:

A bill (H. R. 4496) for the relief of the heirs of Mark Davis, deceased.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

NORFOLK COUNTY FERRY COMMITTEE.

The Clerk read as follows:

A bill (S. 471) for the relief of the Norfolk County ferry committee.

The bill was ordered to be read a third time; and was accordingly read the third time, and passed.

House bill 1121, relating to the same subject, was ordered to lie upon the table.

WILLIAM JEWELL COLLEGE, OF LIBERTY, MO.

The Clerk read as follows:

A bill (H. R. 1574) for the relief of William Jewell College, of Liberty, Clay County, Missouri.

Mr. HOLMAN. I believe there is an amendment to that bill.

Mr. DOCKERY. There was an amendment reported by the committee, but the bill is printed with the amendment embodied in the bill. The amendments do not show in the bill, but the bill as agreed to by the committee is correctly printed, including the amendments.

Mr. HOLMAN. That is to say, the amount appropriated is $2,200.

Mr. DOCKERY. Yes, the amount appropriated in this bill is $2,200.

The SPEAKER. The question is on agreeing to the amendments.

Mr. HOLMAN. It seems there are no amendments. The bill is correct now, $2,200 as now reported. The amount of the original bill seems to have been $5,200.

Mr. DOCKERY. The original bill appropriated $5,200, and the committee reported it back with an amendment reducing it to $2,200; but the amendments do not appear in the bill as reported from the committee. It is simply printed as though it were an original bill.

The SPEAKER. The Chair thinks the amendments should be agreed to.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

THOMAS BLACK.

The Clerk read as follows:

A bill (H. R. 1512) for the relief of the heirs of Thomas Black.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

DAVID B. SANDERS.

The Clerk read as follows:

A bill (H. R. 2950) for the relief of the heirs of David B. Sanders.

The Clerk reported the following amendment:

Amend by striking out, in line 4, the word "heirs" and inserting in lieu thereof the word "estate."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

The title of the bill was amended by striking out the word "heirs" and inserting in lieu thereof the word "estate."

JOHN N. DORR, SR.

The Clerk read as follows:

A bill (H. R. 2917) for the relief of John N. Dorr, sr.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

J. L. CAIN ET AL.

The Clerk read as follows:

A bill (H. R. 2930) for the relief of J. L. Cain *et al.*

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. THOMAS moved to reconsider the several votes by which the various bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PORT OF DELIVERY AT CAIRO, ILL.

Mr. SMITH, of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3174) constituting Cairo, Ill., a port of delivery in the customs collection district of New Orleans.

The bill was read, as follows:

Be it enacted, etc., That Cairo, in the State of Illinois, be, and hereby is, established as a port of delivery in the customs collection district of New Orleans, and that there shall be appointed at said port a surveyor of customs, with compensation of $350 per annum and the usual fees and commissions.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. SMITH, of Illinois, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

House bill 6778, relating to the same subject, was ordered to lie upon the table.

REPRINT OF REPORT ON INTERNATIONAL COPYRIGHT BILL.

The SPEAKER. The Chair desires to present the request of the gentleman from Connecticut [Mr. SIMONDS] for a reprint of the report numbered 2401 on the bill (H. R. 10881) known as the international copyright bill. Is there objection? [After a pause.] The Chair hears none.

CUSTOMS DISTRICT, TENNESSEE.

Mr. WASHINGTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9602), to establish the customs-collection district of Tennessee, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the customs-collection district of Tennessee be, and the same is hereby, created and established, to comprise the State of Tennessee, in which Nashville shall be the port of entry and Memphis and Chattanooga ports of delivery.

SEC. 2. That there shall be in said district one collector, and such deputy collectors, inspectors, and other employés as the Secretary of the Treasury shall deem necessary, whose compensation shall be prescribed by him.

SEC. 3. That the officers stationed at said subports shall have authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services as, in the opinion of the Secretary of the Treasury, the exigencies of the service may require.

SEC. 4. That the privilege of immediate transportation of unappraised merchandise, under the provisions of the act of June 10, 1880, is hereby extended to the ports of Nashville and Memphis.

SEC. 5. That all acts and parts of acts inconsistent herewith are hereby repealed.

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

Mr. HOLMAN. Mr. Speaker, I wish to inquire whether the Secretary of the Treasury recommends the passage of this bill.

Mr. WASHINGTON. He does, and the bill also comes with the unanimous recommendation of the Committee on Commerce.

Mr. JOSEPH D. TAYLOR. I object, unless there shall be some other opportunities for recognition of members. I hold in my hand a bill that comes over from the last Congress, which I very much desire to have considered.

Mr. WASHINGTON. Do not object to my bill. This is the only recognition I have had this session.

Several MEMBERS. Do not object to this.

Mr. JOSEPH D. TAYLOR. Very well.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WASHINGTON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid upon the table.

The latter motion was agreed to.

OWNERS AND CREWS OF CERTAIN AMERICAN WHALING VESSELS.

Mr. CANDLER, of Massachusetts. Mr. Speaker, I ask unanimous consent for the passage of the bill which I send to the Clerk's desk, and I would like to make a very brief statement in regard to it.

The Clerk read as follows:

A bill (H. R. 10267) for the relief of the owners and crews of the American whaling-vessels Midas, Progress, Lagoda, Daniel Webster, and Europa.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the owners (through their legal representatives) of each of the vessels Midas, Progress, Lagoda, Daniel Webster, and Europa, out of any moneys in the Treasury not otherwise appropriated, the sum of $60,000, in full compensation for losses sustained and services rendered by them in abandoning their business of whale-catching and rescuing 900 seamen in the Arctic seas.

SEC. 2. That said moneys shall be paid over to the owners of each of said vessels, for the benefit of themselves and of such of the officers and crews of said vessels, respectively, as were engaged in that particular season of the cruise in the Arctic Ocean during which said rescue was made, and such moneys shall be distributed by the owners between themselves and said officers and crews in the proportion to their respective lays, and in the same manner as the ordinary earnings from the said cruise would have been distributed. The Secretary of the Treasury shall not be bound to see to the application of said moneys by the owners.

SEC. 3. That said owners, respectively, shall deliver to the Secretary of the Treasury, upon the receipt of said money, and in behalf of themselves and said officers and crews, a full discharge of all claims, equitable or otherwise, which they have, or think they in any way have, against the United States on account of the aforesaid losses and services.

The SPEAKER. Is there objection?

Mr. HOLMAN. I hope that a statement will be made or that the report will be read.

Mr. CANDLER, of Massachusetts. I would like to make a statement, for I believe this bill will be passed by unanimous consent when the facts are understood. Nineteen years ago 1,200 seamen in thirty vessels were frozen in in the Arctic Ocean, and they sent word by a single boat through 50 miles of open sea to make an appeal to the masters of these vessels that they should abandon their voyage and endeavor to rescue the 1,200 men. They did abandon their voyages. They succeeded, after a desperate struggle, in saving the lives of 1,200 men that were aboard these ships. All these ships were lost, and Congress after Congress during these nineteen years has made reports favoring the remuneration of these owners, but the recommendations have not as yet been acted upon. There are several instances where such remuneration has been given. We have a precedent in this Congress where an English ship rescued some men and they were rewarded. [Cries of "Vote!" "Vote!"]

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

The amendment recommended by the committee is as follows:

In lines 7 and 8, page 1, strike out the words "sixty thousand dollars" and insert the following:

Nineteen thousand eight hundred and sixty-one dollars and twenty-seven cents to the owners of the vessel Midas, $21,527.95 to the owners of the vessel Daniel Webster, $23,611.20 to the owners of the vessel Lagoda, $26,111.32 to the owners of the vessel Progress, and $33,889.16 to the owners of the vessel Europa.

Mr. KERR, of Iowa. I wish to inquire if there was a unanimous report of the House committee.

Mr. SMITH, of Illinois. Yes, sir; it was a unanimous report. I prepared the report myself, and it was unanimously agreed to by the committee.

The amendment was agreed to.

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

Mr. CANDLER, of Massachusetts, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ISABELLA HANCE, ADMINISTRATRIX OF WILLIAM HANCE.

Mr. TRACEY. I call up for consideration the bill (S. 2058) for the relief of Isabella Hance, administratrix of William Hance.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Isabella Hance, administratrix of William Hance, of Montgomery County, Maryland, out of any money in the Treasury not otherwise appropriated, the sum of $3,835.80, being for stores and supplies taken and used by the United States Army, as found by the Court of Claims, the same being in full for, and the receipt of the same to be taken and accepted as a full and final discharge of, the whole claim.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HOLMAN. Let the report be read.

Mr. TRACEY. I will state to the gentleman that this bill is already included in the bill that was passed this afternoon.

Mr. HOLMAN. Then what is the purpose of passing it, if it is already in a bill that has passed the House?

Mr. TRACEY. This is a bill that has already passed the Senate.

Mr. HOLMAN. The House can not pass two bills on the same subject the same day.

The SPEAKER. This is a Senate bill.

Mr. HOLMAN. I have no objection, if it is stricken out of the House bill.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. TRACEY. I ask unanimous consent that the item be stricken out of the bill which was passed this evening.

The SPEAKER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TRACEY. I move that the bill H. R. 4480, on the same subject, be laid on the table.

There was no objection, and it was so ordered.

Mr. TRACEY. I move to reconsider the vote by which the bill was passed; and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

STEAM FOG-SIGNAL AT LUDINGTON LIGHT-STATION, MICHIGAN.

Mr. CUTCHEON. I ask unanimous consent for the consideration of the bill (H. R. 3871) for the establishment of a steam fog-signal at Ludington light-station, Michigan.

The bill was read, as follows:

Be it enacted, etc., That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,500, or so much thereof as may be necessary, for the establishment of a steam fog-signal at Ludington light-station, Michigan.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BYNUM. The time has arrived for taking a recess; and I object.

The SPEAKER. The time has not yet arrived by more than a minute.

Mr. BYNUM. I object, anyhow.

AMERICAN REGISTER FOR THE NEPTUNO.

Mr. FLOWER. I ask unanimous consent for the present consideration of the bill (H. R. 11654) to provide an American register for the steamer Neptuno.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer Neptuno, purchased and wholly owned by American citizens and repaired by them, to be registered as a vessel of the United States.

SEC. 2. That the Secretary of the Treasury be, and hereby is, authorized and directed to authorize and direct the inspection of said steam-vessel, steam-boiler, steam-pipes, and the appurtenances of said boiler, and cause to be granted the proper and usual certificate issued to steam-vessels of the merchant marine, without reference to the fact that said steam-boiler, steam-pipes, and appurtenances were not constructed pursuant to the laws of the United States, and were not constructed of iron stamped pursuant to said laws; and the tests to be applied to the inspection of said boiler, steam-pipes, and appurtenances will be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes, save the fact that said boiler, steam-pipes, and appurtenances not being constructed pursuant to the requirements of the laws of the United States, and are of unstamped iron, shall not be an obstacle to the granting of the usual certificate if said boiler, steam-pipes, and appurtenances are found to be of sufficient strength and safety.

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

Mr. KERR, of Iowa. I would like to hear a statement concerning this bill.

Mr. FLOWER. This vessel was built in England for $33,000 and it has been repaired in this country to the amount of $36,000, and they want an American register for it. They want to take it from under the English flag and put it under the Stars and Stripes. That is all.

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

The SPEAKER. The hour of 5 o'clock having arrived, the House is declared in recess until 8 o'clock this evening, for the purpose contemplated by the rules, and the gentleman from Maine [Mr. DINGLEY] will act as Speaker *pro tempore*.

EVENING SESSION.

The recess having expired the House reassembled at 8 o'clock p. m., Mr. DINGLEY in the chair as Speaker *pro tempore*.

ORDER OF BUSINESS.

Mr. MORRILL. I move that the House resolve itself into Committee of the Whole for the consideration of business under the rule for Friday evening sessions; and, pending that, I ask unanimous consent that one hour be devoted to the consideration of Senate bills on the Calendar in their regular order.

Mr. WILLIAMS, of Illinois. I object to that.

The SPEAKER *pro tempore*. The gentleman from Kansas asks unanimous consent that, after the House shall have resolved itself into Committee of the Whole, one hour be devoted to the consideration of Senate bills on the Calendar in their regular order. Is there objection?

Mr. MORRILL. I want to say, Mr. Speaker, in explanation of this request, that the Senate has been very kind in passing House bills. There are now on the Calendar a large number of Senate bills which have not been considered here; there is a feeling in the Senate that the House has not treated them fairly, and it seems to me only fair that a portion of this evening should be devoted to those Senate bills. We shall get more bills through both Houses on this plan than in any other way, and I trust that every gentleman present will see its fairness and that no objection will be made.

Mr. REILLY. I hope the gentleman from Kansas——

Mr. MORRILL. My request is that only one hour be devoted to these Senate bills, and after that the gentlemen present can have unanimous consent to call up their bills.

Mr. REILLY. With that understanding I shall not object.

Mr. CUTCHEON. I hope there will be no objection to the request of the gentleman from Kansas. By taking up these Senate bills now they will become laws, while bills which pass the House at this stage may not become laws at this session.

Mr. REILLY. Do I understand the proposition to be that after this first hour we shall go into Committee of the Whole and that unanimous consent will then be given for members to call up bills from the Calendar?

Mr. MORRILL. That these Senate bills be considered in Committee of the Whole for one hour and that thereafter unanimous consent be given for gentlemen present to call up bills.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kansas?

Mr. HERMANN. I should like to understand whether a member who has a Senate bill called up in the first hour under this arrangement will have the privilege of calling up any other bills later.

Mr. MORRILL. The proposition is that we take up the Senate bills on the Calendar in their order.

Mr. WILLIAMS, of Ohio. I suggest to the gentleman from Kansas that he put his request in this way: That after the hour devoted to Senate bills each member present shall have the privilege of calling up a bill.

Mr. MORRILL. That is the suggestion; that unanimous consent shall be given for each member present to call up a bill.

Mr. BAKER. That is the method that was pursued a week ago.

The SPEAKER *pro tempore*. The gentleman from Kansas [Mr. MORRILL] asks unanimous consent that after the House shall have resolved itself into Committee of the Whole one hour shall be devoted to the consideration of Senate bills upon the Calendar in their regular order.

Mr. MCCREARY. Are there enough Senate bills to occupy the hour?

Mr. MORRILL. Oh, yes.

Mr. MOREY. Mr. Speaker, I wish to inquire whether after the expiration of this hour we are to return to the list of applications for recognition which is on the Speaker's desk.

The SPEAKER *pro tempore*. As the Chair understands it, the request of the gentleman from Kansas contemplates that at the end of one hour the committee shall rise and that after that unanimous consent shall be given for members present to call up bills.

Mr. MOREY. I understand, Mr. Speaker, that that will do away with the list on the Speaker's desk, under which we have been operating for several Friday evenings.

The SPEAKER *pro tempore*. As the Chair understands the request, it will require a departure from the list for the first hour, but at the end of the hour the list will be resumed.

Mr. MOREY. With that understanding I shall not object.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The motion of Mr. MORRILL, that the House resolve itself into Committee of the Whole, was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. GEAR in the chair).

The CHAIRMAN. The Clerk will report the first Senate bill on the Calendar.

AMANDA L. WISNER.

The first Senate bill on the Private Calendar was the bill (S. 1303) granting a pension to Mrs. Amanda L. Wisner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Amanda L. Wisner, widow of John L. Wisner, late corporal of permanent party United States Army, Newport Barracks, Kentucky, during the Mexican war, at the rate of $12 per month, subject to the provisions and limitations of the pension laws.

Mr. WASHINGTON. I ask for the reading of the report.

The report (by Mr. DE LANO) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1303) granting a pension to Mrs. Amanda L. Wisner, have considered the same and report as follows:

Said bill is accompanied by Senate report No. 534. Your committee adopt the same as their report and return the bill to the House with the recommendation that it do pass.

[Senate Report No. 534, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1303) granting a pension to Mrs. Amanda L. Wisner, have examined the same and report:

This claim was rejected September 17, 1887, on the ground that the soldier was not in active service during the war with Mexico, nor was his disease incurred while *en route* to, or returning from, the seat of war, nor under such circumstances as would entitle the widow to a pension.

The records of the War Department show that the soldier enlisted in Captain McCrea's company, permanent detachment, Third Regiment United States Infantry, February 23, 1847, and was discharged from the service June 23, 1848; that he was stationed at Newport Barracks, Kentucky, during the term of his enlistment; that he was admitted to the hospital as follows: August 30, 1847, with diarrhea; September 11, 1847, with remittent fever; March 28, 1848, with typhoid fever; April 23, 1848, with neuralgia.

Claimant states that on account of sickness known as the "black tongue," a fever, the soldier never recovered from the injuries of his service in the war, and that the said injuries caused him to become insane, and he died in the Hospital for the Insane at Mt. Pleasant, Iowa, on or about September 20, 1868; that she is now fifty-nine years of age and the mother of seven children.

In affidavit filed October 30, 1886, J. B. Raines, of Oskaloosa, Iowa, testifies that he knew soldier from 1852 to the time of his death; that the said soldier frequently complained of pains in his head which grew worse until he became insane.

In affidavit filed October 30, 1886, Charles Call, of Oskaloosa, Iowa, testifies to soldier's continuous sickness from 1862 to the date of his death; that said sickness terminated in insanity, from which disease soldier died.

In affidavit filed October 30, 1886, Dr. H. C. Huntsman, of Oskaloosa, Iowa, testifies that since April, 1862, he frequently treated soldier for neuralgia, which caused intense pain in the head; that having been adjudged insane he was sent to the insane asylum in November, 1866, where he died about ten months thereafter.

Mary A. Raines, H. M. Bassett, B. F. Dutton, and J. M. Janney all testify to the continuance of neuralgia and pain in the head, causing insanity and death of soldier.

The records of the War Department show that soldier was in the service during the war with Mexico, in consequence of which he incurred disease terminating in insanity and death. He was subject to military orders, and it was no fault of his that he was not at the seat of war. The records show that his disabilities were incurred in the service and in the line of his military duty.

The facts warrant favorable action, and your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM N. CLINE.

The next Senate bill on the Private Calendar was the bill (S. 805) granting a pension to William N. Cline.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William N. Cline, late of Company D, Eleventh Regiment, Kansas Volunteer Cavalry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 805) granting a pension to William N. Cline, submit the following report:

That the facts in this case are clearly shown by the Senate report, which is hereby adopted. The report is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 805) granting a pension to William N. Cline, have examined the same and report:

"A similar bill passed the Senate at the first session of the Fiftieth Congress. The facts are fully set forth in the accompanying report:

"William N. Cline, the claimant in this case, enlisted as a private soldier in Company D, Eleventh Regiment Kansas Volunteer Cavalry, on the 23d day of August, 1862, and was discharged from the service of the United States September 13, 1865. On the 7th day of October, 1885, he made application for pension, alleging as the basis of his claim that he contracted rheumatism near Elm Springs, Ark., winter of 1862, from exposure. The claim was rejected August 19, 1886, on the ground that the claimant had not been disabled in a pensionable degree on account of rheumatism since October 7, 1885, date of filing his claim.

"The Adjutant-General, United States Army, reports him in the hospital at Fort Scott, Kans., sick. The Surgeon-General of the United States Army reports claimant admitted to hospital at Fort Scott, November 17, 1862, with rheumatism.

"Thomas Seat, an employé of the United States at the time, swears that—

"'In winter of 1862 the claimant, Cline, contracted rheumatism from exposure incident to the service; that he was personally acquainted with claimant at the time of enlistment, and up to late fall or early winter of 1862 he was a hearty, robust man. He has frequently since suffered from the recurrence of the rheumatic attack, disabling him, I should say, at least as much as the loss of an arm.'

"This affidavit was made May 21, 1886. Dr. Owen Blacken, under date of May 17, 1886, swears—

"'He first treated the claimant for rheumatism the 1st of October, 1865, it then being of an inflammatory character; continued treatment until in the fall of 1870. I retired from practice in the spring of 1871, and have not treated him since, though he has been treated by other physicians to my personal knowledge.'

"Dr. J. W. Spence swears that he was the family physician of claimant for two years (1882–84); has treated claimant for rheumatism; for one very severe attack in June, 1882.

"The board of examiners at Lamar, Mo., under date of December, 1885, report no rating for rheumatism, but one-half for the disability caused by tumor of right knee, and one-fourth for that caused by disease of left ear; in all, three-fourths total.

"After a careful consideration of the case your committee incline to the belief that the disability was contracted in the service, and therefore recommend the passage of the bill."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ZEPHANIAH H. BONES.

The next Senate bill on the Private Calendar was the bill (S. 811) granting a pension to Zephaniah H. Bones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Zephaniah H. Bones, late of Company H, Seventh Regiment Iowa Cavalry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 811) granting a pension to Zephaniah H. Bones, submit the following report:

That the facts are fully set forth in the Senate report, which is adopted by your committee. The report is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 811) granting a pension to Zephaniah H. Bones, submit the following report:

"A similar bill passed the Senate at the first session Fiftieth Congress. The facts are fully set forth in the accompanying report made at that time.

"The committee recommend the passage of the bill."

SENATE REPORT.

Zephaniah H. Bones enlisted May 28, 1863, as a private soldier in Company H, Seventh Regiment Iowa Volunteer Cavalry, and was discharged from the service July 14, 1865.

On June 25, 1881, he made application for pension, alleging in his declaration, as a basis of his claim, that at Davenport, Iowa, about July 1, 1863, he contracted sore eyes and chronic rheumatism.

The claim was rejected by the Commissioner of Pensions, December 5, 1883, on the ground "that claimant had not been disabled in a pensionable degree by reason of his alleged sore eyes and chronic rheumatism since June 25, 1881, the date of filing his application."

Lieut. Allen Ellsworth swears that when claimant was enrolled in his company he was a sound, healthy man, not afflicted with sore eyes. If he had been, affiant would have known it, and that "while in the service and line of duty at Davenport, Iowa, in July, 1863, he contracted sore eyes and rheumatism so he had to be discharged by our surgeon."

Dr. D. W. Stewart swears that his acquaintance with claimant commenced in the latter part of July, 1865, and continued up to the spring of 1868; that during that time he medically treated him at intervals for chronic rheumatism and extremely sore eyes.

Dr. L. W. Jacobs, of Ossawatomie, Kans., swears that he "was the family physician of the claimant, commencing May 23, 1874, to the present time (June, 1881), and that during all of said time he was afflicted with chronic rheumatism, from which has resulted chronic pericarditis. The dimness of vision seems to be owing to diseased condition of optic nerve. In my judgment his disability to perform manual labor is not less than one-half by reason of said disease."

Edward Wallace and John Bones swear to continuance from 1868 to 1874, and that they saw Dr. Holliday treat him for sore eyes and chronic rheumatism during that time.

J. D. Walthall, M. D., of Paola, Kans., swears that during the last year (1884) he had several opportunities of examining the claimant. When he first saw him he was not able to stand erect—could walk some by the support of a cane. His case presents an aggravated form of chronic rheumatism; it does not yield to treatment and will undoubtedly continue to grow worse. * * * A larger part of his time he is totally disabled from all kinds of labor.

Dr. J. T. Parramore, March 9, 1882, as examining surgeon, reports his disability as probably permanent. Has weak eyes; disability one-eighth total. Complains of rheumatism; has no physical signs of the disease, yet he no doubt is afflicted with rheumatism; disability one-fourth total—three-eighths total. Dr. Haldeman, examining surgeon, reports that he can see no reason for recommending pension. The board at Iola, Kans., declines to make rating.

Your committee, while admitting the disagreement in the medical testimony, are of the opinion that the continuance of the disabilities is clearly shown; that he was a sound, able-bodied man at enlistment; that he is now poor and suffers from the disabilities all the time; are of the opinion that the bill should be reported favorably, and they therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ROZALIA JUNK.

The next Senate bill on the Private Calendar was the bill (S. 1702) granting a pension to Rozalia Junk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Rozalia Junk, widow of John Junk, alias John Younge, late a private in Company K, of the Sixth Regiment of Wisconsin Volunteers.

The report by (Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1702) granting a pension to Rozalia Junk, submit the following report:

Your committee believe, from a careful examination of the Senate report hereon, which is hereto annexed and made a part hereof, that this is a meritorious claim, and therefore recommend the passage of the bill.

SENATE REPORT.

The Committee on Pensions, to whom was referred the bill (S. 1702) granting a pension to Rozalia Junk, have examined the same and report:

A similar bill was introduced at the last session of Congress and was favorably reported by this committee. That report is adopted, and is as follows:

From the report of the Adjutant-General it appears that John Junk, or Young, as the name was pronounced, the husband of the claimant, was drafted September 22, 1864. He was examined and held to service, sent to draft rendezvous, forwarded to Sixth Wisconsin Regiment, and delivered at City Point. He was mustered out with his detachment June 6, 1865, making eight months' service from the date of drafting to muster-out. He died May 7, 1879, and his widow filed application for pension, claiming that his death was caused by an aggravated case of hernia incurred in the service. The claim was rejected on the ground that the claimant admitted her inability to furnish the proof required by the Pension Office that his disability originated in the service.

Wyta Stramsky, for thirty years a resident of Kewaunee, Wis., testifies that he was acquainted with the soldier five years before he went into the Army. He was often in his employ; knows that he was a strong, healthy man. He says:

"I was with him when he went into the Army, and accompanied him to Green Bay. I was at that time assistant United States marshal, and had John Junk in charge with many others; that when he was examined I stood close beside him. He was naked, and he was pronounced by the examining surgeon to be a sound man, and I know of my own knowledge if he had a rupture at that time I should have seen it. He was my personal friend, and I knew him intimately before the war and after his return. On his return I saw him as he came off the boat, in July, 1865, which was the time, as I now remember, he came home. I made inquiry about his health, and he told me he was all right except a rupture he received, as I now remember it, in the engagement at Richmond in crossing a ditch into which he fell. I know that after his return he was not able to do hard work. He always complained of his injury. I knew him intimately up to the time of his death, and I have no doubt that his injury caused his death. It was a matter of general repute at the time of his death, which was sudden, that it was caused by his rupture."

Wenzel Shimmel testifies to his intimate acquaintance with the soldier; they lived in the same town of Carlton, in Kewaunee County, and he knows he was sound before his service; that when he returned he had a rupture and wore a truss. He also heard him relate how the injury was received.

Joseph Kozel testified that he was a neighbor, fellow-countryman, and comrade of Junk. They were drafted at the same time, examined by the same surgeon, and both pronounced sound. One was sent to the Sixth, the other to the Eleventh Wisconsin Regiment. Knows that he came home with rupture; believes that he died in consequence of it.

Frank Harmacheck testifies that he knew him well before service; that he was sound; that he came home with a rupture of which he believes, and all the neighbors believe, he died. He died very suddenly. He was at his house an hour after he died. He did not see his rupture before. He saw it then, and his inwards protruded to such an extent that he could not live. The protrusion was as large as his two fists. The doctor who was sent for to attend him says he had been dead more than an hour when he arrived; that he made no examination.

The claimant says her husband was the only person in his regiment or company of his nationality; that he could not speak English, and consequently made no acquaintances; did not learn the names or living places of any of the soldiers with whom he was only for a short time associated. For this reason and knowing that she could not obtain a pension under the general laws, she has appealed to Congress.

There appears to be no doubt as to the soundness of the man prior to his service, nor as to the incurrence of the disability, which was an aggravated and dangerous case of hernia, and finally proved fatal.

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

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. DORSEY. Mr. Chairman, I ask the committee to indulge me a moment. I have here a pension bill that I am very anxious about, and I am not able to remain this evening.

Mr. MORRILL. I shall have to object, Mr. Chairman, to changing this order for one hour.

The CHAIRMAN. Objection is made.

BETSEY MANSFIELD.

The next Senate bill on the Private Calendar was the bill (S. 1703) granting a pension to Betsey Mansfield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Betsey Mansfield, mother of Franklin J. Mansfield, late a private in Company I of the Fifth Regiment of Wisconsin Volunteers.

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1703) granting a pension to Betsey Mansfield, submit the following report:

The Senate report in this case, which is hereto annexed and made a part hereof, shows that this claimant, the mother of Franklin Mansfield, a private in Company I, Fifth Wisconsin Volunteers, who died in the service, made an application for a pension, and that the same was rejected for the reason that her husband was able to support her. The report shows her now to be very old and needy.

Your committee would therefore recommend the passage of the bill.

[Senate Report No. 333, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1703) granting a pension to Betsey Mansfield, have examined the same and report:

A similar bill was introduced during the last session of Congress, and was favorably reported by this committee. That report is adopted, and is as follows:

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

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

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

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

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

Mr. BYNUM. I should like to know the object of passing these bills pensioning the widows and mothers of deceased soldiers. Are they not entitled to pensions under the general law?

Mr. OUTHWAITE. It saves the necessity of their paying a pension attorney a fee of $10, and also the necessity of presenting at the Pension Office the proofs contained in the report.

Mr. BYNUM. Why not save all the widows of soldiers the necessity of paying the fee of a pension attorney?

Mr. BLISS and others. We wish we could.

The bill was laid aside to be reported favorably to the House.

SALLIE DOUGLASS HARTRANFT.

The next Senate bill on the Private Calendar was the bill (S. 1840) granting a pension to Sallie Douglass Hartranft.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sallie Douglass Hartranft, widow of the late Bvt. Maj. Gen. John F. Hartranft, United States Volunteers, at the rate of $100 per month.

Mr. WASHINGTON. I call for the reading of the report.

The report (by Mr. CRAIG) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill granting a pension to Sallie Douglass Hartranft, have examined the same and adopt the Senate report, which is as follows:

"This bill to pension the widow of the late General Hartranft appeals to every sentiment which has birth in admiration for faithful services and successful achievements, and in sympathy for the distresses which follow adversity. A brave soldier and illustrious in many walks of civil life, his talents were claimed by the public and were devoted to its service, and he died prematurely of disease contracted from exposure in the field, without provision for his family, who are dependent on charity for their support.

"The committee do not deem it necessary to present a detailed account of General Hartranft's services during the rebellion; his fame is linked with that of the Ninth Army Corps, with which he remained connected until the close of the war; but they adopt instead the tribute paid to him by his successor in the executive chair of Pennsylvania, who interprets the wishes of the people of his State in the following letter:

"COMMONWEALTH OF PENNSYLVANIA, EXECUTIVE CHAMBER,
"*Harrisburg, January* 20, 1890.

"MY DEAR SIR: I have been informed that a bill has been introduced in the Senate to grant a pension of $100 per month to the widow of General John F. Hartranft, late of Pennsylvania, deceased. I am not able to say whether or not General Hartranft received a pension during his life-time, but I am very sure that his physical capacity was greatly reduced while he lived, and his death much hastened by the physical suffering which he endured in consequence of the chronic diarrhea which was the result of his army life. A man of original vigorous constitution and coming of a long-lived race, with a disposition not easily preyed upon, he should have lived in good health to an old age. He died before he reached the age of sixty. His services to the country are so well known that it is not necessary for me to speak of them.

"A man of great modesty and retiring disposition, he did not press himself forward, and, as a result, scarcely secured the recognition from the Government to which he was richly entitled. He leaves his family with practically nothing for their support. His aged mother is living, and during her life will receive a little income from his father's estate, to which the general would have been entitled had he survived his mother. This mother is somewhat helpless, and is really a charge upon the general's family, with income sufficient, probably, for her individual support. This leaves his widow and two daughters with practically nothing to support them. Upon every ground, therefore, this bill providing for a pension for Mrs. Hartranft is just and right. I sincerely hope that it may meet with favorable consideration upon the part of your committee and prompt action by Congress.

"I have the honor to be, very cordially yours,
"JAMES A. BEAVER.

"Hon. C. K. DAVIS,
"*United States Senate, Washington, D. C.*"

"In confirmation of Governor Beaver's opinion that the death of General Hartranft was attributable to 'the chronic diarrhea, which was the result of his army life,' is the following testimony of Dr. Lewis W. Read, surgeon-general of Pennsylvania, volunteered through R. H. Sprague, esq., in support of the bill:

"SURGEON-GENERAL'S OFFICE,
"*Norristown, February* 17, 1890.

"SIR: I have the honor to represent that I knew General J. F. Hartranft intimately for more than thirty-five years. His health before the war was good. I had a close social relationship with him during the war. He was comparatively well before the Vicksburg campaign, after which he complained frequently of diarrhea and functional disease of the liver.

"These conditions continued or recurred during the remainder of his life, and as a consequence his physical vigor was greatly impaired, and he was the victim of an intractable indigestion, or dyspepsia, with functional disease of the kidneys, which, for the last two years, became aggravated, and gave all the evidences of organic disease. The uræmia consequent upon this was the cause of his death. In my opinion the source and origin of these diseased conditions were generated or contracted during his term of service in the United States Army.

"Very respectfully,
"LEWIS W. READ,
"*Surgeon-General of Pennsylvania.*

"Mr. R. A. SPRAGUE.

"In view of all these considerations the committee feel justified in reporting favorably upon the bill and recommending its passage, which is hereby done."

Mr. WASHINGTON. I desire to ask the chairman of the Committee on Invalid Pensions [Mr. MORRILL] what the pension would be in this case if granted under the general law.

Mr. MORRILL. It would be $30. My recollection was that this bill had been amended in the House committee so as to make the pension $50.

Mr. WASHINGTON. I was about to say that $100 a month seems to me a pretty extravagant pension for us to vote without consideration, this pension to continue nobody knows how many years. I desire to offer an amendment to strike out "$100" and insert "$50."

Mr. MORRILL. The understanding in the committee, and I believe the instruction of the member who reported the bill, was that it should be amended so as to make the pension $50.

The CHAIRMAN. No amendment is stated in the report.

Mr. MORRILL. I move to amend by striking out "$100" and inserting "$50."

The CHAIRMAN. Is there objection to the amendment proposed by the gentleman from Kansas [Mr. MORRILL]?

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I am very sorry that the gentleman from Kansas has proposed this amendment. General Hartranft was a very distinguished officer, a very distinguished soldier, a very distinguished man. In the State of Pennsylvania no man was better known. Entering the Army in the late war he achieved great reputation in the field, and on his return to civil life he was twice elected governor of our State. He was a man of great modesty, who never pushed his own claims. He worked from his youth until the day of his death to support his family, but died without leaving practically any property.

The Senate of the United States examined this claim thoroughly and recommended very justly that the widow of this high officer should be pensioned at the rate of $100 a month, the rate at which the widows of many other distinguished officers had been pensioned. I hope that this Committee of the Whole will permit this bill to pass at the same rate that has been agreed to in the Senate. I believe they will thus do an act of justice to the memory of this hero; for he was a hero, a natural-born soldier, to whom President Grant offered a colonelcy in the regular army; but his circumstances would not permit him to accept. Like the man that he was, he preferred to make a living for his family in the pursuits of private life, in the hope of leaving them something to live upon after his death. But he was unsuccessful, so to speak, in many of the enterprises upon which he entered, and, as I have said, he died practically a poor man.

I hope the Committee of the Whole will permit this bill to pass at the rate of $100 a month. The whole State of Pennsylvania is looking upon us to-night, expecting us to pass this bill as it came from the Senate. There is no man who knows the history of the war of the rebellion who does not know the great reputation gained by General John F. Hartranft as a soldier, as one who aided materially in vindicating the cause of the Union.

Mr. CHEADLE. Mr. Chairman, I trust that the gentleman from Pennsylvania [Mr. O'NEILL] will consent that the pending amendment be adopted. Only last Friday night this House voted to pension at the magnificent sum of $12 a month a woman who bore three boys

to grow to manhood and die, each of them having been killed in defense of the Union.

Mr. MORRILL. Oh, no; the pension in that case was $50.

Mr. CHEADLE. No, $12. Now, if this House can vote to pension at that rate the mother of three boys who died that this Government might live, the friends of the widows of other soldiers can afford to assent to a pension of $50.

Mr. O'NEILL, of Pennsylvania. I feel the same sympathy for the widow of a private soldier that the gentleman from Indiana [Mr. CHEADLE] does. I would willingly vote to increase the pension in the case to which he refers if the question should come before the House. I would draw no invidious or unjust distinction in these pension cases. But, Mr. Chairman, while I shall vote "no" on this amendment and trust that it may not be adopted, I am unwilling to delay the proceedings of the Committee of the Whole for any great length of time in contesting this question, and will therefore say no more.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas [Mr. MORRILL].

Mr. WASHINGTON. As the amendment was proposed by myself as well as by the gentleman from Kansas [Mr. MORRILL], I wish to say a word upon it. I was aware that this gentleman had been governor of the State of Pennsylvania as well as a general in the Union Army. But if we are going to pension the widow of every general above the grade of brigadier at the rate of $100 a month, we shall place a heavier burden upon the tax-payers of the country than we have a right to ask them to carry. Their interests ought to be considered as well as those of the soldiers and their widows. I am willing to do justice; I am willing to do more than justice; I am willing to vote a pension to every soldier's or officer's widow sufficient to keep her from want, but I do not think we should enter upon this extravagant system of legislation.

Mr. O'NEILL, of Pennsylvania. I suggest to the gentleman that he allow an amendment to his amendment making the pension at $75. We have done that heretofore. I offer that amendment.

Mr. WASHINGTON. I will object to that.

The question being taken on the amendment to the amendment, it was rejected.

The amendment of Mr. MORRILL was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES A. NORTON.

The next Senate bill on the Private Calendar was the bill (S. 2954) granting a pension to Charles A. Norton.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll the name of Charles A. Norton, late of Company K, First Regiment of Maine Cavalry, and Company K, Seventh New Hampshire Infantry Volunteers, at the rate of $72 per month.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2954) granting a pension to Charles A. Norton, submit the following report:

Your committee adopt the report made by the Senate committee, as follows:

"The claimant, Charles A. Norton, late of Company K, First Regiment Maine Cavalry, and of Company K, Seventh New Hampshire Infantry, is now receiving a pension of $45 per month for the loss of his right arm. He filed an application in the Pension Bureau for an increase to $72 per month under the provisions of the act of June 16, 1880.

"His claim was rejected on the grounds that his condition was not such as to require the 'constant personal aid and attendance of another person,' in the language of the act.

"Pending the prosecution of his claim for increase he was examined by the medical board of this city, and under date of November 7, 1889, the following ratings by said board were reported:

For loss of right arm	$45.00
For disease of heart	8.00
For loss of left eye	8.00
For nervous disability	8.00

"It is shown by the evidence that the claimant received severe gunshot wounds, resulting in loss of the sight of the left eye in 1862 and loss of right arm at the battle of Fort Fisher in 1865. That he has been subjected to three subsequent amputations and four other separate and distinct surgical operations, with resulting reflex disturbances, causing heart disease, partial paralysis, total blindness following periodical attacks lasting for several days, and nervous prostration accompanied by excessive physical suffering. He can not dress or undress himself and has not been able to do so for many years, and to obtain any rest he has to be kept under the influence of morphine.

"It is a unique and historic case, and the facts are matters of record. (See Medical and Surgical History of the War, volume 3, page 748, and American Journal Medical Science, April, 1884, page 450.)

"The claimant is a thoroughly educated physician, and for a time tried to practice his profession, and did to a limited extent, but in recent years he has been compelled to abandon all work. All his personal effects have been sacrificed, including his medical library and surgical instruments. He has absolutely nothing but his pension left.

"A devoted sister has seriously impaired her health and exhausted her estate in his behalf."

Your committee are satisfied that these combined disabilities are all legitimate sequelæ of the pensioned cause and of wounds received in battle, and that they are such as to justly entitle the claimant to an increase, and therefore recommend that said bill be amended by striking out of line 7 the words "seventy-two" and inserting in lieu thereof the words "fifty-five," and when so amended that said bill do pass.

The amendment recommended by the committee was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

DANIEL DONOVAN.

The next Senate bill on the Private Calendar was the bill (S. 1238) granting a pension to Daniel Donovan.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Daniel Donovan, dependent father of Jeremiah Donovan, late Companies F and G, Ninety-ninth Regiment Pennsylvania Volunteers.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1238) granting a pension to Daniel Donovan, submit the following report:

The grounds upon which pension is claimed are set forth in the report of the Senate Committee on Pensions, which is as follows:

"That the son of the said Daniel Donovan, whose name was Jeremiah Donovan, enlisted in the Union Army in the war of 1861 and served in Companies F and G, Ninety-ninth Regiment of Pennsylvania Volunteers, and was killed while acting in the line of his duty in the service at Gettysburgh, Pa., July 2, 1863; that the said Daniel Donovan, the father of said deceased soldier, is now a very old man, being something over seventy-two years of age, and was at the time of the enlistment of his son advanced in years and largely dependent upon him for his support; he is very poor, is dependent upon what little he can earn by his daily labor for his support at this time, aided by the charity of benevolent persons. The mother of the deceased soldier died some time since.

"The committee conclude that this case is clearly within the ordinary rule granting pensions to dependent parents, and that this bill should pass."

Your committee likewise report favorably on the bill and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LLOYD H. SNELL.

The next Senate bill on the Private Calendar was the bill (S. 1048) granting a pension to Lloyd H. Snell.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lloyd H. Snell, late a private in Company F, First Regiment of Maine Volunteers, and pay him a pension from and after the passage of this act.

The report (by Mr. NUTE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1048) granting a pension to Lloyd H. Snell, submit the following report:

The facts in the case are fully set forth in the report of the Senate Committee on Pensions, which is as follows:

"The beneficiary under the bill entered the service in July, 1863, and was mustered out in June, 1865. He was enlisted as a substitute, and was subjected, according to medical testimony in the case, to a rigid examination. His first service was as a nurse in hospital, where he was under the eye of the hospital steward, who afterward became assistant surgeon to his regiment. This officer, affirming other testimony, certifies to his soundness at enlistment and while in hospital.

"The soldier and steward, then appointed surgeon, went to the regiment in the spring of 1864. During the long marches in the Shenandoah Valley, in the fall of that year, the soldier was first attacked with rheumatism in the service, for which he received the prescriptions and care of the assistant surgeon. Following the rheumatism were vertigo, heart trouble, debility, and nervous and muscular prostration, until at his discharge his condition is described as that of a broken-down man.

"The soldier's declarations for pension were filed in June, 1876, and April, 1878, both alleging rheumatism as a principal disability, and the claim was rejected in July, 1882, 'on the ground that the disease for which pension was claimed originated in causes which existed prior to enlistment.' The record shows that rheumatism was the disease referred to as the ground for rejection, and the testimony shows that the attack revealing its prior existence occurred in May, 1860, and was confined to the hands and wrist of the soldier; that it was severe enough to lay him by from his work as a shoemaker for a period of two weeks, but not severe enough to require the services of a physician. With that exception, it was established and accepted by the bureau that the soldier had been free from disease before enlistment, and that there had been no recurrence of rheumatism from the time of the attack, in May, 1860, to that in the service in October, 1864, about four and a half years.

"This looking back four and a half years over the life of a soldier discharged from the service because no longer able to perform his duties, and using the resources of the Government in ferreting out an instance of a fortnight's illness, not severe enough to require the advice of a physician, but remembered and brought forward only for the purpose of defeating his claim for a pension, presents a case of more careful and assiduous nursing of an accidental cold, with rheumatic attachments, than the letter or spirit of the pension laws requires of the medical branch of the Pension Bureau; and, recognizing the facts that this soldier was at the time of enlistment and had been for over four years previously a sound man; that he was discharged from the service broken down, and has remained broken down to this day, the committee pass over the questions of original and recurrent attacks of disease, on which the case was rejected, as better suited to the pages of a medical treatise than to sustain adverse action on the case under consideration, where the soldier needs the pension money to procure bread; and, on its general merits, they approve the bill and recommend its passage."

Your committee likewise recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN M'LAREN.

The next Senate bill on the Private Calendar was the bill (S. 2766) granting a pension to John McLaren.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of John McLaren, late a private in Company K, Third Regiment United States Infantry, and in Captain Fell's company, Seventh Independent Regiment Veteran Reserve Corps, and a sergeant in Company H, Third Regiment United States Infantry.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2766) granting a pension to John McLaren, submit the following report:

That the Senate report fully and clearly sets forth the facts in this case and is hereby adopted. The report is as follows:

"The Committee on Pensions, to whom was referred the bill granting a pension to John McLaren, have examined the same and report:

"The claimant enlisted in Company H, Third United States Infantry, December 12, 1857, was discharged December 12, 1862; again enlisted August 13, 1864, Veteran Reserve Corps, and discharged August 18, 1866, and re-enlisted September 4, 1866, in Company H, Third United States Infantry, and was discharged September 4, 1869, and re-enlisted in same company March 15, 1870, and was discharged March 15, 1875.

"It appears that he received a gunshot wound at the battle of Antietam, on left leg, which was nearly healed at time of his enlistment in the Veteran Reserve Corps, and that he was injured by being crushed between two wagons, while in the service, and is suffering from hernia; and from exposure in 1874 he lost the sight of the right eye, and his disabilities undoubtedly are attributable to his injuries and exposure while in the line of duty, as he was a healthy, strong man at the time of his first enlistment, and was sadly disabled at his final discharge.

"We therefore recommend the passage of the bill."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRIETTA E. BOGGS.

The next Senate bill on the Private Calendar was the bill (S. 1928) for the relief of Henrietta E. Boggs.

The bill is as follows:

Be it enacted, etc., That from and after the passage of this act there be paid, out of the naval pension fund, to Henrietta E. Boggs, widow of the late Rear-Admiral Charles S. Boggs, United States Navy, the sum of $50 per month during her widowhood, the same to be in lieu of her present pension.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1928) granting an increase of pension to Henrietta E. Boggs, submit the following report:

That the Senate report fully and clearly sets forth the facts in this case and is hereby adopted. The report is as follows:

"The Committee on Pensions, to whom was referred the bill for the relief of Henrietta E. Boggs, have examined the same, and report:

"The claimant is the widow of Charles S. Boggs, who died April 22, 1888. She married him April 8, 1875, her former husband having died in 1860, and his former wife in November, 1873.

"Charles S. Boggs was appointed a midshipman in the Navy November 1, 1826, and was promoted from time to time, becoming a rear-admiral July 1, 1870, and retired from service May 21, 1873. It appears that he was a vigilant and able officer, and died of disabilities contracted during his service and in the line of duty.

"She filed a declaration for a pension September 14, 1888, and December 31, 1889, was allowed a pension at the rate of $30 per month, from April 23, 1888, and now asks an increase to $50 per month.

"In view of the long and faithful service of Rear-Admiral Boggs and the fact that widows of other officers of like rank have been given such an amount, this bill commands our approval; we therefore recommend its passage."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

DANIEL H. KENT.

The next Senate bill on the Private Calendar was the bill (S. 1356) granting increase of pension to Daniel H. Kent.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at the rate of $36 per month, in lieu of his present pension of $24 per month, the name of Daniel H. Kent, late captain Company F and brevet major and lieutenant-colonel of the Fourth Regiment Delaware Volunteer Infantry.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1356) granting an increase of pension to Daniel H. Kent, submit the following report:

That the Senate report fully and clearly sets forth the facts in this case and is hereby adopted. The report is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 1356) granting increase of pension to Daniel H. Kent, have examined the same, and report:

"The case provided for in the bill under consideration was presented to the committee so late in the last session that, although reported on favorably to and passed by the Senate, it failed for lack of time to secure consideration in the House.

"The petitioner for increase is now receiving pension at $24 per month for gunshot wound of right arm at and below elbow. This was granted upon an official examination made before the passage of the act of August 4, 1886, upon the following statement of the condition of applicant:

"'Ball entered right fore-arm about an inch and a half below flexure of elbow joint on anterior surface, and came out on dorsal surface about 2 inches below elbow joint. Cicatrices large, deep, and adherent. About 2½ inches of ulna have been removed. Motion of elbow-joint considerably impaired. Complete loss of rotary motion of radius. Atrophy of muscles. Fore-arm 2 inches less in circumference than the left, and arm an inch less. Grasp of hand very feeble. Can not fully flex nor extend fingers of right hand. Little finger permanently flexed."

"The eminent surgeon, Dr. D. Hayes Agnew, certifies as follows in respect of Captain Kent's condition:

"'Mr. Daniel H. Kent, captain commanding the Fourth Delaware Regiment, in a charge at Rowanty Creek, February 5, 1865, received below the elbow a shot, which required an excision of a portion of the ulna. The injury was followed with a dreadful neuralgia of the arm and hand. To relieve this I excised a considerable portion of the ulna nerve in October, 1880, with only partial relief. I have advised amputation as the only operation likely to give any decided exemption from suffering.'

"The petitioner is not only totally disabled in his right arm for all purposes of manual labor, but is a constant sufferer from pain and without hope of alleviation. He is clearly entitled to the increase provided for total disability of arm in the act of August 4, 1886, and the committee approve the bill, with an amendment making such increase up to $36 per month, instead of $50, such increase to take effect from and after passage, and, so amended, they recommend its passage.

"Amend by striking out 'fifty' in the fifth line of the first section of the bill and inserting in lieu thereof the words 'thirty-six,' and by striking out all of section 2."

Mr. WASHINGTON. Mr. Chairman, it seems to me from what I gather from the reading of the report that the disability of this man Kent does not warrant any such increase of pension as that. I would like to ask the gentleman in charge of the bill to give some explanation.

Mr. BROSIUS. I happen to know Mr. Kent personally and am acquainted with the character of his injury. He has been an extreme sufferer for twenty years, and would be better off if his arm had been amputated above the elbow. I know that Dr. Agnew undertook to remove the nerve of the arm to relieve him from the incessant pain he had suffered for so many years. The operation was not a great success, but partially relieved him.

Mr. WASHINGTON. Let me interrupt the gentleman to ask this question: Do I understand there is total disability of the arm?

Mr. BROSIUS. Why, I say he would have been better off if the arm had been amputated. It is very much attenuated and *is of no use to* him.

Mr. WASHINGTON. Well, if the arm was amputated what pension would he be entitled to under the law?

Mr. BROSIUS. Why, $36.

Mr. WASHINGTON. Very well; I have no objection. I only desired that there should be uniformity in these matters.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM H. FENTON.

The next Senate bill on the Private Calendar, was the bill (S. 998) to remove the charge of desertion from the record of William H. Fenton.

The bill is as follows:

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized and directed to cause the records of the War Department to be so amended as to remove the charge of desertion from the service record of William H. Fenton, late a private in Company G, Nineteenth Ohio Infantry Volunteers, and to grant an honorable discharge to the said William H. Fenton as a private of said company, as of the date of May 27, 1864.

The report (by Mr. CAREY) is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 998) to remove the charge of desertion from the record of William H. Fenton, having considered the same, respectfully report:

That the facts in this case are fully set forth in the following extract from the Senate report on a bill of like import in the Fiftieth Congress:

"The case may be briefly summed up that he, being under thirteen years of age and not eligible for enlistment in the Army, was induced to believe that he could join the company as a musician, and accordingly was enrolled, and when he was enrolled was then by his officers treated as a private soldier and required to perform the duties of a soldier, and performed such duties faithfully and as well as a boy of his age could do, performing guard duty and participating in all the battles in which his regiment was engaged, and after two years and three and a half months re-enlisted as a veteran volunteer, being only a few days over fifteen years old, on January 1, 1864, and served faithfully till May 27, 1864, when he was detailed for pioneer duty, and whilst performing such duty under the direct orders of his orderly-sergeant was placed under arrest by his captain, and under charge of a corporal participated in the battle of New Hope Church, Georgia, and during the night in the retreat of the regiment and the confusion incident to a night movement he became lost from his company, and fearing the continuance of the hardship and treatment of his captain he returned to friends and made his way to Indiana, where he is shown to have been suffering from a severe attack of chronic diarrhea, from which he has never recovered. Not having reported to his company he was marked as a deserter. His re-enlistment on January 1, 1864, by the proper officers of the Army, who are presumed to have known the laws and requirements in regard to the age of those eligible for enlistment, being then only fifteen years old, was in direct violation of the law of February 13, 1862, and there is no evidence that upon his re-enlistment he misrepresented his age.

"In war, soldiers are compelled, on account of frail humanity, often to submit seemingly to hardships and oppressive discipline, and, while such hardship and oppressive conduct on the part of those clothed with brief authority will not justify illegal acts on the part of the soldier and will not justify desertion, yet there may be cases exceptional in their nature, and while the act of the soldier deserting or absenting himself without leave from the command may not be justified, yet it may be excusable. Your committee consider this such a case. And while they can not justify the soldier-boy Fenton in deserting or absenting himself without leave from his command, yet under the circumstances such act is by your committee considered excusable."

A copy of the record of this soldier furnished by the War Department and the petition of the soldier are herewith printed and made a part of this report.

Your committee believe that simple justice will only be done by correcting the military record of this soldier, and recommend that the bill do pass.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 19, 1886.

SIR: I have the honor to return Senate bill 3139, Fiftieth Congress, first session, authorizing the removal of the charge of desertion against and the issue of an honorable discharge to William H. Fenton, late a private in Company G, Nineteenth Ohio Infantry Volunteers, transmitted by the chairman of the Senate Committee on Military Affairs, and to report as follows:

William Henry Fenton, aged sixteen years, was enrolled September 15, 1861, to serve three years in the company and regiment mentioned, and served faithfully (having re-enlisted as a veteran volunteer on January 1, 1864), until May 27, 1864, when he is reported as having "deserted near Pickett's Mills, Georgia, while in front of the enemy." He never rejoined his command, which was retained in service until October 24, 1865.

The following is a synopsis of testimony which has been submitted to this office in this case, to wit:

On October 26, 1881, the applicant (Fenton himself) testified that he was born December 24, 1848, and enlisted September 28, 1861; was not quite thirteen years of age. It was understood when he enlisted that he was simply to do duty as a musician. He performed his duty as a soldier of the United States until May 27, 1864, when he was put under arrest by the captain of his company for an offense he had not committed, and on account of the disgrace and indignities to which he was subjected he felt justified in leaving his command. He further says that on May 25, 1864, he was detailed by orderly sergeant of his company, Doty, under the direction of the adjutant of the regiment, for pioneer service.

On the 27th May, 1864, being near the regiment, his captain saw him, and, not knowing of the detail, put him in arrest, and during the battle on that day he

was compelled to enter the same under arrest and under charge of a corporal. The captain of the company was wounded and taken away, without releasing applicant, who was subjected to indignities and disgrace by such unjustifiable arrest, and under the influence controlling his better judgment at the time he deserted. On account of his tender years, his long service for his country prior to his desertion, and the unjustifiable arrest and disgrace imposed upon him at the time, he asks that the charge of desertion be removed.

On November 14, 1881, Sylvester Doty, of Southington, Ohio, testifies that he was orderly sergeant of applicant's company, and was well acquainted with applicant, and corroborates the statement of applicant throughout as to detail for pioneer duty, etc.

On October 30, 1881, George N. Lawson, of Corry, Pa., and a former member of Company G, Nineteenth Ohio Volunteers, testified that he was acquainted with applicant; that at the time of an engagement near Dallas, Ga., on May 27, 1864, applicant had been absent from the company, as affiant learned, on detached duty, and returned to the company as the regiment was going into a fight; Captain Smith, of the company, not knowing that applicant had been detailed by Sergeant Doty, when he saw applicant, caused him to be put under arrest, and during the engagement applicant was made to enter the battle under charge of a corporal.

Affiant remembers hearing Sergeant Doty tell Captain Smith that he had detailed applicant into the pioneer corps; the captain was wounded before applicant was released from arrest and was taken back by the deponent; so applicant was kept under arrest, as affiant thinks, unjustly, and felt so aggrieved that he deserted and never again returned to the regiment. Applicant was very young when he enlisted as a musician, and never received very kind treatment at the hands of his commanding officer aforesaid.

On December 10, 1881, Jason Hurd, of Braceville, Ohio, testified that he was formerly second lieutenant of applicant's company, and to the same effect as George N. Lawson. He also says that applicant was enlisted as a "musician" at about fourteen years of age, and was placed on the rolls as a private to fill up the company, "which there was some difficulty in doing."

This office since 1881 has repeatedly declined to remove the charge of desertion against this soldier on the ground that the nature of the case, as shown by the record and the testimony, did not bring it within the purview of any law authorizing the removal of charges of desertion.

An adverse report was made by the Senate Committee on Military Affairs upon a similar bill to the one in question on February 15, 1884 (Report No. 183, Senate bill 1103, Forty-eighth Congress, first session).

I am, sir, very respectfully, your obedient servant,

J. C. KELTON,
Assistant Adjutant-General.

The SECRETARY OF WAR.

PETITION OF WILLIAM H. FENTON.

To the honorable the Senate and House of Representatives, Washington, D. C.:

The undersigned respectfully represents that at the age of thirteen years he enlisted as a musician in Company G, Nineteenth Ohio Infantry Volunteers, and after some two months' service was given and carried a musket as a private. That on the 1st day of January, 1864, he re-enlisted in the same company and regiment, to serve during the war, and that on the 27th day of May, 1864, he left his company and regiment without leave and did not thereafter return to the service. And now respectfully asks that your honorable body take such steps for his relief as will cause the proper authorities to grant him an honorable discharge for the following reasons, to wit:

About the 26th day of May, 1864, I was detailed by the orderly sergeant of our company to go with the wagon train. This was about 1 o'clock p. m. I worked hard nearly all night till we got the wagons out of the sand, and returned to the front next morning about 8 o'clock a. m., with the wagons; and the captain of our company, not knowing of the orders given me by the orderly sergeant, put me under arrest for straggling. Just then the regiment received orders to charge on the enemy, and I staid with my company till 10 o'clock on the night of the 27th, when we were driven back by the rebels, and in the confusion I got lost, and lay down in the pines, and, being exhausted, went to sleep, and did not wake till near noon of the 28th, and then I did not dare to go back to my regiment. I had nothing to eat from the noon of May 26 to May 28. When I received orders to go to the wagons, as aforesaid, we had to march back 12 miles to where the wagons were stuck in the sand, and marched back 12 miles to the front where we started from.

At the time I left my company and regiment I was sick, suffering with chronic diarrhea, and was not in fit condition to endure the hardships of camp life, and was a mere boy, and did not understand the consequences of my actions, as I would have done had I been older. I enlisted September 27, 1861, and served till May 28, 1864, and was in every battle fought by our regiment while I was with it, and drove an ambulance at the battle of Perryville, Ky., when our regiment took no part in said battle.

On account of the hardships endured and disease contracted while in the service I am broken down and unable to earn my living by labor, which is all I have to depend upon, having no other source of income to support myself and family.

WILLIAM H. FENTON.

STATE OF PENNSYLVANIA, *Erie County, ss:*

On this 10th day of January, 1888, before me, a notary public in and for said county and State, personally came the above-named William H. Fenton, and, being duly sworn according to law, doth depose and say that the statements by him made in the foregoing petition are correct and true.

[SEAL.] WM. C. JACKSON, *Notary Public.*

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM P. MADDEN.

The next Senate bill on the Private Calendar was the bill (S. 803) granting a pension to William P. Madden.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of William P. Madden, late private Company I, Sixth United States Infantry.

The report (by Mr. DE LANO) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 803) granting a pension to William P. Madden, have considered the same and report:

Said bill is accompanied by Senate Report No. 22. Your committee adopt the same as their report, and respectfully recommend the passage of the bill.

[Senate Report No. 22, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 803) granting a pension to William P. Madden, submit the following report:

A similar bill passed the Senate at the first session, Fiftieth Congress. The facts are fully set forth in the accompanying report.

The committee recommend the passage of the bill.

SENATE REPORT.

William P. Madden, the claimant, enlisted in Company I, Sixth Regiment United States Infantry, April 29, 1851, and was discharged April 29, 1856. On April 18, 1884, he made application for pension, alleging that while at Fort Kearney, Ind. Ter., on July 4, 1854, he incurred deafness of right ear by firing a cannon salute; and taking cold in said ear caused total deafness. Also contracted lung and liver disease while guarding the mail between Fort Kearney and Fort Laramie during the winter of 1854 and spring of 1855, and at the battle of Ash Hollow in September, 1855.

George Friederich and William Mealy testify to prior soundness and to incurrence of disability as alleged. William Mealy, in a subsequent affidavit, states that he was a comrade and personally sure that claimant incurred his disability in the line of duty while in the United States service, and that he is more or less disabled ever since. Dr. John S. Hidden testifies that he prescribed for claimant in the spring of 1863 for chronic bronchitis and congestion of the liver, and continued to prescribe for him at various times up to 1870; that during the seven years he was disabled one-half. Dr. G. L. Nichols swears that he has treated claimant more or less for twelve years for chronic congestion of the liver and kidneys, also for heart disease, which has become very troublesome; disabled 25 to 30 per cent. for manual labor.

William Hunton swears that he first prescribed for claimant in 1879 "for chronic constipation; * * * claimant can do some manual labor, but is not physically able to do much." Dr. A. B. Anderson prescribed for claimant in 1879 for congestion of the stomach and liver. Dr. C. A. Cole testifies similarly to Dr. Anderson.

The board of surgeons of Marysville, Kans., rates him at one-half total for deafness of left ear, and three examinations made by the same board make same rating—one-half total.

A. M. Legg, special examiner, "doubts the merits of the claim," but recommends further examination.

George W. McKean, special examiner, "doubts merits of claim, but recommends further examination."

J. W. Burnett, special examiner, recommends rejection of claim as "having no merit from its start," which was approved by the Commissioner of Pensions, and on October 7, 1886, the claim was rejected on the ground of no record evidence of the alleged deafness, disease of lungs and liver, and the claimant's inability, after a special examination of the claim, to produce satisfactory testimony connecting said disabilities with the service and line of duty.

Your committee, after weighing carefully all the facts in connection with this case, are of the opinion that the claimant should be pensioned, and therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MENA HOLMES.

The next Senate bill on the Private Calendar was the bill (S. 1524) granting a pension to Mena Holmes.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mena Holmes, widow of John Holmes, late coxswain, United States Navy.

The report (by Mr. DE LANO) is as follows:

The Committee on Pensions, to whom was referred the bill (S. 1524) granting a pension to Mena Holmes, have considered the same and report:

Said bill is accompanied by Senate Report No. 438. Your committee adopt the same as their report and recommend the passage of the bill.

[Senate Report No. 438, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1524) granting a pension to Mena Holmes, have examined the same and report:

Claimant in this case is the widow of John Holmes, who served on the United States ships Potomac, United States, and Cyane, from 1834 to 1839; Brandywine, Fairfax, and Delaware, from 1839 to 1843; Cumberland, 1843 to 1845; United States, 1846 to 1849; Taney, Mississippi, and Independence, from 1849 to June, 1852.

He was drawing a pension of $8 per month at the time of his death.

His faithful service is testified to by the officers under whom he served, and it appears that the widow is in destitute circumstances.

Your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

PHILLIPE RAY.

The next Senate bill on the Private Calendar was the bill (S. 992) granting a pension to Phillipe Ray.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Phillipe Ray, late of Company B, First New Jersey Cavalry in the war of the rebellion.

The report (by Mr. CRAIG) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill granting a pension to Phillipe Ray, submit the following report:

The claimant was mustered on the 20th of August, 1861, as sergeant of Company E, First New Jersey Cavalry. In 1862 he was transferred to Company B and made a corporal. At Harrisonburgh, Va., June 6, 1862, while on retreat he fell with his horse and was rendered insensible from concussion; was however aroused by a comrade, but not in season to prevent his capture by the enemy, and for several months of that year it appears by the regimental rolls he was a prisoner. He was returned subsequently as a paroled prisoner and rejoined his regiment, and at the expiration of his term of service he re-enlisted, and was discharged July 24, 1865.

He filed an application for a pension in 1869, claiming disabilities originating in exposure while a prisoner at Belle Isle and Lynchburgh, Va., but relinquished the same in 1871, with the avowal that the evidence required by the Pension Office could not be furnished.

Upon his own application the case was afterwards reopened, and June 17, 1887, was adversely disposed of by the Assistant Secretary of the Interior, because, while he may have contracted his disability in the service, the evidence failed to prove it.

The evidence submitted to the committee shows, by the certificate of the ex-surgeon of his regiment and the affidavit of a party who knew him before and at the time of his enlistment, that he was then a sound man.

That later, and in 1873, he was suffering from some kidney trouble, by affidavits of women who took care of his room. The medical examiners to whom

his case was committed, reported his disability from diabetes at one-fourth total and permanent, and that in their belief it originated in the service and in line of duty.

The claimant himself testifies that he contracted a severe cold on account of want of shelter while a prisoner, but that his health improved after his return to his regiment, yet during "Burnside's mud march" he suffered a relapse, since which this disease has been continuous. He accounts for the impossibility of testimony from his comrades by saying he never complained, because he was desirous of promotion, which would have been difficult had his physical condition been known.

In consideration of the long service of this soldier and the reasonable probability that his statement is true we recommend the passage of the bill.

Mr. WASHINGTON. How much does that carry?

The CHAIRMAN. The regular amount allowed by the pension laws.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JAMES COEY.

The next Senate bill on the Private Calendar was the bill (S. 1294) to increase the pension of James Coey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of James Coey, late major of the One hundred and forty-seventh Regiment of New York Volunteers, and pay him at the rate of $60 per month in lieu of the pension now paid him.

The report (by Mr. TURNER, of New York) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1294) granting an increase of pension to James Coey, submit the following report:

That they have examined the case and annex the report of the Senate Committee on Pensions, and recommend the bill do pass.

[Senate Report No. 352, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1294) to increase the pension of James Coey, have examined the same and report:

The case of the beneficiary under the bill received the consideration of the committee at the last Congress, and the statement and recommendation made then are repeated now; by which it appears that he enlisted August 21, 1862, in Company E, One hundred and forty-seventh Regiment New York Volunteers; was commissioned first lieutenant October 4, 1862; captain, February 24, 1863; major, October 28, 1864; lieutenant-colonel, November 15, 1864, but not mustered, the regiment being below minimum; lieutenant-colonel by brevet, March 13, 1865, "for conspicuous gallantry in the battles of the Wilderness and at Laurel Hill, Va.;" colonel by brevet, April 9, 1865, "for gallant and meritorious services during the war and in the recent campaigns, terminating with the surrender of the insurgent army under General Robert E. Lee."

He was severely wounded in the leg at Laurel Hill, Va., and at Hatcher's Run, Va.; on February 6, 1865, he was terribly wounded in the head. It was on account of the last wound that he was pensioned from June 7, 1865, at $25 per month, which was increased to $30 per month from August, 1886, the increase being for the original disability and resulting diseases, total deafness of right ear, facial paralysis, and loss of sense of smell.

The bill under consideration provides for an increase of pension to $60 per month. The claimant's disability, in substance corresponding with the technical medical description, is: Gun-shot wound through the head, the ball entering below the left eye, near the nose, and passing out through the right side of the head, under the right ear. Subsequently a small piece of the ball passed out of the right ear. He has lost use of hearing in right ear entirely, and is suffering, and has been for the last four years, from a discharge from the right ear. Further, that he is suffering from paralysis of the entire right side of face; the eyelid of right eye is completely paralyzed and does not perform its usual function of protection to the eye, and thus the sight of right eye is much impaired and is constantly growing weaker; and the sense of smell is entirely lost. Memory is also impaired and capacity for mental labor.

There is no question about the extent of disability as above stated, nor that it is permanent and of a character that will increase with years, nor that the complication of troubles now affecting claimant is directly resultant from his wounds received in service.

Your committee deem the case so plain and meritorious that they recommend the passage of the bill, amended, however, by limiting the pension thereunder to $60 a month.

Amend by striking out in the sixth line of the bill the word "seventy," and in the seventh line the word "five," and inserting in lieu thereof the word "sixty."

Mr. WASHINGTON. Mr. Chairman, it seems to me that this would break the uniformity in such cases. I do not think the disability warrants an increase from $30 to $60. If we could afford it, it would be a pleasant thing to increase every man's pension, but we can not afford to do that. I would like to hear from the gentleman in charge of the bill some better reason than is given in the report for that increase.

Mr. MORRILL. Mr. Chairman, the bill was reported by the gentleman from New York [Mr. TURNER], who is not present this evening. I will say in reply to the gentleman from Tennessee [Mr. WASHINGTON] that the committee have carefully considered all these matters, examined the evidence, discussed these questions in full committee, and the reports are passed by a majority of the committee. A hasty reading of the report would hardly give the gentleman a correct idea of the matter.

Mr. TUCKER. But suppose we have given it a careful reading?

The CHAIRMAN. If there is no objection, the bill will be laid aside with a favorable recommendation.

Mr. WASHINGTON. I object to the passage of the bill at that rate.

Mr. MORRILL. Then I ask unanimous consent that the bill may be laid aside.

Mr. WASHINGTON. Let it be passed over and retain its place on the Calendar. I have no objection to that.

The CHAIRMAN. As the gentleman who represents the bill is not here, the Chair would suggest that it be laid aside without losing its place on the Calendar.

There was no objection, and it was so ordered.

JOHN SWEARER.

The next Senate bill on the Private Calendar was the bill (S. 2493) granting a pension to John Swearer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of John Swearer at the rate of $20 per month from the date of the passage of this act, in lieu of the pension he is now receiving.

The report (by Mr. MARTIN, of Indiana), was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2493) granting an increase of pension to John Swearer, submit the following report:

Your committee have had said bill under consideration, and, recommending the passage of the bill, adopt the report of the Senate committee as our own, which is in the following words, to wit:

"The Committee on Pensions, to whom was referred the bill (S. 2493) granting a pension to John Swearer, have examined the same, and report:

"At the time of the attack on Fort Sumter a party of stone-masons and bricklayers were engaged in strengthening its insecure defenses. One of these, John Swearer, volunteered to help man the guns. The whole regular force in the fort under Major Anderson numbering only some sixty men, his services were accepted, and he was privileged to be the first man in the fort who was wounded, and so the first, also, in the war of the rebellion. The circumstances under which the claimant under the bill was thus permitted to exhibit his manliness and patriotism are detailed in the following letter from Major-General Doubleday, at the time in command of one of the companies garrisoning the fort:

"'In the first opening of the enemy's batteries against Fort Sumter (April 12, 1861) the fort was garrisoned by only two companies of the United States Army, under command of Maj. Robert Anderson. I commanded one of these companies. Our sixty men were invested by several thousand. The labors that devolved upon the regular troops were immense in their efforts to put the works in a proper condition to resist an assault. In this emergency, John Swearer, with a few of his companions who were masons and brick-layers, and who were at work in the fort, served at the guns during the bombardment, and performed all the duties of a soldier. At the close of the action Swearer was badly wounded by a piece of shell entering his body.

"'He was the first man wounded in the late civil war. Instead of $4 a month pension dating only from 1884, I think his pension should be increased, and it should date from the day he was wounded.

"'ABNER DOUBLEDAY,

"'*Major-General, U. S. Army, formerly Capt. Co. E, First U. S. Artillery.*'

"The service performed by the claimant was in no sense required by or incident to his employment. It was an act of generous and spontaneous patriotism, most gratefully to be remembered in his behalf. It is especially to be so remembered since age has come to him with disease resulting from his wound, and poverty as companion to both. He was pensioned under the statute of July 4, 1884, at $4 per month, and that rating was increased to $8 from September 25, 1889.

"In consideration of the peculiar and meritorious circumstances surrounding the case, the committee do not hesitate to recommend the passage of the bill."

We further recommend the amendment of the Senate bill by adding thereto the following words, to wit, "in lieu of the pension he is now receiving."

The amendment of the committee was read, as follows:

Add to the bill the following:

"In lieu of the pension he is now receiving."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WASHINGTON. I did not catch the amount.

The CHAIRMAN. Twenty dollars a month.

Mr. WASHINGTON. Does not that bill provide for arrears also?

The CHAIRMAN. No, sir.

Mr. WASHINGTON. Something is said in there about arrears.

The CHAIRMAN. That is not provided for in the bill.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

BENJAMIN W. BOTTS.

The next Senate bill on the Private Calendar was the bill (S. 437) granting a pension to Benjamin W. Botts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Benjamin W. Botts, of Missouri, late a member of Company B, Thirtieth Regiment Iowa Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 437) granting a pension to Benjamin W. Botts, submit the following report:

That the Senate report clearly sets forth the facts in this case; therefore it is adopted. Your committee recommend the passage of the bill.

SENATE REPORT.

The Committee on Pensions, to whom was referred the bill granting a pension to Benjamin W. Botts, have examined the same and report:

The record in this case discloses a peculiar state of facts. In September, 1862, the soldier, then a minor, left his home in Davis County, Iowa, for Keokuk, a recruiting station, for the purpose of enlisting in the Union Army, ignorant of the fact that his father's consent to such enlistment would be required. On presenting himself as a recruit, and learning this fact, he sent home for such consent, and waiting its arrival, joined the company in its drills and submitted to camp discipline. The father's consent received, he was mustered into service on the 18th of October, 1862. On the 22d of the same month he was admitted to hospital, broken out with measles. He was discharged from the hospital and the service November 18, 1862. The surgeon's certificate states his disability at discharge as chronic gastritis, chronic bronchitis, and general debility. The certificate adds: "Should not have been mustered."

Application for pension was rejected on the ground that the measles which produced the disease of lungs was contracted prior to enlistment. This is technically true, and justifies the Pension Bureau, under its practice, in its rejection; for the disease does not make its appearance until eight or ten days after it is contracted, while the soldier was sent to hospital four days after enlistment. But, except so far as the record was concerned, the soldier had been in service from the time when he first offered himself for enlistment. He had

been amenable to the discipline of the camp, and by participation in drills had been preparing himself for service as a soldier. His good intentions were undeniable, and it is also undeniable that he contracted the measles while thus undergoing a soldier's training.

As soon as the father's consent was received, he formally consummated the contract which had tacitly existed for nearly a month. He is in equity entitled to the same consideration as if he had perfected his enlistment at the first attempt. As to the rest, his case is without flaw. A large amount of evidence is presented from family physicians, laboring associates, and friends, showing soundness before his application to enlist, and his seriously diseased condition since his discharge, with that of comrades while in camp, establishing the fact of the contraction of the disease while learning the manual of arms. His condition is such, as shown by the reports of medical examiners, as to invoke sympathy, and believing this may be exercised in the soldier's favor, along with substantial justice, the committee approve the bill and recommend it for passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS H. HOPKINS.

The next Senate bill on the Private Calendar was the bill (S. 759) granting a pension to Thomas H. Hopkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Hopkins, late a private Company K, Second Regiment Illinois Cavalry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 759) granting a pension to Thomas H. Hopkins, submit the following report:

That the facts in this case are clearly and fully set forth by the Senate report and are hereby adopted.

SENATE REPORT.

The Committee on Pensions, to whom was referred the bill (S. 759) granting a pension to Thomas H. Hopkins, have examined the same and report:

This claimant made application for pension several years ago, alleging enlistment at Pittsfield, Ill., June 13, 1861, and the incurrence of his disability the latter part of June, 1861, at Camp Butler, near Springfield, Ill., by becoming so overheated as to cause disease of the lungs, from which he has never recovered; that he lay sick at Camp Butler about three months. On February 21, 1889, his claim was rejected on the ground that the records of the War Department fail to show the service as alleged.

Accompanying the papers presented to the committee is an affidavit of the claimant in which he swears to his enlistment in Company K, Second Illinois Cavalry. That he enlisted at Pittsfield, Pike County, Illinois, June 13, 1861, and that a discharge was given him at the expiration of about three months' service. That he was an able-bodied man at the time.

Presley G. Athey, late captain of Company K, Second Illinois Cavalry, swears under date September 7, 1889.

"That Thomas H. Hopkins enlisted at Pittsfield, Ill., on or about June 13, 1861, to serve three years or during the war, and that he was sworn into the service of the United States on or about June 20, 1861, in the company afterwards lettered K, of the Second Illinois Cavalry Volunteers; that on June 28, 1861, he received orders to march; that on June 30, 1861, he took up line of march for Camp Butler; that while on said march, owing to excessive heat, dust, want of water, and exposure at nights, Thomas H. Hopkins was so overcome as to produce, and did produce, hemorrhage of the lungs, which caused his discharge at Camp Butler, Ill., on the 5th day of August, 1861, by Silas Noale, colonel of said regiment; said claimant grew worse all the time; that on the 12th day of August, 1861, said Company K was examined by surgeons and passed upon when a new roll was made, and hence the name of Thomas H. Hopkins does not appear on the rolls of the War Department at Washington; said Hopkins was at the time of his enlistment, and for some time prior thereto, a sound, able-bodied man, as this affiant verily believes. The facts are personally known to this affiant."

Captain Athey resides at New Albany, Mo.

Mrs. T. E. Snyder, of Kansas City, Mo., swears to an acquaintance of over sixteen years; he has been an invalid most all of the time, not able to do manual labor on account of weakness of lungs; under care of the doctor a great deal.

Your committee are of the opinion that the claimant has fairly established his enlistment. He has also established prior soundness, and with the evidence presented he has established continuance. The affidavit of Captain Athey is so strong and directly to the point as to service that we recommend the passage of the bill.

The CHAIRMAN. Without objection, the bill will be laid aside to be reported to the House with a favorable recommendation.

Mr. WASHINGTON. Mr. Chairman, I am sorry to have to object to anybody's bill, but I will have to object to that. By a careful perusal of that report, I learn that the applicant was not in the service to exceed thirty days. He claims to have been taken sick with lung disease on the march to camp. He was discharged in August, after having enlisted in June. I do not think it is right to put a man like that on the pension-roll, to be a tax on the people of this country for the next forty years.

The CHAIRMAN. Does not the report indicate that he was in the service three months?

Mr. BROSIUS. Do I understand my friend to say that a man who entered the service of his country and was disabled in that service, even although he served only thirty days, is not entitled to a pension?

Mr. MORRILL. And when he has hemorrhage of the lungs?

Mr. WASHINGTON. The gentleman has put words into my mouth that I did not use. You are laying down a general proposition that I have not stated. I say the statements in that report indicate that this man enlisted and started for camp, as I get it from the hasty reading of the Clerk; that he broke down from the heat and dust on the road to camp, and he claims that that gave him a lung disease from which he has suffered ever since. I think that is getting it down to a pretty fine point.

Mr. MORRILL. The report shows that he suffers from hemorrhage of the lungs.

Mr. WASHINGTON. He must have suffered from it before, if he got it in one day, on one march. I shall have to object.

Mr. MORRILL. Then I ask that the bill be laid aside.

Mr. WASHINGTON. As I understand the gentleman's request, it is that the bill be laid aside without action.

Mr. MORRILL. Without action.

There was no objection, and it was so ordered.

HUGH BRADY.

The next Senate bill on the Private Calendar was the bill (S. 757) granting increase of pension to Hugh Brady.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Hugh Brady, late of Company I, Eighty-fourth Regiment of Illinois Infantry, to $30 per month, in lieu of the pension now received by him under certificate 62848.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 757) granting an increase of pension to Hugh Brady, submit the following report:

That the facts in this case are clearly set forth in the Senate report, which is hereby adopted.

SENATE REPORT.

The Committee on Pensions, to whom was referred the bill granting an increase of pension to Hugh Brady, have examined the same, and report:

This bill passed the House of Representatives during the first session of the Fiftieth Congress and was favorably reported to the Senate. The facts are fully set forth in the report made at that time:

"The beneficiary named in the bill is now a pensioner at the rate of $24 per month, on account of a gunshot wound of left hand and breast, piles, and disease of heart, contracted while serving as private in Company I, Eighty-fourth Regiment Illinois Volunteers. This rate was fixed by the Pension Bureau because the combined disabilities are held as equivalent to the disability resulting from the loss of a hand or foot, for which the act of March 3, 1883, provides said rate. By the provisions of the act of August 4, 1886, the rate of pension for loss of a hand or foot was raised to $30 per month, but equivalent disabilities were not increased over the former rate.

"Pensioner asks that his pension be increased to $36, the rate now provided by law for loss of leg above the knee, or arm above the elbow, or total disability in either. Such a disability, however, is not shown by the medical certificates. But as the disability, as heretofore stated, is equivalent to the loss of a hand, your committee are of opinion that the pension should be increased to $30 per month, and therefore recommend that it do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY A. DOUD.

The next Senate bill on the Private Calendar was the bill (S. 2407) for the relief of Mary A. Doud.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Doud, dependent mother of William C. Doud, late a private of the First Regiment Connecticut Heavy Artillery, of the city, county, and State of New York.

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2407) for the relief of Mary A. Doud, submit the following report:

That they have carefully examined the report of the Senate committee, which is hereto annexed and made a part hereof, and believing the case to be a meritorious one they would recommend the passage of the bill.

[Senate Report No. 794, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 2407) granting a pension to Mary A. Doud, of the city, county, and State of New York, have examined the same and report:

That a bill similar to this in its provisions was referred to this committee during the last Congress. It was fully considered and reported upon at that time. The report is hereby approved, attached hereto and made a part of this report, and we thereupon again recommend the passage of the bill.

[Senate Report No. 447, Fiftieth Congress, first session.]

The claimant is the mother of William C. Doud, who enlisted February 17, 1863, in the First Connecticut Volunteer Regiment of Heavy Artillery, in which he served until February 5, 1864; he then re-enlisted and served in the same regiment until September 5, 1865, when the command was mustered out. The soldier died of diarrhea and consumption June 12, 1870, in the city of New York. It appears from the testimony of his comrades, Cook and Durfee, who served in the same regiment with him, that William C. Doud rendered service as above, and that his pay was remitted to his mother for her support. The husband of the claimant had many years before the war abandoned her, gone to California, and died there; and the son, his mother remaining a widow, having no other means of subsistence except their manual labor, lived and worked together at sewing garments for the clothing and tailor shops.

It is shown by testimony of his comrades, Durfee, Dietrich, and Atheington, that said William C. Doud, at the siege of Yorktown, Va., in May, 1862, contracted chronic diarrhea; that he suffered with it during the whole of his subsequent service. The disease seems to have never been cured, but to have lasted until his death. The testimony of the two brothers Hoyt shows that the soldier was married about fourteen months before his death, but that his wife afterwards married again and has since died herself. These witnesses were brothers-in-law of the soldier and brothers of his deceased wife. There were no children of this marriage. The claimant is sixty-four years old, without means of support except her needle, and is now too old to work steadily therewith. She was very largely dependent upon her son, the soldier, who, as we think is shown, died from disease contracted in the military service.

We recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

EVELINE A. NOYES.

The next Senate bill on the Private Calendar was the bill (S. 1554) granting a pension to Eveline A. Noyes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Eveline A. Noyes, widow of James F. Noyes, late of the Tenth Independent Battery, Wisconsin Light Artillery.

The report (by Mr. SAWYER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1554) granting a pension to Eveline A. Noyes, submit the following report:

Believing from the report of the Senate committee, which is hereto annexed and made a part hereof, that this is a meritorious case, they would recommend that the bill do pass.

[Senate Report No. 872, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1554) granting a pension to Eveline A. Noyes, have examined the same and report:

This is a bill to pension Eveline A. Noyes, widow of James F. Noyes, late a member of the Tenth Independent Battery of Wisconsin Light Artillery.

The widow claims that her husband died of disease contracted in the service, and this appears to be the fact. The Adjutant-General's report shows that he was sick from May 18 to August 30, 1864, and that he was captured and a prisoner in the Confederate prison. When he enlisted he was a practical, hard-working farmer, and there is abundant testimony to show that he was entirely sound when he enlisted. He was mustered out at the end of the war, and returned to his home broken in health and continued to fail until he died. There is a large number of affidavits which show that his illness was continuous and that as he grew weaker there were indications of dropsy, and of this he finally died. His widow claimed that he died of dropsy, but was unable to meet the requirements of the Pension Office, which demanded evidence when, how, and where he incurred this disease.

There have been three special examinations, and the report in each instance is favorable to the claimant, but the records of the War Department do not show that he had dropsy, nor is there any medical testimony identifying this disease. It is enough for the committee to know, as is positively shown, that he was sound when he entered the service, that he came out of it diseased, and that he was sick and a sufferer to the time of his death.

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

The bill was laid aside to be reported to the House with the recommendation that it do pass.

The CHAIRMAN. The hour has arrived at which this order of the House has expired.

Mr. MORRILL. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. GEAR reported that the Committee of the Whole House had had under consideration sundry pension bills, which they reported back to the House with various recommendations.

SENATE BILLS PASSED.

Senate bills of the following titles, reported from the Committee of the Whole House without amendments, were severally ordered to be read a third time; and they were accordingly read the third time, and passed:

A bill (S. 1303) granting a pension to Mrs. Amanda L. Wisner;
A bill (S. 805) granting a pension to William N. Cline;
A bill (S. 811) granting a pension to Zephaniah H. Bones;
A bill (S. 1702) granting a pension to Rozalia Junk;
A bill (S. 1703) granting a pension to Betsey Mansfield;
A bill (S. 2954) granting a pension to Charles A. Norton;
A bill (S. 1238) granting a pension to Daniel Donovan;
A bill (S. 1048) granting a pension to Lloyd H. Snell;
A bill (S. 2766) granting a pension to John McLaren;
A bill (S. 1928) for the relief of Henrietta E. Boggs;
A bill (S. 1356) granting increase of pension to Daniel H. Kent;
A bill (S. 998) to remove the charge of desertion from the record of William H. Fenton;
A bill (S. 803) granting a pension to William P. Madden;
A bill (S. 1524) granting a pension to Mena Holmes;
A bill (S. 992) granting a pension to Phillipe Ray;
A bill (S. 437) granting a pension to Benjamin W. Botts;
A bill (S. 757) granting increase of pension to Hugh Brady;
A bill (S. 2407) for the relief of Mary A. Doud; and
A bill (S. 1554) granting a pension to Eveline A. Noyes.

Senate bills of the following titles, reported from the Committee of the Whole House with amendments, were severally taken up, the amendments agreed to, the bills as amended ordered to a third reading, read the third time, and passed:

A bill (S. 2493) granting a pension to John Swearer; and
A bill (S. 1840) granting a pension to Sallie Douglass Hartranft.

Mr. CUTCHEON. I desire to ask unanimous consent to print in the RECORD some remarks on the bill granting a pension to Mrs. Hartranft. I was very well acquainted with General Hartranft, was a comrade of his, served with him for three years, was an intimate personal friend, and should be very glad to print some remarks in connection with the bill granting a pension to his widow.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none.

Mr. O'NEILL, of Pennsylvania. I do wish unanimous consent to let the amendment go at $75 a month for Mrs. Hartranft.

Objection was made.

MRS. REBECCA E. SIMON.

Mr. REILLY. I ask unanimous consent to take up for consideration the bill (H. R. 8211) granting increase of pension to Mrs. Rebecca E. Simon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to reissue the pension certificate of Mrs. Rebecca E. Simon, widow of William I. Simon, late surgeon United States Navy, and allow her a pension at $50 per month, the same to be in lieu of the pension now paid her.

Mr. REILLY. Mr. Speaker, this bill and report were read at last Friday evening's session, but owing to the arrival of the hour of half past 10, when under the rules we are obliged to adjourn, further consideration was cut off; and I request that the reading of the report be dispensed with.

The SPEAKER *pro tempore*. Is there objection to the request to dispense with the reading of the report?

Mr. KERR, of Iowa. I ask for the reading of the report.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Iowa that the report was read in full at the last Friday evening session and printed in the RECORD.

Mr. KERR, of Iowa. As the report was printed, I withdraw the demand for its reading.

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

MRS. ELIZABETH P. NEWHOUSE.

Mr. KINSEY. I call up for present consideration the bill (H. R. 11456) for the relief of Mrs. Elizabeth P. Newhouse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Elizabeth P. Newhouse, formerly wife of Christian Newhouse, deceased, late of Company E, Fourth Regiment Indiana Volunteer Cavalry, upon the pension-roll, subject to the limitations and provisions of the pension laws.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11456) for the relief of Elizabeth P. Newhouse, submit the following report:

Claimant is the divorced widow of Christian Newhouse, who was a soldier in Company E, Fourth Regiment Indiana Cavalry. The evidence shows that Christian Newhouse served his country with credit for nearly three years and received an honorable discharge. After his return home, that he was a man of good repute and respected by his neighbors, but some time afterward was occasionally under the influence of strong drink, and while in that condition was overbearing and abusive to his wife. He gradually became more and more addicted to the habit until his wife was compelled to leave home for safety during his periods of delirium. Finally it became evident that it was unsafe for her to longer remain with him; therefore she applied for a divorce, which decree was granted June 26, 1873.

The affidavits of many witnesses show that the claimant is, and was at that time, a kind-hearted, virtuous, and noble christian woman; that she was very patriotic and loyal, being a very industrious member of a society, during the war, for the aid of the soldiers in the field and their widows and orphans at home. The testimony shows that claimant frequently took care of her divorced husband in times of sickness, and that at his final sickness she had him brought to her home and took care of him, and ministered to his wants until his death, which is shown by evidence to be August 21, 1880. Claimant is now nearly three score and ten years of age, and has very little of this world's goods and has never remarried. Your committee report favorably and recommend that the bill do pass, with amendment, "and pay her a pension at $8 per month."

The amendment recommended by the committee was agreed to.

Mr. WASHINGTON. How much does this bill carry?

A MEMBER. Eight dollars a month.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JOEL HENDRICKS.

Mr. BROOKSHIRE. I call up for consideration the bill (H. R. 9293) granting a pension to Joel Hendricks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, directed to place on the pension-roll, subject to the provisions of the pension laws, the name of Joel Hendricks, who was enrolled July 2, 1832, in Capt. James Orr's company of cavalry of Indiana Militia, in Black Hawk war, and mustered out of service with said company August 12, 1832, and pay him a pension at the rate of $2 per month from the passage of this act.

The report (by Mr. DE LANO) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 9293) granting a pension to Joel Hendricks, respectfully report as follows:

The said Hendricks was enrolled July 2, 1832, in Capt. James Orr's company of cavalry Indiana militia in the Black Hawk war; was mustered out of the service honorably with such company August 12, 1832. It appears from a numerously signed petition, and also from affidavits, that Mr. Hendricks is now seventy-eight years old; is totally disabled, being unable to perform manual labor necessary to procure his subsistence, and that claimant has no income from any source whatever sufficient for the maintenance of himself and family.

R. L. Parsons testifies that he has been personally and intimately acquainted with Mr. Hendricks for the past twenty years; knows from personal knowledge that he is now almost totally disabled from following his occupation (shoemaking); has no income sufficient to maintain himself and family; that he is without means of support other than his labor; and that he has no friends legally bound or able to support him. Similar facts occur in the affidavits of Samuel Gaskins and of Mr. Hendricks himself.

In view of the facts stated, your committee report the bill back with the recommendation that it do pass with the following amendment: Strike out the word "twenty," in line 10, and substitute in lieu thereof the word "eight."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JEANIE BRENT DAVENPORT.

Mr. RANDALL. I ask unanimous consent to take up for consideration the bill (S. 721) granting a pension to Jeanie Brent Davenport.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Jeanie Brent Davenport, widow of Capt. Henry K. Davenport, late of the United States Navy, at the rate of $50 per month.

The report (by Mr. RANDALL) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 721) granting an increase of pension to Jeanie Brent Davenport, have considered the same, and respectfully report as follows:

Said bill is similar to House bill No. 10503, which was reported favorably at this session by your committee and is now on the Calendar. It is respectfully recommended that the Senate bill be substituted for the House bill, and that the former be put upon its passage.

Mr. KERR, of Iowa. I move to strike out "fifty" and insert "thirty."

Mr. RANDALL. I will say to the gentleman from Iowa that the beneficiary gets $30 a month now. She is a widow and is not getting enough.

Mr. MORRILL. On what ground is the increase asked?

Mr. RANDALL. On the ground that she is of advanced years, without means, and that $30 is not sufficient for her wants; also on account of the meritorious services of her husband during the war. The bill came before the Committee on Pensions and was very carefully looked into. The committee reported it unanimously.

Mr. CUTCHEON. What was the rank of the officer?

Mr. RANDALL. He was a captain in the Navy.

Mr. CUTCHEON. What rank would that be equivalent to in the Army?

Mr. RANDALL. A captain of the Navy has the same pay as a colonel of the Army.

Mr. CUTCHEON. That is the regular pension?

Mr. RANDALL. That is the regular pension.

Mr. KERR, of Iowa. What age is she?

Mr. RANDALL. She is sixty-four.

Mr. KERR, of Iowa. I shall not argue this case, but I am opposed to these special cases.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MRS. MARGARET O'CONNER, NOW SULLIVAN.

Mr. OWENS, of Ohio. I call up for consideration the bill (H. R. 9236) granting a pension to Mrs. Margaret O'Conner, now Sullivan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Margaret O'Conner, now Sullivan, the widow of Robert O'Conner, who served as a soldier in Company F, Eleventh United States Infantry, war with Mexico, and pay her a pension from and after the passage of this bill.

The report (by Mr. HILL) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 9236) granting a pension to Margaret Sullivan (formerly O'Conner), have considered the same, and report as follows:

A similar bill was reported to the House by your committee at the first session of the Fiftieth Congress. The number of the report is 2900. Your committee adopt said report as applicable to this bill, and return the bill with the recommendation that it do pass.

[House Report No. 2900, Fiftieth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (H. R. 10485) and petition of Margaret O'Conner, have considered the same, and report as follows:

The claimant asks in her petition that she be restored to the rolls as the widow of Robert O'Conner, who died in the Mexican war while a soldier in the Eleventh United States Infantry, Captain Ramsey's company. She states as follows:

"I received a pension as his widow until it was taken from me by reason of cohabiting with one John Sullivan and having children by him. Sullivan was a soldier in the late war and served, until it closed, with honor and bravery. Sullivan is dead, my children have left me, and I am living alone, destitute, and dependent on charity for the common needs of life. I am a very old woman and can not be a tax on our good Government but a few years longer at best."

Your committee have investigated the case and find that the claimant's first husband, Robert O'Conner, was a soldier in Company F, Eleventh United States Infantry, from January 1, 1848. He enlisted for the war with Mexico, but died July 10, 1848, from diarrhea contracted in service.

The claimant, in 1873, was placed on the pension-roll as the widow of said soldier, but in March, 1882, her pension was suspended, and subsequently her name was dropped from the roll because she was not entitled to her pension.

The following opinion of the Acting Secretary of the Interior, when the claim was on appeal, shows the cause of dropping:

DEPARTMENT OF THE INTERIOR,
Washington, September 12, 1885.

SIR: Herewith are returned the papers which accompanied the report dated the 7th of February last, upon the appeal from the action of your office dropping the name of Mrs. Margaret O'Conner, widow of Robert O'Conner, from the pension-roll. Mrs. O'Conner was pensioned by certificate No. 7334, issued on the 31st of July, 1873, on account of the death of her husband in 1848 of disease contracted while he was a private in Company F of the Eleventh Regiment of United States Infantry, in the war with Mexico.

The report of your office, dated the 5th of May, 1884, sets forth that the name of the pensioner was dropped from the roll under the act of August 7, 1882, on account of her open and notorious adulterous cohabitation with one John O'Sullivan.

Since that report was made the case has been further investigated by your office, on the suggestion of this Department, and in the report of the 7th of February last your office proposes to adhere to the action dropping the name from the roll on a different ground, which is, that the evidence is sufficient to show that Mrs. O'Conner was married to said John O'Sullivan in 1849.

In this view of the case this Department concurs. The testimony of John Sheehy, setting forth that he was present at the marriage of Mrs. O'Conner and John O'Sullivan in 1849, sustained by the fact that a license for the marriage was procured; the testimony of Mrs. Lucy S. Kellogg, setting forth than Mrs. O'Conner admitted to her that she was married to John O'Sullivan; and the cohabitation of the parties from 1849 to 1883 are deemed sufficient proof of the marriage.

The action of your office dropping the name from the pension-roll is affirmed on this ground.

Very respectfully,

G. A. JENKS, *Acting Secretary.*

The COMMISSIONER OF PENSIONS.

It is seen by this statement that the claim was rejected by the Pension Bureau on the ground of the remarriage of the widow.

The second husband, Sullivan, is dead. The claimant is in destitute circumstances. She is about seventy years of age.

Your committee are of the opinion that the remarriage of this claimant should not deprive her of her right to a pension. Her first husband (O'Conner) was a soldier, and died while in the service of his country.

The pension laws relating to the Revolutionary war allow the granting of pensions to those widows of soldiers who, having remarried, again become widows. The honorable Commissioner of Pensions has expressed himself as favorable to the enactment of a law allowing pensions to all widows of soldiers while they are widows.

Your committee recommend the passage of the bill.

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

MARY S. MILLER.

Mr. DORSEY. Mr. Speaker, I call up the bill (S. 3214) granting a pension to Mary S. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary S. Miller, as the widow of William J. Miller, late private of Company K, Thirty-third Regiment Iowa Volunteer Infantry.

The report (by Mr. LAWS) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 3214) granting a pension to Mary S. Miller, submit the following report, being report of Senate Committee on Pensions on same bill, namely:

[Senate Report No. 1405, Fifty-first Congress, first session.]

Claimant is the widow of William J. Miller, who served as a private in Company K, Thirty-third Regiment Iowa Volunteer Infantry, from August 11, 1862, to July 17, 1865.

Soldier was drawing a pension of $8 per month at the time of his death, by reason of disability from chronic diarrhea. Claim was rejected August 19, 1889, on the ground that claimant is not the legal widow of the late soldier.

A copy of the records of Mahaska County, Iowa, shows that soldier was married to one Phœbe Blacketer, November 3, 1861. She applied for pension in June, 1865, supposing the soldier to have been killed in battle. This claim was rejected August 19, 1889, on the ground that there is no pensionable period, claimant having remarried prior to date of soldier's death.

The records of Mahaska County, Iowa, show the marriage of soldier to Mary S. Graham, claimant in this case, May 22, 1866. This was nearly four months after the marriage of soldier's first wife (Phœbe) to Mr. Fletcher, which occurred, according to report of special examiner, January 24, 1866.

In affidavit filed May 15, 1888, claimant states that her late husband, William J. Miller, was divorced from his former wife, Phœbe Miller, prior to May 22, 1866; that before that time soldier had commenced divorce proceedings and published notice against the said Phœbe Miller, at Oskaloosa, Mahaska County, Iowa, and while the same were pending received notice that a divorce had been granted Phœbe Miller elsewhere, but where this claimant does not know; that the said soldier thereupon dismissed his proceedings in Mahaska County, Iowa, and he and affiant were married; that the notice of the divorce received by claimant's late husband from the said Phœbe Miller was lost in moving from place to place, and claimant is therefore unable to furnish proof of the same.

Phœbe Miller, soldier's first wife, states before a special examiner that she had no knowledge of a divorce proceeding against her by soldier, and that she was neither divorced, nor did she ever apply for a divorce from soldier; that she never expected to hear from him again, and therefore she married Mr. Fletcher.

It is shown by medical testimony taken by special examiner that soldier died from chronic diarrhea, the disability for which he was pensioned. It is not shown, however, that soldier was ever divorced from his first wife, although she married another man about four months before soldier was married to this claimant.

The testimony in the case indicates that soldier was but eighteen years of age when he was married to his first wife, with whom he lived only a few months; that the said marriage was an unhappy one and that soldier had just grounds for divorce; that the present widow before consenting to marry soldier was satisfied that there was no legal barrier to their marriage; that the first wife was married to James Fletcher several months before soldier was married to this claimant, and, therefore, had no claims upon him. It is well established that soldier regarded claimant as his only true and lawful wife, and so lived with her to the day of his death, September 29, 1887, nearly twenty-one years. It is also shown that claimant cared for and nursed soldier through all of his sickness, and earned a living for the family when he was unable to work. She was to him in every respect what a true wife would be to her husband, and no blame can attach to her, believing, as she did, that there was no obstacle in the way of their marriage.

In an affidavit filed June 13, 1889, Hon. E. S. Gaylord, a prominent and highly respected citizen of Washington County, Nebraska, testifies that he has personal knowledge that the late soldier and claimant lived together in the most reputable manner during the last ten years as man and wife; that the said soldier was a weakly, sickly man and without means; that during much of the time his wife was compelled to do washing, sewing, and housework for other persons in order to maintain herself and husband; that she worked for this affiant in such capacity, he being a near neighbor to them; that said work greatly impaired claimant's health, and that she is now greatly broken down and without means of subsistence; that claimant and soldier always lived together in loyalty and fidelity as man and wife.

In affidavit executed June 14, 1890, Melissa A. Faust, of Douglas County, Nebraska, testifies that she was intimately acquainted with claimant and her husband, William J. Miller, and knows that they were married on the 22d day of May, 1866, and lived together as husband and wife until his death, September 29, 1887; that affiant lived near by them nearly all of the time, and knows that the said soldier was in poor health and confined to the house during the last two years of his life, being unable to perform any kind of work, and had not claimant cared for and nursed him he would have been a charge upon the county.

The facts seem to warrant favorable action, and your committee therefore recommend the passage of the bill with an amendment in the nature of a substitute.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CONRAD M'CLAIN.

Mr. HAYES. Mr. Speaker, I call up the bill (H. R. 9934) granting a pension to Conrad McClain.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Conrad McClain, late of Company F, One hundred and ninth Regiment of New York Infantry.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9934) granting a pension to Conrad McClain, having examined and considered the same, report the same back to the House with the recommendation that it do pass.

Conrad McClain was a soldier in the One hundred and ninth New York Regiment, being the regiment of Colonel Catlin and General B. F. Tracy, and he served therein about three years. He filed application for pension in 1886, claiming for gunshot wound in head and right fore-arm, and chronic diarrhea, which was rejected on the ground that there was no pensionable disability for gunshot wound in head and no record of origin in service as to the other claims.

He was treated at Chester Hospital, at Laurel, Md., and at Harewood Hospital, Washington. The Adjutant-General's report shows that he was wounded, but does not show the details, and the Surgeon-General's report shows his hospital treatment for wounds. His colonel, Isaac S. Catlin, testifies as to his being ill with malarial fever and as to his being furloughed in 1862 on account of illness, and testifies to his wounds, and that one of them was incurred while he was recovering the colors of the regiment, the bearer of them having fallen mortally wounded, and also expresses the strongest belief in the merit of his claim, and that he has never recovered from his illness, and has a letter on file to General Tracy strongly recommending this claim.

Comrades also swear to his illness and injuries in the same way, and Sara A. Young, who was a nurse at the hospital at Laurel, Md., and took care of him, testifies as to his wounds and that they were severe. It is also shown by the testimony of those with whom he has worked and associated since his discharge that he has suffered ever since with diarrhea and general debility, and that he has not been able to perform anything like full manual labor.

A medical examination was had at Maquoketa, Iowa, and the wounds were reported with a statement that they think it probable that his disabilities were incurred in service, but that there were no objective signs of disease in the rectum, but say that he is entitled to a rating for a wound in the head.

Your committee can not see wherein the ruling of the Department that there was no record and no proof of origin of complaint in service is justified; the proof seems to be entirely satisfactory upon all of these points; and the record discloses no ground upon which relief should be denied him, and the bill should pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MRS. LEONORA COON.

Mr. BLISS. Mr. Speaker, I call up the bill (H. R. 7574) granting a pension to Mrs. Leonora Coon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-rolls, subject to the provisions and limitations of the general pension laws, the name of Mrs. Leonora Coon, widow of the late Denby L. Coon, late adjutant of the Second Battalion, Third Regiment Michigan Cavalry, at the rate of $14 per month.

The report (by Mr. BELKNAP) is as follows:

The Committee on Pensions, having under consideration the bill (H. R. 7574) granting a pension to Mrs. Leonora Coon, respectfully recommend that the bill pass.

Mrs. Coon is the widow of Denby L. Coon, who at the date of his death was receiving a pension for rheumatism, from which disease it is claimed he died in 1885. The origin of rheumatism in the service was proven in the claim for original pension, but the widow's claim was rejected by the Department on ground that soldier did not die of rheumatism. There are on file the affidavits of three physicians and one druggist, all of whom treated the soldier, and all agree in their affidavits in treating him for rheumatism and nothing else, and the doctor and druggist who treated him in last illness swear that rheumatism was the cause of death. On special examination there are conflicting statements made.

John H. Passage, druggist of twenty years' standing, swears that he called on soldier several times a week. Saw him right before he died; foot and toe sore from rheumatism; toe amputated; otherwise in good health.

Dr. Nichols treated him from 1878 to 1884 for rheumatism, which he describes in his affidavit as inflammatory, but, on special examination as gouty, malarial, and progressive. He thought death due to impairment of nutrition of the parts, resulting from obstruction of circulation due to previous rheumatism and varicose condition of left leg.

Dr. Lyman B. Lester attended the soldier in last illness, and swears positively in original affidavit that he died of rheumatism. He amputated the toe of left foot where rheumatism was located. On special examination he swears that soldier died of lung trouble, but repeats his statement of treatment for rheumatism of left leg and foot. The special examiner reports him as a quack.

Dr. C. W. Slawson was the family physician from 1865 till 1870, and treated the soldier for rheumatism; was otherwise a healthy man.

The soldier's legal adviser, Judge John Lewis, swears that he saw him often, and he always complained of rheumatic pains in left leg and foot, and could not wear boot comfortably.

The soldier was sick in bed for three months prior to his death, during which time it is evident gangrene set in, and the left foot was rotting away and the big toe had to be amputated. All the physicians agree that there was no other disease that this condition could be attributed to except rheumatism. The soldier enlisted October, 1861, and was discharged for disability September, 1862.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

WILLIAM STOVER.

Mr. WASHINGTON. Mr. Speaker, I call up the bill (H. R. 9935) granting a pension to William Stover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Stover, late of Company I, Twenty-fourth Regiment of Iowa Infantry.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9935) granting a pension to William Stover, having examined and considered the same, report the same back to the House with a recommendation that it do pass.

William Stover was a soldier in Company I, Twenty-fourth Regiment, Iowa Infantry, and served about three years.

He made application for pension in 1880 on the ground of chronic diarrhea, lung, and heart trouble, and rupture, claiming that he incurred the rupture by a mule falling upon him near Helena, Ark., and that the other diseases were contracted by exposure in the Army in lying out nights in sleet and rain; that he has been disabled therefrom ever since.

The claim was rejected in December, 1883, on the ground that there was no record of rupture or disease of the heart or lungs, and that the evidence taken did not connect his complaint with army service, and that their existence at discharge was not shown, and that there was no evidence of chronic diarrhea since discharge.

We can not agree with the finding of the Department upon these facts, and believe that the evidence fairly shows to the contrary upon each one of them.

The evidence of the claimant himself is very full upon all of these points, and he is reasonably well sustained in regard to all of them. It may be said, as having a bearing upon all of the points, that the evidence is full and complete from neighbors, comrades, and family that he was a strong, healthy man previous to enlistment, and that he has had these various complaints ever since, and that he wore a truss after the alleged injury from the mule falling upon him.

The Adjutant-General reports that the hospital records are not on file, but the records show that he was in hospital in St. Louis, but no details are on file. The Surgeon-General reports that he was admitted to hospital steamer City of Memphis, in 1863, with chronic diarrhea, several of his comrades testifying fully as to his sickness and diarrhea from exposure, and also that he complained of the other injury, and that he wore a truss after he returned from hospital at St. Louis, and did not do so before going there. These facts, in regard to his past condition and wearing of truss after he came home, is fully sustained by numerous witnesses.

He has been twice examined by medical boards, once at Dubuque and once at Maquoketa, and both of these boards report his condition as to the hernia favorably for a rating, and express the opinion that it was incurred in service, and two special examiners, who have examined his case and taken evidence, A. A. Holmes and B. P. McDaniel, report that they believe the claim for hernia is meritorious. The most that can be said in favor of the action of the Pension department is that perhaps there was not technical proof of the incurrence of the rupture in service, but that it did therein incur does not admit of a doubt upon the evidence. There seems to be no just ground upon which to rest even a question upon the fact. A great deal of testimony has been taken and it all points to one conclusion, that he is entitled to relief, and the bill should be passed.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

THOMPSON RILEY.

Mr. LACEY. Mr. Speaker, I call up the bill (H. R. 8473) granting a pension to Thompson Riley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place upon the invalid pension-rolls, at the rate of $20 a month, the name of Thompson Riley, of Capt. Lemuel Ford's company of Indiana troops in the Black Hawk war.

The report (by Mr. DE LANO) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8473) granting a pension to Thompson Riley, have considered the same and report as follows:

The claimant was a private in Capt. Lemuel Ford's company of United States Mounted Rangers, and served from July 2, 1832, to July 2, 1833, in the Black Hawk war.

In his application for relief by special act the claimant declares he is seventy-eight years old, and by reason of epilepsy, from which he has been a sufferer for twenty-one years, he is unable to perform any manual labor. His identity and loyalty are established by the testimony of S. B. Downing and A. G. Clyman. It is further shown that he is poor, and by reason of age and disease almost entirely helpless. His wife still survives, aged seventy-six years.

That the case is a proper one for the favorable consideration of Congress is shown in a petition signed by sixty-seven citizens of Drakesville, Iowa.

Your committee are of the opinion that the relief prayed for should be granted, and the bill is therefore reported back with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MRS. LOUISA M. GORDON.

Mr. McCREARY. Mr. Speaker, I call up the bill (H. R. 10355) granting a pension to Mrs. Louisa M. Gordon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mrs. Louisa M. Gordon, formerly widow of Monroe B. Pulliam, first lieutenant and commissary Eleventh Regiment of Kentucky Volunteer Cavalry, United States Army, on the pension-roll, subject to the provisions and limitations of the pension laws.

The report (by Mr. WILSON, of Kentucky) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10355) granting a pension to Mrs. Louisa M. Gordon, submit the following report:

The proposed beneficiary was a pensioner as the widow of Monroe (or Moreau) B. Pulliam, late lieutenant and commissary Eleventh Regiment Kentucky Volunteers, who died January 11, 1865, of scurvy, contracted while a prisoner of war for fourteen months. She remarried November 2, 1871, with one C. C. Gordon, whereupon the minor children of aforesaid Pulliam were placed upon the pension-roll, whose pension ceased March 2, 1877.

Gordon died June 6, 1884, without leaving any estate whatever. His widow has not since remarried. She is now sixty-three years of age, and as appears in evidence in very poor health, has no income from any source, and is entirely dependent upon her own labor for support. The case is identical with many others in which Congress has granted relief. Your committee therefore report favorably on the accompanying bill and ask that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN GRACE.

Mr. BELDEN. Mr. Speaker, I call up the bill (H. R. 9716) granting a pension to John Grace.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John Grace, father of Edward Grace, late a sergeant in Company A, Ninety-first Regiment New York Volunteers.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9716) granting a pension to John Grace, submit the following report:

John Grace is the father of Edward Grace, who enlisted in Company A, Ninety-first Regiment New York Volunteers, September 2, 1861, and died July 3, 1863, of wounds received in action at Port Hudson. He had another son who also died from wounds received in action. The wife of claimant, and mother of these two soldiers, applied for pension, but her claim has been rejected by the Pension Bureau because the soldier, Edward Grace, left surviving him a widow who was pensioned and continued to draw pension until her remarriage, a few years later.

The mother of Edward Grace is now dead, as is also his widow, as shown by the evidence before your committee. The claimant, John Grace, is now eighty-three years of age, has no property or income from any source, and is now supported by a widowed daughter-in-law, who has five children to maintain by her own efforts. He feels that he is too much of a burden upon her, and asks that the Government, in whose service two of his sons have died, grant him a pension, that he may be spared the necessity of spending the few remaining months of his life in the almshouse.

Your committee are of opinion that his request should be granted, and therefore report favorably on the accompanying bill and ask that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HILL. Mr. Speaker, I rise to a parliamentary inquiry. In what order are the calls made by the Chair? I think my name ought to have been reached before now upon the list coming over from last Friday evening's session.

The SPEAKER *pro tempore*. The gentleman is second on the list after this.

PRESLY HALE.

Mr. GEISSENHAINER. Mr. Speaker, I call up the bill (H. R. 10457) increasing the pension of Presly Hale.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Presly Hale, late a private of Company E, Sixty-fifth Regiment Indiana Volunteers, and allow him $72 per month from the passage of this act.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10457) granting an increase of pension to Presley Hale, has considered the same, and report as follows:

The claimant was a private in Company E, Sixty-fifth Indiana Volunteers, and rendered honorable service for nearly three years in the war of the rebellion. During the period of his service he contracted chronic diarrhea and disease of eyes, and he is now a pensioner at $10 per month, under the general pension laws, on account of those diseases.

It appears that the claimant is now totally blind in both eyes, a condition which followed soon upon his being struck in the left eye by a nail which he was attempting to drive; this occurred in 1882, and total blindness of both eyes supervened in 1883.

The claimant has applied to the Pension Bureau for an increase of his pension, but the claim stands rejected on the ground that the loss of sight is not due to the disease of eyes which the claimant contracted in the service and for which he is pensioned, but is the result of the injury received in 1882.

The claimant contends (and your committee think reasonably) that if it were not for the pre-existing disease and impaired sight of his eyes the accident above referred to might have been avoided; it is further contended that the right eye would probably never have gone blind after the injury of left eye if it were not for the diseased condition of the eye from Army causes.

He is now wholly incapacitated for any manual labor, and, besides requiring constantly the services of an attendant, is entirely dependent upon others for support. He is reported by the special examiners who investigated the case to be a good and worthy man. His petition for relief is signed by a large number of the citizens of Selvin, Ind., where he resides. In view of the claimant's long and honorable service, his present deplorable condition of blindness and dependence, and the fact that he is already a pensioner on account of disease of eyes contracted in the service, your committee return the bill with the recommendation that it do pass, amended, however, by striking out the word "seventy-two" and inserting the word "forty," so as to make the pension $40 per month.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

W. W. SEELY.

Mr. CASWELL. Mr. Speaker, I call up the bill (H. R. 8163) granting a pension to W. W. Seely.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of W. W. Seely, late a private in Company H, Second Regiment of Minnesota Volunteers.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8163) granting a pension to W. W. Seely, submit the following report:

W. W. Seely, the beneficiary named in the bill, was a member of Company H, Second Minnesota Regiment of Volunteers, in the late war. He served faithfully from the time of his enlistment, February 18, 1864, to the close of the war, and was discharged on the 11th day of July, 1865, at Louisville, Ky., with his regiment. He was with his company sent to Fort Snelling, near St. Paul, where on the 21st day of that month he received his discharge. On the following day he, with a number of his comrades, took passage in a stage for home, which was 135 miles distant. This was his only means of conveyance.

Mr. Seely resided at Winnebago City, and did when he enlisted into the military service. The driver of the stage was intoxicated, and before they had proceeded far, and while within a few miles of Fort Snelling, the intoxicated driver overturned the stage, and Seely, who was compelled to ride on the top for want of sufficient room with his comrades, was thrown into the ditch, and he received an injury to his spine which entirely ruined his health for life. He was carried back to St. Paul, placed in a hotel, where for a month he was unable to leave his bed. After several weeks of confinement he was taken to his home.

Mr. Seely has always borne an excellent character. He was a graduate from college and held many places of trust and honor. He enlisted as a private and devoted himself to the cause of his country at a time when he could have earned and commanded a good salary, and the committee think he was entitled to safe transportation until he reached his home.

He was in no way at fault when he received the injury. His return to his home was a journey incident to his service, and while he could not receive a pension under the general laws, this spirit would afford him a just relief.

Mr. Seely has never recovered from the injury. The proof is conclusive that ever since the accident he has been subject to great pain, suffering, and sickness from the injury received. He is unable to labor, is poor, and entirely without means. He has a wife who was his companion before the war, still dependent upon him for support.

Your committee believe that Mr. Seely should be placed upon the pension-roll and be treated the same as if he had received his injury before the discharge was placed in his hands, for he was still in transit when he was injured, and they report this bill back with a recommendation that it pass.

Mr. WASHINGTON. Mr. Speaker, how much does that bill carry?

A MEMBER. Twelve dollars a month.

Mr. CASWELL. The man is to be placed on the pension-roll the same as any other disabled man and to be pensioned according to the time of his disability.

Mr. WASHINGTON. Has he not a right under the general law recently passed to apply for a pension?

Mr. CASWELL. I do not know how that may be, but that does not affect the merits of the case. The same question might be asked about almost every bill we pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ORDER OF BUSINESS.

Mr. COLEMAN. I ask unanimous consent that the reading of the reports on these bills be dispensed with, as it occupies a great deal of time and the cases have all been considered by the committees.

Mr. WASHINGTON. I object.

THOMAS J. REED.

Mr. PARRETT. I call up the bill (H. R. 10458) granting a pension to Thomas J. Reed.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-rolls, subject to the provisions and limitations of the pension laws, the name of Thomas J. Reed, late first lieutenant and acting quartermaster Pioneer Corps, Third Division, Thirteenth Army Corps.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 10458) granting a pension to Thomas J. Reed, submit the following report:

The claimant entered the service as a corporal in Company E, Twenty-fourth Indiana Volunteers, on July 6, 1861; subsequently he was promoted to sergeant, and after a year's faithful service he attained the rank of second lieutenant, which was soon followed by promotions to the grade of first lieutenant and captain.

He tendered his resignation December 28, 1863, and was honorably discharged on surgeon's certificate of disability, which reads as follows, to wit:

"NEW IBERIA, LA., *December* 10, 1863.

"Thomas J. Reed, captain of Company E, Twenty-fourth Regiment Indiana Volunteers, having applied for a certificate on which to tender his resignation, I do hereby certify that I have carefully examined this officer and find that prior to his enlistment he had received a severe wound across the dorsum of the foot with an ax, severing the tendons and injuring the bones, and that since coming into the service he has once or twice received additional injuries of the foot, and that in consequence thereof he is, in my opinion, unfit for duty. Said injury is such as to materially injure the mobility of the foot and interfere very much with locomotion, becoming irritable and inflamed on marching and preventing him from discharging the duties of his position.

"A. W. GRAY,

"*Assistant Surgeon in charge Twenty-fourth Regiment Indiana Volunteers.*"

The claimant filed an application August 29, 1888, for pension on account of injury of foot, and a medical examination, ordered by the Pension Bureau, shows him to be seriously disabled by said injury. The rating recommended by the board is total of his rank, which was first lieutenant at the time he alleges he was injured in the service. His allegation is as follows: That at Port Hudson, La., while leading his horse off a boat, his horse slipped and fell on him, mashing his left foot. This was about August 1, 1862. He was in charge of transportation at the time, and there was no one with him that he can now find who knew the fact; for this reason he is unable to furnish the proof of origin required by the Pension Bureau.

The claimant's petition for relief by special act shows that he is fifty-five years old, in poor health, and without property or means of support. The petition is numerously signed by prominent citizens of the community in which the claimant resides, and additional proof in the shape of affidavits of disinterested parties is filed to show that his allegations are entitled to credit and that his condition is such as to require prompt relief. Proof of soundness and freedom from lameness at the time of his enlistment is also filed.

The amendment reported by the committee was read, as follows:

Insert at the end of the bill the words, "the pension to commence with the approval of this act."

Mr. PARRETT. I ask unanimous consent that the bill be amended by striking out all after the word "late," in line 6, and inserting "captain of Company E, Twenty-fourth Regiment Indiana Volunteers." This amendment properly identifies the soldier.

There being no objection, the amendment of Mr. PARRETT was adopted.

The question recurring on the amendment of the committee, it was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN DAVIS.

Mr. HILL. I ask the present consideration of the bill (H. R. 9617) to relieve John Davis of the charge of desertion and grant him an honorable discharge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove from the rolls and records in the office of the Adjutant-General of the United States Army the charge of desertion now standing on said rolls and records against John Davis, late of Company F, Nineteenth Regiment Massachusetts Volunteer Infantry, and grant him an honorable discharge, and that the said John Davis be restored to all rights lost or suspended by said charge of desertion or by reason of not having been previously discharged: *Provided*, That this act shall not be construed to give to the said John Davis, or his legal representatives or heirs, any pay or allowance for any period of time he was absent without leave and not in the military service of the United States.

The report (by Mr. SNIDER) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 9617) to relieve John Davis of the charge of desertion and to grant him an honorable discharge, have considered the same, and report as follows:

That John Davis enlisted April 8, 1864, in Company F, Nineteenth Regiment Massachusetts Volunteer Infantry for three years, and was mustered into the United States service the same day and sent to Galloup's Island rendezvous, and from there was sent via Fortress Monroe and Alexandria to Mason's Island, D. C., and from there he was sent to the front to join his regiment April 30.

May 6, 1864, directly after he had joined the regiment at the second day's battle of the Wilderness, he was severely wounded in the left hand by the fragment of a shell which tore out the palm of the hand and wrist, and cut off one and permanently stiffened two of his other fingers. The same or another shell exploding near him so blinded or affected his eyesight that he was for over two years nearly blind, from the effects of which he never entirely recovered. After being wounded he was sent to the rear by the surgeon of the regiment and was given quarters in an old church at Fredericksburgh.

The city was full of wounded, and when the rest were sent to Washington he was left behind and remained there till his wife, to whom he had sent word, came for him and took him home, where he remained till the close of the war, unable by reason of his wound and blindness to rejoin his regiment. He was with his regiment and in actual service less than seven days, but his name appears upon the muster-out roll of Company F as "absent, sick in United States general hospital May 6, 1864," and he was never mustered out of the United States service.

On the muster-out rolls in the adjutant-general's office of the State of Massachusetts, a copy of which is hereto attached, he is noted as "mustered out on the 30th day of June, 1865, as absent, sick." There is no charge of desertion against this soldier upon the records of the War Department, and when all the facts are considered your committee are of the opinion he did not intend to desert, and that he should be granted an honorable discharge to date from April 30, 1865, the date of the muster-out of the regiment.

Your committee append a copy of the report of the War Department in this case, and recommend that he be granted an honorable discharge "to date from April 30, 1865," and that as so amended the bill do pass.

Case of John Davis, late of Company F, Nineteenth Massachusetts Volunteers.

RECORD AND PENSION DIVISION, *May* 27, 1890.

The official records show that this soldier was enrolled April 8, 1864, to serve three years and mustered in the same day; that he was received at Galloup's Island rendezvous, Boston Harbor, Mass., April 8, 1864, and sent to the Nineteenth Massachusetts Volunteers on April 24, 1864; that, on April 27 following, he was delivered to an officer at Fort Monroe, Va., to be delivered at Alexandria, Va.; that on April 29, 1864, a detachment of twenty-nine men—names not given—of the Nineteenth Massachusetts Volunteers was received at Mason Island, D. C., and on the day following (April 30, 1864), twenty-six men—names not given—were forwarded from that island to the Nineteenth Massachusetts Volunteers.

There is no positive record that the soldier ever joined that regiment, but it is inferred that he did, as on the muster-out roll of Company F, dated June 30, 1865 (the only roll of the company on which his name appears), he is reported "absent sick in United States general hospital, May 6, 1864."

A careful search of all hospital and such other records as would be likely to afford some information relative to this soldier has proved futile.

The following is a synopsis of the testimony heretofore submitted to the Department in connection with application for removal of the charge of desertion standing against this soldier, to wit:

Under date of February 17, 1890, Mary O'Grady, of Joliet, Ill., testified that she was the wife of Anthony O'Grady, who served as a private in Company F, Nineteenth Massachusetts Volunteers, under the name of John Davis, having been married to the said Anthony O'Grady on or about October 1, 1857, at Stockport, England; that her husband went to Fall River, Mass., in January, 1864, to obtain work in the mills, but as work happened to be scarce he enlisted in the army, and that in a letter from Galloup's Island he told her to address him as John Davis, the name under which he had enlisted.

That some time in June, 1864, she received a letter from Fredericksburgh, Va., written by a stranger for her husband, in which it was stated that he (the soldier) was in a precarious condition; that he was blind, was without money, and entirely dependent upon the charity of others. That affiant immediately started for Fredericksburgh and found him in the condition described in the letter; that he was in a pitiable condition; his hand badly wounded, so much so that the affiant at the time "feared that it would be necessary to have it amputated," and that when asked how he had met with such a misfortune he replied that he had been hit with a piece of shell at the battle of the Wilderness on May 7, 1864, and that the blindness followed soon after.

That she, affiant, then took him to Scranton, Pa., and there for over two years he was so blind that he had to be led around; that they were poor and could not afford a regular physician, but bought medicines from an Indian herb doctor; that after awhile her husband's sight gradually came back, but it has never been fully restored, and to this day he has been compelled to use glasses; that the injured hand was slow in healing, and still remains crippled.

Affiant further declared that it was impossible for her husband to have returned to his command, as his condition would not have permitted it, but that he would have done so had he been able.

On April 10, 1890, the application for amendment of record was denied on the ground that the testimony was not deemed sufficient to warrant favorable action.

Since then the status of the soldier remains unchanged, no new testimony having been presented.

It is proper to add that on February 18, 1890, a communication was addressed to the Hon. C. A. HILL, M. C., in which the full military history of this soldier was given, together with the reasons why the Department declined to consider the case favorably.

Respectfully submitted.

F. C. AINSWORTH,
Captain and Assistant Surgeon, U. S. Army.

The SECRETARY OF WAR.

ADJUTANT-GENERAL'S OFFICE,
Boston, Mass., January 25, 1889.

The name of John Davis, of Newbury, aged twenty-three, occupation, operative, is borne upon the muster-out roll of Company F, Nineteenth Regiment Massachusetts Volunteer Infantry, Colonel Devereux; enlisted on the 8th day of April, 1864, and mustered into service of United States on the 8th day of April, 1864, for three years; mustered out on the 30th day of June, 1865, as absent sick.

[SEAL.] SAMUEL DALTON, *Adjutant-General.*

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN MORAN.

Mr. PAYNTER. I desire to call up the bill (H. R. 9391) granting an increase of pension to John Moran.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to increase the pension of John Moran, late first lieutenant Company F, Fifty-fourth Regiment Kentucky Mounted Infantry Volunteers, and allow him, in addition to his present pension, the legal rating for complete scrotal hernia of right side.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9391) granting an increase of pension to John Moran, submit the following report:

Claimant was enrolled as first lieutenant of Company F, Fifty-fourth Regiment Kentucky Mounted Infantry Volunteers, on the 30th day of September, 1864; was discharged September 2, 1865, for disability from chronic diarrhea, and is now suffering from scrotal hernia on right side and edematose condition of lower limbs; evidence on file going to show that hernia is caused and aggravated by chronic diarrhea. All this bill asks is that he be allowed an additional pension for the legal rating of hernia as may be determined by the Pension Department.

The existence of this disability is fully established. Prior soundness is proven. This additional claim was rejected for the reason that he could not clearly prove origin of hernia, which is always difficult to prove, and your committee, after a careful consideration of all the evidence in this claim, recommend the passage of the bill. He is now drawing the small sum of $4.25 per month, and is in destitute circumstances and entirely disabled from the performance of manual labor.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

N. L. YOUNG.

Mr. SPOONER. I ask for the consideration at this time of the bill (S. 2610) granting a pension to N. L. Young.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of N. L. Young, mother of Henry H. Young, late lieutenant-colonel Second Regiment Rhode Island Volunteers.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2610) granting a pension to N. L. Young, submit the following report:

Mrs. N. L. Young is the mother of Henry H. Young, who was an officer in the Second Rhode Island Volunteers and chief of scouts, and aid-de-camp on the staff of General P. H. Sheridan, with the rank of major, in the war of the rebellion, in which service he distinguished himself by his gallantry, eminent courage, and exceptional ability.

After the close of the active hostilities of the war, but while the Second Rhode Island Regiment yet remained in the service of the Government, said Henry H. Young was commissioned as lieutenant-colonel in said regiment "for gallant services during the war;" but was not mustered in as such, having accepted service with and accompanied General Sheridan to his new command in Texas in charge of secret-service duty, where he was killed while in the performance of that duty, as set forth in the statements hereto annexed. He left neither a widow nor children.

The mother is aged, infirm, and dependent, and, as your committee believe, entitled to the relief proposed.

They therefore recommend the passage of the bill.

WARSAW, ILL., *November* 18, 1889.

To the Chairman Military Committee, United States House of Representatives:

SIR: I have the honor to state that I knew personally of the services of Maj. Henry Harrison Young throughout the civil war. Major Young took part in all the great battles of the Army of the Potomac, from the battle of First Bull Run to the surrender at Appomattox. He served also in the Shenandoah campaign of 1864 and 1865. Major Young was promoted from first lieutenant to captain for gallantry at Bull Run, and for valuable services in Peninsula campaign and Maryland campaign, 1862, was made acting assistant inspector-general of brigade, in which position he rendered valuable services during the siege of Fredericksburgh, at Salem Church, Gettysburgh, and Petersburgh.

Major Young served on my staff from Spottsylvania through the battles of North Anna, Tolypotamie, Cold Harbor, Petersburgh, first siege of Washington, 1864 (Fort Stevens), Opequan (Winchester), and Cedar Creek, rendering most valuable services. In November Major Young rendered most valuable secret service that brought him the thanks of General P. H. Sheridan and the appointment of aid-de-camp (and chief of scouts) on General Sheridan's staff. General Sheridan stated to me at the close of the war that he was more indebted to Maj. Henry H. Young for valuable public services than to any officer who served under him, and that more was due to the services of Major Young in securing the surrender at Appomattox than to the service of any one in his command.

At the close of the war General Sheridan offered to recommend Major Young for the commission of lieutenant-colonel in the United States regular Army, which offer Major Young declined, but went with General Sheridan to his new command in Texas in charge of secret-service duty. General P. H. Sheridan stated to me in person that Maj. Henry H. Young went over into Mexico on matters connected with the secret service that he, Sheridan, was not at liberty to divulge, and probably never would be, and that returning scouts reported that Major Young was attacked by Mexican troops, who would not believe his statements, and that Young died fighting. Major Young had with him a number of his old scouts.

While at the time of his death Major Young may not have been regularly in the military service, so as to entitle his widowed mother to a pension under existing laws, yet he surely died while engaged in most perilous service to the country he loved so well. I know personally that the mother of Maj. Henry H. Young, Mrs. N. L. Young, was dependent upon her son, Major Young, for support, and that Major Young while on my staff sent most of his pay over his expenses to her. I respectfully urge that Maj. Henry H. Young rendered such special valuable service during the war, and died subsequently while engaged on secret service for his country, as to entitle his aged widowed mother to a sufficient special pension to relieve her from poverty.

Very respectfully,

OLIVER EDWARDS,
Brevet Major-General, U. S. A.

To the Chairman of the Military Committee, House of Representatives:

It is within my knowledge that Maj. Henry Harrison Young, Second Rhode Island Volunteers, entered Mexico in the summer of 1865 at the request of the late General P. H. Sheridan, who was then in command of the United States forces upon the line of the Rio Grande River. An army of over 60,000 men had been sent to the Mexican frontier, and were held there to await the outcome of the attempt of the late Napoleon III to establish a monarchy upon the North American continent.

It became necessary that accurate and reliable information should reach General Sheridan from time to time of the true condition of affairs in Mexico, in order that the Government of the United States might be able to determine whether or not it would be necessary to assist their sister Republic in her effort to dislodge Maximilian.

Major Young had been on duty at General Sheridan's headquarters as chief of scouts in the campaign in the Shenandoah Valley and the closing scenes around and beyond Richmond that resulted in the surrender of the Army of the Northern Virginia at Appomattox court-house. He was thoroughly well qualified to undertake such a mission. Active, energetic, cool, deliberate, absolutely fearless, and withal of good judgment and not easily mislead, anything from his pen regarding the condition of affairs upon the side of either of the belligerents could be depended upon, and I know that no other source of information regarding the status in Mexico at that time was looked upon with the same reliance as to its credibility as was his own.

* * * * * * *

Knowing that he entered Mexico in the interests of our Government, notwithstanding the fact that at the date of his death he was not regularly in the military service of the United States, and considering the great service he rendered during the war, I would most respectfully urge upon the proper military committee in Congress that a pension be granted his aged and infirm mother from the date, or supposed date, of his death, believing that she is justly entitled to this consideration from the United States Government.

(At the date mentioned was chief of staff to General Sheridan.)

GEO. A. FORSYTH,
Lieutenant-Colonel Fourth Cavalry, U. S. Army.

HEADQUARTERS SEVENTH CAVALRY,
Fort Riley, Kans., November 22, 1889.

I desire to here testify as to the great service rendered to this country during the last year of the war of the rebellion by the late Maj. Henry H. Young, who was, from the autumn of 1864 until the winter of 1866, in charge of the scouts attached to the headquarters of the late General Sheridan. Throughout the Shenandoah campaign Major Young had a body of about fifty picked men, who were uniformed and equipped as rebel cavalry and lived in and about the flanks of the rebel army.

Their careful handling by Major Young was such that General Sheridan was kept fully informed of almost all the movements of General Early's command. And in the Appomattox campaign Major Young and his scouts, after the battle of Five Forks, kept the touch of the rebel army, and it was through their push, daring, and cheek that we were enabled to capture all the railway trains sent with supplies on the 7th and 8th of April from Danville and Lynchburgh for General Lee's army.

At the close of the Appomattox campaign Young accompanied General Sheridan to New Orleans, and was sent by him to the Rio Grande River to assist in the overthrow of the imperial government of Maximilian and French rule in old Mexico. While thus occupied he was under pay as a secret-service man, and to a great extent he aided by his skill and pluck in furthering the plans of General Sheridan to force Bazaine and the French imperial army of occupation out of the country and the eventual re-establishment of the Republic of Mexico under President Juarez. Before this finality was reached Major Young was killed, and in his death the United States lost one of her most gallant defenders. He died in the cause of freedom and in carrying out the wishes and well laid plans of his commander, the late General P. H. Sheridan.

JAMES W. FORSYTH,
Colonel Seventh Cavalry.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MRS. CLEMENTINE FINK.

Mr. LANHAM. I ask for the present consideration of the bill (H. R. 11687) increasing the pension of Mrs. Clementine Fink.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Clementine Fink, widow of Captain Fink, late of Company —, First Regiment of Michigan Volunteers, and pay her a pension of $40 per month, in lieu of that which she is now receiving.

The report (by Mr. LANE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11687) granting a pension to Mrs. Clementine Fink, submit the following report:

Captain Fink was the husband of claimant, and served as a private soldier in the Florida war and was sergeant-major of the Eighth Regiment. He afterwards served in the Mexican war, and was brevetted lieutenant for meritorious conduct at the taking of the City of Mexico, where he received three severe gunshot wounds which disabled him from active service for six months.

Captain Fink was brevetted second lieutenant for gallant and meritorious service in leading the attack on the Heights of Chapultepec, being the first man over the ramparts. He was promoted captain, and in 1861 died while in the service in the State of Michigan.

The claimant is drawing a pension of $20, the usual amount given to the widow of a captain, but this claimant is now seventy-two years of age, very feeble and poor, and has no means of support but that sum, which is inadequate for that purpose, and the increase is recommended by O. B. Wilcox, brigadier-general, who is acquainted with the facts in this case as well as the parties. The services of this soldier having been engaged in three wars, and being of an exceptional and unusual character, the committee recommend that the bill be amended by striking out the word "forty" in line 8 of said bill and to insert in lieu thereof the word "thirty"' and that said bill as so amended do pass.

The amendment recommended by the committee in the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

FRANK W. MORGAN.

Mr. RUSSELL. I ask for the present consideration of the bill (H. R. 6558) to remove the charge of desertion against Frank W. Morgan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War of the United States be, and he is hereby, directed to remove the charge of desertion against Frank W. Morgan, late of Company G, Fourteenth United States Infantry, and issue to him an honorable discharge from the Army of the United States.

The report (by Mr. CAREY) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6558) to remove the charge of desertion against Frank W. Morgan, respectfully report:

That the War Department report of the military record of Frank W. Morgan shows that he enlisted as a musician (band Fourteenth Infantry) February 17, 1865, for three years. Was admitted to Armory Square General Hospital, Washington, D. C., May 7, 1865, and treated to June 29, 1865, for acute diarrhea; subsequently was treated for intermittent fever, and returned to duty on the 5th day of July, 1865, but failed to rejoin his command, and was marked as a deserter on the latter date.

This soldier states that he enlisted when but twelve and a half years of age; that he was with his regiment at the battle of Five Forks, and was at the battle of Hatcher's Run and before Petersburgh; that he was taken sick at Burkville Station, Va., and was sent to City Point, and from there to Armory Square Hospital; from there to Fort Trumbull Hospital, and from there home sick by the commanding officer. He says they did not send for him, as they knew he "was a played-out boy." This soldier's statement is corroborated by other testimony.

The committee find that this case is not unlike many others. Boys were enrolled during the civil war in violation of law and the Articles of War. Many of these had not the physical strength to endure the hardships of the service. They were often sent or permitted to go home "to get well." Many of these were marked as deserters or absent without leave.

The committee believe that it would be but a simple act of justice to grant the relief asked for by the bill.

The committee recommend that the bill do pass.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

THOMAS H. BRUCE.

Mr. GOODNIGHT. I call up for consideration at this time the bill (H. R. 4220) for the relief of Thomas H. Bruce.

The bill was read, as follows:

Whereas Thomas H. Bruce, of Lewis County, Kentucky, was an engineer on steam-boats employed by the United States Government in transporting troops and supplies during the late war of the rebellion, said position being dangerous, on account of the enemy often firing from the banks of the rivers at the men on the boat; and

Whereas said Bruce was shot and wounded so as to unfit him for work ever since: Therefore,

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Bruce, of Lewis County, Kentucky.

The report (by Mr. LANE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4220) granting a pension to Thomas H. Bruce, submit the following report:

Thomas H. Bruce is a citizen of Quincy, Lewis County, Kentucky. During the late civil war he was a regular licensed engineer on boats used by the United States in the transportation of her troops. In October, 1864, he was an engineer on the steamer Belle of St. Louis, navigating the Mississippi River between Memphis, Tenn., and St. Louis, Mo. The steamer was ordered by the United States to transport troops from Memphis to St. Louis. While on the trip between said points laden with the United States troops the steamer was fired upon by Confederate troops at Randolph, Tenn., on or about the 27th day of October, 1864.

As a result of such firing said Bruce, while on duty at his engine, received a gunshot wound in the left arm and shoulder. The effect of the wound has seriously disabled the left arm. Bruce was loyal to his Government during the late war. He was compelled to render the services which he was rendering when he was disabled. It was just as important to the Government to have him operate the engine of the said steamer as to have the services of a soldier in the field. Under the provisions of the general law he is not entitled to a pension. We recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

LEGAL REPRESENTATIVES OF ROBERT J. BAUGNESS.

Mr. GEAR. I ask for the present consideration of the bill (S. 735) for the relief of the heirs or legal representatives of Robert J. Baugness.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to correct the record of Robert J. Baugness, late a private in Company I,

Thirty-seventh Illinois Volunteers, so as to remove the charge of desertion from the same; and the proper accounting officers of the Treasury are directed to pay to the heirs or legal representatives of the said Robert J. Baugness, deceased, the bounty and allowances that would have been due him had not such charge of desertion appeared against him on the rolls.

The report (by Mr. WILLIAMS, of Ohio) is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 735) for relief of the heirs of Robert J. Baugness, submit the following report:

This is a bill to remove the charge of desertion against Robert J. Baugness, deceased, and directs the proper accounting officers of the Treasury to pay the heirs or legal representatives of said Robert J. Baugness the bounty and allowances that would have been due him had not such charge of desertion appeared against him on the rolls. This bill passed the Senate February 17, 1890, was reported favorably in Forty-eighth Congress, and reported adversely in the Forty-sixth and Forty-seventh Congresses.

The facts, so far as they can be ascertained, are that said Robert J. Baugness enlisted September 10, 1861, in Company H, Thirty-seventh Illinois Volunteers, and remained with his company to September 29, 1862, when he was sent to hospital at Springfield, Mo. The orderly sergeant says he had received a flesh wound; while on a lark stealing peaches he was shot by the guards; he never rejoined his regiment.

One William Downing has an affidavit on file, in which he states that Robert J. Baugness, on or about the 1st of January, 1863, enlisted in Seventy-sixth Missouri Militia, and was killed on the 15th of June, 1863, while fighting the enemy. William Downing states that he saw him killed.

W. W. Ritchey, captain of Company I, Seventy-sixth Regiment of Missouri Militia, states that he did enlist on the 6th day of January, 1863, one Robert V. Jackson, a young man about seventeen years of age, and that he served, and that Jackson was killed on the day above stated. Said Ritchey further states in affidavit that he believes that said Jackson was identical with and is the Robert J. Baugness who is reported as a deserter from the Thirty-seventh Illinois, on information received from a member of his regiment and from letters received from Baugness's father and from a photograph of said Baugness sent to him.

Your committee do not regard the case as free from doubt, but, in view of the youth of the soldier at the time of enlistment and desertion and in view of his early enlistment and being killed fighting the enemy, recommend the passage of the Senate bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ALEXANDER EVANS.

Mr. CARUTH. I ask the present consideration of the bill (H. R. 9072) increasing the pension of Alexander Evans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to pay Alexander Evans, of Louisville, Ky., a soldier in the Mexican war, the sum of $30 a month, in lieu of the pension now paid to him.

The report (by Mr. DE LANO) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 9072) increasing the pension of Alexander Evans, have considered the same and report as follows:

The claimant was a lieutenant in the Sixteenth United States Infantry, and served from April 9, 1847 to August 7, 1848, in the war with Mexico.

He is now receiving a pension at $8 per month under the Mexican war service pension act of January 29, 1887.

His petition for an increase of his pension is accompanied by the statements of W. B. Hoke, S. D. Johnson, H. B. Grant, and other citizens of Louisville, Ky., to the effect that he (the petitioner) is now in his seventy-sixth year, entirely dependent, in very feeble health, and totally unable to earn a support.

In view of the facts stated, your committee recommend the passage of the bill, with an amendment to allow a pension of $25 per month.

The amendment recommended by the Committee on Pensions was read, as follows:

In line 5 strike out "thirty" and insert "twenty-five;" so as to make the pension $25 a month.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

SAMUEL D. HARPER.

Mr. FLICK. I ask consideration of the bill (S. 1506) granting relief to Samuel D. Harper.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, directed to remove the charge of desertion now standing on the rolls of the Army against the name of Samuel D. Harper, late a private in Company K, Thirtieth Regiment Ohio Volunteer Infantry, and now a resident of Humeston, Wayne County, Iowa, and grant him an honorable discharge of date August 13, 1865.

The report (by Mr. CAREY) is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 1506) granting relief to Samuel D. Harper, having considered the same, respectfully report that all the facts bearing upon this case are fully set forth in the Senate report accompanying this bill, which is herewith printed as a part of this report, and for the reasons therein stated the committee recommend that the bill do pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN CLARK.

Mr. McRAE. I desire to call up the bill (H. R. 7897) to increase the pension of John Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior increase the pension of John Clark, late a private of Company F, Sixteenth Regiment United States Infantry Regular Volunteers in the Mexican war, from the sum of $8 to the sum of $25, the same to be in lieu of the pension now drawn by him.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7897) granting an increase of pension to John Clark, have considered the same and report:

The petitioner served as a private in Company F, Sixteenth United States Infantry, from March 31, 1847, to August 5, 1848. He is now a pensioner at $8 per month for service in the Mexican war, said pension having been granted under the general law upon proof of disability from rheumatism, rupture, and varicose veins.

In his petition for relief the claimant declares he is now too old and feeble to earn a support by manual labor, and that the diseases from which he suffers have existed since the war with Mexico.

Accompanying the bill are two petitions signed by a large number of citizens of Mulberry, Franklin County, Ark. These petitions set forth that the claimant is almost wholly unfitted for manual labor by reason of age and disability, and that his only source of income is his small pension. He possesses no property except a few tools and household articles. His age is sixty-three years, and he has been known as an honest, hard-working man.

Your committee believe the case to be a meritorious one, and the bill is therefore reported back with the recommendation that it do pass with the following amendment: Strike out the words "twenty-five," in line 7, and substitute in lieu thereof the word "twenty."

The amendment recommended by the committee in the report was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARY CANNON.

Mr. TRACEY. On behalf of my colleague [Mr. QUACKENBUSH], I ask the present consideration of the bill (H. R. 7739) granting a pension to Mary Cannon, daughter of James Cannon, late of Company D, One hundred and twenty-fifth Regiment New York Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary Cannon, the blind and dependent daughter of James Cannon, deceased, late a private of Company D, One hundred and twenty-fifth Regiment New York Volunteers, and pay her a pension at the rate of $12 per month.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7799) granting a pension to Mary Cannon, submit the following report:

That the said Mary Cannon is the daughter of James Cannon, late a private in Company D, One hundred and twenty-fifth Regiment New York Volunteers, who died June 24, 1864, from wounds received in battle. That the widow of said soldier, the mother of said Mary, died in December, 1880. That the said Mary is now totally blind, and has been since she was two years of age, and is entirely without means of support, and dependent upon others.

Your committee think it but simple justice that this poor, blind daughter of a soldier who give his life to his country should receive the pension that the mother received during her life, and therefore recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

MRS. A. W. ACKLEY.

Mr. PERKINS. I ask unanimous consent for the consideration of the bill (H. R. 11375) granting a pension to Mrs. A. W. Ackley.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. A. W. Ackley, dependent mother of John T. Ackley, late a private in Company F, Fourth Regiment Michigan Infantry Volunteers.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 11375) granting a pension to Mrs. A. W. Ackley, submit the following report:

The proposed beneficiary is the mother of John T. Ackley, who enlisted June 21, 1861, as private in Company F, Fourth Regiment Michigan Volunteers, and died August 6, 1862, of wounds received in action.

He left surviving him a widow, but no minor children. The widow drew pension until her remarriage, December 30, 1862.

The mother is now over eighty years of age, has no property nor income from any source, as is personally known to the member who introduced the bill in her behalf, and is suffering from infirmities incident to old age.

There being no pension paid to any one on account of the service and death of her soldier son, the committee believe that this poor and old mother should receive recognition at the hands of the Government in whose defense her only support sacrified his life, and therefore report favorably on the accompanying bill and ask that it do pass.

There being no objection, the bill was considered, ordered to be engrossed, and read a third time; and being engrossed, it was accordingly read the third time, and passed.

POLLY GRAY.

Mr. WILLIAMS, of Illinois. I ask unanimous consent for the present consideration of the bill (H. R. 4514) for the relief of Polly Gray.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-rolls, subject to the provisions and limitations of the pension laws, the name of Polly Gray, widow of Truman Gray, late a soldier in the war of 1812.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4514) granting a pension to Polly Gray, have considered the same and respectfully submit the following report:

It is alleged that the claimant's late husband, Truman Gray, deceased, enlisted at Pittsford, Vt., in Captain Hender's company and served at the invasion of Plattsburgh, war of 1812. The roll of Captain Cabet Hender's Vermont Militia shows that the company was organized at Pittsford, Vt., and marched to Plattsburgh, but that they did not reach Plattsburgh until the day after the battle. The soldier's name is not borne on the records, but his service was sworn to by Ezra Spencer and Abraham Owen, and the Pension Bureau granted him a bounty land-warrant under the act of March 3, 1855.

The soldier died February 11, 1880, and his widow (this claimant) made an application for pension under the war of 1812 service act of March 9, 1878, but the same was rejected by the Pension Bureau on the ground of insufficient service of

soldier to give title under that act, only six days of service being shown by the testimony of the witnesses above named.

The proof submitted in support of the bill fully establishes the identity of the claimant as the widow of the soldier, and shows that she is eighty-four years old and owns no property, but is entirely dependent upon others for support. She swears that she often heard her husband say that he was on duty with the Vermont militia guarding the arsenal at Vergennes, Vt. He stated that he was on this duty for seventeen days, and then enlisted to aid in repelling the invasion of Plattsburgh.

In view of claimant's great age and destitution, your committee report the bill back recommending its passage.

Mr. WILLIAMS, of Illinois. I ask unanimous consent that an amendment be adopted fixing the rate at $12 per month. It should have been placed in the bill, and also the initial letter "E." in the name.

The SPEAKER *pro tempore*. In the absence of objection, the amendment suggested by the gentleman from Illinois will be adopted.

There being no objection, the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

RHODA BUCK.

Mr. HANSBROUGH. I ask unanimous consent for the present consideration of the bill (H. R. 8713) granting a pension to Rhoda Buck.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Rhoda Buck, widow of Hasson A. Buck, late of Company K, Seventh Michigan Cavalry Volunteers.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8713) granting a widow's pension to Rhoda Buck, submit the following report:

Rhoda Buck is the widow of Hassan A. Buck, sergeant Company K, Seventh Michigan Cavalry. She made an application for pension in September, 1889, and it was rejected on the ground and by reason of her inability to show cause or date of her husband's death.

The record evidence on file with her application shows that he was wounded severely at the battle of Gettysburgh, and from which he never fully recovered. Being unfit for active duty he was transferred to the Invalid Corps, and in September, 1865, mustered out of service and returned to his home.

The wound received in battle was a very severe one, which unfitted him for labor. About April 1, 1866, he left home to visit a friend, and never has been seen by any of his friends since that date, although diligent search has been made for years. The supposition is that he became deranged, wandered off, and perished. His home was a most happy one previous to his enlistment. He was a man of good habits, and a very gallant soldier, and by his disappearance his wife and children were deprived of a husband and father's care.

Every effort was made to trace his disappearance, without success, for the past twenty-four years, and there can be no doubt that he lost his life while in a feeble or demented condition. The widow has maintained herself by hard labor since her husband enlisted. She is now destitute.

Your committee, believing this a meritorious claim, recommend the passage of the bill.

There being no objection, the bill was considered, ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ELIZA PYLE.

Mr. LEWIS. I ask unanimous consent for the present consideration of the bill (H. R. 5079) for the relief of Eliza Pyle.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Eliza Pyle, late a nurse in the hospital of the Fortieth Illinois Regiment Volunteers.

The report (by Mr. LANE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5079) granting a pension to Eliza Pyle, submit the following report:

The evidence shows Eliza Pyle was a nurse in Fortieth Regiment Illinois Volunteers, from September 7, 1861, to March, 1862; that she was industrious and faithful at all times while in the service; that in November, 1861, while in the service she was taken sick of the measles, which affected her eyes at the time, and as a result of which she is now totally blind.

Your committee therefore report the bill back with the following amendment: After the word "Volunteers," in line 7, add the following: "At the rate of $25 per month."

The amendment recommended by the committee was adopted.

There being no objection, the bill was considered, and as amended ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

T. A. MORTON.

Mr. SAWYER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2813) granting a pension to T. A. Morton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of T. A. Morton, late of Company E, Sixteenth Regiment New York Cavalry, at the rate of $24 a month, in lieu of that which he now receives.

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

Mr. WASHINGTON. I want to hear something about this bill, either the report to be read or some explanation given. This seems to be an increase to $24 per month. What is he now receiving?

The SPEAKER *pro tempore*. The report will be read if the gentleman desires it.

The report was read at length.

Mr. WASHINGTON. I will have to object to the passage of this bill. That claimant is getting $4 per month now by a special act, and, as I understand it, that enables him to make his application for a rerating at the Pension Office.

Mr. SAWYER. I do not so understand the law. Where a special act fixes the rate of pension, the Pension Office can not increase it.

Mr. WILLIAMS, of Illinois. That can only be done by another special act.

Mr. BYNUM. Was this pension originally fixed at $4 per month?

Mr. SAWYER. I so understand.

Mr. BYNUM. This is the first time I ever knew of a man who came and asked special relief at a less rate than he was entitled to.

Mr. SAWYER. It has been a long time since I examined the case, although I reported it. I know the party; but I have forgotten the circumstances of the case.

Mr. BYNUM. Unless the gentleman in charge of the bill can give accurate information as to whether this is fixed by a special bill or his rerating was fixed by a medical board, I think it is not a proper case for an increase. He ought to take his chances as other soldiers by letting the board of medical examiners rate his case according to his disability.

Mr. SAWYER. I can not say positively whether that was done or not. It has been some time since I made the report in the case.

Mr. BYNUM. I think we ought to let the bill go over.

The SPEAKER *pro tempore*. Objection being made, the bill is not before the House for consideration.

Mr. SAWYER. It will of course retain its place on the Calendar.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The gentleman from Michigan [Mr. O'DONNELL] is next on the list, but does not seem to be in the Hall.

Mr. DOLLIVER. Then I ask the House to take up and consider the bill (H. R. 11098) for the relief of Lorenzo S. Coffin, late chaplain Thirty-second Regiment of Iowa Volunteers.

Mr. OUTHWAITE. Was that recognition arranged before the House met or after?

Mr. HEARD. It is not fair to other members who have been waiting here all evening.

Mr. DOLLIVER. I will say that I made my arrangement without knowing who was to be Speaker to-night.

Mr. HEARD. If the gentleman is not on that list he ought not to take the place of somebody else.

Mr. DOLIVER. This bill will take but a moment.

Mr. HEARD. If the gentleman is entitled to a call on that list, then he ought to have the opportunity of presenting the bill, but if not I hope he will not insist. I only want fair play.

The SPEAKER *pro tempore*. Objection is made, as the Chair understands it, to the request of the gentleman from Iowa.

ELIZABETH ABELL.

Mr. MARTIN, of Indiana. I ask unanimous consent for the present consideration of the bill (H. R. 8640) granting a pension to Elizabeth Abell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Abell, of Jackson County, Ind., widow of George W. Abell, of the Twenty-second Regiment Indiana Volunteers.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8640) granting a pension to Elizabeth Abell, submit the following report:

The applicant was the widow of one George W. Abell, deceased, who enlisted as a private in Company E, Twenty-second Indiana Volunteers, on September 8, 1862, and died at Murfreesborough, Tenn., on February 23, 1863, of pneumonia contracted in the line of duty. He left surviving him the widow, this applicant, and two minor children. Applicant was granted a pension, which commenced with the death of her husband and ceased upon her remarriage to one Fielding Johnson. The pension was granted to the guardian of said minor children, which ceased in 1876, upon the youngest coming of age.

That affiant's marriage proved unhappy, said Johnson failing to provide for her and treated her with violent cruelty until she was compelled, for self-preservation, to apply for and obtain a divorce, which was done within the last few years, with restoration of the name of Abell. That she has resided in Jackson County, Ind., for many years, is a women of good character, has no means of support whatever, and in her advancing years is not able to support herself.

Inasmuch as no one is drawing a pension on account of the services of said Abell, your committee recommend the passage of the bill.

There being no objection, the bill was considered, ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN FROHLIN.

Mr. WICKHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8519) granting a pension to John Frohlin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John Frohlin, late a private in Company I, First Regiment Ohio Light Artillery, at the rate of $30 per month.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8519) granting a pension to John Frohlin, submit the following report:

Claimant enlisted August 22, 1864, and was discharged June 25, 1865, on account of frozen feet, which injury constantly increased until it finally resulted in the loss of his right leg in May, 1866.

He applied for pension in 1868, alleging that while in line of duty near Alexandria, Va., on the 23d day of December, 1864, in line of duty, while standing guard, he froze both feet.

It was rejected after repeated examinations in the Pension Bureau on the ground that his limbs were diseased prior to enlistment.

Claimant is an uneducated German, and made some contradictory statements. The testimony on file, by a man who was with him at the time, shows conclusively that he was subjected to two rigid examinations by the Government surgeons, and pronounced sound, and accepted as a sound man; and your committee think it is not creditable to a government to first accept a man as sound, and afterwards reject him on technical grounds, and, to say the least of it, doubtful and contradictory evidence, and recommend the passage of the bill.

The bill was ordered to be engrossed, and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN M'GREGOR.

Mr. BYNUM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8557) granting a pension to John McGregor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to place the name of John McGregor, son of Murdock McGregor, late a private in Seventh Battery of Indiana Light Artillery Volunteers, who was killed in the battle of Stone River on December 31, 1862, upon the pension-rolls at the rate of $18 per month; and as the said John McGregor is of unsound mind, wholly incapable of managing his estate, that such pension be made payable to legally qualified guardian, Jackson Wills, of Greenfield, Ind., or his legal successors in the trust.

The amendment of the committee was read, as follows:

Amend by striking out the preamble of the bill.

The report (by Mr. MARTIN, of Indiana) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8557) granting a pension to John McGregor, submit the following report:

Murdock McGregor, while serving as a private in the Seventh Battery of Indiana Light Artillery in the war of the rebellion, was killed in the battle of Stone River. He left a widow, Sarah F. McGregor, who was pensioned and continued on the rolls until the 31st day of June, 1882, when she died.

John McGregor is the son of Murdock McGregor and is now forty-four years of age. He has been an imbecile from birth and is not only mentally but physically unable to take care of himself and has no property whatever. These facts are abundantly established by the affidavits of Jackson Willis, the legal guardian of said McGregor, and Dr. John W. Selman, and is not controverted by any one. The practice in such cases as this has been to grant a pension of $18 per month, and your committee therefore report the bill back with the recommendation that it do pass, amended, however, by striking out the preamble.

The amendment of the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrosed, it was accordingly read the third time, and passed.

ABIGAIL HUGHES.

Mr. MOREY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4858) granting a pension to Abigail Hughes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-rolls of the United States the name of Abigail Hughes, widow of Benjamin G. Hughes, late of Company F, Seventy-fourth Regiment Ohio Volunteer Infantry, subject to the conditions and limitations of the pension laws of the United States.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4858) granting a pension to Abigail Hughes, submit the following report:

Abigail Hughes was the widow of Benjamin J. Hughes, who enlisted November 19, 1861, as private in Company F, Seventy-fourth Regiment Ohio Volunteers, and was killed in battle of Stone River, December 31, 1862. She drew a pension until her remarriage with one George Lacrone in October, 1870, the children of the soldier in the mean time having passed pensionable age. Her second marriage was an unfortunate one, as appears from the fact that she had to apply for a divorce, which was granted her at the October, 1879, term of the Greene County, Ohio, court of common pleas, on account of cruelty and abandonment by her said second husband.

The claimant is now nearly seventy years of age, has no property or income from any source, and being badly afflicted from rheumatism and heart troubles, is no longer able to earn her subsistence by manual labor, and consequently dependent upon her friends for support.

The case comes clearly within the well established rule of Congress to provide for the dependent relatives of soldiers who lost their life in defense of the country, and we therefore return the accompanying bill with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

T. A. MORTON.

Mr. SAWYER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2813) granting a pension to T. A. Morton.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of T. A. Morton, late of Company E, Sixteenth Regiment New York Cavalry, at the rate of $24 a month, in lieu of that which he now receives.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2813) granting a pension to T. A. Morton, submit the following report:

The report of the Senate committee, which is hereto annexed and adopted by this committee, contains a very full statement of the case, and, believing the case to be a meritorious one, they recommend the passage of the bill.

SENATE REPORT.

The Committee on Pensions, to whom was referred the bill granting a pension to T. A. Morton, have examined the same and report:

Your committee had under consideration a similar bill during the last Congress. The report then submitted was favorable, and the bill passed the Senate, but failed of action in the House. The former report is adopted and submitted:

The claimant is now receiving a pension of $4 a month by special act, for injury to abdomen and head. He asks that the pension be increased to $24 a month. One of the reports of the board of examining surgeons rates his disability at sixteen-eighteenths of total, and another rates that for deafness at total of the rating for that disability.

The certificate of discharge from the Ladies' Home Government Hospital, New York, states that the applicant had been deaf eleven years prior to his enlistment and it is upon this record that the Pension Office has denied Morton any pension for that disability. In contravention of this record evidence is the testimony of half a dozen witnesses who knew him well before enlistment and who swear that his hearing was good.

Dr. Henry E. B. Miller says the claimant "was sound at enlistment. I have treated him ever since he was sent home on furlough."

Dr. John Miller says: "Good hearing at enlistment. Have treated him more or less ever since he was discharged."

Michael Kelley and Betsey Allen say they knew claimant five years before he enlisted. He was an able-bodied, robust man, and had good hearing.

Michael Wright and James Winters "went to school to claimant before he enlisted. His hearing was good."

William Matthews and James Wright, comrades during his army service, say his hearing during service was good; that he was able to do as much as his comrades, and that not having seen him after the horse fell upon him during Mosby's raid, they thought him dead until they met him as fellow-inmates of the Soldiers' Home at Bath, N. Y.

Dr. F. Wylie certifies, April 23, 1885, that he treated claimant from November, 1880, to March, 1882, while an inmate of the Soldiers' Home, and that his condition on account of the disabilities claimed renders him totally unable to perform manual labor.

Your committee, in view of the mass of testimony going to show claimant's soundness prior to enlistment, recommend the passage of the bill.

The SPEAKER *pro tempore*. This bill was once before presented and it was objected to. Is the objection withdrawn?

Mr. SAWYER. I understand that the gentleman from Indiana [Mr. BYNUM] withdraws his objection to its consideration.

Mr. BYNUM. The provisions of the bill having been explained to me, I will withdraw my objection under the circumstances.

Mr. WASHINGTON. Mr. Speaker, I objected to the passage of that bill. I have not withdrawn my objection.

Subsequently

Mr. WASHINGTON said: Mr. Speaker, having had an explanation from the gentleman from New York [Mr. SAWYER] in regard to this bill, I withdraw my objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MARY E. HICKS.

Mr. WHEELER, of Alabama. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10753) for the relief of Mary E. Hicks.

The bill was read as follows:

Be it enacted, etc., That the act entitled "An act to restore pensions in certain cases," approved June 9, 1880, shall be construed so as to include within its provisions Mary E. Hicks, widow of Capt. Daniel Hicks, of the Adrian Guards, Mexican war.

The report (by Mr. HENDERSON, of North Carolina) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10753) for the relief of Mary E. Hicks, have considered the same and report:

The committee believe that the act of June 9, 1880, was intended to include the widows of officers of the Army as well as those of the Navy.

Mrs. Hicks is the widow of Capt. Daniel Hicks, of the Adrian Guards, Michigan Volunteers, in the war with Mexico. Her pension was originally $25 per month, but subsquent general legislation resulted in a reduction to $20 per month.

The bill is returned with a favorable recommendation.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

ANNA PLATT.

Mr. BAKER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5524) granting a pension to Anna Platt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Anna Platt, late volunteer nurse in Armory Square Hospital during the civil war, and pay her a pension at the rate of $12 per month.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5524) granting a pension to Miss Anna Platt, submit the following report:

The evidence filed with your committee clearly shows that this beneficiary, who is a maiden lady of sixty-five years of age, entered the service of the United States as a volunteer nurse at Armory Square Hospital, Washington, D. C., February 6, 1863, and served there until the close of the war. That she received to her own use no compensation for her services, but expended the whole monthly stipend allowed her for the comfort of the soldiers in the hospital ward under her care.

She has in her books the names of over two hundred and eighty soldiers from fourteen different States cared for by her in Armory Square Hospital. That, as a consequence of her labors in the hospital, she had a severe attack of typhoid and brain fever, from the effects of which she has never fully recovered. That she is now in needy circumstances and has living with her and depending upon her for support her widowed mother, now ninety-five years of age.

The fact of her having rendered such services, her faithfulness and competency

as a nurse, that she received no compensation therefor, and her present needy circumstances, are clearly established before your committee.

Your committee therefore recommend the passage of the bill with the following amendment:

Add to the bill the words "and pay her a pension at the rate of $12 per month."

The amendment of the committee was read, as follows:

Add to the bill the words "and pay her a pension at the rate of $12 per month."

The amendment of the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

JOHN H. GROVE.

Mr. OUTHWAITE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4210) to increase the pension of John H. Grove.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to pay to John H. Grove, late a member of Company C, Thirty-fourth Regiment Independent Volunteers, a pension of $72 a month, in lieu of the amount now paid him.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4210) to increase the pension of John H. Grove, having fully examined the papers in the case, submit the following report:

John H. Grove was late a corporal in Company C, of the Thirty-fourth Regiment Indiana Volunteer Infantry. He enlisted at Huntington, Ind., on the 28th day of August, 1861, for the term of three years, and was honorably discharged on the 29th day of September, A. D. 1863, at St. Louis, Mo., because he had lost his arm at the battle of Champion Hills, Mississippi, on the 16th day of May, A. D. 1863; arm amputated above the elbow on the 17th day of May, 1863.

On the 23d of September, 1863, he was granted a pension of $8 per month, which was increased June 6, 1866, to $15; June 4, 1872, to $18; June 4, 1874, to $24, and December 11, 1886, to $45 per month. Since that date his disability has slowly increased. He applied for a further increase on April 8, 1889, and showed by competent and sufficient evidence that by reason of suffering with constant pain in the stump of his left arm, and the extra strain upon his right arm, his right arm, right hand, right leg and foot are partially paralyzed. The evidence shows that the claimant suffers from a constant tremor and motion of right arm, hand, leg, and foot. His memory has failed; he has an impediment in his speech, so that he is not able to attend to any business, and he requires the aid of another person in dressing and eating. The stump of the arm which was amputated is short and irregular in shape and the cicatrix imperfect and sensitive, so that he has never been able to wear an artificial arm.

His condition is not such as to require the constant aid and assistance of another person, and therefore he entitled to the rate of $72 per month under the general law as recently amended. There is no general law by which the claimant could have his pension increased to any sum intermediate between that rate which he is receiving and the rate for total disability. The evidence clearly establishes two things: First, that he is suffering from an injury incurred in active service and in the line of duty which disables him to a much greater degree than he is receiving a pension for; second, that his case is one not provided for by the general law. His condition is steadily growing worse, and he is in great danger of complete paralysis or death as a direct result of the injury for which he is pensioned.

In the bill the word "Independent" is used where "Indiana" should have been.

The committee recommend that the bill be amended to correct this mistake, by striking out the word "Independent," in line 5, and inserting "Indiana." That the bill be further amended by striking out "seventy-two," in line 6, and inserting in lieu thereof "sixty," and that the bill as amended do pass.

The amendments of the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

WILLIAM DUNN.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9425) granting a pension to William Dunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Dunn, late of Company I, Second United States Artillery.

The report (by Mr. CRAIG) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9425) granting a pension to William Dunn, submit the following report:

That William Dunn enlisted August 15, 1861, in Company B, Forty-ninth Pennsylvania Infantry, and joined the regular Army, Battery I, Second United States Artillery, October 21, 1862, and was discharged July 20, 1865, on certificate of disability.

He filed claim for a pension March 26, 1883, and it was rejected October 23, 1883. His claim was based on injury to right hand, crushing index, middle, and third fingers, leaving only the thumb and little finger, incurred while assisting in unloading sick and wounded soldiers from cars at Philadelphia in May, 1863. That while one of the cars was being pushed up for the purpose of coupling it his hand was caught. That he was there under a ten-day furlough, from April 15, 1863, and the records show that he was admitted to hospital at Philadelphia for treatment for this hurt of hand on the 25th, same month. The hospital record states that his hand was injured while unloading wounded soldiers.

His claim was rejected because the injury was not incurred in line of duty. His own statement is that he was at Philadelphia *en route* to his regiment at expiration of his leave, and was called on and directed by some one in the United States uniform to assist as aforesaid, which he did, and the accident occurred.

Your committee recommend the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

CALVIN GUNN.

Mr. WILSON, of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7523) granting a pension to Calvin Gunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Calvin Gunn, late a member of Capt. Isaac G. Messic's company of California Volunteers, in the Humboldt, California, Indian war of 1858.

Mr. KERR, of Iowa. Mr. Speaker, I would like to hear the report in that case or else I should like to hear a statement from somebody who knows about it.

The SPEAKER *pro tempore*. Perhaps the gentleman in charge of the bill can give a brief statement.

Mr. WILSON, of Missouri. The facts in this case are that Mr. Gunn served in the Indian war in California in 1858. The case is a very meritorious one, and I hope that there will be no objection to the consideration of the bill.

Mr. KERR, of Iowa. I am satisfied with the statement of the gentleman from Missouri.

The report (by Mr. DE LANO) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7523) granting a pension to Calvin Gunn, have considered the same and report:

In his petition for relief by special act the claimant declares that he served as a sergeant in Capt. Isaac G. Messec's company, California militia (known as the "Trinity Rangers"), from October 14, 1858, to April 4, 1859.

This company was organized pursuant to a proclamation issued by John B. Weller, then governor of California, calling for volunteers for the suppression of the Indians that were at that time engaged in pillage and murder in the counties of Trinity and Humboldt in said State; that while engaged in said service and during a severe conflict with the Indians, he (claimant) received a dangerous gunshot wound of the left side below the nipple, the ball passing through his body and coming out at the short ribs at the right side; that by reason of said wound he was obliged to give up his occupation of mining and farming in California and come east to St. Louis, Mo., where he is now engaged as a night watchman in the police department.

The claimant originally applied to the Pension Bureau, but his claim was rejected on the ground that the organization to which he belonged was not in the service of the United States.

The fact that the claimant received the wound at the time and under the circumstances herein set forth is clearly established by the testimony of Capt. Isaac G. Messec, who commanded the company and was present when the wound was received.

The claimant's certificate of honorable discharge from the service, signed by Captain Messec, is on file with the papers.

Medical and other testimony on file shows the wound to be a severe one, and, as a result, the claimant is permanently disabled for the performance of manual labor.

By an act of Congress passed March 2, 1861 (see page 199, U. S. Statutes at Large, vol. 12), the State of California was reimbursed by the General Government for the expenses incurred during said Indian war.

In view of all the facts, including the recognition by Congress of the service rendered, your committee are of the opinion that the relief prayed for should be granted, and the bill is therefore reported back with the recommendation that it do pass.

NOTE.—Amend by spelling the word in line 6 "Messec" instead of "Messic."

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

DANIEL P. ROBERTS.

Mr. SMITH, of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10898) to increase the pension of Daniel P. Roberts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Daniel P. Roberts, late a second lieutenant in Company F of the Third Regiment of Missouri Volunteers in the war with Mexico, to $50 per month from and after the passage of this act.

The report (by Mr. HILL) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 10898) granting an increase of pension to Daniel P. Roberts, having given the same due consideration, beg leave to report as follows:

The claimant served as a second lieutenant in Company F, Third Missouri Volunteers, Mexican war, and he is now in receipt of the service pension at $8 per month provided by the act of Congress of January 29, 1887.

Prior to the allowance of his service pension the claimant made application for pension on account of a double rupture, which he alleges he incurred during his Mexican war service, but the claim was rejected January 10, 1887, by the Pension Bureau on the ground that there is no record of the alleged rupture, and the testimony in the claim, after a special investigation, fails to show that the said disability was incurred in the service and line of duty.

The claimant is now about seventy-six years old, with no property or means of support aside from his small pension, and entirely incapacitated by old age, double rupture, rheumatism, and disease of eyes to earn a support by manual labor.

The facts are shown by the sworn statements of Dr. J. W. Weir, Dr. L. D. Burgess, James Bottom, and Samuel Morrison. Two petitions, signed by a large number of the citizens of Randolph County, Ill., are also filed in support of the bill and show the claimant to be worthy and in need of the increase of pension prayed for.

The passage of the bill is recommended with the following amendment: Strike out the word "fifty," in line 7, and substitute in lieu thereof the word "twenty;" so as to allow a pension at $20 per month.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

DANIEL J. MAHONEY.

Mr. QUINN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4451) for the removal of the charge of desertion from the record of Daniel Mahony.

Be it enacted, etc., That the charge of desertion standing against the name of Daniel Mahony, late a sailor in the United States Navy, be, and the same is hereby, removed; and the Secretary of the Navy is hereby authorized and directed to issue to him, the said Daniel Mahony, an honorable discharge.

Amend the title so as to read: "A bill for the removal of the charge of desertion from the record of Daniel J. Mahoney."

The report (by Mr. DOLLIVER) is as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 4451) for the removal of the charge of desertion from the record of Daniel Mahony, beg leave to report the same back with an amendment, by changing the name of "Daniel Mahony" to "Daniel J. Mahoney."

In support of the action proposed by this bill we submit herewith the favorable recommendation of the Navy Department, which your committee adopt as a part of their report, and recommend that the bill do pass with the amendment noted.

NAVY DEPARTMENT, *Washington, June 2, 1890.*

SIR: Referring to your communication inclosing Senate bill 2409, "for the removal of the charge of desertion from the record of Daniel Mahony," and a letter from Mahony giving a history of his service in the Navy and Army, I have the honor to state for the information of the Committee on Naval Affairs of the Senate that it appears from an examination of the records in this Department, and of those in the office of the Fourth Auditor of the Treasury, that one Daniel J. Mahoney enlisted in the Navy October 23, 1860, as second-class boy for three years, and that he served under such enlistment as follows: As second-class boy on board the United States steam-ship North Carolina from the date of his enlistment to November 7, 1860, and on board the United States steam-ship Vandalia from November 8, 1860, to September 1, 1861; as first-class boy on the Vandalia from September 1, 1861, to November 1, 1862; as landsman on the same vessel from the last-named date to February 4, 1863, and as landsman on board the North Carolina from February 5 to February 11, 1863; on board the Colorado from February 12 to June 20, 1863, and on board the prize bark Neptune from June 21 to July 14, 1863.

On the latter-named date he was transferred to the receiving-ship North Carolina, at New York, but on the rolls of that vessel he is marked as having "never reported." The records in the office of the Fourth Auditor of the Treasury show that the balance due Mahoney up to June 20, 1863, was $176.48.

In view of the fact that Mahoney failed to report on board the North Carolina after his transfer from the Neptune and inasmuch as it does not appear that he subsequently reported on board any naval vessel or at any naval station of the United States, he is regarded as having deserted the service from the date on which the memorandum "never reported" was entered opposite his name on the rolls of the North Carolina, namely, July 14, 1863.

It further appears from an examination of the records in the War Department that one Daniel Mahoney was enrolled in the Fourth New York Heavy Artillery, at Lockport, N. Y., on the 6th of September, 1864, as a private (unassigned), for one year, under which enlistment he became entitled to $100 bounty, one-third of which he received on enlistment and another third when mustered out of the service. The third installment was withheld under the following decision of the Second Comptroller of the Treasury: "Volunteers, under the act of July 4, 1864 (13 Stat., 379), discharged before the expiration of their term of enlistment because their services were no longer necessary, are only entitled to that portion of the bounty which has actually matured at the date of discharge." He was assigned to Company C, Twentieth New York State Militia (Eightieth New York Volunteers), and is reported present on roll dated October 31, 1864, and on subsequent rolls to April 30, 1865, and was mustered out of service on a detachment muster-out roll at Richmond, Va., on June 17, 1865, under authority of the War Department, dated May 29, 1865.

From the statement of his services in the Army and the Navy, contained in Mahoney's letters of application for the removal of the charge of desertion, and a comparison of the descriptive lists of the Daniel J. Mahoney and Daniel Mahoney above mentioned, as having served under enlistments in the Navy and Army, respectively, the Department is satisfied as to their identity with the applicant in this case.

In view of the long service of Mahoney in the Navy, covering almost two years and nine months of his term of enlistment of three years, and of his subsequent enlistment and faithful service in the Army and honorable discharge therefrom, the Department commends the bill to the favorable consideration of the committee.

The letter of Mahoney which accompanied the communication of the committee is herewith returned. His address is 1130 First street northwest, Washington, D. C.

Very respectfully,

F. M. RAMSAY,
Acting Secretary of the Navy.

Hon. WILLIAM E. CHANDLER,
Committee on Naval Affairs, United States Senate.

Mr. KERR, of Iowa. I should like to hear some statement as to this case. I do not think we should remove a charge of desertion without some good reason.

Mr. QUINN. I will say to the gentleman from Iowa that this man served nearly five years in the Navy and the Secretary of the Navy recommends that the bill pass.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

The title of the bill was amended in accordance with the recommendations of the committee.

Mr. WILSON, of Washington. Mr. Speaker, I rise to a parliamentary inquiry. Have we any right to extend the time of this session beyond half past 10?

The SPEAKER *pro tempore*. We have not.

Mr. WILSON, of Washington. Can we not turn the clock back, then?

NANCY J. DORLOS.

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4179) granting a pension to Nancy J. Dorlos.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to place upon the invalid pension-roll, at $12 a month, the name of Nancy J. Dorlos, widow of George P. Dorlos, late of Company C, One hundred and seventh Ohio Volunteers.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4179) granting a widow's pension to Nancy J. Dorlos, submit the following report:

That Nancy J. Dorlos was the reputed wife of George P. Dorlos, of Company C, One hundred and seventh Ohio Volunteers. That said Dorlos married said Nancy at a time when he had another lawful wife living, which fact was unknown to said Nancy. That before said George P. Dorlos died his first wife died, after which said George P. Dorlos continued to reside with said Nancy, recognizing and treating her as his wife up to the time of his death.

There is no evidence to show a divorce from the former wife, and under the rules of the Pension Office continued cohabitation with said Nancy after the death of the former wife would not be sufficient to validate the marriage. Inasmuch as Mrs. Nancy J. Dorlos married said George P. in good faith and with no knowledge of the existence of any prior marriage and inasmuch as she cohabited with her said reputed husband up to the date of his death and for several years after the death of the former wife, we recommend that the bill be passed and that she be put upon the pension-roll as widow of George P. Dorlos.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

ALEXANDER CALLISON.

Mr. OWENS, of Ohio. I ask for the present consideration of the bill (H. R. 8028) for the relief of Alexander Callison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Alexander Callison, who enlisted for the Mexican war and did service on the frontier as a soldier in Company B, Powell's battalion, Missouri Mounted Infantry, and that said Alexander Callison be paid a pension of $25 per month.

The report (by Mr. NORTON) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8028) granting a pension to Alexander Callison, have considered the same and report:

The claimant was a private in Company B, Powell's Battalion Missouri Volunteers, and served from July 1, 1847, to November 9, 1848.

In an application for pension filed December 21, 1883, Mr. Callison declared that at Nebraska City, Nebr., in January, 1848, he severely froze his right foot, and in support of this allegation his comrades, James S. Pratt and M. Geiger, testified that the claimant incurred the disability from exposure on picket duty at the time and place alleged. Medical evidence filed by the claimant showed the existence for the past twenty years of a serious disability from frost-bite of right foot, and that amputation of the right great toe had been rendered necessary. The examining surgeons found a severe disability of the foot and rated the same at three-quarters total.

Evidence of the claimant's loyalty during the late war was also filed, but the Pension Bureau regarded the testimony as insufficient to establish the claim, and the claimant being unable to furnish additional proof the application was disallowed.

After the passage of the Mexican war service-pension act the claimant filed another application for pension, but the same was rejected on the ground that the organization to which he belonged did not serve in Mexico or *en route* thereto.

The claimant is now seventy-two years old and greatly disabled for the performance of manual labor.

The valuable services of Powell's Battalion during the period of the Mexican war have been repeatedly recognized by your committee in reports to the House, and a bill including the members of that organization within the provisions of the Mexican service act has been reported favorably to the House at this session.

The passage of the bill for the relief of Alexander Callison is respectfully recommended, amended, however, as follows: By inserting the word "twenty" in line 8 in lieu of the word "twenty-five."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was according read the third time, and passed.

MRS. M. E. DANIELS.

Mr. CANDLER, of Massachusetts. I desire to call up for present consideration the bill (H. R. 1279) granting a pension to Mrs. M. E. Daniels.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. M. E. Daniels, formerly Mrs. M. E. Glines.

The report (by Mr. FLICK) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1279) granting a pension to Mrs. M. E. Daniels, submit the following report:

In 1862 Mrs. M. E. Glines, now Mrs. M. E. Daniels, joined that noble corps of patriotic and self-sacrificing women known as "volunteer nurses." Entering the hospital at Alexandria, Va., she remained there during almost the entire war, caring for the sick and wounded soldiers with such tenderness and untiring devotion as to command from the sufferers there a testimonial, of which the following is an extract:

"We embrace this opportunity to express our most heartfelt gratitude and thanks to Mrs. Glines for the constant attention, as well as the kind, noble, and generous manner in which she has ministered to our wants, and ask that she may accept this as the most fitting testimonial we have in our power now to offer, in proof of our high esteem and admiration of her many virtues, and the entire satisfaction she has merited in her noble vocation."

Mr. J. G. Blaine says:

"During the war Mrs. Glines was very devoted and assiduous in her attention to wounded soldiers, and performed an amount of hospital service equaled by few and exceeded by none."

Surgeon-General Hammond says:

"I am well acquainted with Mrs. Mary E. Glines, who came here in 1862 as nurse in our military United States hospitals. I remember well her valuable services rendered to the sick and wounded, and beg leave to recommend her as worthy of consideration."

General O. O. Howard says:

"Mrs. Glines I know well and esteem her highly. She labored hard among the sick and wounded soldiers, and will long be remembered by them. She deserves well of this Government."

Your committee might add many other testimonials as pertinent and of equal value with the foregoing.

Mrs. Glines is now Mrs. M. E. Daniels; her husband is over ninety years of age, and she is old and feeble and destitute of means of support.

The proof shows she has been an invalid ever since the war, and now, when old age has come upon her and want is her portion, your committee believe that a grateful country should extend a generous hand to her, and we therefore recommend the passage of said bill after amending the same by adding after the name

"Glines," in the sixth line, the words "a volunteer nurse in the late war, and pay her a pension at the rate of $12 per month."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

GEORGE M'KINNEY, JR.

Mr. HEARD. I desire to call up for present consideration the bill (H. R. 5121) to correct the military record of George McKinney, jr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of George McKinney (or George W. McKinney), jr., late of Company E, Thirty-sixth Indiana Cavalry, who was mustered in said company October 23, 1861, to show him continuously in service from date of enlistment to date of muster out, September 21, 1864, and to remove the charge of absence without leave standing against him.

The report (by Mr. CAREY) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 5121) to correct the record of George McKinney, jr., having considered the same, respectfully report:

That George McKinney, jr., was enrolled August 23, 1861, in Company E, Thirty-sixth Indiana Volunteer Infantry, for three years. After the battle of Shiloh he was sent to Jefferson Barracks, Mo., sick. From Jefferson Barracks he was furloughed and sent home. Such furlough was extended from time to time on account of his continued illness, until finally learning that he was reported on his regimental rolls as a deserter, he reported in person to Louisville, Ky., and was forwarded to Nashville, Tenn., June 25, 1863, under charge of desertion, for trial by court-martial.

He was too ill for trial and remained in hospital until January, 1864, when brought to trial and found guilty of absence without leave. He maintains that such absence was purely the result of his disability, which was contracted in the service and cites the fact that when he did return he was at once sent to hospital. After his trial and the sentence of the court he returned to duty, and was finally mustered out with his regiment in September, 1864. Your committee believe the soldier should be relieved of the charge and finding of absence without leave, but think he should not demand or receive pay during his absence from his command, and would therefore recommend that the bill be amended by adding to the end of the bill: "*Provided*, That this act shall not entitle such soldier to pay or emoluments from August 18, 1862, to June 23, 1863;" and that the word "cavalry," in line 6, be stricken out and the word "infantry" inserted in lieu thereof; and the words "to show him continuously in service from the date of enlistment to date of muster out, September 21, 1864," be striken out, commencing in line 7 of such bill.

Your committee submit herewith the report of the Adjutant-General and recommend the passage of the bill as amended.

Case of George (W.) McKinney, jr., late private Company E, Thirty-sixth Indiana Infantry Volunteers.

RECORD AND PENSION DIVISION, *April* 2, 1890.

George (W.) McKinney, jr., private Company E, Thirty-sixth Indiana Infantry Volunteers, was enrolled on August 23, 1861, to serve three years. While sick at general hospital, Jefferson Barracks, Mo., with rheumatism, he was furloughed for twenty days on May 19, 1862, and this furlough was extended at Indianapolis, Ind. He failed to return on expiration of his extended furlough, and therefore became a deserter on July 1, 1862.

General Orders, No. 92, War Department, Adjutant-General's Office, dated July 31, 1862, revoked all leaves and furloughs on August 11, 1862, and directed that all soldiers fit for duty, absent on August 18, 1862, be regarded as deserters, unless restored. The only excuses for absences after August 11, 1862, were to be: First, order or leave from the War Department; second, disability from wounds received in service; and, third, disability from disease rendering the soldier unfit for military duty (but must be so sick that he can not visit places of amusement, make social visits, etc.).

As this man had not rejoined his command on August 18, 1862, he was dropped as a deserter on that date.

He was received at Soldiers' Home, Indianapolis, Ind., June 23, 1863, and at Barracks No. 1, Louisville, Ky., June 24, 1863, with remark, "a deserter from Indianapolis, Ind.," and was sent to Nashville, Tenn., as a prisoner on June 25, 1863.

He was arraigned before a general court-martial convened at Whiteside, Tenn., on January 13, 1864, on the charge of desertion, specifying that after the expiration of a furlough granted him at St. Louis, Mo., May 19, 1862, and which was renewed at Indianapolis, Ind., he failed to report as required by said furlough; was marked a deserter on August 18, 1862, in pursuance of general order from the War Department, and did not rejoin his company and regiment until on or about September 24, 1863. He was found not guilty of desertion, but guilty of absence without leave and sentenced to forfeit all pay and allowances due him from the United States from the 18th of August, 1862, until the 23d day of June, 1863." The proceedings, findings, and sentence of the court were duly approved and confirmed by Major-General Stanley and published in General Orders, No. 22, headquarters First Division, Fourth Army Corps, dated March 2, 1864.

In view of the findings and sentence of the court-martial in the case of this soldier no charge of desertion stands against his record, but he is considered as having been absent without leave from July 1, 1862, to June 23, 1863.

He was mustered out with his company on September 21, 1864.

The only explanation made by this man of his prolonged unauthorized absence is to the effect that he went home on furlough on account of lung trouble, result of measles; had his furlough renewed from time to time, and finally got what he supposed to be a genuine discharge furlough, whereupon he remained at home some months longer, but he finally learned that he was marked as a deserter, and then he at once reported himself to military headquarters at Indianapolis, Ind.

The conviction of this soldier of absence without leave by a general court-martial, the sentence being duly approved and executed, is held to be a legal bar to any further action in the case by the War Department.

Respectfully submitted.

F. C. AINSWORTH,
Captain and Assistant Surgeon, U. S. Army.

The SECRETARY OF WAR.

The amendment reported by the committee was agreed to.

Mr. HEARD. There is another verbal amendment. Strike out the word "cavalry" and insert the word "infantry."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JOHN T. BALLARD.

Mr. BREWER. I call up for present consideration the bill (H. R. 7910) granting a pension to John T. Ballard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John T. Ballard, late private of Company F, Eighth Michigan Cavalry.

The report (by Mr. BELKNAP) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7910) granting a pension to John T. Ballard, submit the following report:

From the records of the War Department it appears that John T. Ballard served in Company F, Eighth Michigan Volunteers, from April 1, 1865, to September 22, 1865. These records furnish no evidence of any disability and the hospital records of the regiment are not on file in the War Department.

Mr. Ballard filed a claim in the Pension Office on August 30, 1876, based upon having contracted dysentery and indigestion while in the service near Pulaski, Tenn., about August 1, 1865.

His claim was specially examined and finally rejected by the Pension Office on the ground of no record evidence of the disability in the service and failure to show by reliable testimony that his disease originated in the service or existed at discharge, and all of this in face of the testimony of soldier's family physician, showing that he was sound at and before his enlistment; the testimony of the assistant surgeon of his regiment, a man of good reputation, showing treatment in service for dysentery of an obstinate character, which still existed at the time of discharge, and that of several comrades in arms to the same effect.

Continuance of said disability with indigestion from date of discharge to 1882 is fairly well shown, but the special examiner seemed to have had the habit of calling all testimony in favor of the claim as "biased in favor of claimant" and unreliable, and all such throwing doubts upon the case as "unbiased" and "reputable." It is claimed by the family physician that all of the Ballard family as they grew older were sufferers from liver disease, probably of hereditary character, yet neither he nor any of the other witnesses seen by the special examiner could testify that the soldier was a sufferer from such disease before or at his enlistment.

The assistant surgeon made his affidavit in 1876; seven years thereafter a special examiner of the Pension Office calls on him, and because he could no longer remember the man, yet admits the genuineness of his affidavit and signature, throws said testimony aside, upon the ground that he can not explain his affidavit.

Reading the testimony as a whole and comparing it with the "summary," as made by the special examiner, would lead any intelligent person to believe that it was the special examiner, and not the witnesses, who was biased in the case.

Repeated medical examinations made between 1876 and 1882 revealed that Mr. Ballard was suffering from chronic gastric catarrh, and evidence filed since shows continuance of the disability.

Your committee are of the opinion that the evidence is sufficient to warrant favorable consideration of the accompanying bill, and therefore return the same with the recommendation that it do pass.

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

SARAH PHILLIPS.

Mr. MUTCHLER. I call up for consideration the bill (H. R. 6287) granting a pension to Sarah Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah Phillips, of Marion County, Ill., widow of Jonathan Phillips, late a soldier in the Seminole Indian war, at the rate of $12 per month.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 6287) granting a pension to Sarah Phillips, have considered the same, and report as follows:

The claimant's deceased husband, Jonathan Phillips, was a private in Capt. Robert Newton's company of Tennessee Volunteers, Seminole Indian war, and served from January 31, 1818, to June 30, 1818.

In her petition for relief the claimant declares that she is eighty-four years old, and dependent for her support upon her children and upon a life interest in a farm of 120 acres which is cultivated by her children; that her husband, the soldier, died on the 2d day of April, 1857, of pneumonia, superinduced by lung trouble, which she believes originated while he was in said service. She further states that she still remains the widow of Jonathan Phillips.

The claimant's identity as the widow of the soldier is established by the sworn statement of Mary Cameron, who was present at their marriage and has known the parties since.

The committee recommend the passage of the bill with the following amendment: Strike out the word "twelve," in line 8, and substitute in lieu thereof the word "eight," it being the purpose of the committee to recommend a pension at $8 per month.

Mr. MUTCHLER. Mr. Speaker, I ask that the amendment recommended by the committee be not agreed to, but that the amount may be fixed at $12; and in support of that I want simply to say that this is an old lady eighty-four years of age; we have passed another bill to-night granting a lady of sixty-four years $12 a month, and I do not see any reason why a distinction should be made.

The amendment recommended by the committee was rejected.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read a third time, and passed.

MICAGER HANCOCK.

Mr. CHEADLE. I have a bill here granting a pension to a man one hundred and two years old, and would like to have it considered.

The bill was read, as follows:

Be it enacted etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Micagen Hancock on the pension-roll, according to the pension laws of the United States, he being a soldier in the war of 1812.

The report (by Mr. PARRETT) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2487) granting a pension to Micager Hancock, have considered the same and report as follows:

Your committee beg leave to report that Micager Hancock was a soldier in the war of 1812, and entered the service at Eagerry, Del., in the spring of 1813. He served under Capt. Samuel Taylor, and fought at the battle of Lewiston, in April, 1813. It appears when the term of service was up and the war was over that the captain relieved all his men, and they were permitted to return home.

These facts appear in an affidavit made by the applicant. He is without corroborating testimony, and your committee have been compelled to rely upon his statement as being true, it being vouched for by the affidavits of J. C. Brewer, L. N. Hollett, J. C. Bledsoa, and J. B. Keeves, who are four of the most reputable and well known citizens residing at Mr. Hancock's home, who testify that they have known him for thirty years and more, and that he is a man of undoubted truth and veracity. Mr. OWEN, who is the Representative in Congress from that district, states that he has known the family for many years, and that they are thoroughly reputable citizens, and are regarded as among the most upright and circumspect family in their community. Mr. Hancock is very poor.

In view of the fact that Mr. Hancock is one hundred and two years of age and is thus thoroughly indorsed, your committee believe that he is entitled to credit, and accept his statement as true, and therefore recommend that in lines 5 and 6 the words "according to the pension laws of the United States" be stricken out, and that "at $25 per month" be inserted, and thus amended that the bill do pass.

The amendment recommended by the committee was agreed to.

Mr. CHEADLE. There is a verbal amendment in the name. It is printed "Micagen" in the bill. It should be "Micager." I ask that it be corrected in the body of the bill and also in the title.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MYRON A. EASTMAN.

Mr. WRIGHT. I call up for consideration the bill (H. R. 11040) to relieve Myron A. Eastman of the charge of desertion.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove from the rolls and records in the War Department of the United States Army the charge of desertion now standing on said rolls and records against Myron A. Eastman, late of Company F, One hundred and seventh Regiment Pennsylvania Volunteers, and to grant to said party an honorable discharge.

The report by (Mr. WILLIAMS, of Ohio) is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 11040) to relieve Myron A. Eastman of the charge of desertion, submit the following report:

The official records show that this soldier was enrolled March 2, 1862, in Company F, One hundred and seventh Pennsylvania Volunteers, to serve three years; that he was captured at the battle of Gettysburgh, Pa., July 1, 1863, and that he was sent to the parol camp at West Chester, Pa., on the records of which he is borne as a deserter.

On June 21, 1863, he was reduced to the ranks from first sergeant. On January 28, 1865, while a deserter at large, he re-enlisted at Detroit, Mich., under the name of Myron B. Phillips, was assigned to Company G, Sixteenth Michigan Volunteers, and served faithfully therein until mustered out with the company July 8, 1865.

The evidence shows that he was very young when he first enlisted, but a mere boy. That after serving faithfully over a year he was promoted to be first sergeant of his company. That soon thereafter he was reduced to the ranks for the accidental discharge of his gun. Several of his comrades swear that it was purely an accident, and that the order reducing him to the ranks was cruel and unjust.

T. F. McCoy, late colonel of the One hundred and seventh Pennsylvania Volunteers, states that—

"During his absence on sick leave in June, 1863, the soldier was reduced to the ranks while on the march to Gettysburgh, without a hearing or any allowance or explanation, for an alleged disobedience of orders in the matter of firing, of which affiant does not believe him to have been guilty; that he (affiant) knows that General Paul would have restored him to duty as soon as the facts had been brought to his notice, but, the general having been wounded on the first day, it was impossible to have done so, circumstances combining to prevent justice being done."

W. J. Sheafer, late major of the same regiment, on March 19, 1890, confirmed the general statements of Eastman, and that when they arrived on the field of Gettysburgh he asked the lieutenant-colonel to reload the guns, but the latter refused on account of the orders of General Paul and that they were not allowed to load until the regiment went into action on the double-quick. Affiant is satisfied that if the matter had been referred (as was usual with such offenses, to the major) to him, the soldier would not have been reduced; and furthermore that Eastman was a good soldier.

Frank H. Wentz, late second lieutenant; P. H. Campbell, late corporal; and J. E. Allen, late private, all of Company F, One hundred and seventh Pennsylvania Volunteers, in separate affidavits corroborated the soldier's account of his treatment just prior to the battle of Gettysburgh.

After the soldier's reduction to the ranks he was captured during the battle of Gettysburgh, was paroled, and while at the parol camp at West Chester he was stricken with rheumatism and general debility, and his brother came and took him home. He was sick for a long time and unfit for duty. When he did finally recover he re-enlisted, as above stated, and served his country faithfully to the end of the war and received an honorable discharge, but under an assumed name.

As appears by the record, this boy-soldier was unjustly treated. Feeling his humiliation deeply, sick in body, and sore at heart, he did not return to his regiment. But as soon as he recovered he did return to the service of his country, and has ever been a loyal and reputable citizen since that time. He served faithfully as a soldier for about two years.

In war soldiers are compelled, on account of frail humanity, often to submit, seemingly, to hardships and oppressive discipline, and while such hardship and oppressive conduct on the part of those clothed with brief authority will not justify illegal acts on the part of the soldier and will not justify desertion, yet there may be cases exceptional in their nature which may not be justified and yet may be excusable.

Your committee believe that only simple justice will be done to this soldier by removing or correcting the charge of desertion from his record, and by directing an honorable discharge to be granted to him, and therefore recommend the passage of the bill.

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

Mr. MORRILL moved to reconsider the votes by which the several bill were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER *pro tempore*. The hour of 10 o'clock and 30 minutes having arrived, the House stands adjourned until 11 o'clock a. m. to-morrow.

EXECUTIVE AND OTHER COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following communication was taken from the Speaker's table and referred as follows:

FRAUDS UPON THE POST-OFFICE DEPARTMENT.

A communication from the Postmaster-General, transmitting facts and papers in answer to House resolution of August 16, 1890, reciting that frauds were charged to have been practiced upon the Post-Office Department by one Alexander J. Wedderburn—to the Committee on the Post-Office and Post-Roads.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was introduced and referred as follows:

By Mr. EZRA B. TAYLOR:

Resolved, That the Public Printer is hereby instructed to print in pamphlet form 5,000 copies of the bankrupt bill (H. R. 3316) as reported to the Senate from its Committee on the Judiciary;

to the Committee on Printing.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees were delivered to the Clerk and disposed of as follows:

Mr. STONE, of Kentucky, from the Committee on War Claims, reported with amendment the bill of the House (H. R. 7072) for the relief of William G. Halpin, accompanied by a report (No. 3027)—to the Committee of the Whole House.

Mr. BURTON, from the Committee on the District of Columbia, reported with amendment the bill of the House (H. R. 8551) for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, accompanied by a report (No. 3028)—to the House Calendar.

Mr. WILLIAMS, of Ohio, from the Committee on Military Affairs, reported with amendment the bill of the House (H. R. 11069) for the relief of Alfred Crayton, accompanied by a report (No. 3029)—to the Committee of the Whole House.

Mr. FUNSTON, from the Committee on Agriculture, to which were referred the following bills of the House:

A bill (H. R. 10928) to provide for fixing a uniform standard of classification and grading of wheat, corn, oats, barley, and rye, and for other purposes; and

A bill (H. R. 11468) authorizing the Secretary of Agriculture to establish uniform grades for grain;

reported, as a substitute therefor, a bill (H. R. 11895) to provide for establishing a uniform standard for wheat, corn, oats, barley, and other grains, and for other purposes; which was read twice, and, accompanied by a report (No. 3030), referred to the House Calendar.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a joint resolution of the following titles were introduced, severally read twice, and referred as follows:

By Mr. McCLAMMY: A bill (H. R. 11894) to provide for banks of deposit, and for other purposes—to the Committee on Banking and Currency.

By Mr. COLEMAN: A bill (H. R. 11901) to enable the Secretary of Agriculture to promote the industry of raising, decorticating, and ungumming fibers from fibrous plants, and the manufacturing of the same into fabrics in the United States—to the Committee on Agriculture.

By Mr. BINGHAM: Joint resolution (H. Res. 218) to allow the Postmaster-General to expend $10,000 to test at small towns and villages the system of the free-delivery service, and for other purposes—to the Committee on the Post-Office and Post-Roads.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BREWER: A bill (H. R. 11896) granting a pension to Mary Buckland—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 11897) to remove the charge of desertion from the military records of Edward Roche, late of Company G, Eleventh Regiment New York Volunteers—to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 11898) granting a pension to Mrs. Sarah Parks—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: A bill (H. R. 11899) granting a pension to Phœbe A. Sisson—to the Committee on Invalid Pensions.

By Mr. ROCKWELL: A bill (H. R. 11900) for the relief of Matilda Grippen—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER: Petition of 87 persons and 80 representative indorsements from the Sixth Congressional district of New York, asking for a national Sunday-rest law—to the Committee on Labor.

By Mr. BREWER: Papers relating to the claim of Mrs. Mary Buckland for relief—to the Committee on Invalid Pensions.

By Mr. BUCHANAN, of New Jersey: Petition of citizens of Burlington, N. J., for the passage of a national Sunday-rest law—to the Committee on Labor.

By Mr. COMSTOCK: Petition of 188 citizens of the Fifth Congressional district of Minnesota, in favor of a national Sunday-rest law—to the Committee on Labor.

By Mr. GEST: Petition of 59 citizens of Hancock County, Illinois, for a Sunday-rest law—to the Committee on Labor.

By Mr. HITT: Petition of 219 citizens of the Sixth Congressional district of Illinois, asking for a national Sunday-rest law—to the Committee on Labor.

By Mr. McDUFFIE: Petition of Willis Boston, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Andrew J. Ingle, for the same relief—to the Committee on War Claims.

Also, petition of F. C. Harris, for same relief—to the Committee on War Claims.

By Mr. MARTIN, of Indiana: Petition of Mrs. Amanda M. Carter, S. Carter, and 315 others, citizens of Grant County, Indiana, for a national Sunday-rest law—to the Committee on Labor.

By Mr. ROCKWELL: Petition of Matilda Grippen, for widow's pension—to the Committee on Invalid Pensions.

By Mr. TRACEY: Petition of U. S. Grant Post, 327, Grand Army of the Republic, opposing the removal of the remains of General Grant from their present resting-place—to the Committee on the Library.

SENATE.

SATURDAY, *August* 30, 1890.

The Senate met at 10 o'clock a. m.

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

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

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a copy of a communication of the 28th instant from the Commissioner of Indian Affairs, inclosing a draught of a joint resolution authorizing the transfer of certain appropriations for the Indian service on the books of the Treasury; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. EDMUNDS. I present a petition of the officers of the Woman's Christian Temperance Union, of Albuquerque, N. Mex., praying for the passage of the proposed law, or the substance of it, on the subject of the settlement of private land claims in that Territory, and representing the great injury to society and progress there, owing to the unsettled condition of land titles. I move that the petition lie on the table, as the bill has been reported.

The motion was agreed to.

Mr. MORGAN. I present a memorial in the nature of a protest from the colored people of Birmingham, Ala., and that vicinity, who met in mass meeting on the 15th of August, 1890, and who in their resolutions have preferred a request that I should present to the Senate this paper on behalf of the colored citizens of Birmingham, by Prince Robinson, chairman of the meeting, and the secretary.

I will call attention to one of the resolutions to show the purpose of the memorial, after various preambles and recitals in regard to this matter:

Resolved, That we, the colored people of Birmingham, Ala., in mass meeting assembled, do hereby enter our solemn protest against the passage of the said election bill.

I move that the memorial lie on the table and be printed.

The motion was agreed to.

Mr. HARRIS presented a petition of the National Woman's Christian Temperance Union, signed by 110 citizens of Tennessee, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. SHERMAN presented a petition of merchant tailors and clothing manufacturers, of Cincinnati, Ohio, praying for such amendment of sections 392 and 396 of the McKinley tariff bill, in regard to woolens and worsteds and ready-made clothing, as will prohibit the free importation of made-up wearing-apparel; which was ordered to lie on the table.

He also presented a petition with 172 individual signatures and 730 representative indorsements of citizens of Ohio, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented a petition of 320 citizens of Illinois, praying for the passage of a Sunday-rest law; which was referred to the Committee on Education and Labor.

Mr. EVARTS presented a petition of 235 citizens of New York State, praying for the passage of a national Sunday-rest law; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 11773) granting an increase of pension to Mrs. Mary B. Cushing, reported it without amendment, and submitted a report thereon.

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

A bill (H. R. 10350) granting a pension to Elizabeth Patten;

A bill (H. R. 10635) for the relief of Olive M. Hechtman; and

A bill (S. 3196) granting an increase of pension to Michael McGarvey.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 4352) for the relief of Basil Moreland, asked that the committee be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (H. R. 11417) to increase the pension of Cecilia I. Woods, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (H. R. 9212) to relieve John J. Murphy from the charge of desertion, asked that the committee be discharged from the further consideration of the bill, and that it be referred to the Committee on Naval Affairs; which was agreed to.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 9630) granting a right of way through and a right to terminal grounds in the State of Washington to the Portland and Puget Sound Railroad Company, and for other purposes, reported it with amendments.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2174) to remove the charge of desertion from Ellery C. Folger, reported it without amendment, and submitted a report thereon.

REPORT OF COMMISSIONER OF EDUCATION.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably the House concurrent resolution for printing the Report of the Commissioner of Education for 1888 and 1889 with certain amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The amendments of the Committee on Printing will be stated.

The CHIEF CLERK. After the word "printed," in the fourth line, strike out "twenty" and insert "and bound sixteen;" strike out "ten" in the fifth line and insert "eight;" and strike out "eight" in the sixth line and insert "twenty;" so as to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That of the Report of the Commissioner of Education for 1888 and 1889 there be printed and bound 16,000 copies for the use of the House, 8,000 for the use of the Senate, and 20,000 for the use of the Commissioner of Education.

The amendments were agreed to.

The resolution as amended was agreed to.

Mr. MANDERSON. I move that the Senate request a conference with the House of Representatives on its amendments to the concurrent resolution.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. MANDERSON, Mr. HAWLEY, and Mr. GORMAN were appointed.

BILLS INTRODUCED.

Mr. FAULKNER introduced a bill (S. 4362) granting a pension to Catharine A. Sharp; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4363) for the relief of the trustees of the Methodist Episcopal Church of Flat Woods, Braxton County, West Virginia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 4364) for the relief of H. H. Helper; which was read twice by its title, and referred to the Committee on Pensions.

REPORT OF AMERICAN HISTORICAL ASSOCIATION.

Mr. HAWLEY. I ask the Senate to take up the report made by the Printing Committee about two days ago in favor of printing the