SENATE.
FRIDAY, March 21, 1890.

Prayer by the Chaplain, Rev. J. G. Butler, D. D.
The Journal of yesterday's proceedings was read and approved.

AD TO COMMON SCHOOLS—PERSONAL EXPLANATION.

Mr. RANSOM. Excerpts from the papers this morning that there is some confusion with reference to my pair on what is known as the Blair educational bill, which was voted upon yesterday. I desire to state that I did not vote for the bill and the Senator from North Dakota [Mr. Casey], with whom I paired, would have voted against the bill, if we had been present.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT referred memorials of the Joint near Bakers and Confectioners' International Union of America, remonstrating against the ratification of the extradition treaty with Russia; which was referred to the Committee on Foreign Relations.

He also presented a petition of rebel states, John J. Keane, reciting the Michigan Catholic University of America, praying for the passage of the bill extending the line of the Eckington and Soldiers' Home Railroad; which was ordered to lie on the table.

Mr. YEST presented a petition of citizens and residents of the city of St. Louis, Mo., praying that the right to labor on public Government works and Government buildings be confined to citizens of the United States; which was referred to the Committee on Education and Labor.

Mr. SPINNER. I present resolutions adopted by William Evans Post, No. 58, Grand Army of the Republic, of Menominee, Wis., declaring that the Grand Army of the Republic in that State is in favor of the soldiers' pension bill and urgent that it be passed. I move that the resolutions be referred to the Committee on Pensions.

The motion was agreed to.

Mr. TURPIE presented a memorial of members of the North American Turnerbund residing in Minnesota, remonstrating against any alterations of the immigration and naturalization laws; which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Board of Trade of St. Paul, Minn., favoring the establishment of a navy-yard at New Orleans, La.; which was referred to the Committee on Naval Affairs.

He also presented resolutions adopted by Baxter Post, No. 158, Grand Army of the Republic, Department of Minnesota, favoring the passage of the service-pension bill; which were referred to the Committee on Pensions.

He also presented resolutions adopted by Wilkins Post, No. 19, Grand Army of the Republic, Department of Minnesota, favoring the legislation recommended by the pension committee of the Grand Army of the Republic in regard to pensions; which were referred to the Committee on Pensions.

He also presented a petition of the Bar Association of Polk County, Minnesota, praying for the payment of the bill dividing the district of Minnesota into two divisions, with the object of court to be held in each; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Minnesota, praying for legislation to prohibit fictitious transactions in farm products; which was referred to the Committee on Agriculture and Forestry.

Mr. FANWELL. I present a petition of citizens of Belleview, Ill., praying for such amendment of the laws in regard to the erection and construction of United States public buildings that aliens shall not be employed thereon; and I move that it be referred to the Committee on Education and Labor.

The VICE-PRESIDENT. The Chair will state for the information of the Senate that petition of a character similar to the one presented by the Senator from Illinois have been referred to three different committees, as the Chair is advised, the Committee on Foreign Relations, the Committee on Education and Labor, and the Committee on the Judiciary. What is the pleasure of the Senate?

Mr. EDMUNDS. For the object the petitioners have in view I think that it is a very wise course to take, because, speaking as a fisherman, if I fell in three or four drops I am more apt to catch something than if I fish in only one. [Laughter.] But I think, really, leaving the amusement of it apart, that the Committee on Education and Labor is the best one to consider these petitions; and when I get time I shall ask the Committee on the Judiciary to report back for reference to that committee the petitions that have gone to the Judiciary Committee.

The VICE-PRESIDENT. The petition will be referred to the Committee on Education and Labor.

Mr. COLQUITT presented a petition of 29 grantees of Patrons of Husbandry in the State of California, praying for the removal of the duty on jute and jute bagging and grain bags; which was referred to the Committee on Finance.

Mr. HARRIS presented a memorial of the Farmers' Exchange of Memphis, Tenn., remonstrating against the levying of a tax oncommodities produce, and referred to the Committee on Agriculture and Forestry.

Mr. WASHBURN presented memorials of the Single Tax League of Minneapolis, Minn., remonstrating against the passage of Senate Bill Nos. 1189 and 1190, for the making and altering of regulations as to the times, places, and manner of holding elections for Representatives in Congress; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the Society of Friends, of Minneapolis, Minn., remonstrating against the expenditure of money for the Navy and so-called coast defenses; which was referred to the Committee on Naval Affairs.

Mr. SHERMAN presented a petition of Subordinate Union No. 23, Warren, Ohio, Masons' International Union of America; a petition of Subordinate Union No. 87, of Tiffin, Ohio, Masons' International Union of America; a petition of Subordinate Union No. 39, of Springfield, Ohio, Masons' International Union of America, praying that none but citizens of the United States be employed on Government works; which were referred to the Committee on Education and Labor.

He also presented a memorial of the Monthly Meeting of Friends, of Clinton County, Ohio, remonstrating against large expenditures for the Navy and coast defenses; which was referred to the Committee on Naval Affairs.

Mr. VISER presented a petition of 94 citizens of Woodward and vicinity, in the State of Iowa, praying for the free coinage of silver; which was referred to the Committee on Finance.

Mr. STOCKBRIDGE presented a resolution adopted by the Farmers and Laborers' Association of Newaygo County, Michigan, praying for the free coinage of silver; which was referred to the Committee on Finance.

Mr. HARRIS presented a resolution adopted by the Board of Clinton County, praying that the right to labor on public works be protected; which was referred to the Committee on Education and Labor.

Mr. VISER. I present a large number of petitions from different parts of Nebraska, very numerously signed, praying for the free and unlimited coinage of silver. I move that the petitions be referred to the Committee on Finance.

The motion was agreed to; and the petitions were referred to the Committee on Finance, as follows:

A petition of 32 citizens of Nebraska;
A petition of 3 citizens of Saunders County, Nebraska;
A petition of 10 citizens of Nebraska;
A petition of 68 citizens of Nebraska;
A petition of 7 citizens of Nebraska;
A petition of 16 citizens of Nebraska;
A petition of 36 citizens of Nebraska;
A petition of 33 citizens of Nebraska;
A petition of 67 citizens of Nebraska;
A petition of 53 citizens of Nebraska;
A petition of 24 citizens of Nebraska.

Mr. MANDERSON presented a petition of McConihie Post, No. 45, Grand Army of the Republic, of Nebraska, praying for the passage of the service-pension bill; which was referred to the Committee on Pensions.

He also presented a memorial of citizens of Nebraska, remonstrating against the extension of time within which the Pacific railway companies shall pay their indebtedness to the Government; which was ordered to lie on the table.

Mr. TELLER presented two petitions of citizens of Boulder, Colo., praying for the free coinage of silver; which were referred to the Committee on Finance.

Mr. HOAR presented a petition of citizens of Waltham, Mass., praying 'for the amendment of certain laws of the United States in regard to work on public buildings; which was referred to the Committee on Education and Labor.

He also presented a petition of citizens of Massachusetts, praying for the passage of the Sunday-rest bill; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented sundry petitions of citizens of Macoupin, Moultrie, and Montgomery Counties, in the State of Illinois, praying for the passage of the Sunday-rest bill; which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

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

A bill (H. R. 15) to pension Julia Fleming; and
Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 3190) for the relief of John M. Robinson, asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1888) to establish a hospital and home for insane and demented insane in the District of Columbia, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3115) to punish the unlawful appropriation of the use of the property of another in the District of Columbia, reported it without amendment.

He also introduced a bill (S. 3229) granting a pension to Jared D. Wheelock, which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 3230) increasing the pension of Isaiah Mitchell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 3231) granting a pension to Kate M. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS also introduced a bill (S. 3232) granting a pension to Robert A. Stuart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 3235) to amend an act relating to the importing and landing of mackerel, etc., approved February 28, 1857; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Fisheries.

A bill (H. R. 3578) to increase the pension of Isaac Endley;

A bill (H. R. 1400) to prevent the introduction of contagious diseases from foreign ports into the interior of this country;

A bill (H. R. 3502) granting a pension to Mrs. Anna Butterfield;

A bill (H. R. 417) for the erection of a public building at Houlton, Me.

A bill (S. 1332) granting to the city of Colorado Springs, in the State of Colorado, certain lands therein described for water reservoirs.

Mr. PLUMB. I give notice that to-morrow, as the conclusion of the formal morning business, I shall ask the Senate to proceed to the consideration of the joint resolution which I have just reported.

Mr. COCKRELL. I desire to state that that is not a unanimous report by any means, and that a motion will be made when the joint resolution comes up to strike out the words providing that the examination of the joint resolution which I have just reported.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 249) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed, reported it with an amendment, and submitted a report thereon.

Mr. PIERCE. I ask that the action by which the bill (S. 1406) making appropriation for extending and repairing the military quarters at Fort Abraham Lincoln, North Dakota, was indefinitely postponed yesterday, be reconsidered, and the bill placed on the Calendar.

Mr. PLUMB. That order will be made if there be no objection. The Chair hears none and it is so ordered.

A bill introduced.

Mr. MANDESSON introduced a bill (S. 3206) providing for the extension of the coal laws of the United States to the district of Alaska; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FARWELL introduced a bill (S. 3210) granting an increase of pension to George W. Shears; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 3211) for the relief of Carl F. Kabler; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3212) for the relief of Jacob Barr; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PADOCK introduced a bill (S. 3213) to make the Commissioner of Fish and Fisheries an officer of the Department of Agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 3214) granting a pension to Mary S. Miller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3215) to remove the charge of desertion from the military record of De Witt C. Hood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MOODY. My colleague [Mr. PETTIGREW] has prepared two bills, but he is necessarily absent now on account of his position as member of the Committee on Immigration. At his request I introduce the bills for proper reference.

The bill (S. 3216) to ratify and confirm an agreement with the State of Washington, for the use of certain lands of the United States for the accommodation of the Indians of the Yakima Reservation, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs; and

The bill (S. 3217) to authorize the Pierce and Fort Pierre Pontoon Bridge Company to construct a pontoon bridge across the Missouri River at Pier 3, S. Dak., was read twice by its title, and referred to the Committee on Commerce.

Mr. O'KEEFE introduced a bill (S. 3218) for the relief of Adams & Wickersham by constructing a railroad bridge across the Missouri River at Pier 3, was read twice by its title, and referred to the Committee on Commerce.

Mr. BOURNE (by request) introduced a bill (S. 3219) to authorize the Wapato Company of Virginia to extend its line into and within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. REAGAN. If the Senator from Ohio will permit me and if it is the proper time now, I wish to present for consideration the amendment that I submitted on a former day.

Mr. SHERMAN. It would not now be in order. An amendment is pending.

Mr. REAGAN. It is an amendment in the second degree, and I believe that is allowable under the rules.

Mr. SHERMAN. If the Senator from Ohio will offer it now, very well.

Mr. REAGAN. I desire to do so now because I do not wish to cut out by some other amendment coming in ahead.

Mr. SHERMAN. Very well. Let it be pending.

Mr. REAGAN. I offer it now, not to interfere with the Senator from Ohio at all.
Mr. PLATT and Mr. ALLISON. Let it be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas to the amendment reported from the Committee on Finance the other day is this:

That is for the creation of any trust, or as owner or part owner, agent, or manager of any trust, employed in any business carried on with any foreign country, or between any State, or between any State and the District of Columbia, or between any Territory of the United States, or any owner or part owner, agent, or manager of any corporation using its power and authority for either of the purposes of this section, or who are deemed guilty of a high misdemeanor, and, on conviction thereof, shall be fined not more than $1,000, and be imprisoned not less than one year, nor more than two years, or by both of such penalties, in the discretion of the court trying the same.

Sec. 2. That a trust is a combination of capital, skill, or acts by two or more persons, whether incorporated or not, to manufacture or sell, transport, or to sell or transport, any such article, commodity, or mercantile article, commodity, or act, in restraint of trade; such as may be deemed injurious to the consumer of the same.

Sec. 3. That each day any of the persons, associations, or corporations aforesaid shall be engaged in violating the provisions of this act shall be held to be a separate offense.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Texas to the amendment reported from the Committee on Finance.

Mr. SHERMAN. Mr. President, I did not originally intend to make any extended argument on this trust bill, because I supposed that the public policy of the country in this matter is so strong, and the general necessity of some legislation so manifest that no debate was necessary to bring those facts to the attention of the Senate.

But the different views taken by Senators in regard to the legal questions involved in the bill, and the very able speech made by the Senator from Mississippi [Mr. GEORGE] relative to the details of the bill led me to the conclusion that it was my duty, having reported the bill from the Committee on Finance, to present in as clear and logical a way as I can, the legal and practical questions involved in the bill.

Mr. President, the object of this bill, as shown by the title, is "to declare unlawful trusts and combinations in restraint of trade and transportation, or to manufacture or sell, or transport or carry on any such article, commodity, or mercantile article, commodity, or act, in restraint of trade, such as may be deemed injurious or unlawful, and to provide for the punishment of all persons engaging therein, or entering into or executing or carrying out any such combination, either on his own account or as an attorney for another or as an officer, attorney, or as a trustee or in any capacity whatever, shall be guilty of a misdemeanor, and on conviction shall be punished by fine or imprisonment, in the discretion of the court.

The amendments, then, proposed by the Committee on Finance to the first section would be proper amendments to the third section, but not to the first, where they have the object of making the bill a remedial statute, would be construed liberally, with a view to promote its object. It defines a civil remedy, and the courts will construe it liberally; and they will prescribe the precise standard or figure whereby the price to the public shall be sustained by him. The measure of damages, whether merely compensatory, or vindictive, or both, is to be determined by the judgment of Congress. My own opinion is that the damages should be compensatory with the difficulty of maintaining a private suit against a combination such as is described.

These two sections are distinct and different in their scope and object. The first invokes the power of the National Government, in proper cases, to restrain such a combination, by mandatory proceedings, from interfering injuriously with the foreign and domestic commerce of the country, and the second section is to give to private parties a remedy for personal injury caused by such a combination.

The third section was added when the bill was first reported by the Committee on Finance which declares that all persons entering into such a combination, either on his own account or as an attorney for another or as an officer, attorney, or as a trustee or in any capacity whatever, shall be guilty of a misdemeanor, and on conviction shall be punished by fine or imprisonment, in the discretion of the court.

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In providing a remedy the intention of the combination is immaterial. The intention of a corporation can not be proven. If the natural effects of its acts are injurious, if they tend to produce evil results, if their policy is denounced by the law as against the common good, it may be restrained, be punished with a penalty or with damages, and in a proper case it may be deprived of its corporate powers and franchises. It is the tendency of a corporation, and not its intention, that the courts can deal with. Therefore the amendments first reported to the first section are not in the substitute.

The third section is a criminal statute, which would be construed strictly and is difficult to be enforced. In the present state of the law it is impossible to describe, in precise language, the nature and limits of the offense in terms specific enough for an indictment. This section is applicable only to individuals.

A corporation can not be indicted or punished except through civil process. The criminal law can only reach officers or agents employed by the corporation. Whether this law should extend to mere clerks, as was proposed in the third section, is a matter of grave doubt. But it is conducted by the corporation, and if they shall not be punished or threatened for the offenses of others. I am, therefore, clearly of the opinion that at present it is not wise to include this section in the bill. It may be that the limits of the power of Congress over the subject-matter shall be defined by the courts.

It is sometimes said that without this section the law could be nugatory. I do not think so. The powers granted by the first section are ample to check and prevent the great body of illegal combinations that
I...intentions of the tendency of section is retained the amendments first proposed by the Committee...able combinations that now threaten the...interstate commerce and our revenue Jaws, and in this way to sup...
able pretexts of associated or corporate wealth and power.
people of the...described in the...kinds.
Such...development of our...
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The right to combine the capital and labor of two or more persons in a given pursuit with a community of profit and loss under the name of a partnership is open to all and is not an infringement of industrial liberty, but is an aid to production. The law of partnership clearly defines what is usual and what is unlawful. The same business is open to every other partnership, and, while it is a combination, it does not in the slightest degree prevent competition.
The right of labor and capital to enter into a corporation to carry on any lawful business is a proper and useful expedient, especially for great enterprises of a quasi public character, and ought to be encouraged and protected as tending to cheapen the cost of production, but these corporate rights should be open to all upon the same terms and conditions. Such corporations, being mere creatures of law, can only exercise the powers specially granted and defined. Experience has shown that they are the most useful agencies of modern civilization. They have enabled individuals to unite to undertake great enterprises, only attempted in former times by powerful governments. The good results of corporate power are shown in the vast development of our railroads and the enormous increase of business and production of all kinds.

When corporations unite merely to extend their business, as connecting lines of railway without interfering with competing lines, they are properly called "combinations of business." Corporations formed for the purpose of lowering the cost of production, and bring within the reach of millions comforts and luxuries formerly enjoyed by thousands. Formerly corporations were special grants to favored companies, but now the principle is generally adopted that no private corporation shall be created with exclusive rights or privileges. The corporate rights granted to one are open to all. In this way more than three thousand national banks have been formed with the same rights and privileges, and the business is open to all competitors. In most of the States general railroad laws provide the terms on which all railroads may be built, with like rights and privileges to all corporations open to any one, and tend to promote free competition of all on the same conditions. They are mere creatures of the law, to exercise only well defined powers, and are not in any way interfered with by this bill.

This bill does not seek to cripple combinations of capital and labor, the formation of partnerships or of corporations, but only to prevent and control combinations made with a view to prevent competition, or for the purpose of increasing the profits of the individual at the cost of the consumer. It is the unlawful combination, tested by the rules of common law and human experience, that is aimed at by this bill, and not the lawful and useful combination. Unlawful combinations are expressly forbidden by the several States, and there is not an advantage to increase the profits of the individual at the cost of the consumer. It is the unlawful combination, tested by the rules of common law and human experience, that is aimed at by this bill, and not the lawful and useful combination. Unlawful combinations are expressly forbidden by the several States, and there is not an advantage to increase the profits of the individual at the cost of the consumer. It is the unlawful combination, tested by the rules of common law and human experience, that is aimed at by this bill, and not the lawful and useful combination. Unlawful combinations are expressly forbidden by the several States, and there is not an advantage to increase the profits of the individual at the cost of the consumer.

That the Standard Oil Company and George Rice were competitors in the business of refining oil; that each obtained supplies in the neighborhood of a much corporation may be, and usually...

I do not wish to single out any particular trust or combination. It is not a particular trust, but the system I am at. I will only cite a very few of the cases of combinations that have been the subject of judicial or legislative inquiry, to show what has been and what can be done by them.

I quote from the opinion of Judge Baxter, in the...
defendant, filed in the supreme court of Pennsylvania for the western district of Pennsylvania, and the plaintiff, then the president in charge of the transportation department of the Pennsylvania Railroad Company, testified that the Standard Oil Company were receiving over and above current drawbacks the following rebates and allowances in the same cases: Forty-nine cents per barrel on crude oil from the Bradford oil region to tide water; 619 cents per barrel on crude oil from the lower oil region to tide water; and 63 cents on refined oil from Cleveland to tide water.

In the year 1878 the railroad shipments of oil had reached 13,700,000 barrels. Assuming 50 cents of this to be the traffic of the Standard Oil Company, the parties to it, and they were paying to the railroad companies, the annual illegal receipts by the Standard Oil Company would have been $5,450,000, not including the receipts of the American Transfer Company from such traffic as was not embraced within the 50 per cent. of the Standard Oil Company.

Another case of unlawful combination was the case of David M. Richardson vs. Russell A. Alger, et al., recently decided in the supreme court of the State of Michigan. I have the opinion by the chief-justice which sufficiently states the nature of the combination and the view taken of it by that court. This is quite a leading case. In order that I may not do injustice to any one I will lay before the Senate the judgment and reasoning in full, as expressed by the judges of the supreme court of Michigan:

Supreme court of the State of Michigan.

[D. M. Richardson vs. Russell A. Alger et al. Filed November 15, 1889.]

Mr. SHERMAN. I will insert in my remarks the decision of Mr. Justice Piatt which I am now reading it at this time.

Mr. GEORGE. The object of the corporation is to make money by holding it in its power to raise the price of oil, to discriminate thereon to be made to it at its pleasure.

Mr. SHERMAN. The supply of the article and the price thereof are made to depend upon the action of a half-dozen individuals, more or less, to satisfy their capacities and avocations. The controlling interest in this corporation—an artificial man—performed by a single motive or purpose, which is to accumulate money, regardless of the wants and necessities of over sixty millions of people.

The act has completely under its control has, for the last fifty years, come to be regarded as one of necessity, not only in every household in the land, but one of daily use by almost every individual in the country. It is difficult to conceive of a monopoly which can affect a greater number of people, or one more extensive in its effect on the country, than that of the Diamond Match Company, which in fact has been organized by the Standard Oil Company, by which oil is openly and bodly avowed. Not only does this appear in its organization and in the effect of all the modes and means of controlling the same, but it is also apparent, when it is carried into, on the testimony of General Alger himself avers it and settles its character beyond a shadow of a doubt. The corporation is manufacturing the article in business in which it is engaged in making friction matches. Its articles provide for the absolutely free access of capital, sufficient to buy and absorb all of that kind of business done in the United States and Canada, and to prevent and suppress all competition, and engaging in it as a necessary trade, and thereby preventing all competition in the sale of the articles manufactured.

The fact is the mode of conducting the business and the manner of carrying it on. The sole object of the corporation is to make money by holding it in its power to raise the price of oil, to discriminating thereon to be made to it at its pleasure.

It thus appears the supply of the article and the price thereof are made to depend upon the action of a half-dozen individuals, more or less, to satisfy their capacities and avocations. The controlling interest in this corporation—an artificial man—performed by a single motive or purpose, which is to accumulate money, regardless of the wants and necessities of over sixty millions of people.

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Mr. SHERMAN. There is a case in which the courts have held that the contract entered into by the grain dealers of Illinois was an unlawful combination and a restraint of trade, and consequently void on the ground of public policy.

Mr. SHERMAN. There is the case of Wright vs. Allen, 13 Illinois Reports, it was decided in the supreme court of Illinois, reported in the seventy-ninth volume of Illinois Reports. Where was this? It is in the discretion of the company at any time to raise the price to an exorbitant degree. Such combinations have frequently been condemned by courts as unlawful and against public policy.
I find another case, that of the Chicago Gas-Light and Coke Company vs. the State of New York and Coke Company, on page 611, 122 U.S. Reports, in which it appears that the Chicago Gas-Light and Coke Company was incorporated in 1849 with the exclusive privilege of supplying Chicago and its inhabitants with gas for a period of ten years. Subsequently, the same privilege was granted to the People of New York. The Gas-Light and Coke Company, was chartered, with power to manufacture and sell gas in the city of Chicago and to erect the necessary apparatus for that purpose, with the right to lay their pipes in the streets of the city. Subsequently the two companies divided the city between them, allowing each the exclusive right of supplying gas therein for one hundred years and stipulating that neither would interfere with the other's business in its own territory.

Here is the judgment of the court setting aside that contract as preventing competition, as null and void by the rules of the common law. I have only now been able to get this, but I will see that it is quoted from the regular report, and will read the brief statement I have:

The defendant company, claiming as the assignee of the exclusive privilege in the territory set off to it, filed a bill against the other for a specific performance of the contract of assignement. The court refused the relief sought, holding "... that the grant of the Legislature intended to do away with the monopoly" granted under the first; "that, although the contract involved a partial restraint of trade, and therefore might not, by the general rule of law, be invalid, yet that the general rule does not apply to corporations engaged in a business in which the public have an interest," and that the contract was void.

In a recent case, that of the People of Illinois vs. The Chicago Gas Trust Company, which I find reported in a later paper—

the trust combination consisted of a new corporation holding a separate charter. Under the terms of the temporary charter, in applying for its charter, the Gas Trust Company stated the objects of its incorporation to be "the erection and management of gas works, sale, and distribution of gas, and the purchase and holding or controlling of the stock of any gas company or companies in the city of Chicago, or elsewhere in Illinois." Having received its charter the company purchased a large portion of the stock of each of the gas companies doing business in Chicago, four in number.

The information charges that, by purchasing and holding a majority of the shares of the different companies and adopting a uniform design to prevent competition, to break it down wherever it appears to threaten their interest.

I have seen within a few days in the public prints a notice of a combination intended to affect the price of silver bullion, as follows:

W RITING A WALTER 25 MILLION DOLLARS,

CHICAGO, March 2.

The Herald to-day says that, with the exception of five companies, all the remaining 14 silver bullion companies in the United States have formed a trust, which is a capital of $25,000,000, of which $15,000,000 is to be common stock and the rest preferred.

If such a combination is formed it will enable a few corporations in different States to corner the Government of the United States in its proposed effort, by a bill pending in the Senate, to purchase silver bullion. To so change the rate of exchange and currency, and thereby to unduly enhance prices. I have before me, admits that certain combinations are null and void always:

When I speak of unrestricted combinations I do not mean that such a combination is unlawful, against public policy, with power enough to control the operation of your laws, and destructive to all competition which you invite? It is scarcely necessary on this point to quote further from the law books. Every decision or decree on the law of contracts agrees in denouncing such a combination.

Judge Gibson, in the case of the Commonwealth of Pennsylvania vs. Carlisle, states the general principle in terms and vigorous language:

A combination is criminal whenever the act to be done has a necessary tendency to prejudice the public or to oppress individuals by unjustly subjecting them to the power of the confederates, and giving effect to the purpose of the latter, whether of extortion or of mischief.

The solicitor of the Standard Oil Trust, Mr. Dodd, in an argument which I have before me, admits that certain combinations are null and void always:

Third. Where the purpose and effect of the combination is to limit production, or thereby to unduly enhance prices.

These things are just as unlawful without combination as with it. In other words, the trust is not in the combination but at will enhance, or depress the price of a commodity by malice or malice, to produce an artificial or definite production. The difficulty of effecting the unlawful purpose may be
I accept the law as stated by Mr. Dodd, that all combinations are not void, a proposition which no one doubts, but I assert that the tendency of the so-called monopolistic combinations, such as those composed of great corporations of wealth and power, and the inevitable effect of them, is to prevent competition and to restrain trade. This must be manifest to every intelligent mind. Still this can not be assumed as against any combination unless upon a fair and competent jurist to create a monopoly and to prevent competition composing such combination is necessarily injurious to the public and destructive to fair trade. These modern combinations are uniformly composed of corporations and corporations of wealth and power and have been only dealt with by a jurisdiction as broad as their combination. The State courts have held in many cases that they can not interfere in controlling the action of corporations of other States. But when the subject is one of thickening the chocolate, the courts may control their action within the limits of the State, but when a trust is created by a combination of many corporations from many States, there are no courts with jurisdiction broad enough to deal with them except the courts of the United States.

I admit that it is difficult to define in legal language the precise line between lawful and unlawful combinations. This must be left for the courts to determine in each particular case. All that we, as lawmakers, can do is to declare general principles, and we can be assured that the courts will apply them so as to carry out the meaning of the law, as the courts of England and the United States have done for centuries. This bill is only an honest effort to declare a rule of action, and if it is imperfect it is for the wisdom of the Senate to perfect it. Although this body is always conservative, yet, whatever may be said of it, it has never been averse to prescriptive rejoicings. Jurisdiction in the courts broad sense, but the rights of individuals as against associated and corporate wealth and power.

It is sometimes said of these combinations that they reduce prices to the consumer. This is a mistaken method of production, but all experiments shows that this saving of cost goes to the pockets of the producer. The price of the combination already includes the single generation out of the concentration of capital into vast combinations.

The very words of "cases arising under this Constitution, the laws of the United States and treaties made, or which shall be made, under their authority." This clause extends the jurisdiction of the courts to all the cases described without making it in terms any exceptions whatever, and without any regard to the condition of the party. If there be any exception, it is to be implied against the express words of the article.

It is settled that a jurisdiction as broad as their combination. The courts of the United States are created and are to be exercised entirely on the character of the parties. In this are comprended "controversies between two or more States, between the citizens of another State, and between a State and foreign states, citizens, or subjects." If these be the parties, it is entirely unimportant what may be the subject of the controversy, for these parties have a constitutional right to come into the courts of the United States.

The same question was involved in the celebrated case of Osborn vs. Bank of the United States (9 Wheaton, page 738), in which it was contended that the courts of the United States could not exercise jurisdiction because several questions might arise in such suits, which might depend upon the general principles of law, and not upon any act of Congress. It was held that Congress constitutionally possess the power and had rightfully conferred it in that charter. Chief-Justice Marshall said there, in one of the most famous of his opinions involving grave constitutional questions:

"A cause may depend upon several questions of fact and law. Some of these may depend upon the construction of a law of the United States: others, on principles unconnected with that law.

"It was held in that case that the Bank of the United States being created by Congress the right might be conferred upon it by Congress to sue in the courts of the United States without respect to the nature or character of the controversy.

"Now, giving the bank a right to sue in the circuit courts of the United States stands on the same principle with the acts authorizing officers of the United States who sue in their own names to sue in the courts of the United States.

"If it be said that a suit brought by the bank may depend in fact altogether on questions unconnected with any law of the United States, it is equally true with respect to suits brought by the Postmaster-General."

"Cases may also arise under laws of the United States by implication as well as by express enactment, so that due redress may be administered by the jurisdiction of the United States."

This goes to show that, the jurisdiction once acquired by having the parties before the court, it extends to any kind of remedial jurisdiction, any kind of a case.

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Chief-Justice Marshall says—

why the words "cases in equity" are found in this clause. What equitable causes can grow out of the Constitution and treaties of the United States? It is in the general answer of the Federalist papers at once clear and satisfactory. There is hardly a subject of litigation between individuals which may not be regulated by constitutional principles. What is the argument which would render the matter an object of equitable rather than of legal jurisdiction, as the distinction is known and established in several of the States. It is the peculiar province, for instance, of a court of equity to relieve against what are called frauds.

These are controversies of a more direct and less specious kind, for they have been no precedent for a suit in a court of law, yet there have been some suits and concessions, which it has been necessary to enforce, that the State courts would not entertain.
as a rule of remedial justice the common law of England as administered by courts of law and equity.

Judge Story, in his work on the Constitution, volume 2, page 483, says:

"What is to be understood by "cases in law and equity" in this clause? Plainly, cases involving property imported into the United States, arising under the laws relating thereto and with which the American States were familiarly acquainted. Here, then, at least, the Constitution of the United States has no power to punish by any immediate process at the bar of any court, making it a rule in the pursuit of remedial justice in the courts of the Union. If the remedy must be in law or in equity, according to the course of proceedings at the bar of the courts of the United States, it would seem inconsistent to lay down the principles of decision by which these remedies must be administered must be derived from the customs brought with them upon their emigration, and with which all the lawyers encouraged with compensation far beyond the limits allowed the States.

It is clearly within the power of the President to follow a broader and more comprehensive bill. That had no such word in it. Mr. SHERMAN. That has no such word in it; but when the bill came back from the committee it did have the word in it.

Mr. SHERMAN. The original bill was proposed by the Senator from Ohio.

Mr. SHERMAN. That had no such word in it.

Mr. GEORGE. That had no such word in it, but when the bill came back from the committee it did have the word in it.

Mr. SHERMAN. But the bill as it comes from the committee now has certainly no such word in it. It was proposed as an amendment, but has no place in the first section. The language is: "made with a view or which tend." The "intention" can not be proved, though the tendency is the test of legality. The intention is the test of a crime.

And so through all his speech he quotes the phrases of "a certain specified intent," "specific intent," "penal legislation," "reasonable necessity," "shall be punished," most of which is Lindley's. He treats this bill, he says, as he does the Constitution of the United States, something to be evaded, to be strictly construed, instead of being what it is, a remedial statute, a bill of rights, a charter of liberty. No doubt it is partly justified in its language, but not admitted by the President and the Senate, and the President and the Senate would be subject to his criticism, and which I will join him in striking out.

Mr. SHERMAN. It was an amendment proposed by the committee?

Mr. SHERMAN. Yes. Mr. President, what is this bill? A remedial statute to enforce by civil process in the courts of the United States the common law against monopolies. How is such a law to be construed? Literally with a view to promote its objects. What are the evils complained of? They are well depicted by the Senator from Mississippi in this language, and I will read it as my own with quotations.

Mr. SHERMAN. "These trusts and combinations are great wrongs to the people. They have invaded many of the most important branches of business. They operate with a double-edged sword. They increase beyond reason the cost of the necessaries of life and business, and they decrease the cost of the raw material, the farm products of the country. They regulate prices at their will, depress the price of what they buy and increase the price of what they sell. They aggregate to themselves great, enormous wealth by extortion which makes the people poor. Then, making this extorted wealth the means of further extortion from their unfortunate victims, the people of the United States, they pursue unmolested, unrestrained by law, their careless round of speculation under the law, till they are fast producing that condition in our people in which the great mass of them are the servants of those who have aggregated wealth and power.

One would think with this conception of the evil to be dealt with he would for once turn his telescope upon the Constitution to find out power to deal with so great a wrong, and, as he did not, as usual, to reverse it, to turn the little end of the telescope to the Constitution, and then, with subtle reasoning, to dissipate the powers of the Government, would soon sink into discredit and be forgotten.

He overlooks the judicial power of the courts of the United States extending to all cases where the United States is a party, or where a State may sue in the courts of the United States, or where citizens of different States are contesting parties with full power to apply for a mandamus. He ignores the word "cases" in the Constitution.

Mr. SHERMAN. The word "intention" is not in the bill. It was proposed as an amendment.

Mr. GEORGE. It was in the bill as reported.

Mr. SHERMAN. Ah, it is an amendment to the bill.

Mr. GEORGE. By the Committee on Finance?

Mr. SHERMAN. Yes, but the Senator treated it as being a part of the bill. It was a proposed amendment to the bill and was never accepted.

Mr. SHERMAN. The original bill was proposed by the Senator from Ohio.

Mr. SHERMAN. That had no such word in it.
of Congress extends to all commerce, except only that limited within the bounds of a State.

Under this power no bridge can be built over a navigable stream except by the consent of Congress. All the network of railroads crossing from State to State, from the east to west, and even a canal is subject to be curbed, regulated, and controlled by the power of Congress over commerce. Most of the combinations aimed at by this bill are directly engaged in this commerce. They command and control in a great extent the operations of their own commerce. They have invented or own new modes of transportation, such as pipelines for petroleum or gas, reaching from State to State, crossing farms and highways and public property.

One vast province Congress cannot protect the people from combinations in restraint of trade that are unlawful by every code of civil law adopted by civilized nations? It may "regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes."

These combinations strike directly at the commerce of the United States, and foreign commerce. These combinations unite the interests of the productions of different States; they unite the interests of the States, the commerce of the city remote from the places of production, and increase of home industries. The benefit of the public is great. They are enemies to such commerce.

In the present day, more than ever before, it is necessary that the powers of Congress be properly defined and understood. The object aimed at by this bill is to add to the chartered power Congress can not protect the people from combinations in restraint of trade that are unlawful by every code of civil law adopted by civilized nations? It may "regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes." They power Congress can not protect the people from combinations in restraint of trade that are unlawful by every code of civil law adopted by civilized nations? It may "regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes." They can and will evade this bill. Their power for mischief will be greatly crippled by this bill. Their right to such commerce.

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such person, copartnership, or corporation, or association, during the previous week, together with a statement of the articles or articles embraced in or covered by said contracts, agreements, or transactions, respectively, of each, and the name of the party or parties with whom such contracts or agreements have been made, and at the same time to pay to such collector the amount of the tax hereinafter prescribed on each and every such contract or agreement.

Sec. 5. That every person who shall, in his own behalf or in behalf of any other person, make any contract, agreement, or transaction, or enter into any option or "futures" contract or agreement, as defined by this act, without having a certain bond, or without giving bond, or without making or entering into such bond as is required of the party or parties entering into such contract or agreement, shall be liable to a fine of not less than $5,000, or more than $10,000, to be imposed by the court of the United States, or to imprisonment for not more than six months or more than two years, or to both such fine and imprisonment.

Sec. 6. That the bill be referred to the committee on finance.

Sec. 8. That the Senate report the same to the House of Representatives, with the recommendation that it be favorably reported.

Sec. 9. That the Speaker be directed to send a copy of the bill to the Senate of the United States.

Mr. VEST. Mr. President?

Mr. SHERMAN. I ask unanimous consent that the substitute report be considered as a committee amendment to the bill, and this motion be considered as the text of the bill. It will be more convenient in offering amendments.

Mr. INGALLS. Then the amendment I have just submitted will be an amendment to the second degree and in order.

Mr. SHERMAN. It will be in order.

Mr. INGALLS. And the pending question?

The PRESIDING OFFICER. The pending question would then be on the amendment proposed by the Senator from Kansas. The Chair understands this to be the position of the question.

Mr. REAGAN. I understand the amendment offered by the Senator from Ohio is the amendment reported from the Committee on Finance.

Mr. SHERMAN. That is the amendment reported from the Committee on Finance.

Mr. REAGAN. I have offered an amendment to that in the nature of a substitute, which is pending. That is an amendment in the second degree.

The PRESIDENT. The Senator will state the parliamentary ground.

Mr. REAGAN. The substitute report is dated the 18th day of March, and is considered as the original bill for the consideration of the Senate. The amendment proposed by the Senator from Texas [Mr. REAGAN] is an amendment in the first degree, and that the Senator from Ohio [Mr. VEST] has an amendment in the second degree. The question now is on the amendment proposed as a substitute by the Senator from Kansas, on which the Senator from Ohio is the amendment reported.

Mr. VEST. Mr. President, no one can exaggerate the importance of the question pending before the Senate or the intensity of feeling which exists, especially in the agricultural portions of the county in regard to this bill. I take it that there will be no controversy with the Senator from Ohio as to the enormity of the abuses that have grown up under the system of trusts and combinations which now prevail in every portion of the country. That we desire to do nothing; what we can accomplish under the autonomy of our Government is another.

We live, very fortunately, in my judgment, under a written Constitution, and we are governed by the decisions of the Supreme Court in regard to the Constitution, and the Constitution, considered in the Constitution of the United States is the supreme law of the land, if in accordance with the Constitution. I deprecate as much as the Senator from Ohio can possibly do that spirit of hypercriticism which is to consider the Constitution of the United States as a bill of indictment. I believe that it is a great bill of human rights, conservative, liberty-preserving, liberty-administering; and it is conservative, it preserves and administers liberty because it is conservative. I have said that it is given to us to legislate as it sees proper, under the general and nebulous presumptio of the general welfare, without regard to the grants that are made by the people to them as their legislative servants. 

Senator from Ohio and the amendment which he offers now as a substitute, the attempt is made under one of the other of these two classes of jurisdiction, and then, permit me to say respectfully, by an unconstitutional and infamous commission of the two to give the power to Congress to pass this proposed act.

I know how ungrateful and dangerous it is now for a public man to oppose this terrible evil, this enormous abuse of trusts and combines which the entire country is properly denouncing. I appreciate fully the significance of the remarks of the Senator from Ohio when he says that unless relief is given, to use the language of Mr. Jefferson, "worse will follow.

But, sir, even in the face of the popular indignation which may be visited upon any one who criticizes any measure that looks to the destruction of this evil, I cannot violate any oath to support the Constitution and all the habits of thought which have come to me as a lawyer educated and trained in my profession. As I said, what we want is one thing, what we can do is another; and for Congress to pass a law which will be thrown out of the Supreme Court under the terrible criticism that any such law must invoke is simply to subject ourselves to ridicule and to say to our constituents that we are powerless to enact laws which will give relief.

We are bound to go through the crucible of a legal criticism which will avail itself of the highest legal talent throughout the entire Union. It will go through a furnace not seven times but several seven times heated and with the utmost efforts to be able to pass the amendments, it goes without saying, are on the side of the corporations and of aggregated wealth.

Without invoking this spirit of hypercriticism, which the Senator from Ohio deplores, let us look at the provisions of the original bill and then of the amendment which he proposes shall take its place. In the original bill the Senator from Ohio undertakes to derive jurisdiction, for he invokes, not upon the fact that persons living in different States, not between corporations whose stockholders are citizens of different States, but between "persons or corporations", made with a view or which tend to prevent full and free competition in the production, manufacture, or sale of articles of domestic growth or production, or domestic raw material which competes with any similar article upon which a duty is levied by the United States, or which shall be transported from one State or Territory to another, etc.

Here the Senator from Ohio puts the legislative jurisdiction of Congress, which he invokes, not upon the fact that persons living in different States, or persons residing in different States, or between corporations whose stockholders are citizens of different States, but between "persons or corporations".

That all arrangements, contracts, agreements, trusts, or combinations between persons or corporations are unlawful. 

No between corporations or persons residing in different States, not between corporations whose stockholders are citizens of different States, but between "persons or corporations".

But it must be subjected to the crucible which was brought here by the Senator from Ohio in the same dispute upon a constitutional question. After that argument was made the Senator from Ohio found it necessary to amend this original bill, and it did so by putting into it another element of jurisdiction; and that was the character of the citizen, in addition to the jurisdiction he had already invoked as subject-matter. This is evident from the first clauses of the substitute.

That all arrangements, contracts, agreements, trusts, or combinations between persons or corporations are unlawful.

Now, there is the original bill, and if it had stopped there the substitute would have agreed with it, but mark the addition or both, of different States, or between two or more citizens or corporations, or between a citizen and a foreign State, or corporation, or state, or between a citizen and a foreign State, or corporation, or state, or between a citizen and a foreign State, or corporation, or state, or between a citizen and a foreign State, or corporation, or state.

It is plain that the Senator from Ohio, recognizing the weakness of the original bill, then determined to amend the original bill reported from the Senate, which is found in the Constitution of the United States and the judiciary act of 1789, that citizenship in different States conferred Federal jurisdiction.

We may see if the Senator by any such process as that can evade the argument made by the Senator from Mississippi. Sir, I shall not attempt to make any elaborate argument, but will simply read the Constitution and then invite the Senate to consider the legislative jurisdiction which this bill can confer. The Constitution of the United States provides as to the judicial power as follows:

"The judicial power shall extend to all cases, in law and equity."
If it had stopped there much of the argument of the Senator from Ohio would have been dependent upon it; but it goes further. All cases, in law and equity, arising under this Constitution, that is to say, you must find the jurisdiction within the limits of this instrument.

Mr. SHERMAN. I do not want to interrupt the Senator, but he mentioned cases relating to cases in law and equity when there is an independent clause relating to controversies between citizens of different States.

Mr. VEST. I will come to that.

Mr. SHERMAN. The decisions of Chief-Justice Marshall set forth the power distinctly.

Mr. VEST. I do not think there will be any disagreement among lawyers to the meaning of this clause. I am simply analyzing the grants of the Constitution.

Mr. SHERMAN. I think Chief-Justice Marshall was a pretty good lawyer.

Mr. VEST. I am taking the clauses as they come. The first is:

All cases in law and equity arising under this Constitution—

Under this particular instrument, coming from the Constitution itself—

the laws of the United States—

There is another grant—

and treaties made, or which shall be made, under their authority.

Now, there are three distinct clauses of jurisdiction: first, under the Constitution; second, under the laws made in pursuance thereof; next, under the treaties made with foreign countries. It proceeds: To all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; and to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens or subjects.

Mr. President, let us take these clauses separately and see whether the power to pass this bill can be found under all or any of them. I shall reserve until the last my comments upon the first clause, which is the broadest, and all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority, because I think it can be established beyond all doubt that the jurisdiction which is not found in the Constitution itself—

This points that if this bill can be sustained at all, it is because there is a clause in the Constitution which authorizes it outside of the other clauses, which I shall proceed to enumerate. For instance, the next clause is:

To all cases affecting ambassadors, other public ministers, and consuls.

Unquestionably the power is not there. No minister, no consul is involved in this legislation.

To all cases of admiralty and maritime jurisdiction.

Unquestionably it is not found there, because the bill proposes only to affect contracts made upon land, not upon the ocean, and there is no admiralty or maritime question involved.

Next:

To controversies in which the United States shall be a party.

Unquestionably there is no litigation between citizens of different States in which the United States is a party. If there is not a litigation between two or more States, there is probably a controversy which the Constitution gives Federal jurisdiction to the Supreme Court.

Mr. President, I have not said in this discussion the direct criminal proceeding in the name of the United States against the parties composing this trust and against the trust itself. There is no machinery provided for any proceeding by the United States in its amendment; but only the uncertain statement that the United States may proceed by quo warranto, injunction, or otherwise. In his original bill he fixed criminal proceeding on the part of the Government of the United States against these trusts and he struck it out in the substitute. He has eliminated from this discussion the direct criminal proceeding in the name of the United States against the parties composing this trust and against the trust itself.

To controversies between two or more States.

Unquestionably the bill is not under that clause.

Between a State and citizens of another State.

There is nothing in this amendment which gives jurisdiction under that clause.

Between citizens of different States, citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects, or of different States.

Of course there will be no contention that the jurisdiction is found under that clause. It must be then found under the clause:

Unquestionably there is any litigation between citizens of different States.

Mr. SHERMAN. Those are the two clauses to which I referred. I did not claim any other power.

Mr. VEST. Unquestionably where there is any litigation between citizens of different States, or corporations, or of different States, or both, of different States, or both of different States, and foreign States, citizens, or subjects, or of different States.

Not where there are litigants, not where one is plaintiff and the other is defendant. There is where the Constitution gives Federal jurisdiction. If the corporation itself is composed of citizens of different States then this jurisdiction attaches, and they can sue each other when this citizen can live in the same State with the corporation. There is this distinction.

Let me say that it excludes all the remedy that can be given to any citizen of the United States against the enormous evils depicted by the Senator from Ohio, because it will not be passed and the Supreme Court of the United States decides it constitutional, you will never hear of the corporation which proceeds to create or manipulate a trust that does not have the power of its stockholders all in the same State. That goes without saying, and it is to impute idiocy to the men whose schemes and machinations we are now attacking to suppose that they would do anything else. The idea that they, with the best counsel in the United States and even in the world, with the highest legal talent upon their side, will not immediately construct their corporations so as to nullify such a law is to impute to them a degree of mental imbecility that is simply incredible.

The Senator makes no distinction between the parties to the suit and the composition of the corporation which is itself a plaintiff or a defendant. He puts this jurisdiction upon something unknown to the Constitution, and I believe it is not found there, because the bill proposes only that if we enacted this into law the Supreme Court of the United States would immediately confront us with that clause of the Constitution and the judicial act of 1789 and throw the case out of court.

It is very obvious that this attempt to invoke the web and web of the judiciary act of 1789, which was made in pursuance of the clause of the Constitution that I have read, is an uncertain cumulation of authorities utterly incompetent to uphold this bill. The language of the bill is plain. I have read it. I do not see what the Senator is driving at.

Between two or more citizens or corporations—

The corporation is considered as a unit and the citizen as a unit—

or both of different States. This must be some persons and some corporations, distinct and separate personalities, not citizens who are members of the corporation. There is no such provision.

Mr. VEST. I am very unfortunate in my expressions if I have not made the Senator understand me.

Mr. SHERMAN. I think the Senator is unfortunate, although he is not very often so.

Mr. VEST. Here is what I mean, and I think the Senator must agree with me: The Constitution of the United States makes one basis of jurisdiction to be the diversity of citizenship of the litigants.

Mr. SHERMAN. Very well.

Mr. VEST. Nothing can be plainer than that.

Mr. SHERMAN. This points that out. They must be citizens of different States.

Mr. VEST. Of course. Although it is so simple a matter that it hardly needs elucidation, I may put it thus: If Mr. Brown lives in the State of Missouri and Mr. Smith lives in Ohio they can sue each other without regard to the subject-matter, provided it comes within the limits which was fixed in the judiciary act as to the jurisdiction of a Federal tribunal. The Senator does not put his bill upon that ground at all. He undertakes to put it upon the composition of one of the litigants alone. He does not say, if one of these citizens lives in one State and one in another, which we would all admit to confer Federal jurisdiction, but he gives Federal jurisdiction because the corporation which the trust is composed of citizens of different States. If it does not mean that, then the English language has lost all its flavor and I have lost my power to understand it.

It is what he says, I wish to explain ad nauseam:

All arrangements, contracts, agreements, trusts, or combinations between two or more cities or corporations, or both, of different States.

And that gives jurisdiction, provided they go on and undertake to do things enumerated and others part of the section to goods brought from foreign countries or goods carried from one State to another.

The Senator does not follow the Constitution, which says that when a suit shall be brought by a citizen of one State against a citizen of another State for doing the thing which he enumerates afterwards, which is another matter of argument, but he says if the corporation is composed of people in different States, Federal courts have jurisdiction, which I submit is an unheard-of proposition and no lawyer ever advanced it before. As I undertook to show,
how easy is it for these corporations to evade any
persons living in different
lar State? It affords no remedy, even if the argument of the Senator
the decisions of the Supreme
States, which are ele­
ation of foreign commerce. They undertook in
the Constitution to meet contingencies, but here is one which beggars Alad­
in the reality that is before us and with us to-day. It is
recession, upon their intellect or their patriotism to say that
they could not have contemplated an emergency such as that which
rests upon the people of the United States.
Mr. President, I come back to the question. What is commerce? We
have the power to regulate it, but we must first find what commerce is
in order to exercise our legislative power. I shall not undertake to read
the decisions of the Supreme Court of the United States, which are ele­
ary law upon this subject. In the great case of Brown against The
State of Maryland, which leads upon this subject, and to which
every lawyer goes first, decided by the most eminent men who ever sat upon
commerce? What is commerce with a foreign country? There is the
point in this whole legislation, the point that has given me the most trouble and the most
in its quantity and the extent of my abilities. I will now confess, parenthetically but honestly, that in all my ex­
erience as a lawyer I have never encountered a subject so full of diffi­
culty as that now before the Senate. I can very well understand how it is that the Notwithstanding the
States, which are ele­
larized than any political questions of foreign commerce
arbitrary, without a remedy, without an amendment of the Constitution of the
States, united in this Chamber that whenever he has
isified that any trust or combination was protected by a high tariff duty
be would be in favor of reducing that duty. This is the remedy; and
would be in favor of reducing that duty. This is the remedy; and
Senator from Ohio makes the fatal mistake as a lawyer that,
that means manufactured in one State may be at some time or other
of the Constitution of the
States, any remedy such as is proposed in this bill, will be ab­
ly nugatory and ineffectual.
The Senator from Ohio has drawn an eloquent picture of the opera­
States. These
entelligent man knows it, whether a legislator or a citizen—are protected by
your high tariff, and are enabled to work their ingenuous purposes
of the 30th or 40th State, which in the third Congress or in the
Mr. ALLISON. May I ask the Senator a question? The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Iowa? Mr. VEST. Of course.
Mr. ALLISON. Am I to understand the Senator as saying that the
only remedy as respects trusts is that which enables us to reduce tariff
duties upon particular articles, and therefore if a trust or combination
is not in any way influenced by duties there is no rem­
ediy without an amendment to the Constitution?
Mr. VEST. Mr. President, if I stated it that strongly perhaps I
went beyond my exact meaning. I believe there is a remedy if you
the jurisdiction of the State and also the jurisdiction of Congress
put together, but I do not believe there is any complete
in the action of either separately and of itself. What I mean to
say was that as to nearly all the trusts which have been denounced here-to-day the most apparent remedy is to take away the protection
which these trusts have from the high tariff that is now upon our state
rates and in operation.
Mr. PLATT. May I ask the Senator a question? Mr. VEST. Certainly.
Mr. PLATT. What is the difficulty of the States dealing with
this matter? What prevents any State from dealing with the matter of
trusts?
Mr. VEST. I do not think there is any difficulty whatever as to
that class of cases in which the products, or the transactions, to speak more accurately, take place entirely within the limits of a State; but
we know that these trusts evade the State statutes even when they are made, and if we desire to apply a remedy we must remove the cause or
cause of these legislative empires. If it is true that the tariff permits
these trusts and protects them and we do not seek to remove the
cause, all the remedies we attempt to apply are simply surface and skin, exp­
edients that amount to nothing, and the real cause of the difficulty
still remains in the tariff system.
Mr. INGALLS. Will the Senator inform me upon what ground the
Missouri anti-trust bill was declared unconstitutional in its own State?
Mr. VEST. The circuit court at St. Louis, Mo., decided the act of the
Legislature to be unconstitutional, on the ground that the for­
iture of the charter of a corporation was a judicial act, and could not
be done by the act of the secretary of state. It was decided in the
court at St. Louis by Judge Dillon, but it has not yet been decided in the
senate court, that the forfeiture of the charter of a corporation
was a judicial act, and that the act of the Legislature which gave
the secretary of state the power of himself to declare the forfeiture of
charter was therefore unconstitutional.
But, Mr. President, whether it was on one ground or another, these
by the Missouri anti-trust bill, by the Missouri anti-trust bill, by the
companies, with the amount of legal talent they are employed to em­
ploy and invite, will be able in almost every instance to avoid these
corruptions. I seem to anticipate what I am speaking of. The
remedy is to be found in taking away the protection and origin of these
trusts, which is in the high tariff taxes which stand like a wall and en­
ables the Federal Constitution to exist.
The Senator from Ohio has spoken of these trusts. Now, Mr. Pres­
ident, I happen to have here a list of them, and these are only a few.

The first is the steel-nail trust, buttressed by a tariff tax of $17 per ton.

Mr. GEORGE. What per cent is that?

Mr. VEST. I do not recollect the per cent. We discussed it in the last Congress. Seventeen dollars is the taxation per ton; steel rails are protected that much. As my friend from Iowa very well knows, I tried to explain that I did not rest this argument upon the question of a tariff against foreign producers and foreign importers, but that necessity is to be accounted for by the fact that 25,000 tons of steel rails manufactured in the United States would compete with every part of the world. You brothers?

Mr. ALLISON. I beg to put an interrogatory to the Senator, if he will allow me, right there upon the question of steel rails.

Mr. VEST. I do not want an argument upon every one of these trusting me.

Mr. ALLISON. I will not say a word by way of argument.

Mr. VEST. I yield to the Senator.

Mr. ALLISON. I ask the Senator if it is not true that at this moment the price of steel rails in France is practically the same as it is in the United States, or within a dollar or two? If that be so, how is it that the $17 duty upon steel rails at this moment is injuring the great body of the rail purchasers in this country?

Mr. VEST. Why, Mr. President, if we were told anything in the discussion in which my friend and myself participated rather largely in the last Congress—and I know it was urged by the Senator from New York [Mr. HISكوك] now in my sight—it was that whenever you reduce the price in any one country you reduce it all over the world, and necessarily in every other country. We know very well that competition always follows price. It is not that it is because you are making it so a little cheap, even if it were true, in England to-day as they are in the United States; that will not do. I say if you let these two manufacturing interests compete together and create competition, you then secure lower prices. And I say the law of the land and that is the law of manufacture, the world over.

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

Mr. VEST. Certainly.

Mr. TELLER. Is not the Senator from Missouri aware that there is a steel trust in Great Britain that includes every steel establishment in Great Britain except one, and includes the German and Belgian establishments also?

Mr. VEST. I know that statement was made, but I never took the trouble to investigate it. Now, I make this statement to supplement it, and it is absolutely true, that is saying nothing to the Senator from Iowa who is standing in the House, and I know there are trusts in Great Britain, and I have no doubt there will be trusts in any country under the present conditions of manufacture and of commerce, but here is the difference between trusts in Great Britain and the United States:

When you make a trust or attempt to make a trust in Great Britain, you must corner the products of all the world and you must have enough capital to do this, because you compete with every part of the civilized globe and you have no tariff to protect you and prevent competition, and therefore the capital necessary to effect the purposes of the combine must be vast, but when you come to the United States there is the greatest number of the most approved as a tax, and when foreign competition cuts out the foreign producer and foreign importer, and limits necessarily the amount of capital necessary to achieve the purpose.

Mr. TELLER. If that is true, will the Senator from Missouri please account for the fact that 25,000 tons of steel rails manufactured in the United States were last year sold in Mexico, where all the nations of the world have free competition one with the other?

Mr. VEST. I am obliged to my friend from Maine. That shows the blessings and the equities of the high protective tariff! These very people making steel rails in the United States, who must be protected in order to live by a subsidy of $17 per ton, are able to go into Mexico and in a free-trade market to undersell the English, the Belgians, or anybody else.

Mr. FRYE. But the Senator does not reply to the question which should be answered.

Mr. VEST. I was attempting to do so.

Mr. FRYE. The Senator was asserting that a protective tariff prevented competition and created the trusts. This protective tariff prevents competition in Mexico, because there is the same tariff against the products of England as against the products of the United States, and yet the United States sells 25,000 tons of steel rails to Mexico.

Mr. VEST. In a matter of course, Mr. Dinson, of Philadelphia, who is protected on hiaassa, it was testified before the committees of the Senate and the House of Representatives, can sell his wares in England and undersell the English producer and the foreign producer in the United States. How will the Senator answer my proposition when he says that we sell 25,000 tons of steel rails in Mexico? Dinson have a less capital than the German who lives at Berlin or Dusseldorf in the United States. How will the Senator answer my proposition when he says that we sell 25,000 tons of steel rails in Mexico? Dinson have a less capital than the German who lives at Berlin or Dusseldorf in the United States. If the Senator from Iowa is not satisfied that the subsidy we are paying inside of the United States to enrich these manufacturers is a sham and fraud, then they do not need it.

To reduce the tax is to increase competition. What is the motive and just the reason why you would reduce it, and he resisted the attempt. I shall say that is why the complaint is made of combines and trusts; that is why the farmers are combining or attempting to do so in order to protect themselves against the aggregation of capital, which by this legislation is enabled to compete outside of the United States, and yet to shut off the competition after they reach our own shores. Let me give the facts:

**THE TARIFFS AND THE TRUSTS**

*From Justice, Philadelphia.*

1. The Steel Rail Trust, buttressed by a tariff tax of $17 per ton.
2. The Bell Trust, by a tariff tax of $3.30 per 100 pounds.
3. The Iron Nut and Washers Trust, by a tax of $1 per 100 pounds.
4. The Staved Fence-Wire Trust, by a tax of 90 cents per 100 pounds.
5. The Copper Trust, by a tax of $2.50 per 100 pounds.
6. The Lead Trust, by a tax of $1.50 per 100 pounds.
7. The Steel Nail Trust, by a tax of 60 cents per 100 pounds.
8. The Jute Bag Trust, by a tax of 40 cents per pound.
9. The Condoleage Trust, by a tax of 40 cents per pound.
11. The Gutta Percha Trust, by a tax of 25 cents per pound.
12. The Castor Oil Trust, by a tax of 80 cents per gallon.
13. The Linseed Oil Trust, by a tax of 90 cents per gallon.
14. The Cottonseed Oil Trust, by a tax of 25 cents per pound.
15. The Irons Trust, by a tax of 40 cents per 100 pounds.
16. The Urtarane Trust, by a tax of 80 per one hundred pounds.

And so on, and they are adding to them day by day. Now, Mr. President, the favorite argument of our friends who sustain the high protective tariff is that high duties lower the cost of products to the consumer by reason of the competition between the manufacturers inside of the United States. If that be so, why are these trusts created? They are created because when foreign competition has been shut out and native and severe between American manufacturers, they come together and create these combines at the expense of the consumer in order to enhance their own profits. If the high protective tariff were removed the foreign position would flourish, if not an absolute, certainly a most beneficial remedy to remove this evil. We have been told in some directions that the trusts and combines have nothing to do with the tariff. Mr. President, that reminds me of a wily old gentleman who when the Siamese twins were grown young men posing before the audience of the world said, "Now boys, tell me the truth; are you brothers?" [Laughter.] So with the connection between the trust and the tariff.

Mr. DAWEs. Would it interfere with the Senator if I put a question?

Mr. VEST. Oh, no.

Mr. DAWEs. I appreciate the difficulties of this subject as well as the Senator does. I understand him to say that the remedy, the method of putting down the trusts in this country is to open these trusts to the competition of the foreign trusts. Now, the query I want to put to him is this: What is to hinder taking one more into a trust and taking the foreign trust into the American trust or the American trust into the foreign trust, and then having it all under control?

Mr. VEST. Mr. President, I am against all trusts, and the Senator.

Mr. DAWEs. The Senator does not get my point. I asked him what remedy he would get by creating trade so as to cause active competition between the two trusts. Would there not be just the same motive and just the same opportunity and just the same facility to put these two trusts together when they were competing as there would have to have two competing trusts? Mr. President, any sort of assumption could be made as to what parties would come in as competitors from a foreign country.

Mr. VEST. Mr. President, any sort of assumption could be made as to what parties would come in as competitors from a foreign country.

Mr. FRYE. The Senator seeks to have nothing to do with the gentleman who lives at Berlin or Dusseldorf in the United States. I ask him what he would have to do with the gentleman who lives at Berlin or Dusseldorf in the United States. Where are American gentlemen about that, that they were removed in the last Congress when my friend from Iowa [Mr. ALLISON] and my friend from Rhode Island [Mr. ALD-
Mr. ALLISON. Mr. President, will the Senator yield to me for a moment?
Mr. VEST. Certainly.
Mr. ALLISON. Did we not in that bill provide for a reduction of 50 per cent. upon the sugar duty as against 18 per cent. in the House bill, cutting down the profits of the refiners of sugars one-sixth of a cent as compared with the House bill in addition that the raw sugar was permitted to come in, which is their raw material.
Mr. ALLISON. I will say to the Senator that if he will take half an hour to examine the details of that bill he will see that the reductions made by the Senate bill was not only not in the interest of the refiners, but was against their interest as compared with the bill that came to us from the House of Representatives, and against their protest.
Mr. VEST. We discussed all that, and so far from taking a half hour I took something like two months on that bill and examined every provision in it and every item in it, and without wanting to go into that argument, but I say now that the Senators know it. 
Mr. VEST. Oh, yes; they did all that. I understand there was a reduction upon sugar. I do not propose to go into the sugar question just at this time, but in my judgment that reduction was in the interest of the refiners, but in my judgment that reduction was in the interest of the refiners.
Mr. ALLISON. The provision on the face of it applies to contracts which are made before importation has commenced, before the article is within the purview of the Constitution, and they are declared to be void. It is in the purchase of the goods, Mr. President, within the language of the proposition that the contract must not be made a provision into this country, and "with a view or which tend to prevent full and free competition," is the preceding language. Goods may be purchased and disposed of elsewhere, diverted from this country, the subject of the combination, to send them elsewhere, divert them from coming here and flooding our markets, and the amendment proposed takes jurisdiction of that.
Mr. ALLISON. I say that the Senator from Ohio will point out the clause of the Constitution that gives us the power and the right to take jurisdiction of goods which may never be imported here; never come within the jurisdiction of the Federal Constitution or of the laws which have been passed under it, but another reaches beyond, and as has been well said, it has passed beyond the hands of the importer.
Mr. ALLISON. It is subject to State law, State taxation; and yet this amendment furnishes, and under this provision if it becomes a law penalties are imposed. At both ends it legislates with reference to commerce before the merchandise has been dispatched on its way to this country, and after it has reached here and after it has been taken out of the hands of consumers. Let us take the next clause of this amendment: It is with a view or which tend to prevent full and free competition in articles of growth, production, or manufacture of any other State or Territory of the United States, or of the greater articles of the growth, production, or manufacture of any other State or Territory, or in the transportation or sale of like articles, the reproduction of which in the United States or in any other State or Territory of the United States.
Mr. ALLISON. That clause provides that if the trust may prevent competition of property which is grown in one State or Territory and merchandise which is manufactured in one State or Territory which was grown in another, then it is illegal and void; it need not be transported. I call the Senator's attention to the effect. There may never have been an attempt to transport into one State or another, and yet the provision of this section of the bill applies to it.
It takes control of the manufacturing, of the mining, and of the agricultural industries of the whole country wherever there may be competition as between the people of one State and the people of another.
Mr. ALLISON. The language is explicit. As I remarked, the amendment may never have been produced for the purpose of transportation or delivery from one State into another, still this amendment reaches out and takes jurisdiction of it.
The damages which may have resulted from the trust may have been incurred by the individual before it has entered upon transit from one another, and yet, under the provisions of this bill plaintiff can recover. What follows?
And all arrangements, trusts, or combinations between such citizens or corporations, made with a view or which tend to advance the ease to the consumer or against the public, are hereby declared to be illegal, and void.
There is no limitation upon the language. It does not pretend to regulate interstate commerce. Let us go back again to the first lines of the bill, "made with a view or which tend!" to do this; and these arrangements are void, under the provisions of the bill, as against public policy. It takes the control of every manufacture, it takes the control of every mine; it takes the control of all the merchants, because, as I have said, it does not limit its operations and effects to goods in interstate commerce.
Inquilineous power is given to the officers of the General Government to reach into the management of every industry in the United States, if it would so repeat it does not depend upon the fact that the manufacture is to be involved in interstate commerce. Not at all. If by its production a certain effect may be had; if it may compete in any commodity we have the penalties here and on competition of wheat raised in New York if not a bushel of that wheat is transported to the State of New York. Competition is now in the markets of the world, and it is not confined to States or the markets of States between themselves.
If this bill shall be carried into effect I shall expect the Senator from Ohio to present here next year an amendment to it that manufacturers shall not be allowed to combine, to license carried and the penalties here against every combination that the penalties of that license and under the inquisitorial power of the Attorney-general, the district attorneys, or some other officials.
It seems to me, Mr. President, that I have commented enough on the occurrences, the far-reaching effect of this bill if it shall become a law and be declared by the courts to be constitutional. The logic of the decision will be for Congress to take control of every producing interest in the respective States of the Union.
Mr. ALLISON. The Senator from Ohio has read several decisions here upon the subject of the power of the courts over this question and the illegality of...
these trusts. In each case that he cited the court established its jurisdiction to afford a remedy which the State courts would not have been under great obligation to the Senator from Ohio if he had pointed to a single case as to which there is not a complete remedy or may not be a complete remedy under State laws. I should be obliged to him if, in that discussion, he would point out the cases in which there is not ample jurisdiction in the Legislatures and courts of the States, respectively, in respect to all these cases.

As I have already said, interstate commerce commences when the goods are entered for transportation from one State to another. Up to that point of time every contract made in reference to them, the control of which was within the jurisdiction of the State courts and of the Legislatures of the States, respectively.

I think something has been said here that the framers of the Constitution neglected to put something in the Constitution that might properly have been there giving Congress the proper authority in respect to this subject.

Why did they need to put it there? I ask, Mr. President, bearing in mind what I have stated, that up to the point when an article of production is delivered to the common carrier—every contract in reference to it and the custody of the goods is within the jurisdiction of the Legislatures of the State in which it starts, and when it reaches another State, it is subject to the jurisdiction of the courts and of the laws of that State.

It is with reference to interstate commerce that Congress has the right to take jurisdiction; that is the act of exchange from one State to another. I know why this was put in the Constitution. One of the chief reasons was that the General Government might prevent States from practically prohibiting commerce between each other. It is the purpose of regulating taxation upon property which was to go from one State to another. The purpose was obvious; but it was not the intention of the framers of the Constitution to take control of the property until it had passed beyond the point where it was subject to State taxation and State control.

The Senator from Ohio has seemed to think, and has argued here, that we might take control of this subject on account of that provision of the Constitution, which gives jurisdiction to the courts in cases of actions of law and equity, but that it should be borne in mind they have no power to create a cause of action. They have ample and full jurisdiction over the remedies, but the creation of the cause of action rests with the law-making power. Congress has created the cause of action, and nowhere else.

Mr. President, criticisms have been made upon this bill that in my judgment may be obviated by amendments to it. I have devoted no time to defects of that kind. The objections that I make to the bill are fundamental; they cannot be obviated by any amendments that might be proposed.

What I maintain is that whenever property, either in process of manufacture or completely manufactured, has not already been put on its course of transit either into this country or from one State to another, the legislation may lie in its power to prevent the property from passing to the point of time when it is started to its destination, absolute, and complete control over that property is within the legislative power, the law-making power, and the jurisdiction of the courts of the States and countries respectively in which it is situated.

If the Senator from Ohio will point to a single case in which the Legislature and the courts have not the power to give the other jurisdiction, and the latter to administer it, I will join hands with him in an effort to perfect a bill by Congress that shall give to the Federal courts jurisdiction with reference to that subject. But it must be borne in mind that this is not a jurisdiction that can be abdicated by the States. It is not a jurisdiction that can be possessed by a State and the General Government at the same time. There is no partnership in respect to it, and there can be none. If the States have jurisdiction the National Government cannot have it, and if the National Government has jurisdiction, or can take it, it cannot be possessed by the States.

And said some time since, my objections to the bill are fundamental; they cannot be reached by Congressional legislation. According to the cases that have been read here, there is full and ample power on the part of each State Legislature in respect to this very subject. Why not allow the States to have the right and wrong here? Local and State sentiment will take care of these questions. It does not depend upon one State alone. The State from which the goods are started has jurisdiction and the States to which they are consigned have it.

Mr. President, I have not gone through with this bill to elaborate the different subjects, all the matters of which it proposes to take jurisdiction. This language is remarkable. I would like to extend full and free competition.

I can summon here to answer those who would be injured by the bill who would have power to put up or down the supporter of it as all those who can be invoked by popular clamor against trusts; and I hope we shall be told in the progress of this discussion if there is a labor organization in the United States that is not affected by it. Every organization which attempts to take the control of the labor that it puts into the market to advance its price is interdicted by this bill.

Sir, I am one of those who believe in labor organizations. I believe it is the duty of the States to labor to work in unity and to put their power to combine as against capital and assist their rights and defend itself.

The criminal section of this proposed law has been eliminated from it. Perhaps it was wise to do that, because under that section those organizations might have been reached. Possibly under the damage provisions in the bill they never would be pursued; but it strikes at them as viciously as it is possible to conceive of. Will it be said that their combinations are not made with a view of advancing costs and regulations of the sale of property? Will it be argued that they do not directly do it? If we have entered upon a race to outstrip each other in the demeasurement of capital, the manufacturing industries, the combinations of capital, and it is to be on the line of the support of this bill, I announce that there are two sides to it. If Senators are to be deterred from their opposition to it by this clamor, I call their attention to the fact that the bill takes within its embrace everything affected by its provisions and injured by its provisions who are very potential in asserting their rights and respect for their wishes.

In my judgment, Mr. President, neither this bill nor any like it should be enacted into law unless it is within the warrant of our Constitution. If any attempt should be made to reach into the States and take from the jurisdiction of the State Legislatures the subjects of which they have full and ample control.

AID TO COMMON SCHOOLS.

During the remarks of Mr. Hiscock—

Mr. BLAIR. By the courtesy of the Senator from New York I ask the floor to enter a motion to reconsider the vote by which the Senate adjourned to order a third reading Senate bill No. 185, the educational bill.

Mr. INGALLS. What is the motion, Mr. President?

The VICE-PRESIDENT. A motion to reconsider the vote on the educational bill.

Mr. INGALLS. Will the Senator from New York yield to me a moment?

Mr. BLAIR. Mr. President.

Mr. INGALLS. I move to lay the motion to reconsider on the table.

Mr. BLAIR. I move the lay the motion to reconsider on the table.

Mr. BLAIR. I have the floor. My motion is pending.

The VICE-PRESIDENT. Does the Chair understand that the Senator from Kansas wishes present consideration of the motion which he has just made? [Apause.] The Senator from New York will proceed.

PROPOSED ADJOURNMENT TO MONDAY.

After the remarks of Mr. Hiscock—

Mr. JONES, of Arkansas. I move that when the Senate adjourn today it be to meet on Monday next.

Mr. SHERMAN. I hope not. I hope the Senate will meet to-morrow.

Mr. JONES, of Arkansas. I did not suppose there would be any objection to the motion.

Mr. SHERMAN. I hope the Senate will meet to-morrow. The VICE-PRESIDENT. Does the Senator from Arkansas intend to vote?

Mr. SHERMAN. I hope the Senate will meet to-morrow for the purpose of disposing of business on the Calendar.

Mr. JONES, of Arkansas. As far as I am concerned, I have no desire to interfere with the wish of the Senate. I find that I can dispose of a good deal more work by having one day in the week that I can devote to work outside of the Senate Chamber, and I was in hopes that the Senate would adjourn over.

The VICE-PRESIDENT. Does the Senator from Arkansas withdraw his motion?

Mr. SHERMAN. I hope the Senate will withdraw the motion.

Mr. JONES, of Arkansas. I am willing to let the Senate determine the question. I prefer to have a vote upon it.

The VICE-PRESIDENT. The question is on the motion of the Senator from Arkansas, that when the Senate adjourn to-day it is to meet on Monday next.

The question being put, a division was called for, and the ayes were 16 and the noes 12.

Mr. CULLOM. I hope the Senator from Arkansas will withdraw his motion.

Mr. SHERMAN. To save time I call for the ayes and nays.

Mr. CULLOM and Mr. JONES, of Arkansas, voted aye, and the Secretary proceeded to call the roll.

Mr. BATE (when Mr. FAULKNER's name was called). The Senator from West Virginia [Mr. Faulkner's] will point to a single case in which the National Government can not have it, and if the National Government has jurisdiction, or can take it, it cannot be possessed by the States.

Mr. SHERMAN. I am paired with the Senator from Delaware [Mr. Guay], but I take the liberty to transfer my pair to my colleague.
February 28, 1890.

Mr. McPherson. Mr. President, with some of the criticisms made upon the bill reported by the Senator from Ohio I agree. I think the country is debtor for that distinguished Senator for his effort to furnish a remedy for a great and dangerous evil. I know the difficulty of preparing a bill to be enacted by Congress to meet this evil. I have sustained an amendment by way of substitute for the bill reported by the Senator from Ohio. I do not know but what when it becomes subject to criticism it may fare as badly as his bill has done, and yet I have tried to formulate a measure which would obviate the objections that have been urged to his. Whatever authority we have here over this subject is derived from the provision in the Constitution which confers upon Congress the power to regulate commerce with foreign nations and among the States, and between the States. Keeping this in view, I will read the first section of the amendment which I have offered:

That all persons engaged in the creation of any trust, or as owner or part owner, agent, or manager of any trust, employed in any business carried on with any foreign country, or between any persons, or between any State and the District of Columbia, or between any State and any Territory of the United States, or between States, shall, for every violation of any such amendment, be subject to a penalty of not exceeding $100,000, or imprisonment at hard labor in the penitentiary not exceeding five years, or by both of such penalties, in the discretion of the court trying the same.

I condece that the penalty provided here is a very strong one, but it is designed to meet a very great evil perpetrated by powerful and wealthy parties. I am not in favor of putting an evil which can only be met, in my judgment, by strong, coercive measures. Now, I desire to call attention to the second section of my amendment, which is simply intended as a definition of the things prohibited in the first section. The second section is:

That a trust is a combination of capital, skill, or acts by two or more persons, firms, corporations, or associations of persons, or of any two or more of them forming, in any way, or all of the following purposes:

It will be understood that it is for these purposes when performed under the influence of the first section of this proposed act, that is, by persons engaged in commerce with foreign countries or between the States:

First. To create or carry out any restrictions in trade.

Second. To limit or reduce the production or to increase or reduce the price of any article or commodity or if the articles are used, and the sale or manufacture of any such article or commodity that its price may, in any manner, be so increased or reduced.

Third. To prevent competition in the manufacture, making, purchase, sale, or transportation of any merchandise, article, or commodity, or of article of trade, use, manufacture, or consumption, below a common standard price, or by which they shall agree, in any manner, to keep the price of such article, commodity, or transportation at a fixed or graduated price or by which they shall, in any manner, establish or settle the price which the competitive, common, or general transportation between themselves and others, so as to preclude free and unrestricted competition by themselves and others competing; or they shall agree to fix the price, or transportation or of any such article or commodity, or by which they shall agree to pool, combine, or unite in any trust they may have, shall the price or transportation of any such article or commodity that its price may, in any manner, be so increased or reduced.

Sixth. To make, or enter into, or execute, or carry out any such contract, obligations, or agreements of any kind or description by which they shall bind or shall have bound themselves not to manufacture sell, dispose of, or transport any article or commodity, or article of trade, use, manufacture, or consumption below the common standard price, or by which they shall agree to fix, or transportation or of any such article or commodity, or by which they shall agree to pool, combine, or unite in any trust they may have, shall the price or transportation of any such article or commodity that its price may, in any manner, be so increased or reduced.

I am advised that some criticism has been made upon the second section of this bill relates to this which it is said is an unnecessary addition of.

I apprehend that those who make criticism read the second section of the bill without considering that everything in the section is controlled by the first section of the bill. This makes the things referred to in the second section those which are involved in commerce with foreign nations or among the several States.

As to the authority of Congress to act upon the subject, that is all I need say upon that point. No doubt, although I was present when the Senator from Ohio gave notice yesterday evening that he would call the subject up to-day, other duties prevented any consideration of it which might prepare me to discuss it now as it relates to its importance and merits deserve.

It will be seen that, as between the bill reported by the Senator from Ohio and my amendment, his provides for civil suits only for damages by persons who conspire to deprive others of benefits, damaged by these unlawful combinations, while the amendment which I have presented does not make provision for civil suits, but provides for a criminal prosecution and severe penalties against those who may be engaged in these unlawful combinations. After, or that has been said by other Senators this morning on the subject, if we were better prepared to discuss these points it is not necessary that I should go over the evils which it is intended to prevent by this bill. I am inclined, however, to think that if the amendment which I present should be inserted as a substitute for the bill of the Senator from Ohio, it would be well to incorporate in it after its adoption, or at some time, a provision thereby authorizing the courts to impose a maximum of $100,000. It would be well that whatever law should be adopted on this subject should embrace both jurisdiction of civil and criminal proceedings to prevent and punish these evils.

In speaking of this subject and in looking at its difficulties, I feel sure, notwithstanding the great demand for action by Congress, that the people interested, the people oppressed and distressed by operation of these trusts, look too much to Congress of the United States for the desired relief. Congress can go no further, as I understand its authority under the Constitution, than to provide a remedy with reference to those things which come into the category of commerce with foreign nations and among the several States.

In the case of the people of the United States it is said that they must look to their State governments, for they have jurisdiction over the great mass of transactions out of which these troubles grow. If the Federal Government will act upon those things which come into the category of commerce with foreign nations and among the several States, it is said that Congress cannot accomplish anything. In my judgment this is not correct. It may rightly be said, and it seems to me that it is one of the highest and most important duties under the circumstances that it should go that far. I am not in the hands of the people of the United States. Keeping this in mind, I will read the first section of the amendment which I have offered:
unfortunately that the people forget that their own local governments at home, controlled by their immediate representatives, are able to furnish the remedies for most of the grievances of which they complain, and for many of which they complain over which Congress has no power whatever. On the other hand, I personally believe, have a right to do so. The exercise of its power under the Constitution and the doing of what it may do rightfully under the Constitution and the giving relief to the people of the country unless the people stand him, that the people of Iowa, and those represented I suppose, are practical outside of and independent of the Constitution for the most part of it. The first clause of the first section is within the provisions of the Constitution, that which relates to commerce with foreign nations. A good deal of it, I think, is not within the provisions of the Constitution; and if the Senate should agree with me upon that point and should then agree with me that the provisions of the amendment which I have presented are within the purview of the Constitution, I shall hope they will adopt the amendment which I have made.

Mr. ALLISON. Mr. President, I do not desire at this hour of the day, or at any time indeed, to discuss the merits of the bill presented by the Committee on Finance. I only rise now to occupy a few minutes in reference to the tariff act of 1890. We do not discuss manufacturing or laboring interests, or Senator from Missouri [Mr. VEST], who has discussed the question so fully. I must say that his argument as a lawyer discourages me somewhat as respects a remedy for these so-called trusts or combinations. If I understand the Senator correctly, he says that without an amendment of the Constitution the only practical remedy there is at this time is either an abolition or a great reduction of tariff duties or concurrent legislation in the several States and of the United States, I suppose as respects interstate commerce; that beyond this narrow limit we have no power here to legislate upon this subject.

To fortify his argument as respects the tariff, he stated, as I understand it, and as respects manufacture and product of foreign countries? They are the great staples of woolen and cotton and leather and iron and steel. We are to-day free, as it was the second object of the bill of last year to reduce the duties upon copper and copper. The abolition or on any occasion, and therefore they are for the price at home.

I must be corrected. The gentleman from Missouri says that in dealing with the tariff, the other States, and the States, and the desire to protect American manufacturers against foreign nations. It is well known to every man who has studied the manufactures and products of foreign countries? They are the great staples of woolen and cotton and leather and iron and steel.

With the exception of sugar and with the exception perhaps of steel rails, I know of no product in all the United States, and the States, and the States in our country are practically outside of and independent of the tariff.

The Senator read a number of trusts from a statement which he held in his hand, showing that the articles in the combination alluded to by him were also articles that were included in the tariff schedules. But the complaint of the people, as I understand it, is not in respect mainly to the articles embraced within the tariff. I know it is true as respects the great article of sugar. Those whom I represent upon that consumption, and therefore they are for the price of steel rails in the West. It is well known to every man who has studied the manufactures and products of foreign countries?

The manufactures of iron extend throughout the length and breadth of our country. Although there may be a few instances where iron production or steel production is under those trust combinations, I maintain that they are not there, because there is a tariff duty upon the articles.

Who has ever heard of a trust in woolen goods and woolen manufactures? The Senator from Missouri says that in dealing with the tariff last year we reduced as respects the lower grades of cotton, and not upon the higher, and he undertook to criticize the committee by saying that that was done because the coarser cottons were manufactured in the Southern States and the finer products in the North. Mr. President, for myself, and for myself alone, I want to say to the Senator from Missouri that in dealing with the tariff I know no section of the Union, whether it be North or South. The reason why the duties upon cotton fabrics of a coarser character were perhaps to be reduced was because those who produced those fabrics said they could produce them in competition with the world upon the rate we fixed. Yet with all these millions of cotton manufactures in the United States there is not a trust in any one of them of which I have ever heard.

Take another great article which is protected by the tariff, the article of leather and its productions. Boots and shoes and all the productions of the Western States, and there was a trust in copper. A trust in copper. I admit, under the tariff in some of its respects and combinations, I differ with him absolutely in the statement that they might be wholly in our tariff legislation. If we shall put wool and woollens upon the free-list, if we shall put cotton and manufactures of cotton upon the free-list, if we shall put leather and all its products upon the free-list, there will be no more and no less combinations than there were upon the tariff bill last year. I do not think it is a question whether upon the rate we fixed, it would not change the trust relations and combinations except as to a few articles which were named by the Senator from Missouri.

So, Mr. President, agreeing to what the Senator says as respects trusts and combinations, I differ with him absolutely in the statement that they might be wholly in our tariff legislation. If we shall put wool and woollens upon the free-list, if we shall put cotton and manufactures of cotton upon the free-list, if we shall put leather and all its products upon the free-list, there will be no more and no less combinations than there were upon the tariff bill last year. I do not think it is a question whether upon the rate we fixed, it would not change the trust relations and combinations except as to a few articles which were named by the Senator from Missouri.

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The Senator from Missouri illustrated his argument by reference to the copper trust. It is well known to every man who has studied the copper trust. The members are not copper producers, and therefore they can not oppose a bill to make them pay a high price for that article. Does anybody for a moment say that this great combination, involving the great staples of woolen and cotton and leather and iron and steel.
Northwestern States and Territories, has in the slightest degree its origin in the tariff? Certainly not.
So I might illustrate by going into other great trusts in our country, like the railroads, the oil company, any way that the tariff affects them. Yet it is perfectly well known that the production of distilled spirits is and has been under a close trust for a good many years.
Take the Standard Oil Trust, another great and ratifying corporation, not only in this country, but throughout the world. That combination, whatever it is, not only controls practically the price of the raw material in our country, but it controls the price of the refined oil throughout the world. You perceive as we go on that we produce more of this raw material in our own country, but we add year by year to the exports of refined oil in competition with the rest of the globe, and without any relation or without any respect whatever to the position of the trust.
Mr. President, there has been in our Western country for four years a combination as respects the production of oatmeal. Is that affected in any way by the tariff? Yet the producers of oatmeal have had a local combination whereby they have been enabled to keep up the price of oatmeal, not only to the cost of production, but to a point of reasonable profit, and something beyond it, as I have heard.
So, when I heard the declaration of the Senator from Indiana [Mr. VOONHEIS] the other day, and again repeated in substance by the Senator from Missouri [Mr. VEST] to-day, that our tariff system is the fruitful source of all our woes, I can not do it by merely modifying or changing existing tariff rates. A. The least favored works are in a minority. . . . .
If I rose to the attention of the Senate a little more in detail to a question I asked the Senator from Missouri [Mr. VEST], who on several occasions I have heard express the opinion that those trusts, which have become very prevalent in this country, were the results of the tariff, and that, too, in the face of what the Senator from Iowa [Mr. ALBROX] has so well just said, that the principal trusts in this country, and there is no complaint, and under which I agreed with those gentlemen who are in favor of remodeling and revising the tariff, if we are to correct the great evils which arise from the trusts, in this country, we shall fall far short of our duty and far short of accomplishing what we propose if we undertook to do it simply by a change or modification of tariff rates.
Therefore, Mr. President, I welcome this discussion as respects the matter of competition here and as respects the means whereby we accomplish the desired result. I undertake to say that it is our duty to the extent of our power, whatever that power may be, to put upon our statute-books such national legislation as we can put there inhibiting these combinations and trusts, and I merely call attention to the fact that that is our duty in connection with the fact, that we can not do it by merely modifying or changing existing tariff rates.
Mr. President, the propositions of a man from Kansas [Mr. INGALLS] has offered a very important amendment. I suppose this debate will not be closed to-day, and I do not propose now to discuss the bill before the Senate particularly, unless there is a disposition to vote upon it to-night. It will not be voted upon to-day, I understand.
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I have before me, and I propose to read, testimony taken in 1886 before the British Commission to inquire into the cause of the depression of trade. If I had been able to be on the commission was coming up to a task (and it is only by accident that I have this book with me) I could have had other testimony showing that there are other trusts besides the one I am going to mention.
Dr. T. Smith was called before the commission on the 17th day of December, 1885, and interrogated with reference to a trust that I suppose the Senator from Missouri must have heard about, whether he had any knowledge of it, because I think everybody who studied the industrial question in this country has known that trust existed—a trust composed, as will be seen by reading here, of all the steel manufacturers of Great Britain with one single exception, of all the steel manufacturers of England with the exception of two, and of all the Belgian manufacturers. I need not observe that it was composed of the great free-trade country, Great Britain, on the other hand; Germany, a protective country, on the other; and Belgium, the country of free trade par excellence, where they have free trade with all its bounties, including the yoking of women and dogs together to do the common work. This Mr. Smith said (I shall read the questions and then the answers):
Can you give us any information with regard to the association which we understand was formed in 1883 for the purpose of distributing the orders received for the manufacture of rails?
I had something to do with the origin of that association, and the conduct of its business. It was in the year 1883—
That would be in 1883—

that price, I believe, being a loss to the parties selling them varying from 6s. to 1s. a ton. The quantity of rails that were required then had fallen off to only 3,000,000, as compared with what it had been before. Six years after this, the world did not want anything like half the quantity, and when orders came in it became a question, Is it practicable under these circumstances to pay such prices at all? Would it not be an unfair and an indirect loss in that way? The competition became so keen that we got down to lower prices than 1s. a ton at the works. And again, after the completion of the railroad in the Belgians and Germans with us, as being the only two countries that exported rails.
You will see later that when other countries attempted it they interfered with their exports.
In 1886, after the signing of the three-year treaties from the three countries, that Great Britain kept 66 per cent. of the entire export trade.
Now, this is in the trust—Belgium had 7 per cent., and Germany 27 per cent. We have since modified the treaties. That shows that if we can maintain our market we have a better chance of maintaining it than if we cannot. But then you have 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 5s. a ton at the works, while in 1883 when the ton began to go down.
In this last distribution he is speaking of the distribution among the English manufacturers, and not of the companies of the world. He continues at some length, but as the hour is late I will not read it all. The chairman said:
Who regulates the prices, the council?
A. Yes; we have never altered the price, but once raised 2s. 6d. a ton four months after we commenced, and we can do it. But generally, I should prefer to reduce it again, but in an association of this kind you are not in a position to reduce the price when you have done coming into it. The point is which we regulate our price to minimize competition as much as we can.
Mr. HOULAHWORTH. When you say all the firms you mean steel-making firms?
A. Yes, steel-rolling manufacturers.
Does the association extend to anything except rails?
A. No.
Mr. DALE. Does the firm that stood out at first come in?
No, they still stand out.
Have the prices since you established the association been such as were calculated to insure an inordinate profit or such as were calculated rather to insure against loss by undue competition?
A. The price was fixed at very much what we considered the cost price would be at the least favored works, and any amount of profit upon the prices we fixed is due to the better position and better plant of the various works.
Is there no competition? No, there is. We have the least favored works, and the competition is such, and the price under the arrangements is such, that we have the least favored works, and the competition is made to the advantage of the industry.
And any amount of profit upon the prices we fixed is due to the better position and better plant of the various works. Did our least favored works, A. The least favored works are in a minority. Mr. PALMER. Could you say how much you advanced the price under the arrangement?
A. I should say that we advanced the price certainly by from 12s. 6d. to 12s. a ton.
Upon what price?
Upon the price that was current when the association started; but it is not quite fair to consider it in that way, because it was impossible for the prices that existed when the association started to be maintained for any length of time; it was absolute ruin to almost everybody to go on.
The association would have continued, according to the figure you have given.
Under the extreme competition that was going on at the time we started it was about 4s., and we put the price up to 5s. 11d., but we have only realized about 4s. 11d., because there have been a good many cases in which we can compete with France on which we have had to compete with Austria, and when any firm supplies rails under the standard price a 5s. 11d. is made up out of that price, and is made up out of that price.
I hope the Senator from Missouri understands that system of executing a trust. That simply means that when France undertook to export rails and Austria undertook to export rails, the association put down the price of rails to such an extent that he lost by it, and the association made up the difference in order to ruin the export of France and Austria.
It contains very interesting reading, but I will not detain the Senate with the entire volume. After asking as to the amount of rails that they had produced, the examination proceeded thus:
Mr. TELLER. Is this a fact that they take it that the demand of the firm that has not assisted at all in the iron-masters a somewhat better price?
A. As far as we can make out the combination has not interfered with the volume of sales at all; we can not make out that what would have been placed if the combination had not existed.
Mr. TELLER. If you still have the same proportion of exportation surrendered to Germany, during the period I have named, 26,000 tons?
A. I wish however, to read from this volume about the price of steel.

Mr. VICKERS. Steel rails. Let me read the questions put to the manufacturers at equal prices.

Mr. TELLER. I do not think they do; if you ask the manufacturer, he would have the answer you whether you do not believe that these

Mr. TELLER. That was on the 21st of January, 1886. Now, Mr. President, at the risk of injuring the Senator from Iowa, may I ask him another thing that has to do with the

Mr. GORMAN. Would you allow me to ask a question?

Mr. TELLER. The Senator is mistaken. I am reading now because I happen to have this volume here; but the Senator will find that some statement running through the testimony of all the men who testified before the commission, and that was, that manufacturers of wooden goods, of Sheffield hardware, and of everything else.

Mr. GORMAN. Take the item of tin-plate, which is not manufactured in this country, on which the duty is three-fourths of a cent a pound. I ask the Senator whether it is not the fact that the consumer pays that entire amount, and if the duty were removed would not the consumer have tin-plate three-fourths of a cent a pound cheaper than he is compelled to pay for it today?

Mr. TELLER. No, Mr. President; tin-plate is a high manufacture of iron. That is all there is of it. The Senator from Massachusetts [Mr. DAWES] says he would like to answer the question, and I yield to his desire.

Mr. DAWES. When the Mills tariff bill was reported, which put tin-plate on the free-list, tin-plate went up in the British market just exactly the amount of the duty.

That is a Sheffield iron manufacturer, and everything is free there.

Then the examination proceeded:

That is not quite what I wanted to elicit. If the price of a certain quality of steel at Sheffield is 8½, a ton and if the price of the same manufacturer in America is 12½, a ton, you could hardly send it at all to America. I have here some prices which were reported by our agents to be new, and at that rate we would be out of the competition with our best cast steel rails. Then it is owing to the inferiority of their rails

Then I wish to know who declare the price of steel increasing?

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Mr. VEST. I want to call the attention of the Senator from Massachusetts to another subject. We to-day [Mr. VEST. E] went up a few years ago and immediately quinine went up, but it did not stay up, for it is down now.

Mr. TEELLER. The Senator from Missouri is not serious in saying or pretending that the fall in the price of quinine had anything to do with our taking the duty off that article. The Senator knows very well that quinine went up for a little while.

Mr. VEST. It went up for a year, and it was pointed to by the protectionists of this country as a horrible fact.

Mr. TEELLER. It would have said it up but for the fact that the protectionists before concede anything that had ever been heard of. The British Government and other Governments had fostered and encouraged the raising of the shrub from which quinine comes, and by that time they had arrived at the stage when they began to realize upon it, and quinine went down, the world over, in its raw state. That is why it went down, and our tariff had nothing to do with it. But I am not to be diverted on the quinine business just now.

I continue to read the questions put to Mr. Smith and his answers:

Would you explain a little further your statement to Mr. Pease about you paying duties on steel rails which went to America from New York without paying a duty of $7 a ton.

Mr. VEST. I do not know of any of the conditions of that kind. That is it.

Mr. TEELLER. You do not mean that you sell the article cheaper in the American market than in the European market to the American importer over the extent of the duty?

Mr. VEST. Yes.

There is not a Senator on the other side of the Chamber who has ever made a speech on free trade or the tariff who has not over and over again reiterated that we paid the duty, not only on steel rails, but on everything else.

Mr. VEST. I suggest to the Senator from Colorado that I wish the Senator from Rhode Island [Mr. ANDERSON] was in the Chamber, who stated in the last Congress that the tariff was put on in order to put up the prices. That was said in debate.

Mr. TEELLER. The tariff is put to protect our people from just what these trusts did with reference to France and Austria, so that when we want to export or when we want to trade with our own people these trusts shall not come in and break down our enterprises. That is what it is.

Mr. VEST. No, sir.

Mr. TEELLER. And it compels them to do just what he said it was for their interest to do, to sell at a loss rather than to shut up our industries.

Now, let me read a little further what this witness said:

Then the exporter has to pay the duty?

Mr. VEST. Yes; if no duty had to be levied it would make a difference of $7 less per ton.

There was one other point I intended to read, but I do not remember the exact phrase, and I shall not stop to find it now.

Mr. President, I suggest that the Senators who are so certain that the tariff always raises the prices of all articles and that the consumer pays the tariff duty under all circumstances should get a copy of this work and give some attention to this testimony. We published the testimony taken by the Commission on the Precious Metals, and I think the Committee on Printing will do a great service to this country if they will cause this volume to be published for free distribution, because the cost of the total publication is, I think, about $15, or something in that neighborhood, and beyond the reach of the great mass of our people. There could be no public document sent out that would give the public so much instruction and information as can be obtained from these volumes. If it was the farmer complaining, he would find that the people of Great Britain have suffered immeasurably greater evils than those of this country. I renew the motion that the whole world is suffering from to-day.

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

Mr. COKE. I should like, before that motion is put, to submit an amendment, which I intend to propose as a substitute for the trust bill at the present time. I ask that it be printed and lie on the table.

The VICE-PRESIDENT. The proposed amendment will be ordered printed.

Mr. DAWE. I ask the Senator from Illinois to withhold his motion for a moment.

Mr. CULLOM. The Senator from Massachusetts desires to say a word, and I will yield to him.

Mr. DAWE. Mr. President, the Senator from Maryland [Mr. GORMAN] made an inquiry in reference to tin-plate and I made such an answer as I was able to make at the time from memory in reference to that. He wanted to know what would be the effect upon the price of tin-plate in this country if those who have now the monopoly of its production abroad should have permission to introduce it free of duty here. I spoke from memory, and I speak from memory now to read from the Fall Mall Gazette of July 25, 1888, this extract:

A RISE IN THE PRICE OF TIN.

The passing by the United States House of Representatives of the Mills tariff bill, which places tin-plates on the free-list, has led to a sharp rise in the price of tin. Yesterday Stralsd touched 66s. 7d. and 86s. 16d. three months. This is a rise of 2d. from 16s. In the London market. If the Senate passes the bill in its present form tin will command higher prices than have been known for many years. A great impetus will be given to the manufacturing business in this country.

The Ironmonger, a paper published above one year, further states that this rise in the price of tin-plate will be highly favorable to those of our friends who are teaching those workmen employed upon tin-plate that they are taxed because of an effort to furnish them with a raw material in this country. This is what the Ironmonger says:

The promoters of the home-made plan are exceedingly pertinacious and are leaving no effort untried in order to achieve success, and through the Pitts­burgh Times they have again gone at it in the following language: Congress next session, having for its object the imposition of much heavier duties upon imported tin-plates. Should this scheme succeed, there is no doubt that the manufacturers of American tin-plates will have increased their prices in a very short time and the sooner or later the tin-plate will cease to be a monopoly of South Wales and Moomouthshire. Nevertheless, we see no reason why the manufacturers of tin-plate in this country could not be satisfied with a moderate duty on this and other articles.

I hope the Senator from Missouri will listen to this.

Mr. VEST. I am from that state, and I think that the view of the铁monger is a fair one.

Mr. DAWE. This is from the London Ironmonger:

They have the advantages of possession, position for shipment, trained labor, and all materials on the spot. These are very important points, but, in addition to these, they have the local protection which went to the Senator from Illinois to withhold his motion for a moment.

While upon the floor and before insisting upon my motion to proceed to the consideration of executive business, I ask that the bill now before the Senate be passed over until the conclusion of the morning business on Monday morning, and be then the unfinished business for tomorrow be devoted to the consideration of the Appropriation Bill. The bill in its present form tin will command higher prices than have been known for many years. A great impetus will be given to the manufacturing business in this country.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Mississippi?

Mr. VEST. Will the Senator from Ohio agree to that?

Mr. SHIRMAN. I have no personal objection to letting the bill go over if it can be considered as the unfinished business for Monday.

Mr. VEST. I have not the slightest objection. Then, if that is the agreement, we can adjourn, I suppose, at 3 o'clock on Monday, and then let executive business be considered.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Mississippi?

Mr. VEST. I yield to the Senator from Mississippi [Mr. GORMAN] to make an amendment.

Mr. GEORGE. I call the attention of Senators to what I am going to say. With the consent of the Senator from Ohio [Mr. SHIRMAN] and one or two others over there, for my personal convenience, I ask that the bill now before the Senate be passed over until the conclusion of the morning business on Monday morning, and then be the unfinished business. I suppose it will require unanimous consent to make that a permanent rule for theSenate.

Mr. CULLOM. I yield to the Senator from Mississippi [Mr. GORMAN] to make an amendment.

Mr. GEORGE. I call the attention of Senators to what I am going to say. With the consent of the Senator from Ohio [Mr. SHIRMAN] and one or two others over there, for my personal convenience, I ask that the bill now before the Senate be passed over until the conclusion of the morning business on Monday morning, and then be the unfinished business. I suppose it will require unanimous consent to make that a permanent rule for the Senate.

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Mr. VEST. I have not the slightest objection. Then, if that is the agreement, we can adjourn, I suppose, at 3 o'clock on Monday, and then let executive business be considered.

Mr. HARRIS. Will not the Senator from Illinois ask unanimous consent that to-morrow shall be devoted to the Calendar under Rule V.

Mr. CULLOM. While upon the floor and before insisting upon my motion to proceed to the consideration of executive business, I ask that to-morrow's session be devoted to the consideration of the Calendar and the unfinished business. The Calendar now on the table is the Calendar of unprinted cases under Rule VIII.

Mr. GEORGE. Now I should like to have my request acted upon.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Mississippi?

Mr. CULLOM. I think it is pretty generally understood that there is to be a session to-morrow to consider the Calendar of unobjected cases.
cessed with on Monday, whatever may come up at that time and no matter what other business may come up at that time, I do not want to agree to that. I do not want to bind ourselves that this business shall proceed on Monday as against all other business.

Mr. HARRIS. There can be no objection to letting this bill remain as the unfinished business.

Mr. PLATT. I have no objection to letting it remain the unfinished business.

Mr. HARRIS. That is all that was implied.

Mr. PLATT. If that is all that was implied, I have no objection to that.

Mr. CULLOM. I ask unanimous consent that to-morrow’s session be devoted to the Calendar under Rule VIII.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Illinois?

Mr. ENGALLIS. Does that include the entire day, from the conclusion of the formal morning business until the adjournment?

Mr. HARRIS. Unless an executive session is interposed, I should think it would.

Mr. CULLOM. I do not suppose it would preclude an executive session later in the day.

Mr. ENGALLIS. Everything but that?

Mr. CULLOM. Everything but that.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Illinois? The Chair hears none.

Mr. CULLOM. Why insist on my motion for an executive session.

Mr. GEORGE. Will the Senator yield to me to offer an amendment?

Mr. CULLOM. I yield for that purpose.

Mr. GEORGE. Now I insist on my motion which I intend to propose to the pending bill, and I ask that it be printed.

The VICE-PRESIDENT. The amendment will be received and ordered to be printed.

Mr. SHERMAN. I hope Senators will all understand that on Monday we shall proceed with this bill and try to finish it before the adjournment on that day.

The VICE-PRESIDENT. That is the understanding of the Chair.

Mr. PLATT. What is that?

The VICE-PRESIDENT. That the bill under consideration at the present time shall go over until Monday next and be considered as the unfinished business, to be disposed of on that day.

Mr. ALLISON. The unanimous consent does not go to the point of finishing the bill on Monday.

Mr. HARRIS. Oh, no; not to that extent. We do not know how long the bill may take.

Mr. PLATT. No, and it does not go to the point of considering it on Monday either.

Mr. CULLOM. A majority can settle that on Monday. I now insist on my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of the unfinished business.

Mr. CULLOM. After three minutes spent in executive session the doors were reopened, and (at 5 o’clock p. m.) the Senate adjourned until to-morrow, Saturday, March 22, 1890, at 12 o’clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 21, 1890.

UNITED STATES CONSULS.

James E. Ellis, of Wisconsin, to be consul of the United States at Brockville, Canada.

James C. Kellogg, of Louisiana, to be consul of the United States at Stettin.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 21, 1890.

The House met at 12 o’clock m. Prayer by Rev. George Elliott of Washington, D. C.

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

ORDER OF BUSINESS.

Mr. MORROW. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House for the purpose of considering the annual pension appropriation bill.

Mr. RICHARDSON. Mr. Speaker, is not this day set apart under the rules for the consideration of the Private Calendar?

The SPEAKER. Under the rules the Committee on Appropriations have the right to make this motion at any time after the reading of the Journal on any day.

Mr. RICHARDSON. Without a formal motion to dispense with the Private Calendar.

The SPEAKER. Without that.

The question was taken on the motion of Mr. Morrow, and the Speaker declared that the ayes seemed to have it.

Mr. RICHARDSON. I ask for a division.

The House divided: and there were—aye, 93, noes 25; so the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. Brookes in the chair.

PENSION APPROPRIATION BILL.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the purpose of considering the annual pension appropriation bill. The gentleman from Indiana [Mr. CHEADLE] asks that it be printed.

Mr. CHEADLE. Mr. Chairman, the bill under discussion is the largest annual appropriation for pensions ever made, and I would not attempt to underestimate its cost to the country. I know that pensioners everywhere have, and must have, a peculiar sympathy for several of the pension officers of the Government those pensioners saved from destruction solemnly promised its citizen heroes that if they would volunteer in its defense those who were wounded or broken in health, and the widows and children of those who died should be properly cared for. The patriotic soldiers performed their part of the contract; they volunteered and saved the nation’s life, and it remains to be seen whether those who are charged with the administration of the Government now will fulfill its promises and redeem its pledges made to the soldiers of the war of 1891–1865.

I wish to call the attention of the House and the country in the time given to me to the duty of providing a service pension for life to our citizen heroes, to the duty of rebuilding a nation and of supporting every deceased Union veteran and of properly caring for all who are now broken in health.

I had the honor of introducing House bill No. 235, a bill which authorizes the direct payment of a service pension to every honorably discharged Union soldier, sailor, and mariner who served sixty days in the war of 1861–1865 and who has now arrived or shall hereafter arrive at the age of sixty years. This bill also authorizes the granting of a pension to the widow of every deceased veteran at the rate of $12 a month. If I could I would make the rate of pension for every widow $20 a month, and then repeal all laws in conflict with this provision, and thus end at once and forever all forms of class legislation upon the disability of widowhood, a disability in which there can be no degrees and yet one for which in this land of constitutional equality of citizenship Congress has dared to grant one widow $3,500 a year and to every deceased Union veteran and of properly caring for all who are now broken in health.

This bill authorizes the granting of a pension to every disabled veteran and simplifies the ratings for invalid pensions below the specific rates granted for the loss of limb, eyes, and for deafness, or their equivalents, thus giving practical effect to the statement of our honored President, who in one of his public speeches said: "In granting pensions to our Union veterans they ought not to be weighed in apothecary balances," meaning thereby, I have no doubt, that there should never be such fine distinctions in ratings that it would require these pensions to be divided into the fractional part of a cent per month, as they now are under existing laws. This bill also authorizes the demand for the repeal of all laws inside the District of Columbia and District of Columbia, which do not carry arrears shall be granted a pension of $5 a month from the date of the issuance of the disability to the date of the issuing of the existing pension.

A bill so just and patriotic as this one is, a measure which is in nearly every one of its provisions so thoroughly in harmony with the legislative precedents of the Government from its organization, merits, in the opinion of the most careful and patriotic citizen of this House and by the people of the whole country. I think it is conceded by every fair-minded and patriotic citizen of the Republic that it was the Union soldiers, sailors, and marines who, by their valor, their sacrifices, and their sufferings, supported the gigantic rebellion against the life of the nation, conquered peerless citizenship of ours; if, having suffered so much and risked life to come thereby secured and re-established this temple of constitutional liberty with all its manifold blessings to the present and coming generations who shall follow us.

If, then, it is to them that we are indebted for all the blessings of this peace and cherished by ours, the least we can do is to relieve them so much and so wisely to secure for us these inestimable blessings, what are the just and legal rights of those who still live, were of that grandest and noblest of all armies in that greatest of all conflicts? I repeat, Mr. Chairman, what are the just and legal rights of these veterans?

I hold, as I am quite sure the great mass of our people hold and as the solemn pledges of the Government made to these men when they left their homes and enlisted imperatively demand, that it is their right to claim, yes, Mr. Chairman, if they do not get all the same benefits and honors which have heretofore been conferred by the Government upon their fathers who participated in other wars and contributed so much to their country in the life of the Nation, rendered the life of the nation, conquered peerless citizenship of ours; if, having suffered so much and risked life to come thereby secured and re-established this temple of constitutional liberty with all its manifold blessings to the present and coming generations who shall follow us.

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1890.

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war began, and at a time when the national Treasury can promptly meet every pension demand that may be made upon it without increasing the tax burden upon the country one cent.

The language of the bill and existing laws will give to every honorably discharged soldier, who now has the condition of life required by law, a pension for life. The day in battle, they were entitled to the pension. The language of the bill is, the days of service are therefore the term of service required of the Revolutionary patriots. Surely no one can find fault with this provision of the bill.

I do not ask the enactment of this bill into law, as I am sure the greatest number of men, do not make this their aim, for the purpose merely of providing for the maintenance and support of these patriots and their loved ones, and to keep the wolf of hunger and want from their homes. It want is enacted, as I know the people do, and the service pension for life granted and conferred upon these veterans, as a badge of distinction for patriotic service rendered the Government, and as a token of gratitude to the heroes who so loved that flag, Mr. Chairman, and this Government of the people, for the people, and by the people, that they laid aside their pursuits, and theirs alone, that made it possible for this nation to continue, the blessings of constitutional liberty vouchsafed to those who shall never be, we owe to their heroic devotion to country in its hour of peril.

Perish forever the thought that to secure and entitle one to receive a pension, it is necessary to establish a bad model with this provision of the bill. I would like to see the day when the national Congress shall have redeemed its pledges to all who served, when the credit of the Government shall have been adjudicated and the Union veterans returned to their homes and resumed the peaceful pursuits of life.

Mr. Chairman, we as a nation kept the promises and fulfilled the pledges made to these heroes? Have we made the widow and children of our heroic dead the wards of the nation? Have we properly cared for him who lost his health in that fearful contest and has since realized the fact that he cannot so successfully fight the battle of life for food and ratio?

I am impressed with the thought that to secure and entitle one to receive a pension for the lives of their loved ones, no one can find fault with this provision of the bill.

I would like to give upon the photograph of a medical referee who could give a reason for the two-thirds of a cent per month of those eight pensioners.

Mr. Chairman, it is true that some of the men who risked their lives for their country have been partially recompensed. The foregoing facts, taken from the last official report of the Pension Office, are conclusive upon that point. The technical and trivial distinctions in ratings establish, however, one fact beyond question and that is the ridiculous modes of procedure and distinctions in ratings for physical disabilities in our Pension Office, while the Treasury is fully prepared to meet any pension demand that may be made upon it and thoroughly competent men are anxious for a chance to go to work in adjudicating those claims. Thankful, indeed, that, as far as possible, this division of the pension claims in our Pension Office, while the Treasury is fully prepared to meet any pension demand that may be made upon it and thoroughly competent men are anxious for a chance to go to work in adjudicating those claims, our pensioners have been taken care of. Thankful, indeed, that, as far as possible, this division of the pension claims in our Pension Office, while the Treasury is fully prepared to meet any pension demand that may be made upon it and thoroughly competent men are anxious for a chance to go to work in adjudicating those claims, our pensioners have been taken care of.
The claim is frequently made that the service-pension bill ought not to pass because it would cost too much money. I shall not pause to argue at length the question of cost. We all know by experience the full force of the saying, "All that a man hath will he give for his life." I hold that this is as true of nations as of men. The men whose claims I this day present for your consideration did not stop to consider the cost of their gift to their country. They heard the cry for help, and went as only proud and brave men could go to the rescue. It cost them an incalculable loss in money, a sum far greater than all the pensions they will ever receive, and who would dare here and now to undertake to estimate the losses they sustained by reason of exposure on marches, in hospitals, on battle-fields, or in prisons by torture? Did the man who objects to a service-pension law because it will cost too much ever stop and investigate the facts? If he will pause and learn the truth he will find that the total cost of all pensions growing out of the war, if any change is made in all of the pension laws in the interest on the war debt to June 30, 1889. There has been paid out by the Government in interest alone upon the war debt to June 30, 1889, the amount of $93,667,000, and yet no law stands this year to subject the payment of interest upon the war debt because it has cost so much money? During the same period there has been paid out on account of pensions $1,053,847,328.01 only, or just $144,056,185.68 less than one-half the sum of money paid out at interest upon the war debt, and yet we hear gentlemen object to a service-pension bill on account of its cost. It seems to me, Mr. Chairman, that this comparison of the actual cost of interest and pensions must be a complete answer to and should end at once every objection against the passage of a service-pension bill upon the question of its cost.

When the Government shall have paid to pensioners a sum of money equal to one-fourth of the estimated cost of pensions, or to one-half of the required sum of money necessary to maintain the nationality of the country for a term of seven years, when the number of veterans upon whose claim pensions are payable is less than 1,000, should the Government cease to pay pensions? No, we who served any length of time know that almost one-fourth of our comrades were maimed and that the consequent increased sum of money can be placed upon the service and per diem bill can not exceed one-fourth of the estimated cost. Three hundred and sixty-four thousand one hundred and sixteen died in the service; this statement is accurate and made from official reports. The annual reports of the Adjutant-General of the Army show that only 770,725 men served at least two years in the service of the United States, and that the patriotic citizens of the country will never object this number 31 have since been removed from time to time since the close of the war I estimate of the number now living, we shall find that 1,285,471, the War Department, fixes the number at 1,285,471, or some other service-pension bill become enacted into law. Pensions should this or some other service-pension bill become enacted into law. Pensions widows of our comrades, will exceed $397,000,000 a year, and until every claim shall be granted they impossible to know how many different men did actually enlist. The total sum of the whole country, from 3,000,000 to 10,000,000; so do the estimates vary as to the number now living. One man who has given the question careful study places the number at 1,500,000. Capt. Ainsworth, of the War Department, says that, in a letter written July 1, 1890. Another gentleman who has prepared at great cost a list of every military and naval organization of the war, and has secured the names and addresses of 400,000 veterans, tells me that he was astonished to learn the proportion of those who served two, three, and even four enlistments. He does not believe there are over 900,000 living.

During the last nine years the Pension Office has been procuring the names and post-office address of these veterans. It has been aided by the thousands of the Grand Army of the Republic posts, by the hundreds of soldier associations, by its corps of special examiners, by requests repeated over and over to the postmasters in the United States, and by the hundreds of thousands of pensions claimants, and yet with all these aids it has been unable to secure 850,000 names. I find that in the Ninth Indiana district just about 48 per cent. of the veterans are pensioned; and that if the ratio of 40 per cent. was extended to the United States, the total number of pensioners would be 943,000. From a careful study of all the data I have been able to find, I do not think the census will show that one million of us survive the war. The ratios are too large. Three hundred and sixty-four thousand one hundred and sixteen died in the service; this statement is accurate and made from official reports. The annual reports of the Adjutant-General of the Army show that only 770,725 men served at least two years in the service of the United States, and that the patriotic citizens of the country will never object this number 31 have since been removed from time to time since the close of the war. The ratio of the additional annual expense of invalid pensions and the service pensions, exclusive of the annual expense of widows' pensions, has been computed at a cost of $633,000. On the other hand, it pays a benefit of $397,000,000 a year, and until every claim shall be granted they impossible to know how many different men did actually enlist. The total sum of the whole country, from 3,000,000 to 10,000,000; so do the estimates vary as to the number now living. One man who has given the question careful study places the number at 1,500,000. Capt. Ainsworth, of the War Department, says that, in a letter written July 1, 1890. Another gentleman who has prepared at great cost a list of every military and naval organization of the war, and has secured the names and addresses of 400,000 veterans, tells me that he was astonished to learn the proportion of those who served two, three, and even four enlistments. He does not believe there are over 900,000 living.

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$200,000,000 as the interest upon the war debt will have cost at that time.

I admit that a service-pension law will cost a vast sum of money. I want it to cost money. I want this generation and the country to know and feel the cost of that war. I want the world to know that nothing was cheaper, and that children grow to manhood and women to womanhood, but that the cost of that war will be computed, at the cost of so much blood and sacrifice, this Government by the people. And, Mr. Chairman, I want a service-pension granted as an object lesson for our children; I would impress upon their minds the great culpability of the Government to its citizen soldiers who in that war saved its life.

What reasonable excuse can therefore be urged against such a measure, in the light of the pledges made these veterans and their fathers? I will not, I hope, be charged with the question of its cost. Will this House decide that the claims of men who loaned the Government in that crisis in its history are more sacred and entitled to greater consideration than the claims of the men whose heroic services upon land and sea saved the life of that Government and made it possible for this House to meet and legislate for the welfare, the honor, and glory of the Republic? I honor my Government for keeping all of its pledges to the men who risked their money in that contest, and so does every veteran; but I do not stop there; I go further, and demand that it shall redeem every pledge and keep every promise to every man who saved a life in the war, to every young man to every veteran and to his widow and to his children; and to fail to keep these solemn promises would be, in my opinion, an inexcusable crime.

If you did as it said you must not ask for a service-pension law, because it will not pass this House; that such a law can not pass this House. I ask why? Is it not a just bill? The Treasury can meet the expense without increasing the taxes one cent. An army corps of these veterans will cost much money, because of their age, and if aid is ever to come to them it must come to them now.

The men who qualified not in the supreme hour of the nation's peril are now demanding it. They have petitioned for it by scores, yes, by hundreds of thousands. The great mass of what the martyr President, Mr. Lincoln, called the common people favor it. Their claim is a just one. The nation is amply able to pay them, besides the many of you veterans are still alive. The men who quailed not in the supreme hour of the nation's peril are dying every year, and if we shall reduce the revenues before we enact the service-pension bill if one is ever to be enacted for those who served in the war, twenty-five years from now, before they shall have the right to ask for that recognition to which they are entitled by precedent and by the most solemn promises of those charged with the high duty of preserving the nation's life from 1861 to 1865.

The man who uttered those words is a Regular Army officer, at this time a major-general, who resides at Grafton, and is paid $7,500 a year as a salarv, and, when age shall have dimmed his eye and broken his energies, the Government that educated him has provided that he can retire and live at his ease and continue to draw $5,625 a year so long as he lives; and yet this man, who rode to the fame and position he now enjoys and who saved its life, is insulted. A service-pension law if one is ever to be enacted for those who saved the life of the Republic shall fail to pension them. Shame upon any man or party claiming to be patriotic that would ask for less than the recognition and just relief in compliance with the promises made them. The great majority of American men are dying every year, and if we shall reduce the revenues before we enact the service-pension law if one is ever to be enacted for those who saved the life of this Republic to so humble himself and make oath to the fact that he is not worth the number of dollars it purported to represent. The men who were promised so many dollars per month as pay. The currency they were given is now not worth the number of dollars it purported to represent.
Every one of these obligations has been so paid. Then it was said that previous opportune times because the necessities were not sufficient to meet the demands. Now they are, and we have the money to pay them.

We of the North, Republicans and Democrats, have pledged ourselves in the late national platforms to be in favor of doing justice to our Union veterans. A quarter of a century has elapsed since the war closed and these promises have not been fulfilled, and now we are told that no such bill can be passed. But I would ask the gentleman from Michigan [Mr. CUTCHIN] and the gentleman from Indiana [Mr. CHADDELA]—by what authority or right is it that the veteran who served in the war of 1812 and fought under him in 1778 and made known the sufferings and demands of our soldiers, he replied as follows:

"It is not indeed consistent with reason or justice to expect that any set of men should make any sacrifice of principle to the ends of the public necessity. The rights of the field, the perils and vicissitudes of war, to obtain those blessings we now enjoy, every citizen will expect and demand adequate compensation. It must also be a comfortless reflection to any man that our fathers and our forefathers who have contributed so much to the safety and happiness of this country, at the risk of life and the ruin of his fortunes, there would be no provision made to prevent himself and family from sinking into indigence and wretchedness."—Journal of Congress, volume 8, page 321.

In March, 1783, in a communication to the President of the Continental Congress, asking for just recognition for the officers and soldiers who had fought under him in the war of the Revolution, he wrote as follows:

If the whole Army have not merited whatever a grateful people can bestow, then I have been beguiled by prejudice and built opinion on the basis of error. If this country should not in the event perform everything which has been requested in the late memorial to Congress, then will my belief become vain and my country becomes an object of contempt. The officers of the Army, as they are the only men who have ever been called for the purpose of influencing their passions, the officers of the Army are to be the only men who can dictate the policy of the Congress, in the Revolution, the Union has been saved; victory has been purchased in poverty and wretchedness; and if they are to evade the obligation of disengaging and even the miserable remains of their title to national gratitude, which they certainly have, then I shall not be bound to pay them. But I am under the impression that they may have been effectually compensated by the freedom and independence which their arms from impending ruin will never leave unpaid the debt of gratitude.

With what marvelous force the closing sentence, "A country rescued by their arms from impending ruin will never leave unpaid the debt of gratitude," appeals to the gentlemen. If the Republicans will prefer the higher interests of the Union, the independence of the Union, the welfare of the Union, then they must see that the men who are sent here as delegates from the several States are not only preserved the life of the Government, but gave it a permanent stability among the nations of the earth. In 1783 the Republic was an experiment. The Federal Treasury was then almost bankrupt, and yet neither poverty, high rate of taxation, nor any other condition was a sufficient answer to the just demands urged by Washington for the heroes who had under him by force of arms established the Republic. What wonderful changes have taken place among the nations of earth since then. Empires have perished; thrones and dynasties have crumbled into dust; kingdoms that were ruled by iron hands have disappeared from the maps of the world forever, while this Republic, with its national honor regardless of expense, its patriotism and firmness, has increased its population and wealth, extended its territorial limits, developed its resources, and forced its way to the front, until it is to-day the accepted power in the system of nations of the earth. The Republican system of government has been called the best of all; the former statesman, Mr. CUMMINGS, to-day in his great and most stubbornly con- clusion to Washington, "A country rescued by the arms from impending ruin will never leave unpaid the debt of gratitude."
incline to ask for information why it was that Mr. Tanner was invited to replace the Commissioner of Pensions.

The gentleman from Kansas (Mr. Peters) has justified on this floor the action of Mr. Tanner in putting on the pension-roll those who had not been honorably discharged, upon the idea that they had rendered good service. But, in the words of the gentleman, it is a man who had been discharged, deceased. He has also justified the increase of the two-dollar pensions to higher rates, which was done in the brief period of a few months. The Commissioner, in cases to the number of over five thousand, as I understand it. He has put in an argument to justify that, supplemented by a suggestion from the gentleman from Massachusetts (Mr. Morse).

I read from his remarks appearing in the speech of the gentleman from Kansas (Mr. Peters) made last Tuesday, as follows:

"Mr. MORROW. If the gentleman will permit me, I will remark at this point in justifying the increase of pensions of the Interior in regard to soldiers who had been honorably discharged. All the pensions that were at the rate of $2 a month to be increased to $4 a month. If I understand the Commissioner's position correctly it was that a man who was receiving $2 per month ought to be taken off the pension-roll altogether, because he was not entitled to any sort of pension, or else that his pension should be increased.

The gentleman from Kansas also said: During the year ending June 30, 1887, there were 32,107 pensions increased. During the year 1888 there were 45,716 pensions increased. During the year 1889 over prior years.

He also says, in relation to desertion: I want to say right here—Mr. CLEMENTS. Now, Mr. MORROW. If the gentleman will permit me, I wish to say right here to his country to urge on the Congress to adopt the pension-list for the next fiscal year, of recommending an increase in the appropriation for pensions, so that the Civilian and legal payment may be kept at one hundred and fourteen millions of dollars. Mr. CLEMENTS. That I understand to be the general statement of the present Commissioner, that it is an estimate made in the office. Mr. MORROW. But which estimate was not supported by any calculation or method of making the estimate which was deemed sufficient by the Commissioner of Pensions who made it. Mr. CLEMENTS. That I understand to be the general statement of the present Commissioner, that it is an estimate made in the office.

Mr. MORROW. If the gentleman will permit me, I wish to say right here—Mr. CLEMENTS, the gentleman's invitation. He has put in an argument to justify that, supplemented by a suggestion from the gentleman from Massachusetts (Mr. Morse). Mr. CLEMENTS. Now, Mr. MORROW. I want to say right here—Mr. CLEMENTS, the gentleman's invitation. He has put in an argument to justify that, supplemented by a suggestion from the gentleman from Massachusetts (Mr. Morse). Mr. CLEMENTS. Now, Mr. MORROW.

It is unnecessary for me to go at any length into the details of this question, in justification of the action of the Commissioner of Pensions under the last Administration on this point, but I want to put before the Committee in connection with the statements made by his predecessor, the late Commissioner of Pensions, Mr. Tanner, or under his supervision, and sent up to his superiors for one hundred and fourteen millions instead of ninety-eight and a half millions, as it is now, and that the estimate so made was sent back to the present Commissioner of Pensions to be re-estimated, and in that way it was brought down from one hundred and fourteen millions, as originally made up in that office under this Administration and submitted to the Secretary of the Treasury and to the approval of this Administration to send to Congress, to ninety-eight and a half millions of dollars. Mr. CLEMENTS. That I understand to be the general statement of the present Commissioner, that it is an estimate made in the office. Mr. MORROW. But which estimate was not supported by any calculation or method of making the estimate which was deemed sufficient by the Commissioner of Pensions who made it. Mr. CLEMENTS. That I understand to be the general statement of the present Commissioner, that it is an estimate made in the office.

Mr. MORROW. But which estimate was not supported by any calculation or method of making the estimate which was deemed sufficient by the Commissioner of Pensions who made it. Mr. CLEMENTS. Well, I can only say in reply that it was made up in the same Pension Office, under the same Administration, by the same experts and accountants, and there is nothing to show that it was not calculated accurate by the Commissioners who made it. Mr. MORROW. I do not so recollect it. Mr. CUTCHEON. Will the gentleman permit me to ask—Mr. CLEMENTS. And, Mr. Chairman, if the estimates of the experts are not reliable in one case, how are we to depend upon them in another? Mr. CUTCHEON. The question I desired to ask the gentleman has been put in his reply to the gentleman from Kansas, as to whether the details for this estimate of 114,000,000 were submitted to the committee; that is, the number of claims to be allowed on which the estimate was based. I am glad to see in the estimates for the allowance of a larger number of claims, and therefore a larger amount was necessary for the first payments. Mr. CLEMENTS. In reply, I say that the Commissioner of Pensions did not state to us that the number of cases to be adjudicated. The simple statement, so far as I remember it, was to the effect that it was an estimate of the office sent up to Congress, but returned to be re-estimated, and that the powers that were granted exceedingly when it was brought within a hundred millions of dollars.

Mr. CLEMENTS. The estimate of Commissioner Tanner, however, was not supported by any calculation, as I remember. Mr. CLEMENTS. In response to the gentleman's remark I can only...
state that it was prepared by the same experts and issued by the same office. I do not know what different method of calculation was adopted in such a different instance. One day everybody was alarmed at the figures, and I would like to ask the gentleman, in this connection, if he really believes that the ninety-eight and a half million dollars carried by the bill will be sufficient on his investigation the first year.

Mr. MORROW. It will be sufficient to pay all the pensions under the laws existing at this time or at the time the appropriation is made. But there are many people opposed to the pension-rolls by the actual acts of Congress or if the pensions are increased by reason of the action of Congress, there will be deficiencies to that extent.

Mr. BRECKINRIDGE, of Kentucky. And in another way there will be deficiencies. In these examinations of the Pension Office conducted by the 30 medical examiners and by other means, there will be doubtless more claims considered and allowed.

Mr. MORROW. The gentleman is quite correct in that. For the adjudication of the claims will be more rapid by an increase of the force, and there will be, undoubtedly, many additions to the pension-roll.

Mr. CUTCHEON. And there may be many, of course, besides the pension-roll, which, in my judgment, will be necessary to hasten the adjudication of the claims which have arisen by reason of the deficiency, which will be necessary to provide for pensions for the next year under existing law.

Mr. CLEMENTS. That is fourteen years ago.

Mr. CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky. I yield five minutes more to the gentleman from Georgia (Mr. CLEMENTS).

Mr. CLEMENTS. That has been fourteen years ago. This House has been Democratic from that time to this, except for the two years of the Forty-seventh Congress, and now the pension-roll is $100,000,000 a year in round numbers, which is more than 500 per cent greater, and the maximum and the expenditures have been on increasing and increasing all the time.

Mr. CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky. And in in the opinion, the former Administration knows what is necessary to provide for pensions for the next year under existing law.

Mr. CLEMENTS. That communication does not come to the general public. To the gentlemen of the Farmers' Alliance it does not feel that they are able to pay very heavy and unnecessary taxes.

Mr. MORROW. Why not make a full charge now?

Mr. CLEMENTS. I do not know that to be a fact. There were a great many soldiers in the late war, a much larger number than any preceding war, and there are a great many of the people of this country who do not think they are able to pay for extravagant expenditures.

Mr. CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky. I yield five minutes more to the gentleman from Georgia (Mr. CLEMENTS).

Mr. CLEMENTS. That is more than three times the amount that General Garfield said was the maximum, and the expenditures have been going on increasing and increasing all the time.

Mr. CHAIRMAN. The time of the gentleman has expired.

Mr. BRECKINRIDGE, of Kentucky. I yield five minutes more to the gentleman from Georgia (Mr. CLEMENTS).

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to take care of the soldiers. Nobody questions that—nobody in any security. But there are some other things, we must take into account; some other conditions and some other people that ought to be considered occasionally.

I do not know whether or not this newspaper (the Post, of this city) is accurate in its editorial comments on this communication I have read when it says:

Representative Peters inclines to the opinion that more liberal pension laws would put more money in circulation, and hence a tendency towards higher prices and more money in the farmers. This view is coincided in by Congressman Peters and Perkins.

[Laughter.]

Mr. Chairman, that is a new idea in favor of pension legislation, that it is to "boom" Kansas or to "boom" any other section of the country. My idea was that pensions were granted to the soldiers for their services, sacrifices, and necessities, not that they were to be given to "boom" prices in any particular locality, a thing which can not be done without depressing prices in some other locality. But the "boom" idea is a new one in connection with pensions.

Mr. PETERS. The gentleman from Georgia will understand that the word "boom" was used not by the Representatives named in the article, but by the newspaper.

Mr. CLEMENTS. But the gentleman only disowns the word "boom," and last night I heard the President of the United States give the same expression in the quotation I have read. I do not desire an increase of the amount carried in this bill, nor do I believe it will affect the prices and materially increase the amount carried in this bill, nor do I believe it will be wise to enact additional legislation which will make greater appropriations necessary. If it is proper, however, that there should be a comparison of the actual expenditure for the next fiscal year, for that expenditure will be made regardless of any arbitrary sealing of estimates by which this bill was brought within a hundred million dollars or several hundred million dollars. These facts are not to be lost sight of at this time when there are so many pending measures looking to still greater increase by new legislation.

I repeat that there are other subjects and interests that demand the patriotic attention of Congress besides this. When the indebted and distressed condition of a portion of this country is such as to cause that condition to enter into the consideration of pension legislation for the purpose of maintaining the authority and distributing the property of the revenues of the Government, which have been taken from the hard earnings of the people of the whole country, there is something radically wrong.

It is not the agricultural interests of Kansas alone that are depressed, but the same is true in other sections. There are many widows and orphans and poor men throughout the country who pay a daily tax on the necessities of life, thereby contributing to make up the great sum annually collected. It is not expended by the government; they have a right to demand that these expenditures shall not be unreasonable or extravagant. They have a right to demand that they shall be taxed only for public purposes.

The agricultural and business interests of the entire country are suffering for want of an adequate circulating medium necessary to prosperity. When shall this question, as well as that of removing unnecessary expenditures, be the consideration of Congress?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BRECKINRIDGE, of Kentucky. Mr. Chairman, I yield ten minutes to the gentleman from Indiana [Mr. Bynum].

Mr. BYNUM. Mr. Chairman, I avail myself of this opportunity, not to say anything on the merits of this bill, because I presume if there is any objection that could be urged to its passage it would be that it is too small instead of too large. It would certainly be best to so increase the amount as that the sum appropriated would equal the sum required to pay the pensions now provided for by law for the next fiscal year.

I desire at this time to call the attention of soldiers of the country to the fact that the other side is quite derelict in carrying out the promises they made during the last campaign. During that period Republican publishers and Republican speakers from the highest to the lowest, made the most liberal promises that if they succeeded to power they would enact the most liberal pension laws. They were not slow to denounce a Democratic House for failing to pass a general service-pension bill, or to repeal the Limitation clause of the arrears act. It is now practically determined by the Republican side of the House and by the soldiers of the country that neither of these bills is to be passed by this House.

As late as the 11th day of last February, the gentleman from Ohio [Mr. Grosvenor], in his speech in favor of the change of the rules, gave as a reason that under the old rules it was impossible for any one on this side to secure pension bills to be passed by this House. It was impossible for the gentlemen of the general pension bills upon the Calendar. General Alger, commander of the Grand Army, visited this Capital recently, and then started out, it is generally believed, at the instigation of the Administrations, to settle this political difficulty for the soldiers. I am not informed of the result of his labors, but I have been informed that he has been called upon to fulfill their promises, but instead of doing so they are framing excuses and dodging in every conceivable manner.

I desire to have the Clerk read a letter which has been published throughout the State of Kansas, a letter emanating from the gentleman from Kansas.

The Clerk reads as follows:

The following is a letter from Congressman Peters in answer to some resolution of the Grand Army of the Republic, dated February 15th of this year, in which it is requested that Mr. Peters apply to the President for additional pensions. Mr. Peters, in reply, states that the number of veterans and soldiers living in Kansas is too large to be transferred to the national pension rolls until the demands of the United States, and the State of Kansas have been provided for.

The resolution of the Grand Army then speaks of the necessity of providing pensions for the old veterans and citizens in Kansas. There is no talk about the Kansas delegation. If Mr. Peters would spend his time and money in inveighing last into the New England States and New York and Pennsylvania, and bring influence upon the Representatives of those States to enact legislation to provide pensions for the old veterans and citizens in Kansas, he would accomplish much more good. Every member of the Kansas delegation is an old veteran and citizen of Kansas.

"I hope the old soldiers of Kansas will not allow themselves to be imposed upon by any interloper from other States, who claims to be a friend of the service-pension cause, for the benefit of needy soldiers in the Kansas delegation. There has been a little too much of that and it should be put a stop to if these parties wish to work for the cause let them go and travel where the work is needed. The Indiana men had better stay at home and labor with their own Representatives. I think the soldiers of Kansas are able to take ears of themselves; and I know the Kansas delegation would think a good deal more of the Indiana fellows if they would stay at home and try to secure at least half of their delegation in Congress that could be relied upon to support pension measures, as the Representatives from Kansas are, and only three of the thirteen can be relied upon to vote for a service pension. Don't you think it is about time for the Indiana fellows to stay at home and work for the cause of their own men? It looks very much like the Indiana delegation making their Grand Army a vehicle to further the interests of the New England States."

Yours truly,

S. R. PETERS.

THOMAS L. POWERS, Secretary, etc.

The gentleman does not state the names of those that can be relied upon to support the measure, but it is evident, as the delegation stands, if the resolutions of the Grand Army are to be carried out that the 11th day of this month, he has no power whatever to secure the passage of any pension legislation upon his own side of the House and as unreliable those upon this side of the House.

I am perfectly conscious of the dilemma in which the gentlemen on the other side have placed themselves. I am aware that their professions of a great desire to pass a service-pension bill and to repeal the limitation clause in the arrears act in the last Congress were not sincere, and that their declarations to this effect during the last campaign were not to be carried out, and that they would attempt to shirk the fulfillment of their pledges by misrepresenting the attitude of other members upon this floor.

What authority did the gentlemen from Kansas assume to speak for the Democratic Representatives from Indiana? Certainly not from their records in this House and in the Departments, because none can be found from any State which gives greater satisfaction to their constituents than the advertisements at large by the Democratic Representatives from Indiana for the Soldiers, and the citizens in that State in comparison with Ohio upon one side and Illinois upon the other.

Per cent. of pensions to the number of soldiers in the war of the rebellion.

<table>
<thead>
<tr>
<th>States</th>
<th>Soldiers</th>
<th>Pensioners</th>
<th>Per cent.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illinois</td>
<td>250,147</td>
<td>39,105</td>
<td>15.6</td>
</tr>
<tr>
<td>Ohio</td>
<td>416,077</td>
<td>58,801</td>
<td>13.3</td>
</tr>
<tr>
<td>Indiana</td>
<td>167,422</td>
<td>24,603</td>
<td>14.7</td>
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The above showing is certainly proof that there has been no lack of industry upon the part of the friends of the soldiers in Indiana, or in any other State similarly situated can allow such a favorable record. Upon the passage of the dependent pension bill in the Forty-ninth Congress, every Democratic Representative from that State voted for the bill, and, unless the vote to pass the same over the veto of the President, 6 voted for the bill and only 2 against, while I was absent.

Now, what is the situation to-day? The rules which gentlemen upon the other side pretended prevented them from accomplishing anything in the last Congress have been changed. No filibustering can be indulged in: even the gentleman from Illinois [Mr. Cannon] failed in the attempt, although his motives were both patriotic and economical.

The pensions have been given leave to report at any time, and yet nearly four months of the session has passed and not a single measure promised to the soldier has been brought into the House. I do not mean to place upon the House the full responsibility of this management in the work of the committee with the labors of other committees of the House.

The Committee on Territories has prepared a measure of great importance for the organization of a Territorial Government in Oklahoma and the Government of the same, and reported bills for the admission of Wyoming and Idaho as States. The Committee on the Judiciary has canvassed the constitutionality of the direct-tax bill and reported the same favorably, and has completed the difficult business of referring the Kansas anti-rupt law, besides accomplishing many minor tasks. The Committee on Public Buildings and Grounds has considered and reported about seventy pension bills, and has prepared one large report.

The Committee on Ways and Means prepared, reported, and had com-
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sidered and passed a bill for the better or worse administration of the custom laws, and since then a majority of the members of that committee, rumor says, in some dark corner in the subbasement of the Capitol have attended the birth of some kind of a revenue measure, the participations of which are not so well known as the participation of the gentleman from Michigan will inform the country in due time that it is of legitimate origin. [Laughter on the Democratic side.]

The CHAIRMAN. I want to know when and where the Republican party pledged itself to a general service pension.

Mr. CUTCHEON. I have not been able to consider a single measure for a service pension or for the repeal of the limitation of the arrears act, although the measures were introduced long before it has been done the men on this side of the House, who claim to be as good friends to the soldier as any one in the country, do not intend any longer to sit here and quietly submit to utterances which have come from the dominant party on the other side for a number of years, and especially during this session of Congress. [Applause on the Democratic side.] For, as the gentleman from Indiana [Mr. BYNUM] has indicated, you have to face the music, and we intend to force you to it. We intend to draw the line of battle on the service pension bill. [Applause on the Democratic side.] You have got to march up to it, because we no longer intend you shall mask yourselves before the country as the special friends of the veterans when up to this time you have done but little to alleviate their sufferings.

Mr. SPINOLA: Why did not the gentleman from Kansas [Mr. PETEES], instead of keeping his indignation upon the members upon this side from Indiana, inform his constituent that his colleague [Mr. MORRILL], chairman of the Committee on Invalid Pensions, had failed to report any service-pension bill to the House, and until that was done every member upon the floor was powerless to do anything. The silence of members upon the other side of the House upon the subject of pension legislation, permit me to suggest, has become painful. The mild appeal from my colleague [Mr. CHEDDLE] is all that we have heard. True, we have had an occasional wave of the ensanguined garment, and what is it? It has been done but little to alleviate their sufferings. [Laughter and applause on the Democratic side.]

Mr. BOUTELLE. That is the way you do-promises bad been made, after having made innumerable pledges to veterans and other classes of citizens, when he was called upon to do what in the name of the country as the special friends of the veterans? [Applause on the Republican side.]

Mr. SPINOLA. Why, sir, the Democratic party has forced the pension-roll from $28,000,000 up to about $100,000,000. Yet our friends on the other side go home, and on the stump tell the people what great friends they have been to the men of the Union Army. It will do no good to tell them that.

Mr. BOUTELLE. Did not the Democrats furnish the opposition to pension legislation on every occasion? [Laughter on the Republican side.]

Mr. SPINOLA. The record does not sustain it. [Applause on the Democratic side.]

Mr. BOUTELLE. It does absolutely.

Mr. SPINOLA. No, sir; and we will not let it any longer; and you have got to face the music. [Laughter and applause on the Democratic side.] At the time the Republican party was appealing to the people for renewal of power, after we had elected Grover Cleveland President of the United States, they spent nearly four years in cultivating the vote of the veterans. The battle was to have been fought in Indiana. That State was to have been the battle-field.

Mr. KERR, of Iowa, rose to entertain.

Mr. SPINOLA. What was done in that campaign? My old friend, Corporal Tanner, the long-roll was beaten for him and he marched out like veteran. It took off his coat and took off his necktie and stripped himself almost to the skin. The democratic President Harrison put it in his mouth: the pledges to the veterans of Indiana were made at the suggestion of President Harrison and the Republican party.

Mr. BOUTELLE. That is the way you do-promises bad been made, after Indiana had been carried by Corporal Tanner visiting every Grand Army post, when he came to carry out his promises, after having made innumerable pledges to veterans and other classes of citizens, when he was called upon to do what in the name of the Republican party he had promised, and he was placed in a responsible position to do it, what was the result? Let us read what he said himself:

I want to say to you, I did not resign until the President and Secretary said to me in the same minutes that the completed report of the investigating committee, which lay before them, had not one word which would impeach the honesty of my action in the slightest degree. But, nevertheless, he had to go. I renounced the slightest doubt that I would have been removed if I had not resigned. There was a gallant soldier, a man who lost both legs on the battlefield, who was rewarded by the Republican party—say, by the President of the United States—namely, the President Harrison, and rendered to the people in the campaign of 1888, and yet he had to resign or, as we knew, his head would roll into the basket.

In fact, I know it—He says—Noble had pronounced his ultimatum to be my head or his resignation.

His head for what? Why, because he had done that which he promised the veterans of the North he would do—promises that he had made solemnly, he demanded of the President of the United States and the Republican party, to carry that State. That is the way you reward the veterans.
Mr. ENLOE. I maintain, Mr. Chairman, that the author of this letter to the volunteers to make me as is not entitled to any protection on account of his effort to accuracy that I indulge in the offensive criticism of my utterances on the floor of this House. It relates to a public and not to a personal matter, and if he was smart enough to get his criticism withdrawn, he should have either submitted in silence or he should have come out like an honorable man and made his offensive criticism in a public manner. He says my remarks demonstrated my "total lack of information on the subject," and his decision in relation to a dishonorable discharge to a claim for pension.

Now, if he had read my remarks before he assumed to criticize them both in mind I am to say that I have not time to call attention to the statement made here by the gentleman from Colorado, and so stated, but that I criticized his action in reversing a ruling which was intended to make the pension-roller a roll of honor, and not a record of dishonor. If he had been honest in his criticism he would have said, in the opinion of this gentleman, he should have either submitted in silence or he should have come out like an honorable man and made his offensive criticism in a public manner. He says my remarks demonstrated my "total lack of information on the subject," and his decision in relation to a dishonorable discharge to a claim for pension.

Now, I want to call attention to some decisions of Commissioner Black, whose record he now assails. He says: "By the Administration to have read my speech before he volunteered to criticize it. I understand that he is or was a Democrat [Laughter on the Republican side]—so represented or believed to be when he was serving under Commissioner Black, whose record he now assails. He says:

General Black set all Tanner's bad rulings and his administration, if investigated, will make his record exceedingly dishonorable. His statement, if it can be believed, only confirms what I have said as to the necessity for this investigation.

There are evidences all along the line that this investigation ought to be made. Some of the rulings in widows' cases deserve public attention. I refer to the widow of a New York colonel who ran in the Pension Office drawing a salary of $1,200 a year applied for an increase under the commissioner. The facts were that the widow was drawing a small pension and had been since her husband's death, which occurred several years ago—disability, a headache resulting from his army service. One morning he was found floating in the Hudson River, his skull broken, and his pockets rifled, and upon that showing of facts his death or murder was attributed to his headache, and she was rated and given $30 a month for life and $4,000 arrearages. I suppose she is still drawing the salary of $1,200 a year in the Pension Office. Then there is the cart-wheel case, where a man was pensioned for a slight trouble of the heart, at his widow's instance. There is the case of a man who was pensioned for $4 a month, and his widow's ruling, which has been pronounced by several of the ablest lawyers in the land an unanswerable statement of the law. General Black set all of Tanner's bad rulings, and his administration, if investigated, will make his record exceedingly dishonorable. Secretary Noble displayed the highest courage in bringing the irregularities of Black and Tanner to grief with promptitude and effectually.
If under any former administration there was ever a case where any clerk of the Pension Office was allowed to pass on the medical and legal qualifications of applicants, and under the nine-o'clock rule, as Thomas D. Yeager, of Pennsylvania, did in 110 cases. Thomas D. Yeager was a $3,000 clerk in the Pension Office, and I am related to him. The fact is, Mr. Chairman, and a gentleman-em­


care of George E. Lemon and Blocks-of-five Dudley, wrote the legal and medical opinions himself, though he was neither lawyer nor doc­


tor, railroaded one hundred and ten of them through under the forty­


eight-o'clock rule, and all the others, if he had not been detected by Dr. McMillan, who was appointed by Secretary of the Interior to check the robbery. Dr. McMillan wanted to meet the extraordinary doctor who prepared the medical opinions, and he found him on the street wearing the coat and cap of the championship railroaders of pension cases under all administrations. I would like to know where Thomas D. Yeager is to-day and whether he is still drawing his pay in the Pension Office.


There is not a farmer in this country who if he found the dogs set to guard the flocks killing his sheep, would have the breed on his place. He would kill the dogs and get a new breed.


No firm or individual or corporation would keep clerks or employees who had been caught increasing their salaries without the consent of their employer.


I say, sir, that the Government should apply the same principle, and not retain in its employ persons who took advantage of their posi­


tions in the Pension Office to rerate and grantarreages to themselves. When it is known that chiefs of division, clerks, members of the legal and medical boards, and all persons who were appointed to protect the Treasury against unworthy and dishonest claimants have been em­


 enraged in rerating themselves and each other, is it not time to order an investigation?


Let me say, the honest soldier of the country demand it. Let it be made. The tax-payers of the country demand it. Let it be made. Honesty, justice, and the facts demand it. Let it embrace the administration of Commissioner Commissioner Tanner, who was charged with the department of the pension office and was permitted to resign, by request, for trusting in the promises of princes.


Let it embrace Commissioner Black, who was charged by the gentle­


man from Kansas with being the wicked man who misled the unsophis­


icated Union Army. Let it embrace Commissioner Tanner, who was charged with abusing his position in the Pension Office, who was charged in Indiana with the proceeds of contracts for the future delivery of Cabinet places, while Tanner was on the stump promising pensions to everybody, by the authority and at the request, as he alleges, of his Presidential candidate.


The country will demand this investigation into the methods of dis­


bursing these immense appropriations which are growing and will con­


continue to grow larger annually: and if it embrace the administration that has saddled the Democratic House will order it in the Fifty-second Congress.


[Here the hammer fell.]


The time of the gentleman has expired.


Mr. BREECKINRIDGE, of Kentucky. I yield ten minutes to the gentle­


man from Mississippi. [Mr. ALLEN.]


Mr. ALLEN, of Mississippi. Mr. Chairman, we once had a lawyer in Mississippi. Joe Hardeman finally began in defending criminal cases by saying: "Gentlemen of the jury, I do not wish to argue against the majesty of the law, nor contra­


vene the due avoirdupois of the testimony." [Laughter.] Now, Mr. Chairman, I wish to say in the outset that it is not my purpose to "militate against the majesty of the achievements of the men who fought to save the Union, nor to "contra­


vene the due avoirdupois" of the obligation of the Government to them.


No, sir; I am the last man to deprecate the efforts and achieve­


ments of the Union soldiers; to do so would belittle my own work, for, sir, involved in the task of putting down the Southern Confederacy was the task of putting me down [laughter], and that was a big contract of itself. [Laughter.] Of course, Mr. Chairman, I am sorry it was neces­


sary to put me down, but I do take some pride in the fact that it re­


quited to do it.


Sir, when I have listened to the figures that have been brought out in this debate, that there were 2,576,139 enlistments in the late war on the side of the Union (and I hold in my hand the estimate from the War Department that, excluding re-enlistments, there were 2,213,365 individuals who served in the war as enlisted men, and that war cost $3,185,929,009); when I see that on the 1st day of January last there were 474,901 pensioners on the rolls growing out of the late war, besides those, who do not represent those under the forty-eight­


o'clock rule, there has been paid out in pensions $6,189,929,009 from July 1, 1861, to January 1, 1890, and that there are 400,370 more claims pend­


ing, in the hands of the Commissioner of Pensions; and the advan­tages this Government had in that war, with open communication with the rest of the world, and the valor and intrepid courage of those 2,213,365 enlisted men that must be conceded by all, and when I re­


member that the Confederates, cut off from the balance of the world, without the munitions of war, without a navy, without factories, with only 650,000 enlisted men all told, with no money except such as we could scrape together by getting up patriotic fairs, by printing and giving away wild paper on which to print it—considering all these things, Mr. Chairman, it oc­


curs to me, as it must occur to you, that if we had had a "fair share" in the war, we would have had a solidary mass of people who would have been a proper crowd to "monkey with." [Great laughter and applause.]


Mr. Chairman, I believe it was the present Executive of this great nation who said that "in measuring out pensions to the soldiers of the late war" and no apothecary's scales are better or fairer, in this matter, we are using the Fair­


banks railroad-car scales [laughter], and yet we are told that we are not doing half enough; and some of my Democratic friends are voting with our Republican friends in insisting that measures shall be enacted here that shall increase this expenditure hundreds of millions of dollars. In fact, the schemes now on foot and being urged on this Congress would involve expenditures almost without limit. It makes your head ache to calculate it. I want to say that I have no fault to find with the Republicans or any want of liberty to the soldiers. [Laughter.]


I know, Mr. Chairman, this is a great Government. It would be im­


possible to compute its expenses for this war; that is, sir, I feel mighty had about having tried to destroy it [laughter]; but, sir, when I listen to the demands as made in the name of the soldiers for saving it and see the disposition to comply with those demands on the part of the Government, I think something must have happened and have an accounting, and see if we had best try to pay the thing out or let the Grand Army of the Republic take it. [Laughter.]


I listened with interest to-day to my friend from Indiana [Mr. Cline], in his appeal for the soldiers, and I wish to say to him, and to every kind of sympathy by brother Cheadle and me: we were both privies. [Laughter.]


I believe he is honest and believes in what he says. I believe that I am the last man to depreciate the efforts and braveries of a real soldier feels to his comrades; but I noticed in the morning paper that the S.x-O'Clock Club met in this city last night and the dis­


tinguished personages present were required to confess on what subjects they had been paid off two hundred cases from the files, and I had made an honest confession I would have said he was a crank on the subject of pensions. [Laughter.]


I am not going to take issue with him about our obligations to the soldier. Let me state and I think sometimes we had best stop and con­


sider that; the difference between us is in how the obligations are to be discharged. It probably grows out of a difference in temperament. I am very3 sentimental, while he seems to be quite practical. I believe in paying off these obligations partly in honor, while he wants it all in cold cash. [Great laughter and applause.] I have taken occasion once before to warn gentle­


men who saved the Union, and I now repeat the warning, that if you do not heed this on this bill, and this bill will be passed and will make a law, in which my friend CHEADLE had been there and had made an honest confession he would have said he was a crank on the subject of pensions. [Laughter.] I do not want this done; I only desire to preserve up some of that spirit of gratitude to talk about on Fourth of July occasions [Laughter.]


The gentleman from California [Mr. MORROW], in charge of this bill, informs us that he thinks we will reach the limit in 1894; that we have got it so far that by that time it will be paid off. Mr. Chairman, I must confess to being somewhat skeptical about these predictions. To show how unreliable they are, and how wild some of our friends have gone on this subject, I will call your atten­tion again to the speech of the late President, General James A. Gar­


field, to which the gentleman from Georgia [Mr. CLEMENTS] made reference in his remarks to-day. On this floor, on the 7th day of December 1877, General Garfield, in discussing the pension appropriation bill for that session, which carried $98,533,000 said:


My idea is, if gentlemen will allow me, that we have reached and perhaps passed the amount of appropriation for pensions which it is necessary to ask for the next ten or twenty years. Ten or twenty years it will take to develop and get through with regular form of laws to admit to the rolls the persons entitled to pensions, and that the time most necessarily comes when we shall pass the climax and begin to go downward. I suppose we have already reached the maximum.


[Laughter.] This was the settlement of a gallant Union general, high in the councils of his party; a man thoroughly conversant with the per­


formances of the Union soldiers. You can see that at that time it had never entered into the mind of any one that this pension business would ever go to the extent to which it has already gone, and yet the climax is louder for increases to-day than ever before.


I want to submit one suggestion just here about pensions, and that is, aside from the hardship it imposes on those who have to pay it, and perhaps the amount of pensions which from the number of years to develop and get through with regular form of laws to admit to the rolls the persons entitled to pensions, and that the time most necessarily comes when we shall pass the climax and begin to go downward. I suppose we have already reached the maximum.


My idea is, if gentlemen will allow me, that we have reached and perhaps passed the amount of appropriation for pensions which it is necessary to ask for the next ten or twenty years.
Gentlemen tell us that there are 30,000 Union soldiers of the late war in this country. I have no criticisms to make and I do not censure them for being poor; it is no disgrace. Nor do I mention the case of the Confederate soldiers as an argument against any pension, but I do believe that the pensions of the Union men can be carried to an extent that it will not be best even for the beneficiaries of the system. We all know that self-reliance is a great thing to develop and sustain human character.

[Mr. Allen, of Mississippi.] I thank the gentleman from Kentucky [Mr. Breckenridge]. The main object I had in addressing the committee to-day was to make some suggestions in reference to the position of Mr. Kansas friends, Messrs. Perkins, Peters, and Funston, made during the discussion of the Mills bill in the Fiftieth Congress. We were then demanding relief for the farmer, were insisting on a reduction of taxation. We wanted the money left with the people; but what did these gentlemen do? Mr. Perkins, in speaking of agricultural depression, charged it to Cleveland's Administration, and of course led us to believe that a change would remedy the evil.

Here is what he said:

We have just from Mr. Cleveland's inauguration until the present time agricultural products have declined until, as the gentleman from Minnesota said the other day, there is no profit to-day to the farmer in the cultivation of the field, and, in order that this condition of affairs may continue, now we are asked to strike down a system of legislation which in the past gave the country its wonderful prosperity, and the belief contributed to the happiness and prosperity of the people rather than see the industries and trade of the country prostrated and lose the honor and credit of the nation on earth; which has furnished us an industrial system which pays better wages to labor than is paid anywhere else; which furnishes a better market for the product of our farms, forests, and mines, and which are to-day the foundation of so much prosperity and happiness, and we demand such just protective laws as shall assure to our whole people a continuation of a simple and settled financial condition, and we insinuate the able efforts of the Hon. S. H. Peters, who is laboring so manfully in behalf of the people to strike down that system which has been the great political moneymaker and forcing our laborers to compete with the poorly paid labor of Europe.

[Mr. Peters reads with some pardoeable pride the following resolution of a county convention in his district to show us the farmers were prosperous and happy.]

The idea that has been crooked from the White House and echoed by almost every Democrat that we have too much revenue is a false pretense and a lie.

And these are the remarks of Mr. Funston: Why all these tears for the farmer?

Again:

We have to say to you, gentlemen, the farmers are asking none of your sympathy.

This is good reading in the light of present conditions. Here it is again:

A farmer is not dead to his interests. He knows better perhaps where they lie than the men who are assuming to champion his cause; but little, if any, of what has come from him of his own free will, in behalf of the present condition of the tariff. All of the petitions that have reached my table in the last four years have been made by one who has come from a farmer asking a reduction of the tariff on wool or any other article.

Here it is again:

Thanks, gentlemen. Restrain your sympathy; bestow it where it will be more appropriate and better appreciated.

He ever denies us the privilege of sympathizing with the Kansas farmer.

Hear him again:

The farmers of my district believe that under our system they are getting a good market for their products which fully compensates them for every extra cent they may possibly have to pay in taxes.

It seems to me this will be at this time very interesting reading for the "Kansas corn-burner" as he sits by his corn fire. I hope he will be able to take his place at the right side of his hearth, and be happy as they deserve to be. They are waking up to a realization of their condition and to the tricks that have been played on them.

I hope their Representatives will wake up also. If they do not, I intend to champion the cause of the Kansas farmers as well as the rest of the farmers in this country. My platform is: Lower taxes for the farmer; more money for his use, both greenback and silver, and cheaper tariff laws on all articles.

Mr. Breckenridge, of Kentucky. I yield five minutes to the gentleman from Indiana [Mr. Holman].

The CHAIRMAN.

Mr. Breckenridge, of Kentucky. I yield five minutes to the gentleman from Indiana [Mr. Holman].

The CHAIRMAN.

To whom do the gentleman from Kentucky yield?

Mr. Breckenridge, of Kentucky. I yield five minutes to the gentleman from Indiana [Mr. Holman].

The CHAIRMAN.

To whom does the gentleman from Kentucky yield?
I am in favor of treating the subject of pensions as a business matter, giving to the soldier a fair pension based upon the logical ground that his service to the Republic entitles him to have made up to him or his heirs such sum as may be necessary to make up for the loss which was in the service; that, if the soldier was killed, his widow and children should have a sum of money which shall be somewhat an equivalent for what he would have earned for them if he had survived; that, if disabled, he shall have a bounty equal to the difference between the earning power if he had come out of the Army undamaged and the earning power he has under the casualties of war. All else seems to me, saying it with great respect, to be either sentimentality, which uses other people's money for the gratification of something which is political legislation for the purpose of buying political power with the public Treasury. And to that I am opposed.

Each annual application must increase. I believe my friend from California [Mr. MORROW] is mistaken. I do not see how it is to reach its maximum in 1894. According to my calculation it will not reach it during this century, and at the end of the half century of 1899 we will have a pension-roll of large proportions.

Mr. MORROW. Can I say a word?

Mr. BRECKINRIDGE, of Kentucky. Certainly.

Mr. MORROW. The gentleman's statement was quite correct, but he will bear in mind that my reply was as to the effect under existing law.

Mr. BRECKINRIDGE, of Kentucky. Then under existing law, if we are to vote, the pensions are still as large as they were.

Mr. RICHARDSON. Sixty years, for it will be remembered the widow takes the place of the pensioner, and it is demonstrated by the fact that on the present pension-roll are widows of the war of the Revolution and survivors and widows of the war of 1812; that the widows' pension-roll last much longer than the pensioners' pension-roll.

The letter from General Raum here-to appended shows that there have been granted pensions only for the late war up to October 1, 1888, and that there were then pending applications 255,326, and there had been rejected 146,792, making an aggregate of applications 1,133,781, or about one application for every two soldiers actually lost during that war.

We may well expect that at least 600,000 more applications will be filed, and that of those pending (255,326), those rejected (146,792) entitled to be reopened, and when reopened adjudicated under the principles set out in the fantastic and grotesque decisions of the Assistant Secretary of the Interior (General Bussey), and of those to be filed (600,000), an aggregate of 1,005,272, perhaps 80 per cent, will be granted; that is, 804,221, or more than has been issued since January 1, 1890. So that, without any new legislation, increased rates, or giving service-pensions, we may reasonably expect the pension-roll to be augmented every year for many years.

The pension-roll is and for a half century will continue to be a mortgage on the industries of the country. We can borrow money at 3 per cent. If we were to fund the principal that at 3 per cent. would realize a hundred millions it would be $2,306,000,000; this is practically our future war debt for the last quarter of a century.

There is more than one hundred millions every year for that quarter of a century. Let us look it squarely in the face. It must be borne by those who have the responsibility which brought the war and he paid by those who are to live for it.

I have nothing to say about the issue between the Administration and Corporal Tanner. Nor do I intend to say anything unkind of him or harsh of his conduct in the Pension Office. The gallantry of his service and the sad and pathetic evidence of that gallantry render it impossible for one who served on the other side to say anything unkind of him, or harsh of his conduct. But I have a right to say that the Army itself, having the responsibility of the action which brought the war and he paid by those who are to live for it.

There ought to be a full and complete annual investigation of all its action. That there have been many fraudulent pensions all know; that there have been scandals is freely charged.

The statement of politics from our discussions of pension bills. This day may never come. If not, there will come a day of retribution. But I do say as a representative of the people that there ought to be a more searching and more critical review of the Pension Office; that the sensitiveness which keeps us from investigating it, which has made it sacred, which has every time it has been under discussion, any criticism of it, is unfortuitous and unpatriotic. Where $100,000,000 passes under the control of a bureau, when it has examiners in every part of the country, when it is capable of being used as an immense and powerful political machine, when every dollar that is spent comes out of the labor of the productive industries of the country, and when we are seeking relief, when every widow who receives a pension is paid out of the earnings of the widows who receive no pension, it is our bounden duty to see that the Pension Office is conducted with a that fidelity committed by a bureau which is frequently examined, and that all its acts be performed in open daylight.

This is the following letter referred to in Mr. BRECKINRIDGE's remarks:

Mr. BRECKINRIDGE says:

Department of the Interior,
Office of the Commissioner, Bureau of Pensions,
Washington, D. C., March 17, 1890.

Mr. B. T. SULLIVAN, Chairman:

I wish to inform you that I have the honor to acknowledge the receipt of your communication of the 15th instant, asking for certain statistical information from the records of this bureau; in response to which I have to state:

Your first question asks for the total number of pensions on account of the war of 1861 granted to January 1, 1890, and the number of such pensions on the rolls on that day. The total number of pensions granted from 1861 to June 30, 1889, growing out of causes originating in the war of 1861, was 703,689. Between July 1, 1889, and December 31, 1889, 22,983 of such pensions were granted, making a total to January 1, 1890, of 726,672 allowances of all classes of late war pensions.

On the first day of January, 1860, there was a total of 474,930 late war pensioners of all classes on the pension-roll.

Your second question asks for the aggregate sum paid to such (late war) pensioners up to January 1, 1890. Up to a comparatively recent date the amount disbursed for pensions and the cost of such disbursement were not separately accounted for. The pension-roll originally made on this subject in 1890 showed that it differed from the amount paid to pensioners as distinguished from the total amount expended for pensions in the different pension appropriation acts. I am able to state that $1,052,218,415.17 were expended from the pension appropriations from 1861 up to January 1, 1890, and that this amount was divided in payment of all classes of pensions. Both of these amounts, however, included the disbursements to pensioners of the war of 1812 and the war with Mexico. From November 29, 1889, to January 1, 1890, there were granted $9,060,641.67, in late war pensions. I am also proper to state that on the same date there were upon the rejected files of this bureau the following cases: In valids, 65,738; widows and others, 73,370; total, 239,308.

Your third question asks for the number of persons now on the pension-roll on account of the war of the Revolution, on account of the war of 1812, and on account of the Mexican war.

On the first day of January, 1890, there were 27,963 persons on the pension-roll on account of the war of the Revolution; there were 9,990 pensioners on account of the war of 1812, and 23,968 Mexican War pensioners.

The number (27) of the Revolutionary war pensioners is so small that no separate roll is kept of them, but they are, however, included in the rolls of the late war pensioners reported in this letter because they are paid from the same funds. The total in all cases is 35,921.

Your fourth question asks for the present number of pending applications. I presume you refer to late war applications. By an actual count made December 30, 1889, it appeared that there were 10,055,272, perhaps 80 per cent, of those late war pensioners reported in this letter because they are paid from the same funds. The total in all cases is 13,084,948.

Very respectfully,

GREEN B. RAUM,
Commissioner of Pensions.

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

The CHAIRMAN. The gentleman's time has expired.

Mr. BRECKINRIDGE, of Kentucky. By agreement five minutes was to be given to my friend from California [Mr. MORROW] to close the debate.

Mr. MORROW. Mr. CHAIRMAN, I will briefly reply to one or more suggestions made on the other side of the House.

Mr. CHAIRMAN. Mr. Chair, the Hon. W. C. P. BRECKINRIDGE from the position of Commissioner of Pensions. When he went into that office he found a great Government machine in full operation under the law. It was impossible for him to examine into all the details of pension business and ascertain whether or not every case which was passed upon was determined exactly according to law.

He found, if he made an examination—or, whether he did or not, it was impossible that there had been established the practice of giving employment of the office as well as others. Whether it was correct or not, the fact existed that the receiving of the employes of the Pension Office was going on; and we have here a statement or list of ten names for the six months since March 7th, the date when Commissioner Black left the office and Tanner became Commissioner.

Now, how much rearing went on during the preceding three and a half years, it is unnecessary to go over. We do not know. We have not asked to know. We simply ask that there
Mr. SAYERS. Will the gentleman from California inform the committee how it was brought to the attention of the Secretary of the Interior by the Secretary of the Interior?

Mr. MILLIN. The gentleman from California has expired.

Mr. CHAIRMAN. Mr. Chairman, I have had, of course, the five-minute extension by the courtesy of the committee, but I do not know; I am not sure that I can answer the gentleman’s question.

Mr. SAYERS. Would not the supposition be more probable that it was originally brought to the attention of the President and the Secretary of the Interior as to whether pensions shall be paid from the income of the pension fund, so far as the pensioner mentioned therein dies without issue or a widow remains of order, I think my honorable friend from Texas, I beg to suggest that no comparison of the cost of the several wars in which we have unhappily been engaged, and the number of pensions paid for the fiscal year ending June 30, 1891, shall show any more accurately, with Mexico, and the late civil wars; and before the end of line 36 insert: the amendment, which is that it would have been desirable that the pension-
ble a just comparison to be made. We have a large pension-roll because our friends, the Confederates, shot a great many of us. They were better marksmen than we ever thought they were, and we could not keep out of the way of their bullets. Somebody shot a great many of us, and we returned fire in good element with making no noise or sacrifice in us, but they made many in some of us, and we would have to be pensioned many times to keep even.

Of course they did not hit us every time and sometimes they hit us with no bullet at all. It cost a great deal of lead to kill one Yankee. It was said to be that in war it took a man's weight in lead to kill him. Only a few out of the whole number of shots fired in war take effect.

Marshal Saxe, says an exchange, first made the assertion which formed the base of the above, when he said it would take 135 pounds of lead and 33 pounds of powder to put each of the enemy in the long trench. Wild and visionary as this may seem, it appears that there was more truth than poetry in the remark. With all the improvements which have been made in the art of war since the days of Saxe, Cassendi, the French savants prove that the great marshal's philosophical remark still holds good.

At the battle of Solferino, according to Cassendi's carefully deduced calculations, a comparison of the number of shots fired on the Austrian side with the number of killed and wounded on the part of the enemy shows that 700 bullets were expended for each man wounded, and 4,200 for each man killed. The average weight of the ball used was 30 grains; therefore it must have taken at least 126 kilograms or 227 pounds of lead to kill each man.

Yet Solferino was a most important and bloody battle. In the Franco-Prussian war the slaughter caused by the needle-gun among the French was so great that many suppose that you are sure to run cold carbine; yet with that deadly weapon 1,300 shots were fired for every soldier destroyed in the enemy's ranks. Verily there was good foundation for Bogert's ungrammatical remark: "War is awful, but the noise of war is awflier." I may say, parenthetically, that I consent to the justice to the Confederate armies.

But our friends the enemy never missed us when they could hit us. The waste of lead was wholly unintentional on their part. They meant the enemy overlooks. He would have done better to say that he had killed as many of the Southern soldiers as you have killed in the battle of Edgehill. "It is not possible," he said, "for two wings of disease to keep our soldiers in the field."

The infantry regiment that sustained the greatest loss in battle was the Eighth New York Heavy Artillery, which lost 361 killed and died of wounds.

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The infantry regiment that sustained the greatest loss in battle was the Eighth New York Heavy Artillery, which lost 361 killed and died of wounds.

The second infantry regiment in numerical loss was the Eighty-third Pennsylvania Volunteers lost 732 killed and wounded.

The infantry regiment that sustained the greatest loss in battle was the Fifth New Hampshire, which lost in killed and died of wounds 295.

The second infantry regiment in numerical loss was the Eighteenth Pennsylvania Volunteers. Its loss was 292 killed and died of wounds.

The Fifth Wisconsin Infantry lost 733 killed and wounded.

The One hundred and forty-first Pennsylvania Volunteers lost 732 killed and wounded.

When we heard that appalling yell it wounded a hundred times as many as the bullet and the bayonet. Similarly, it may be said, it wounded a hundred times as many; wounds unseen, perhaps unfelt, for years; insidious, subtle, hiding away in nerve, muscle, brain, heart, tissue, and bone; seeds of decay planted in the constitution weakened kidneys, and straits of the service, germs of insanity sown in the system in the swamps of the Carolinas, the sands of Florida, the mud of Virginia, or in the heat and flame of the deadly encounter, when brain and heart were subjected to strains from which they never entirely recovered. And these seeds and germs, like grains of wheat preserved in an Egyptian mummy, after many years bloom and fruit in ailments, as varied as the flowers of a garden, which disable and disqualify for any of the bread-winning pursuits of life.

When that stage in the progress of growing infirmity is reached there are but three ways for the soldier to go: One leads to the bosom of private charity, one to the public almshouse or a soldiers' home, the other to a pension-roll. Which way shall he take? Let a saved nation answer.

To show how greatly disease exceeds the bullet in the destructive force of war and to give a hint at the cost of preserving this Union, I append the following statement.

A part of the cost of preserving the Federal Union.

<table>
<thead>
<tr>
<th>Casualties</th>
<th>Officers</th>
<th>Men.</th>
<th>Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Killed or died of wounds</td>
<td>6,365</td>
<td>103,673</td>
<td>110,038</td>
</tr>
<tr>
<td>Injuries of various kinds</td>
<td>2,442</td>
<td>38,978</td>
<td>41,420</td>
</tr>
<tr>
<td>Drowned</td>
<td>100</td>
<td>4,538</td>
<td>4,638</td>
</tr>
<tr>
<td>Other accidental deaths</td>
<td>142</td>
<td>2,972</td>
<td>3,114</td>
</tr>
<tr>
<td>Killed after capture</td>
<td>14</td>
<td>260</td>
<td>274</td>
</tr>
<tr>
<td>Committed suicide</td>
<td>29</td>
<td>290</td>
<td>319</td>
</tr>
<tr>
<td>Jailed</td>
<td>37</td>
<td>237</td>
<td>274</td>
</tr>
<tr>
<td>Executed by enemy</td>
<td>4</td>
<td>60</td>
<td>64</td>
</tr>
<tr>
<td>Died from starvation</td>
<td>6</td>
<td>526</td>
<td>532</td>
</tr>
<tr>
<td>Other known causes</td>
<td>22</td>
<td>2,972</td>
<td>3,094</td>
</tr>
<tr>
<td>Cause not stated</td>
<td>121</td>
<td>121</td>
<td>121</td>
</tr>
<tr>
<td>Total</td>
<td>9,364</td>
<td>289,912</td>
<td>306,276</td>
</tr>
</tbody>
</table>

This you will agree was an awful cost, yet the outcome was worth it all. It established the nationality of the Union. It made us a nation of freemen, and started us on a career of development and prosperity that enabled us to fling off our war debt, as a bird moults its feathers, and to build up our resources, increase our wealth, and provide the means of extending a liberal hand to those who made it possible for the Republic to win the beneficed the world for the loss of little lives.

Do you gentlemen despairingly inquire: "Where is the money to come from to pay these pensions?" It seems to me like crying fire in the midst of a Noahian flood.

I submit the following picture of the health, wealth, and greatness of this nation for the comfort of the desponding souls whose fears make...
cowards of them when they think of the pension-roll. Here are the figures for a quarter of a century:

<table>
<thead>
<tr>
<th>Date</th>
<th>President</th>
<th>Principal</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 23, 1865</td>
<td>$2,755,685,325</td>
<td>$531,822,051</td>
<td></td>
</tr>
<tr>
<td>March 4, 1865</td>
<td>$2,623,423,200</td>
<td>$263,200,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1867</td>
<td>$2,686,732,142</td>
<td>$54,466,645</td>
<td></td>
</tr>
<tr>
<td>March 4, 1868</td>
<td>$1,972,256,497</td>
<td>$78,380,007</td>
<td></td>
</tr>
<tr>
<td>March 4, 1869</td>
<td>$1,261,057,960</td>
<td>$41,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1870</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1871</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1872</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1873</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1874</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1875</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1876</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1877</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1878</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1879</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1880</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1881</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1882</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1883</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1884</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
<tr>
<td>March 4, 1885</td>
<td>$1,032,050,000</td>
<td>$26,000,000</td>
<td></td>
</tr>
</tbody>
</table>

We have done this and paid our pensions besides. An exchange puts it in strong and graphic terms thus: Europe, with about five times our population, about four times our wealth, and not twice our natural resources, has added to its national debts in the last twenty years $8,525,000,000, or over three times our total original debt, and their interest charge to-day is thirtyfold our own. In 1865, when figures began, Europe owed $15,764,246,552, about five times our debt. This is the lesson of liberty! These are the fruits of freedom; and the great Republic, without debt, without an army, without a navy, goes on in the great race of prosperity and industrial supremacy, distance outstripping every power on the globe.

The soldier pensioners are a sight upon which not the least of our genial days will look, and yet these millions are an annual, not canonic, but a national, expense. These are a great portion of those who have made the sacrifices, and yet, not only have we refused to provide for the soldiers without pensions, but we have refused to provide for the pensioners. This is a hard case, but it is a case that has arisen from our own policy, from our own absence of the necessary feeling toward the soldier commendable in the highest degree. We have bestowed our bounty with lavish profusely compar'd with any other nation on the globe. No exhibition of the nation's benevolence and gratitude, among the many which have shed unceasing luster upon our history, will shine upon the field of history more brilliant than the supreme liberality with which we have treated our loyal defenders. Let us see to it now that we do not mar the beauty of our record or dim the glory of our past by a future policy of stinted gratitude, crippled generosity, and false economy.

The CHAIRMAN. Debate on this amendment is exhausted.

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

The CHAIRMAN. The gentleman will state it.

Mr. HOLMAN. The point of order is that it is new legislation; and I wish to say a word in that connection.

Mr. SAYERS. Does the gentleman from Indiana raise the point of order upon that amendment?

Mr. HOLMAN. Yes, sir.

Mr. SAYERS. Let me ask the gentleman one question.

Mr. HOLMAN. Yes, sir.

Mr. SAYERS. Is not the gentleman willing that the House and country shall have the information asked for in that amendment?

Mr. HOLMAN. All the information that could affect the pending bill. Whatever information concerns the subject-matter of the bill I will not object to. But the ground upon which I make objection is that it is new legislation, applicable to matters outside of this pending appropriation bill.

Mr. SAYERS. Does the gentleman's objection extend to the entire provision?

Mr. HOLMAN. No, but if any part of it is subject to the point of order that affects the whole.

The CHAIRMAN. The Chair understands that the gentleman's objection is to that portion of the amendment which pertains to obtaining information except as to pensions resulting from this late war.

Mr. HOLMAN. Yes, that portion pertaining to the foreign wars is objected to.

Mr. SAYERS. That is not in this resolution; and I ask that the amendment be again read.

The CHAIRMAN. The Clerk will again report the proposition.

The amendment was again reported.

Mr. HOLMAN. I shall then modify my objection somewhat, I have no objection to the proposition so far as it applies to the late war; but I shall make my point of order on getting statistics in relation to former wars.

Mr. SAYERS. Let me call the attention of the gentleman from Indiana to one thing which he has probably overlooked, and it is this: That from 1861 down to the present time we have been steadily paying pensions not only for the present war, but also for the war of 1812, the war with Mexico, and the Indian wars.

Mr. BRECKINRIDGE, of Kentucky. And the Revolutionary war,
Mr. SAYERS. And the Revolutionary war, and they are carried in this bill. My object, Mr. Chairman, was just simply to aggregate these matters, so that the country might know how much was being paid to the soldiers who had served in the late war, and what the committee would be of value only as a means of being as far as it affects the late war, but I object to the information respecting the old wars. I will say to my friend from Texas that the additional information called for is not with a view to legislation touching the war of 1812 or the war with Mexico. Of course my friend's purpose is to obtain information which may concern legislation touching the late war, and I must insist upon the point of order.

Mr. BRECKINRIDGE, of Kentucky. This bill carries appropriations for the pensions of all these wars.

Mr. HOLMAN. Of course, I understand that. I say that it is obvious that the country needs information to affect the pension system growing out of the late war, and that the other information sought has no important bearing on that war. Whatever information is sought for that relates to the late war I do not object to.

Mr. SAYERS. Let me relieve the apprehension of the gentleman from Indiana. I had no such intention in offering that amendment; and his construction of the provisions of that amendment is far-fetched.

Mr. HOLMAN. Mr. Chairman, I wish to be recognized one moment. I understood that the gentleman from California having charge of this bill does not object to this provision, and I believe that his remarks that the provision of the gentleman from Texas was submitted to the committee.

I objected to it for the reason I have stated, that the country will understand that the information called for by that provision in this bill would have the bearing upon legislation touching the late war, and not by reason of the proposition affecting pension legislation concerning preceding wars. In its present form I have no objection to it.

[Mr. HOLMAN withdraws his remarks for revision. See Appendix.]

Mr. GROSVENOR. Mr. Chairman, I move to strike out the last word of the first paragraph, the word pension.

Mr. Chairman, the minority on this floor have suddenly become wonderfully patriotic, and if they could only destroy the unpatriotic record which they have always made upon this floor they would be wonderfully benefited by the result. My distinguished friend from New York [Mr. SPINOLA], with great self-satisfaction, says that the Democratic party in Congress—Mr. SPINOLA. In the field, during the war.

Mr. GROSVENOR. My distinguished friend says that the Democratic party have run up the pension appropriation bills from something like $35,000,000 to some thing like $100,000,000 per annum.

Mr. SPINOLA. The gentlemen from the South have never voted for a pension bill. They are for a pension bill. They are in favor of it.

Mr. GROSVENOR. Let me tell the gentleman that there is not one dollar of that money that is appropriated and will be paid under any general appropriation bill ever passed by the Democratic party, or by its majority on the floor of either branch of Congress, or ever signed by a Democratic President, excepting the bill to extend the amount of the pensions of soldiers who have served in the late war, and for the widows of dead soldiers.

Not one of that, every dollar of that appropriation is due to the Republican party's patriotism and love of the soldier, and nearly all of it has been put there as the result of the hardest-fought battles we have ever fought, against all blustering and all sorts of opposition by the Democratic party.

Not only is that true, Mr. Chairman, but in the Forty-ninth Congress we passed a bill to increase the pensions of the men who had lost arms and legs in the service of the country, a handful of men, and 45 Democrats in this House and no Republicans voted against it.

Let me tell you another thing, my friend from New York: There never was recorded on the Journal of this House the vote of a single Republican against a pension bill passed in this House—a general pension bill; and that was simply the protest of a distinguished gentleman from Indiana against the passing of that bill.

Let me tell the gentleman another thing. In the Forty-ninth Congress we passed a bill, which was the best we could do. We stood here day after day and week after week appealing to gentlemen on the other side to do what has been called sneeringly by the Democratic press of this country almost unanimously the "pauper pension bill." It went to Mr. Cleveland, the President of the United States, and he vetoed it with language all redolent of insult against the Union soldier of the country. When it came back here, under the proviso of the Constitution, the bill was put up and demanded the right to read the veto of the President; and how many Democrats voted to override the veto of the President? Not many that I recall. If they did so they are not here to-day to answer to their names on this floor.

Mr. BYNUM. Will you permit a question? You have reference to the dependent pension bill.

Mr. GROSVENOR. I have—the veto of that bill.

Mr. BYNUM. There are six Democrats from Indiana—and I am one of them—who voted to override the veto.

Mr. GROSVENOR. Six Democrats out of 170!

Mr. BYNUM. Six Democrats from Indiana alone—from that one state.

Mr. GROSVENOR. Let us see. There were enough of them from the doubtful districts who voted that way to save themselves from destruction at home. But let me tell the gentleman from Indiana that he can not escape the result of that veto. Grover Cleveland hurled that veto into the faces of the Union soldiers of this country. Afterward he was nominated for President, and no man shamed louder in his behalf than the distinguished gentleman from Indiana, who has suddenly become converted to the support of a service-pension bill that he will never vote for in a Democratic House while God allows him to live—never.

[Here the hammer fell.]

Mr. MORROW obtained the floor and yielded his time to Mr. GROSVENOR.

Mr. GROSVENOR. Now, will the gentleman stand up and tell me when it was that they passed a law under which, and pursuant to which, this $100,000,000 is to be spent? Did you do it? Your President vetoed, refused to sign, more than three hundred pension bills, and he is to-day the most popular Democrat in the United States and will drag you at his car-wheels three years hence. [Applause on the Democratic side.] That is right. I shall be glad to see you supporting him, and I shall be glad to see the distinguished Democrat from Indiana standing up in his district and protesting to the Union soldiers that he has always been in favor of every pension bill, and yet proclaiming his loyalty and allegiance to the man who vetoed, directly and indirectly, more than three hundred pension bills.

[The Speaker rose.]
We have not got to have a two-thirds vote to get up pension bills; a majority can do it. Let me tell you what you are doing in addition to that. Your distinguished statement are pointing the country to the terrible war. We are going for the benefit of the soldiers. What does it mean? Your greatest leader on that side points out to the country, in a dispatch which went into the Associated Press every where, that we were about to bankrupt the Treasury by passing a service-pension bill; and in the name and on behalf of the Democracy of the United States elevated his potential voice against the extravagance of the Republican party in Congress on that point.

The gentleman from New York, as well as the gentleman from Indiana, will have an opportunity to vote for a bill, a Republican bill. [Applause.] We will redeem the promises that were made and violated, and the promises which now, for the first time, this party is found to have an opportunity to redeem on this side of Congress with both branches of the national legislature in our hands. [Applause.]

[Here the hammer fell.]

Mr. LAWLER. Give us that bill right away and we are with you.

[The Clerk read as follows:]

Mr. TARSNEY. Mr. Chairman, I have risen for the purpose of asking the gentleman from Ohio a question. Now that the Republican party is in control of the Executive Department and both branches of Congress, do they propose to re-enact that dependent-pension bill and take those twenty thousand out of the pauper-house?

Mr. GROSVENOR. By no means. We will enact a Republican bill, a pension bill, not a dependent-pension bill. Let me tell you what you are doing in addition to that. Do not blame me for supposing that I referred to him when I asked the gentleman from New York, of what we have done nothing for the benefit of the veterans, their widows, and the survivors of the war? York pointed to me and charged me, and that gentleman from the gentleman from Massachusetts to whom the Shakespearean fore­head, who sits just over there. [Laughter.]

Mr. SPINOLA. Will the gentleman from New York give me a moment? Mr. SPINOLA. Well, I guess not just now. I made no statement in reference to the gentleman.

Mr. WILSON, of Washington. Will the gentleman from New York allow me to correct him in one statement, in reference, as I believe, to myself?

Mr. SPINOLA. Yes, sir; we will go down just as the Democratic soldiers went down before the fire of the Confederates.

Why, my friend from Massachusetts over there laughs. The gentleman laugh is if it were young to have known anything that went on during the war or to know much about the Army. But I will tell you that the great bulk of the Union Army was made up of the Demo­cratic legions of the North. [Derisive laughter on the Republican side.]

And I am prepared to prove that statement on the floor of this House, and gentlemen on the other side can not laugh it down.

Mr. COLEMAN. May I correct the gentleman? I want to tell him that the veterans on this side come, and the gentleman from Indiana has an opportunity to vote for a bill, a Republican bill. [Applause.] We will redeem the promises that were made and violated, and the promises which now, for the first time, this party has found the opportunity to redeem on this side of Congress with both branches of the national legislature in our hands. [Applause.]

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Mr. SPINOLA. Will the gentleman from New York give me a moment?

Mr. SPINOLA. Well, I did not know that my shot was so scatter­ing when I fired it. [Laughter and applause.] What is the matter with my friend?

Mr. MORSE. I want to say in response to what the gentleman has just said:

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MORSE. I move to strike out the last word.

Mr. FLOWER, Mr. Chairman, I will take the floor and yield to my colleague from New York, if I can be recognized.

Mr. MORSE. The gentleman from New York has seen fit to refer to me in connection with service in the Army.

Mr. FLOWER. Can I not yield to my colleague?

Mr. SPINOLA. My time was all taken up by the young man standing there. [Laughter.]

Mr. WILSON, of Washington. I did not desire to take the time of the gentleman from New York, but simply to correct a misstatement.

The CHAIRMAN. The Chair will state that the position is this: The gentleman from Massachusetts [Mr. Morse], who moved a proper amendment, and which was concluded in five minutes' time, which is at his disposal under the rules, the Chair will be at liberty to recognize other gentlemen.

Mr. MORSE. The distinguished gentleman from New York referred to me as smiling at his remarks.

Mr. SPINOLA. I beg your pardon; it was not you, sir. [Great laughter.] I did not suppose there were so many members of the House who imagined they resembled Shakespeare in looks. I do not blame him for supposing that I referred to him when I said a few moments ago, "I refer to the gentleman with the Shakespearean forehead."

Mr. PEACO. I rise to a question of order. I desire to know who did the "smiling" at the gentleman. [Laughter.]

Mr. MORROW. Mr. Chairman, I desire to say a word in reference to the amendment of the gentleman from New York, if we have dis­posed of the smiling question.

The CHAIRMAN. The gentleman from Massachusetts has the floor.

Mr. MORSE. Mr. Chairman, the distinguished gentleman from New York pointed to me and charged me, 'The gentleman from Massachu­setts,' or words to that effect. I was the only person in this House at that time—I say he charged me with smiling at his remarks, which I aver I never would have done had I been old enough and had not been a member of Congress. Now, I plead guilty to the charge of the gentleman from New York of smiling at the remarks of my friend on the other side, as we all did, and pray how could we help it when the Democratic party on the other side claps upon this floor the stupid thing that the gentleman from Massachusetts does, that the Democratic party in Congress have enacted and the soldiers are indebted to them for every favor in the way of pension legis-
tion that they have received at the hands of the Government, when he knows we know and the country knows that the Democratic party in Congress as a party has constantly, persistently, and consistently opposed all pension legislation, which culminated in numerous vetoes by General Grant. It is all very well for the gentleman from New York to say, and anybody can say this, that he has no spring chickens, or that he has no signing chickens, on the 23d of May, 1881, at the age of nineteen, I enlisted in Company A, Fourth Massachusetts Regiment, and served with General Butler in Virginia, and in the same regiment, and shoulder to shoulder with ninety-five men from my little town, under the shadow of Bine Hill, in the valley of the Nenepot, under the command of Captain Hall, Lientenants Drake and Morse, I marched away to the burning sands and the tropical sun of Louisiana.

Of those ninety-five men, who were the flower of the town in which I lived, most of them young men, a score died in the swamps of Louisiana, and were buried unmarked, unshrouded, unconfined, and unknown, and they are sleeping there now. They are sleeping their long, last sleep. They died for the Union; the roar of no cannon, the boom of no siege gun can awaken them; and, Mr. Chairman, the object of the appropriation now under consideration is to make provision for pensioning and to redeem the pledges made at the hour of the nation's deadly peril, and I ask unanimous consent that he may have time to answer it. I have had my attention called to a case of a soldier who had been waiting for eight years in order to get his pension adjudicated by the office. Now, have they not enough help in the Pension Office to adjudicate the claims of the soldiers?

Mr. MORROW. Application has been made for additional help.

Mr. FLOWER. Do they lack help now?

Mr. MORROW. We have provided for the examination of these cases by the appointment of thirty additional medical examiners. As I understand from the report of the Commissioner what they most require is medical examiners. We have provided those thirty additional examiners, and I understand they will expedite the adjudication of these claims.

Mr. FLOWER. This man has been waiting for eight years.

Mr. MORROW. It does not necessarily follow that we have been waiting eight years that it is the fault of the Pension Office; because it may be his own fault in not completing his evidence. When I first came here I had called to my attention a case that had been pending for fifteen years. I went to the Pension Office, overhanded the papers and found what evidence was necessary and advised the applicant of the fact. It was presented, and his case adjudicated. It is probable in these cases that have been pending so long that the fault is in the pensioner himself, not providing the proof.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. FLOWER. I move to strike out the last word, "amendment.

The CHAIRMAN. The Chair will state the position.

Mr. CUTCHEON. I have an amendment to the amendment.

Mr. SPINOLA. Mr. Chairman, I withdraw the amendment and offer another.

The Clerk reads as follows:

Strike out "pensioner" in line 30 in the first section of the bill.

Mr. SPINOLA. I desire to say that there is no necessity for any other bill in regard to passing pension claims through the Pension Bureau, for the reason that in this very bill we make provision to increase the clerical staff.

A short time ago that makes provision for that particular purpose, and therefore it has nothing to do with clerical hire. It is a separate item.

Now, sir, my friend from Kansas away back yonder wished to have a bill that would come to him during the session of Congress. I did not hear exactly what he said, but as part of my remarks upon the amendment now before the House I will ask the Clerk to read the following letter which I have received within the last twenty minutes. I ask careful attention of the House to it, and especially that of my friend from Kansas.

The CHAIRMAN. The gentleman from New York takes the floor and asks that this letter be read as part of his remarks.

The Clerk reads as follows:

HEADQUARTERS REPUBLICAN RESURRECTION CLUB, SOUTHERN DISTRICT, Wichita, Kansas, March 17, 1890.

DEAR SIR: We noticed with great pleasure your reply to Representative Preston relative to prohibition in Kansas, and if at any future time our delegation make a statement that prohibition in our State is a success you can denominate it in the strongest terms without the least fear of an honest contradiction. With nine newspapers of the State printed by the press and with the political parties neglecting all the material interests of the State to invent new and questionable methods to enforce it, it is a confessed failure and farce, oppressing our people with burdensome taxes and driving capital and immigration from us, and building a wall around our fair and otherwise magnificent State, with a heavy tax upon the products of the world that is intended not to be tolerated here.

A few months ago the Republican business men of Kansas took hold of the matter and now Republican state are being organized all over the State and at present writing not less than 80,000 Republicans are favoring a revocation of the prohibition laws, with the majority of our people knowing the legislature has not been called. In ninety days the representatives of Kansas, who go about stating what a great success prohibition is in Kansas, will wake up and find a Western prohibition great for Congressmen, but for the people it is not.

With revoluiion and the Farmers' Alliances spreading like a mighty grain, and our State, revolutionizing its State, and the Sons of Liberty, if it is enough to wake up even. Ellisville, who is busy studying the race question and the colleges of the State. It will be the day of amusement, not to be tolerated here.

Yours, very truly,

FRANCIS B. SPINOLA, Representative.

General FRANCIS B. SPINOLA, By W. D. MCCORMICK, Secretary.

House of Representatives.
Mr. FUNSTON. Now, will the gentleman allow me to say that is a old hat, and when it was kicked out of the Republican party four years ago, and he is hunting around now for a new hat.

Mr. SPINOLA. But the fifty thousand Republican followers he speaks of can not all be blow-hards. [Laughter.]

Mr. FUNSTON. They would not be if what he said about their existence was true.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORROW. Mr. Chairman, I move that debate upon this amendment be closed. The motion was agreed to.

Mr. CUTCHEON. I move to strike out the last paragraph of the bill.

The CHAIRMAN. That is not in order. That paragraph has not been reached. The Clerk will read the next paragraph.

Mr. McCARTHY. Mr. Chairman, I desire to offer some amendments to the next paragraph, and to insert the word “shall.”

Mr. MORROW. Mr. Chairman, we have passed the first paragraph. The amendments are in order, although they are not debatable. The Clerk will read the amendment.

The Clerk read as follows:

In line 34, after the word “pensioner,” strike out the following: “may, in the discretion of the Secretary of the Interior,” and insert in lieu thereof the word “shall,” so that the provision read as follows: “The accrued pension due on said certificate to the date of the death of said pensioner shall be paid to the legal representatives of said pensioner.”

Mr. CANNON. Mr. Chairman, I understood the gentleman from California to make a point of order upon that amendment.

The CHAIRMAN. This is an amendment to strike out a portion of the first paragraph, and to insert the word “shall.”

Mr. CANNON. Precisely; but it involves a change of the existing law.

Mr. MORROW. Mr. Chairman, the provision in the bill is precisely the existing law, except in the states; so that if you strike out one word, or more than one word, or any number of words, you make a change of existing law.

Mr. CANNON. The President of the Court did not understand the gentleman from California to make a point of order against this amendment.

Mr. MORROW. I do make it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For fees and expenses of examining surgeons for services rendered within the fiscal year ending June 30, 1890, $11,000. And each member of each examining board shall, as now authorized by law, be paid $100 a month for the examination of each applicant whenever five or less a number shall be examined on any one day, and $25 for each additional applicant on each day. Provided, That if twenty or more applicants appear on one day, no fewer than twenty shall be practicable, be examined, and if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of $1 only until twenty examinations shall have been made.

Mr. OUTHWAITE. Mr. Chairman, I desire to offer an amendment which I send to the desk.

The amendment was read, as follows:

Insert at the end of line 50 the following: “Provided, further. That not more than two of the members of each of said examining boards shall belong to the same political party in any county where it is practicable to appoint examining surgeons from different political parties.”

Mr. MORROW. Mr. Chairman, I raise the point of order upon that amendment, that it changes the existing law.

Mr. OUTHWAITE. I hope the gentleman will reserve the point of order. I shall not discuss it, but I trust that when I have submitted a few facts upon the merits of the amendment the point of order will be withdrawn.

The chairman of the committee, in alluding to the subject of rating, stated that Commissioner Tanner found when he came into office a great many cases in which the boards had, for the examination of the public schools of the Union Army were members of the Democratic party before they enlisted. I think that is perfectly clear; but I do not care to occupy time in discussing that question now.
The point is made against contemplated pension legislation that we should not place a premium upon the soldiers by the passage of "pauper" pension bill.

Mr. SPINOLOA. I rise to a point of order, that the discussion which the gentleman is now pursuing is not germane to the bill.

Mr. KERR. Mr. Speaker, I am not dealing with a point of order, I am entering into the argument.

Mr. SPINOLOA. Never mind that. I object, unless you are willing to give me the same amount of time that you occupy. If so I am perfectly willing.

Mr. KERR, of Iowa. The gentleman has had the floor to-day five times as much as I have.

The CHAIRMAN. The Chair hopes that the gentleman from Iowa will not detain the time of the House.

Mr. SPINOLOA. What is the amendment?

Mr. KERR, of Iowa. To strike out the last word.

Mr. CHAIRMAN. The gentleman, in regard to this matter of "pauper" pension legislation I think there is a great deal of abuse of language. Will the gentleman from New York claim that it is any disgrace for a man to be poor?

Mr. SPINOLOA. I will answer the gentleman—

Mr. KERR, of Iowa. I can not yield except for a categorical answer—yes or no. Will the gentleman say it is any disgrace to a man to be poor?

Mr. SPINOLOA. Now, I propose to answer that question, and if my friend-

Mr. KERR, of Iowa. I yield only for a direct answer.

Mr. SPINOLOA. I will give you an answer if you will permit me.

Mr. KERR. I will give you the answer. You have been very long. The gentleman, if a man has been in the service of his country, and on account of that service has been made poor, has been rendered unable to do the work of the world, then it is not disgraceful. Then the soldier in this country who will not honor him for such service; and that he is poor is not disgrace, if his poverty is the result of his unselfishness and his patriotic service.

Mr. KERR, of Iowa. Something has been said about the pledges made by the Republican party. I make the statement, Mr. Chairman, that the Republican party has never made all of its pledges to the soldier; in many cases it has the power. I want to read from the platform adopted in the last national convention of the Republican party, to show the pledges that it made. They are not to be enlarged by bare assertions. The gentlemen will have the honor of the statement of all the pledges to our soldiers.

Then in another place they say:

The legislation of Congress should conform to the pledge made by a loyal people, and be so enlarged and extended as to provide against the possibility that any man who honorably wore the Federal uniform shall become an inmate of an alms-house or dependent upon private charity. In the presence of an over-flowing Treasury it would be a public scandal to do less for those whose valiant services preserved the Government.

This is the extent of the pledge the Republican party has made. I listened with a great deal of surprise to the speech of the gentleman from Indiana [Mr. CHEADLE]. I do not think this side favors the attack of the Government with reference to the treatment of Union soldiers. By implication it is a charge of the basest ingratitude on the part of the Government in view of the fact that the bill under consideration was enacted for pensions alone—a larger sum than any other nation in the world has ever paid for the support of its Army, including pensions, in time of peace.

The charge of the gentleman from Indiana seems to be without justification. He also finds fault with the Government because it paid its soldiers in currency. There was no other money in circulation at the time they were paid. They did not expect their pay in any other money at the time they enlisted. Some of those who were able to retain their pay, or to loan it, or to invest it, had it made as good as gold by the policy of the Government, just the same as other creditors of the Government, and that policy was resisted at every stop by the Democratic party. The Government at the close of the war, in addition to the pay they had promised, gave an extra bounty of $100 to every soldier who had served over three months. The extra pay was also granted above the contract. I feel impelled to make this statement as a soldier who served from 1862 to the close of the war, in justification of the Government against the charge made by the gentleman from Indiana.

The gentleman demands that the promises of the Government to the soldiers should be redeemed. He fails to point out any promises it has failed to redeem. The other gentleman from Indiana [Mr. HYNUM] calls the attention of the House to the fact that a larger proportion of the soldiers of Indiana have been granted pensions than in any other State. I am glad to hear the gentleman make that statement. He does not explain what exactly was meant by the pension laws in Indiana during the last administration contributed to this result, showing how important to a soldier it is in a Democratic administration to reside in a doubtful State. He asks the House whether it was passed.

It might be answered that if the Democratic President had not vetoed the bill which was passed for the relief of soldiers who were disabléd and the widows and orphans of deceased soldiers the Republican party would have no pensions. They are pledged to pass the dependent-pension bill for the relief of the disabled soldiers and of widows of deceased soldiers, and they will pass it. This is the only pledge they have made, as have been shown by the presentation from their party to the Democratic party. They are pledged to pass the dependent-pension bill, and it is not pledged to make good the losses sustained by the Union soldiers in their heroic devotion to the Union.

The gentleman from Indiana seems to be without the foundation for which he has appealed. He has appealed to the existing law, unless I would produce the laws on pension subjects; this is not even in the general law. I assume the gentleman is acquainted with the fact it is not in the existing law.

Mr. FLOWER addressed the Chair.

What portion of the paragraph?

Mr. MOOROW. Very well.

Mr. FLOWER. Mr. Chairman, the gentleman from Iowa [Mr. KERR] has been reading, I presume, from Mr. Greeley's Almanac when he states that only one-fourth of the men who fought the battles of the Union were Democrats. The men who wore the epaulets were Republicans. The men who carried knapsacks were Democrats. That is one of the reasons why the gentlemen from New York and other States have been opposed to pensions. They are pledged to make this bill $114,000,000, instead of ninety-eight millions.

Mr. MOOROW. I move that debate on this paragraph and all amendments thereto be now closed.

Mr. FLOWER. I say that every Northern State, including New Jersey, went Republican as long as the Democratic soldiers were at the front. [Applause on the Democratic side.]

And never, Mr. Chairman, until those soldiers got back did those Democrats have a chance to carry a Northern State, and then they made a clean sweep. [Laughter and applause.]

And the majority of the soldiers who fought in the last war were Democrats. The men who wore the epaulets were Republicans. The men who carried knapsacks were Democrats. That is one of the reasons why the gentlemen from New York and other States have been opposed to pensions. They are pledged to make this bill $114,000,000, instead of ninety-eight millions. [Applause.]

[Here the hammer fell.]

On motion of Mr. MOOROW, all further debate on the pending paragraph was closed.

The next section was read, as follows:

For the salaries of eighteen agents for the payment of pensions, at $4,000 each, $72,000. In case of the sickness or unavoidable absence of any pension agent from his office he may, with the approval of the Secretary of the Interior, authorize a chief clerk, or some other clerk employed therein, to act in his place, to sign official checks, and to discharge all the other duties required by law of such pension agent. And, with like approval, any pension agent may designate and authorize a clerk to sign the name of the pension agent to official checks. The official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases. The necessity for its reduction, and that it be not further enlarged than the existing law, and that the pension agent for New York shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct, in like cases, of the pension agent for New York.

Mr. OUTHWAITE. I make the point of order that this is a change of existing law.

The CHAIRMAN. What portion of the paragraph?

Mr. OUTHWAITE. Commencing in line 58:

And, with like approval, any pension agent may designate and authorize a clerk to sign the name of the pension agent to official checks. The official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases. The necessity for its reduction, and that it be not further enlarged than the existing law, and that the pension agent for New York shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct, in like cases, of the pension agent for New York.
Mr. OUTHWAITE. I will vote for the amendment. I do not think the gentleman has made out his case. I have no doubt the pension agent could not conveniently pay and sign checks. I do not think the law does not authorize it now. Mr. MORGAN. I think it is necessary that the clause be inserted. It is necessary that the amendment be made.

The CHAIRMAN. Does the gentleman from Ohio intend on the point of order?

Mr. OUTHWAITE. I feel it is necessary. I think the point of order is well taken.

The CHAIRMAN. Does the gentleman insist on it?

Mr. MORGAN. I will vote for the amendment. I do not think the gentleman has made out his case. I have no doubt the pension agent could not conveniently pay and sign checks. I do not think the law does not authorize it now.

Mr. MORGAN. No, it is not in the existing law.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. OUTHWAITE. I think the point of order is well taken.

The CHAIRMAN. Does the gentleman insist on it?

Mr. MORGAN. I will vote for the amendment. I do not think the gentleman has made out his case. I have no doubt the pension agent could not conveniently pay and sign checks. I do not think the law does not authorize it now.
Mr. KELLEY. I yield to the gentleman from Mississippi.

The CHAIRMAN. The Chair will recognize the gentleman from Indiana [Mr. BYNUM] to reply.

Mr. BYNUM. I had no doubt when I called attention to the other side of the fact that they were deceitful in performing their promises to the soldiers of the nation, but when once, a vas, a mali, a stil, a win, a flaunt the ensanguined garment, as they always do when the question of pensions comes. The gentleman from Ohio [Mr. GROSENOY] says that the Democratic party was not the author of any general pension legislation. It has been a Democratic House that passed the bill granting arrears of pension.

In the Forty-ninth Congress, under the leadership of one of my former colleagues, Mr. MORGAN, there were three general pension bills passed. The bill increasing the pension of widows from $8 to $12 a month; and no more meritorious bill ever did pass. The only fault I found with it was that it did not increase the pensions enough. The bill increasing the pensions of another meritorious class, that of deaf soldiers, from $17 to $30 a month.

Another bill increased the pension of the one-legged and one-armed soldiers; and if my recollection serves me aright there was another general pension bill granting a hundred dollars a month to those who had lost both arms. So that, under Democratic Congresses within the last ten years bills have been passed of a general character increasing pensions of soldiers so understood, and it is a topic of discussion whether they did or did not increase the pensions above any other. If the Republicans were so anxious to pass bills, why was it they did not pass something in the Forty-seventh Congress? Why was it they did not pass a bill during that Congress when they had the power, when they had control of both branches of Congress and the executive department of the Government?

Now, the gentleman from Michigan [Mr. CUTCHEON] speaks of the number of Union, or rather of those who are Union soldiers, and he cites them from the votes cast in the field for Lincoln as Republicans. Why, there was no Republican candidate for President in 1864. There was a Union candidate and a Union ticket in the field, but there was no Republican candidate.

Mr. MORGAN. On what ticket was General McClellan running?

Mr. BYNUM. On both. [Laughter.]

Now, the State of Indiana, following out the line of argument made by the gentleman from New York [Mr. PETERS], and the Army, and he cites them from the votes cast in the field for Lincoln as Republicans. Why, there was no Republican candidate for President in 1864. There was a Union candidate and a Union ticket in the field, but there was no Republican candidate.

Mr. MORGAN. On what ticket was General McClellan running?

Mr. BYNUM. On both. [Laughter.]

Mr. MORGAN. I yield to the gentleman.

Mr. KELLEY. I thank the gentleman, but I shall not trespass much longer upon the time of the committee. In my own district, a few days ago, the Grand Army of the State held their encampment and denounced the Republican party for its failure to keep its promises. Whether those promises were made by the Republican party or not, the soldiers so understood, and it was Republican papers and Republicans that denounced the dependent-pension bill as a “vamper bill,” and not Democrats or Democratic papers. When the Grand Army held their encampment a few days ago in the city of Indianapolis they denounced the Republican Administration for failing to change the bills, and to strike off the tax on tobacco, which is wholly a revenue tax. Mr. Chair-

Mr. KELLEY. If sixty million of revenue is to be stricken down, where do you expect to get the money to pension the soldiers, as you have promised? You have the express opinion of your friend from Indiana [Mr. BYNUM] that the Republican party have not yet deputed him to construe their policy upon the question of pensions. Nor is he in a position to criticise the action of the Republican party on this question. He inquires why it was that in the Forty-seventh Congress the Republican party did not pass some general pension bills. The answer is very plain: simply because the soldiers of the nation at that time were not themselves demanding that it should be done. Eight years have gone by since then; and they feel that the time has come...
when the American nation should begin to pay attention to their just demands. And I have no doubt that, notwithstanding the action of the gentleman with regard to that question, notwithstanding the guardian care he is going to throw around the Republican party, the Republican party, backed by the honest and true, by the Republican President, will give the country some adequate legislation on this subject that will furnish proper and needed relief to the soldiers of this nation.

Gentlemen on the other side are not in a position to voice the sentiment of the soldiers; at least the gentleman from Indiana has not been deputed as their spokesman.

Mr. BOOTHMAN. Then why did the gentleman sit here silent during the Fifty-third Congress and, when men on this side of the House were clamoring for recognition to consider general pension legislation favorably reported and as standing on the Calendar, constitute one of those who were objecting to that consideration?

Mr. BYNUM. I never stood here objecting to the consideration of pension legislation.

Mr. BOOTHMAN. The gentleman's zeal for pension legislation seems to have come into being since the opening of the Fifty-first Congress.

Mr. BYNUM. I never stood here objecting to pension legislation; and the gentleman from Ohio can not show it.

Mr. BOOTHMAN. I can show the gentleman the day and date when he and others objected when we were asking on this side of the House that consideration should be had for pension legislation—Mr. BYNUM. No, sir.

Mr. BOOTHMAN. And I will do so in a very few minutes.

Mr. BYNUM. I never objected to pension legislation.

Mr. BOOTHMAN. If I find I have done the gentleman injustice, I will be honest enough to say so; but it does seem to me that this zeal for pensions on the part of the gentleman from Indiana is certainly not a new manifestation.

Now, a word to my friend from Ohio, who has seen fit to criticise Commissioner Tanner's method of dealing with the board of examining surgeons in his district. Let me state a little personal experience in regard to this matter. When I came here as a member of the Fifty-third Congress there were in the district which I represent two examining boards. I was intrusted with a petition signed by over five hundred soldiers of the Union to the effect that an examining board should be appointed by Commissioner Black at Wauseon; for in that county, where a large number of Union soldiers resided, many of them were obliged to travel from forty to seventy miles to be examined. With that petition in my hand, I called on General Black personally, and asked him to give us an examining board at that place.

Mr. OUTHWAITE. I did the same with regard to a county in my district; and I met a similar refusal.

Mr. BOOTHMAN. That request was refused, and refused, as I believe, because I was a Republican representing that district, the district being normally Democratic. As soon as Commissioner Tanner came into this House, he told the people of my district, asking that an examining board should be appointed by Commissioner Black at Wauseon; for in that county, where a large number of Union soldiers resided, many of them were obliged to travel from forty to seventy miles to be examined. With that petition in my hand, I called on General Black personally, and asked him to give us an examining board at that place.

Mr. OUTHWAITE. The Chair. The amendment is exhausted.

Mr. OUTHWAITE. I have an amendment which I desire to offer.

The amendment is as follows: After the word "course," in line 63, insert "and a new bond shall be required from all pension agents."

The Chairman. The paragraph to which that amendment relates has been passed.

Mr. OUTHWAITE. I ask unanimous consent that we go back in order to adopt this amendment. I think the gentleman in charge of the bill will see that the amendment is pertinent and valuable.

Mr. MORROW. Let the amendment be read again.

The Clerk again reads the amendment.

Mr. OUTHWAITE. The Chairman, I have offered this amendment because I believe it necessary to perfect the bill. Turning to line 63, we find in this bill authority given to any pension agent now in office to place an additional duty upon one of the clerks of his office—a duty of a financial character—the authority to sign official checks. The sureties on the bond herefore given would not be liable for action taken in pursuance of this new authority; and hence I think it is necessary to require a new bond.

Mr. MORROW. Not an object to the amendment.

There being no objection, the amendment was considered and adopted.

The Clerk reads as follows: For stationery and other necessary expenses, to be approved by the Secretary of the Treasury, $200,000.

Mr. STRUBLE. Mr. Chairman, I move to amend by striking out the last word. My purpose is to reply further than has my friend from Ohio [Mr. BOOTHMAN] to the gentleman from Indiana [Mr. BYNUM], who assured the committee that he is an honest man. [Laughter.]

There is no doubt in my mind of the proposition that the gentleman is an honest man; and, for that matter, I have no doubt the gentleman is honest in whatever he proposes, whether here or elsewhere. But when he voices before this committee the attitude of the Democratic party in regard to the matter of pensions of soldiers of the country, all doubt is eliminated from the case, and I am altogether satisfied of his honesty.

What is that attitude? The Democratic party would base the payment of pensions of soldiers of this country on the liquor and tobacco tax; and, as the gentleman said, they would add to that the income tax in order to make the entire basis of these pensions as odious as possible to the party which, when in power, his party never had the candor and courage to attempt to enact into law, a proposition, in short, never favored or asked by the party when in power.

If the payment of pensions depended on the tobacco, liquor, and income taxes what would be the result? It would arouse a sentiment throughout the country against the whole pension system which the Republican party has established and maintained. I, for one, will never consent while a member of this House to a proposition of this kind.

On the contrary I would say that after the payment of the legitimate annual expenses of the Government the payment of pensions should be made with the most sacred money coming into the Treasury from whatever source of revenue, whether from the sale of public lands or customs duties or any other source; and that nothing is too sacred in the way of revenue only in the most sacred way, binding and exalted obligations to the men who defended and preserved its life.

I would not lower the standard of pensions to tobacco, liquor, and income taxes as has been suggested by the gentleman from Indiana. I have no objection to this class of taxation, and if it is necessary to again resort to an income tax, well and good, but I do for one object with all the revenue I possess to the Democratic theory of making the payment of these high obligations of Government depend on collections of money from the amount of tobacco chewed and smoked, and the quantity of whisky consumed by the American people. I do object most strenuously to a policy that will tend to disfranchise our pension system by yoking it with filth, debauchery, and crime.

I do object to such an association of payment of pensions with disgusting practices among our people. I think that the enormous interest paid on the public debt of the United States to-day, lead to a sentiment among a new and early generation of absolute disgust with the pension system because its maintenance may depend on the taxation of such articles. I do not wish the time ever to come when any man, woman, or child in the American Republic can point the finger at the unfortunate and filthy habits of any of our people and say, "But for such as these your soldiers, their widows and orphans, would go to the poor house or suffer want." Think of such a sentiment a moment!

The noblest services of patriotism, the purest offerings of love and devotion to country, the loss of health, of limb, and of life, to be recompensed by proceeds of articles most disgusting to every pure mother, wife, and sister, as well as every man in the land who has not allowed himself to yield to the unfortunate vices of tobacco eating and smoking and the greater and dammable vices of the distillation of liquor. I think the Democratic proposition, not alone of heated debate here, but of solemn party declaration made deliberately to the country.

I do object, Mr. Chairman, I hope this sentiment is not a new one, to degrade our noblest offerings of gratitude and justice may be fully appreciated by the soldiers of the land, as I believe it will be, and that our soldier voters will not fail to remember that a restoration of the Democratic party to complete power, legislative and executive, would mean the exact disgrace I have foreshadowed.

Mr. ALLEN, of Mississippi. I regret, Mr. Chairman, that the gentleman from Iowa [Mr. STRUBLE] should be of the opinion that the income tax is odious. It may be odious to the gentleman from Iowa [Mr. STRUBLE], but it is not odious to others. It is not odious to me. These pensions are paid in silver and gold, and therefore given would not be liable for action taken in pursuance of this new authority; and hence I think it is necessary to require a new bond.

Mr. MORROW. Not an object to the amendment.

There being no objection, the amendment was considered and adopted.

The Clerk reads as follows: For stationery and other necessary expenses, to be approved by the Secretary of the Treasury, $200,000.

Mr. STRUBLE. Mr. Chairman, I move to amend by striking out the last word. My purpose is to reply further than has my friend from Ohio [Mr. BOOTHMAN] to the gentleman from Indiana [Mr. BYNUM], who assured the committee that he is an honest man. [Laughter.]
No, Mr. Chairman, I do not know but what the whisky and tobacco and
incomes shall bear some part of the burdens of this Government;
and let some relief be afforded to the agricultural and laboring
people of the country who are bearing the most of them now.
[Applause.]
[Here the hammer fell.]

Mr. BELDEN. Mr. Chairman, the history of this gray old earth of
cours is full of epochs, and of these none has been of more startling
impact than the first year of the war, which to all intents and
purposes was the turning point of the nation, never to be
forgotten. And after the close of this conflict, we will be
willing to see the expenditures of this Government drawn
from the incomes. The truce with gentlewomen and the truce
with the party they represent is that they represent the incomes and they do
not need the theorists of the country. [Applause.]

One of the medical officials of the Fort Lyon expedition urged the necessity of "suitable hospital accommodations, large enough to take care of the
hospital tents and rooms, and to be of suitable shape and size.

The letter further stated that the "thermometer at that time would rise to 125° in the day-time, that the air was stupefying,
and the life of the sick and wounded would be endangered by
the heat. As a fact but five per cent. of the persons who survived
the attack of the disease ever recovered."

Another letter in the same paper states that the "situation of loyalty, although still present in every breast, was in a
measure, slumbering; but as the reverberations of these
battles filled the ears, the patriotism of the
people of the country who are bearing the most of them now."
measure referred to a prominent Representative who is now a member of this House said: I want to see the men who have left their homes to fight the battles of their country, and who have been casualties in the service of the nation, or whose widows or orphans are on the same common level. The discrimination is bad enough in time of war as the result of necessity, but it is intolerable when applied at home. The gentleman from Georgia (Mr. B. B. Enslow) who speaks of the generosity of the nation, hereafter not be, no ships now moored to the masts or capstans, placed on the same common level. The discrimination is bad enough in time of war as the result of necessity, but it is intolerable when applied at home. The gentleman from Georgia (Mr. B. B. Enslow) who speaks of the generosity of the nation, can not bear the expense of this bounty toward the brave and gallant soldiers of the South who have been casualties in the service of the nation, or whose widows or orphans are on the same common level. The discrimination is bad enough in time of war as the result of necessity, but it is intolerable when applied at home. The gentleman from Georgia (Mr. B. B. Enslow) who speaks of the generosity of the nation, no country, no ships now moored to the masts or capstans, placed on the same common level.

You talk about not being able to remunerate your people for their toils and sufferings; but, for them, I repeat, you would have no country, no capital standing here to-day to gladden the hearts of the nation. We are indebted for all this. the country to-day to gladden the hearts of the nation. We are indebted for all this. the country to-day to gladden the hearts of the nation. We are indebted for all this.

We have erred to the left of the nation; we are indebted for all this.

The Commission of the Whole 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.

Mr. MORROW 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.

QUESTION OF PRIVILEGE.

Mr. WISE. I rise to a question of privilege. On yesterday I offered two petitions or memorials of my constituents with my name and reference to the Committee on Claims indorsed on their back. They were handed by myself to the clerk now in front of the Chair. There is no mention of it in the RECORD. I wish to say in addition that after the most diligent search to-day I have been unable to find them. I wish to have them appear in the RECORD. They were offered by me in accordance with the rules of the House.

The petitions, I will say, Mr. Speaker, are from Messrs. A. B. Lee and V. Co. of Richmond, Va., and relate to the renting of quarters from these gentlemen subsequent to the war by the Army of the United States.

The SPEAKER. The Chair is informed that the petitions to which the gentleman refers were placed in the petition-box.

Mr. WISE. They were not; they were placed on the table by the gentleman who stands immediately to the left of the Chair. I have no censure whatever to pass upon him or complaint. I saw him put them in the box, where they belong, myself. I only desired to call attention to the fact, so that they may be treated.

ORDER OF BUSINESS.

Mr. SPINOLA. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the unfinished business coming over from the last private-bill day, this day being set apart under the order of the House for the consideration of the Senate amendments to the bill (H. R. 3338) for the relief of Albert H. Emery, reported from the Committee of the Whole with an amendment, strike out "$200,000" and insert "$50,000." was considered, the amendment concurred in, and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

GENERAL JOHN C. FRÉMONT.

The next business reported from the Committee of the Whole was the bill (H. R. 3494) authorizing the President to appoint and retire John C. Frémont as a major-general in the regular army and for other purposes. The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

BRITISH DARK CHANCE.

The next business reported from the Committee of the Whole was the bill (H. R. 896) for the relief of the owners, officers, and crew of the British Dark Chance. The bill was ordered to be read a third reading; and being read the third time, was passed.

DENISON AND WASHTAH VALLEY RAILROAD COMPANY.

The SPEAKER. If there be no objection, the Chair will also lay before the House the Senate amendments to the bill (H. R. 896) to amend section 1 and section 9 of an act entitled "An act to authorize the Denison and Washtah Valley Railroad Company to construct and operate a railway through the Indian Territory, and for other purposes," the amendments of the Senate were read at length.

Mr. PERKINS. I move that the House non-concur in the Senate amendments and ask for a conference on the disagreeing votes thereon. The motion was agreed to.

TENTS FOR OVERFLOWED DISTRICT, MISSISSIPPI RIVER.

Mr. ROBERTSON. Mr. Speaker, I am directed by the Committee on Military Affairs to report back the following bill (H. R. 4568) authorizing the purchase of bounty lands in the case which is subsequently paid, paid both principal and interest, in minted gold. As for myself I am in favor of redeeming the letter and spirit of our pension laws, I am in favor of redeeming the letter and spirit of our pension laws.

The amendment of the Senate were read at length. The bill was ordered, to read a third reading; and being read the third time, was passed.

Mr. WISE. I rise to a question of privilege. On yesterday I offered two petitions or memorials of my constituents with my name and reference to the Committee on Claims indorsed on their back. They were handed by myself to the clerk now in front of the Chair. There is no mention of it in the RECORD. I wish to say in addition that after the most diligent search to-day I have been unable to find them. I wish to have them appear in the RECORD. They were offered by me in accordance with the rules of the House. The petitions, I will say, Mr. Speaker, are from Messrs. A. B. Lee and V. Co. of Richmond, Va., and relate to the renting of quarters from these gentlemen subsequent to the war by the Army of the United States.
Mr. BOATNER. Yes, sir.

Mr. CANNON. Mr. Speaker, I am advised by the State Attorney General of Louisiana that the State there are not enough tents in the War Department to furnish the number of persons who are in need of protection. The tents which are at present in the War Department are not sufficient for the needs of the State. The Bill has been submitted to the Secretary of War, and it is approved by him, and it is recommended that the appropriation be available upon the opening of the War Department. The Bill now stands as follows:


Mr. Speaker, I transmit herewith a report from the War Department of the condition of the troops in the field, and the War Department is authorized to purchase the amount of tents necessary to secure the troops from the inclement weather. The War Department is now in possession of information that this Bill has been approved by the Senate and the House, and it is recommended that the appropriation be available upon the opening of the War Department.

Very respectfully,

S. B. HOLABIRD,

The Hon. Secretary of War,
Washington, D.C.

WAR DEPARTMENT, Washington City, March 20, 1861.

Mr. Speaker, I transmit herewith a report from the War Department of the condition of the troops in the field, and the War Department is authorized to purchase the amount of tents necessary to secure the troops from the inclement weather. The War Department is now in possession of information that this Bill has been approved by the Senate and the House, and it is recommended that the appropriation be available upon the opening of the War Department.

Very respectfully,

HON. THOMAS B. REND,

Speaker of the House of Representatives.
I know also from representations in the public press that many of these people were induced to go there perhaps on misrepresentations, and when they reached their destination they were without bread, without food, without shelter, and without clothes. What condition they were in at that time, I am without information. I was not at that time in the House, and unless we get some explanation from that quarter. The gentleman who represents the great Mississippi River front is the gentleman recently seated by the House in the place from which we think the gentleman from Arkansas [Mr. Cale] was improperly reentered. What information he may have I do not know; but it seems to me that if there is any distress there he ought to know it, as he is recently from the State of Arkansas, and is in a position of some influence on that subject.

Mr. BOATNER. I will state for the information of the gentleman, Mr. Arkansas was included only in anticipation that demands might be made from there and in order to obviate the necessity of another bill. The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. COLEMAN 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.

REPORT OF COAST AND GEODETIC SURVEY.

Mr. RUSSELL, from the Committee on Printing, reported back the following resolution with the recommendation that it be adopted:  

Resolved, That the House of Representatives concurs in the report heretofore made to this body by the Committee on Territories, the views of the minority of the committee with reference to the admission of Wyoming into the Union, together with the report herefore made on that subject by the Committee of the Whole House on the resolution and substitute reported from the Committee on Territories, the views of the minority of the committee with reference to the admission of Wyoming into the Union, I will state at the time the report of the committee was made I did not know it was to be submitted and had no opportunity to present the views of the minority.

The SPEAKER. Has the gentleman permission from the committee?

Mr. SPRINGER. Yes, sir; it was stated in the committee that the views of the minority would be submitted.

There was no objection, and it was so ordered.

ADMINISTRATION OF THE PENSION OFFICE.

Mr. MORRILL. Mr. Speaker, the Committee on Invalid Pensions instructs me to refer the resolution of the Whole House on the resolution and substitute reported from the Committee of the Whole House on the same subject. I therefore move to report the resolution and substitute as follows:

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to have the resolution and substitute reported from the Committee on Invalid Pensions which I am presenting for the consideration of the Committee of the Whole House, printed and referred to the Committee of the Whole House on the bill (H. R. 4694) to continue in force an act authorizing the construction of a bridge over Bayou Bernard, in the State of Mississippi.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. MORRILL. I move that the House resolve itself into Committee of the Whole for the consideration of business on the Private Calendar under the special order for Friday evening.

Mr. STONE, of Missouri. I rise to a parliamentary inquiry.

Mr. SPRING. I have just, as you had intimated, printed and bound in cloth 5,000 extra copies of the report of the United States Coast and Geodetic Survey, under the usual necessary progress sketches and illustrations, 1,000 copies of which shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies for the use of the United States Coast and Geodetic Survey.

The resolution was adopted.

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

The latter motion was agreed to.

The first business on the Private Calendar was the bill (H. R. 4694) granting a pension to Edward Haynes, of Michigan, for service in the war of the rebellion.

The report by Mr. Belknap was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4694) granting a pension to Edward Haynes, submit the following report:  

This claim was rejected by the Department on the ground that there was no record in the War Department showing origin of these services and resulting disabilities and compensation claimant’s disability to perform such services.

The records of the War Department show that claimant enlisted August 22, 1862, and served until June 1863, being a member of the 88th regiment, New York Volunteers.

The bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.
position to consume the time—I have not consumed more than four or five minutes on this—let me be done with it. I regard as some of the facts of the case, and then leave it to the committee.

Mr. CHIPMAN. Let me ask the gentleman on what grounds was the claim rejected at the Pension Office? what ground was officially set forth on the wrapper?

Mr. STONE, of Missouri. I have already stated that fully, but I can not locate if I desired.

Mr. CHIPMAN. I did not know that the gentleman was reading it. I thought he was reading the conclusion of the examiner.

Mr. STONE, of Missouri. I quote from the report.

It is an absurdity to set the ground of the Pension Department of rheumatism, and the inability of claimant to furnish evidence to show the original disease to the service of all soldiers. The point I make in premising his duties to the service of all soldiers. The point I make in the report made by the Committee on Invalid Pensions, to which reference is made in the return of Mr. Beale to the bill to be laid aside to be reported to the House with favorable recommendation. The motion was agreed to.

The bill was accordingly laid aside to be reported to the House with the recommendation that it do pass.

MARY WELCH.

The next business on the Private Calendar was the bill (H. R. 5309) to place the name of Mary Welch upon the pension-roll.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mary Welch, widow of Andrew R. Welch, late of Company F, Eleventh Michigan Volunteers, who was the soldier of the Army of the United States, on the pension-roll, submit the

The bill was accordingly laid aside to be reported to the House with the recommendation that it do pass.

HARRIETTE JUDD.

The next business on the Private Calendar was the bill (H. R. 4868) granting a pension to Henrietta Judd.

The bill was read, as follows:

The bill is stated, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be placed on the pension-roll of the United States the name of Henrietta Judd, foster-mother of William H. Judd, late adjutant Company F, Ninety-seventh New York Volunteers, at the rate prescribed by existing provisions of law.

The report (by Mr. BEILEKNA) was read, as follows:

The report made by the Committee on Invalid Pensions was received, and referred to the Special Examiner, D. H. Darling, in his report, from which I have already quoted, says:

Nor can any connection between measles and his present disability be traced. To my mind the fact that he had entirely recovered from measles before rejoining his duties as a soldier and undergoing the exposures incident thereto, effectually disposes of that disease.

Besides Mr. Chairman, the claimant himself states that he does not predicate his claim upon the results of measles or any other disease than that of rheumatism itself.

The conclusion of the Department is thus expressed:

All the evidence that there is no record in the War Department of rheumatism, and the inability of claimant to furnish evidence to show the origin of his disability to service, affords a complete defense of a special examination.

He does not claim any disability from measles.

COURT-WELL, Legal Reviewer, CURTIS, Reviewer.

Now, Mr. Darling is not the only special examiner who has had this case in charge and reported on it. It was also specially examined by two or three others, and its rejection was recommended in each instance.

There was exposure in the Army, no doubt, but that was incident to the service of all soldiers. The point I make in this case is that the point I make in this case is that the proof adduced shows that the disability from which the soldier was suffering was the result of his military service. He is poor and he is diseased. If we are permitting to allow him a pension for that reason, let it be done with it. I do not desire to put a pretense that it is allowed for disability incurred while in the service of the United States.

Now, sir, I am through. I wish to say only this, that I have no dis
This bill proposes to grant a pension to a stepmother. I would have been very glad if I could have had the opportunity to examine the facts as they appear on the record, but I have not been able to.

Mr. LANE. This is the case of a foster-mother, I think, and there are facts.

Mr. BELKNAP. Mr. Chairman, this bill was introduced by the gentleman from Michigan [Mr. O'DONNELL]. On yesterday the gentleman from Missouri [Mr. STONE] called at my desk and said he wanted to see me for a few minutes. I suppose he had some lines between us. I told him I would pass the bill to the Department, but he assured me that they had not. He told me that the claimant could not be there, but he was there to the Department, and that he was there to the office of the committee, who told me the papers would be there and at Mr. Stone's disposal.

Since the report was written by Mr. O'DONNELL, I called for the papers, knowing that Mr. F. Fifty-seventh Regiment New York Volunteer Infantry. The bill was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6330) granting a pension to Allen Coons.

The bill was read, as follows:

The next business on the Private Calendar was the bill (H. R. 3328) granting a pension to Allen Coons. The next business on the Private Calendar was the bill (H. R. 1871) granting a pension to Samuel Meader.

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The next business on the Private Calendar was the bill (H. R. 2493) granting a pension to Joseph K. Hamilton, dependent father of John E. Hamilton, late private Company D, One hundred and third Pennsylvania Volunteers.

The bill was read, as follows:

Mr. WILLIAMS, of Missouri. Mr. Chairman, I desire simply to say about this bill that there is no theory in accord with our system of pension laws upon which this bill can be passed. The father was not dependent upon the child, and I cannot see what there is special in providing in such a case for a man, nearly eighty years of age, in his poverty and childlessness, and I can see no danger to this great Republic and no danger to any principle, in any precedent which will be set by doing a kindly thing, and what I think is a just thing, for this poor old man who is tottering into the grave. [Applause.]

Mr. MORRILL. Mr. Chairman, I feel very unwilling to take up the time of the House, because I realize that every five minutes expended in talking is depriving some poor widow or some poor soldier of a pension; but I want to say in regard to this matter that three years ago both Houses of Congress by a large majority passed a bill providing for cases of this kind. It was the first measure of what is known as the dependent pension bill. Mr. Cleveland vetoed that bill, not on account of that section, because he declared plainly his hearty approval of it, but on account of the nature of the matter. For six years this House has made a rule to grant pensions in cases of this kind. In the committee no question is ever made when these facts are shown: First, death in the Army and, second, present dependency. In all such cases the House has passed by the committee and by the House. That has been the rule for six years.

Mr. TRACEY. If the gentleman will permit me to interrupt him, I will say that in the Fiftieth Congress, I introduced a bill covering a case almost identical with this and the bill was passed and Mr. Cleveland signed it without hesitation.

Mr. MORRILL. I think that he signed ninety-seven such bills in the Fiftieth Congress.

Now, Mr. Chairman, while I have the floor I want to say a word in defense of the Committee on Invalid Pensions, as it has apparently been misunderstood in the remarks of the gentleman from Missouri [Mr. STONE]. As gentlemen all know, we have nearly three thousand private bills before us which have been referred to that committee since the opening of this session of Congress. It is utterly impossible for the whole committee to examine all of those cases, so we have continued the arrangement which began in the Forty-eighth Congress, of having each member of the committee act as a subcommittee to examine the cases and all bills from the House and from Senators from certain States are referred to certain members of the committee for examination. The members of the committee are expected to examine the cases and make reports upon them, which are submitted to the full committee, and it is the duty of the members without examining the papers. Of course weak cases sometimes go through. The committee is crowded with work. Members cannot take all the time that the cases demand with it and, to aid the committee, members of the House sometimes offer their reports ready made. It is inevitable, therefore, as I have said, that some weak cases shall go through, but I am confident that the committee and the House have been able to weed out their investigations as any committee that has ever sat in this House.

The case is founded upon a principle which is recognized in the law everywhere else, or at least is recognized by the statutes of most of the States, and that is, the principle that when a child has a dependent father, that the presumption is that that life is of value to him, and that the child will be a comfort and support to him in his old age and in the third Pennsylvania.

There can be no reason why a rule of this kind should be applied to a railroad accident or to another asphyxiated by the laws of those States with which I am familiar—there can be, I say, no reason why it should be applied in those cases and why it should not be applied by a general law.
Mr. WILLIAMS, of Ohio. Mr. Chairman, I desire to say that, while my friend from Michigan [Mr. CHIPMAN] undoubtedly states the law correctly in the American, yet in my district they are construing the law quite liberally, and in fact within the last twelve months, I have obtained a pension for an old man in my district under circumstances almost identical with those of the beneficiary mentioned in the speech of the gentleman from Missouri.

In fact, Mr. Chairman, it does seem to me that when an old man has taken his boy home from the camp a physical wrench and has spent what little money he had in attempting to restore his health, and that boy dies from disease incurred in the Army, it seems to me it is straining at a gnat when a gentleman attempts to criticize the Pension Committee for reporting favorably a bill under those circumstances.

Mr. Chairman, the gentleman from Missouri, by President Cleveland, and what he would approve it seems to me the gentleman from Missouri ought not to question. I hope, Mr. Chairman, this bill will be reported favorably to the House.

Mr. LaWLER. Mr. Chairman, I do not understand that in regard to these bills the gentleman from Missouri is doing anything further than presenting the facts of the cases as they come to his notice. A week ago to-night we took up the whole evening in general discussion. I suggest to my friends here to-night that they allow the gentleman from Missouri to exercise what is the right of any gentleman in presenting opposition to the passage of these bills; but let us pass some of them. We can not do it by taking the bills to death every night.

Mr. WILLIAMS, of Ohio. The gentleman from Illinois is right in his suggestions; but the gentleman from Michigan [Mr. CHIPMAN] was correct in the position he took in defense of the committee.

Mr. CHAIRMAN. Mr. STONE, of Missouri. Mr. Chairman—

The CHAIRMAN. The gentleman from Missouri has already addressed the committee once on this bill.

Mr. STONE, of Missouri. Under the rule I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri does not understand the committee's right to address the committee again. The Chair has no objection.

Mr. STONE, of Missouri. I supposed, Mr. Chairman, that I had the right to address the committee; and I propose to make an amendment at any rate.

The CHAIRMAN. The amendment of the gentleman will be in order at the proper time; we have not yet reached that stage.

Mr. STONE, of Missouri. I am not disposed to quibble about a matter of that kind. I make no pretension to a familiarity with parliamentary law.

Mr. Chairman, the gentleman from Ohio [Mr. WILLIAMS] says that under the law as it now exists and as it is construed in the Pension Office this application would be allowed there. If that be true there is absolutely no reason for bringing it here. I supposed it was brought here either because it had been rejected by the Commissioner of Pensions, or because it presented any unusual and extraordinary case which was not authorized in the first instance by the general law.

The gentleman from Michigan [Mr. CHIPMAN], the gentleman from Ohio [Mr. WILLIAMS], and the gentleman from Kansas [Mr. MORRILL] have all brought their cases after the gentleman from Missouri has had an opportunity to object when pension legislation of a private character is before the House. They address themselves exclusively to the tender and sympathetic side of our nature. Here is a man who is old, seventy-three years of age, who is poor, whose son, it is claimed, contracted disease in the service and died of wounds received in the line of duty; and now, years afterward, the father comes and asks to be pensioned, not because he was dependent upon that son for a living, but not because the son had contributed during his lifetime to his support, but because possibly if that boy had not entered the Army he might be alive to-day and stand between his father and want. To use a phrase upon suppositions of this kind there are asked to pension men who are not entitled to receive these public bounties under the provisions of existing law. The laws as they stand to-day are ample. We have the most generous system of pension laws ever known to the history of the world. Yet thousands and tens of thousands of private pension bills are brought here in the course of every year. My friend from Kansas—there is no man in this House or outside of it for whom I feel so sad when I think of how 400,000 Federal pensioners in the Committee on Pensions Office are so burdened with work that they have not time to give attention to the business brought before them; that their labors, onerous and exhaustive as they are, are not sufficient to compass more than a small portion of the work imposed upon them.

The cause of all this, Mr. Chairman, in my judgment, is that we are carrying this system of special legislation to an unnecessary extreme. If the general laws are insufficient, amend them, make them more sufficient; but do not, in the name of charity, in this House, not only as it refers to pensions, but with regard to claims of almost every character. Their number and their nature are simply incidental to our work, and are not burdened with business of that character, and the committee as well.

As to what President Cleveland did or might do or did not do or would not do, it is neither here nor there. I take it that gentlemen on the floor are construing the American, and with the provisions of the bill are not expected to gauge their judgments or their conduct by that of any other man living, however high or exalted.

I believe that this system is wrong. I am as anxious to appeals of a reflecting character as any other gentleman on this floor, but I ask my friend from Kansas and others, when they are appealing to the House and to the country in behalf of old men and poor men, old men and poor women—such cases as I called attention to in the remarks I had the honor to make here on last Friday night, in illustrating the character of the legislation passed here since when at these Friday evening sessions—while my friend from Kansas and others are appealing in behalf of these old men and old women, ask them to remember that there are other poor people in this country. Out in the great State of Kansas, from which the gentleman hail, there are to-day many thousands of men, old and poor and wretched, men with mortgages piled mountain high upon their homes, who are burning their corn for lack of a market and for want of the means with which to purchase other fuel.

I think, sir, it is time for the American Congress to take into consideration somewhat the great industrial classes of the country who bear the enormous burdens imposed upon them by our legislation.

Mr. Chairman, I have nothing more to urge touching this bill. I have no doubt it will pass. I have no doubt that every bill brought before this committee will pass. I am only astonished that the gentleman from New York withdrew one bill when the case was about to be reported back with the existing ones. I have now passed two bills, and I have passed notwithstanding the character of the testimony I had in my hand ready to present. You may pass any of them; nevertheless I feel it to be my duty to enter my humble protest.

LAWLER. The gentleman from Missouri was right in his objections to the bill as a matter of policy against the introduction of legislation here for the support of a dependent of the deceased by whom three children died, and the committee is right in their action.

The bill as amended was laid aside to be reported favorably to the House.

MARGARET STEWART.

The next business on the House Calendar was the bill (H. R. 4134) granting a pension to Margaret Stewart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret Stewart, deceased, late of the hundred and nineteenth Regiment Pennsylvania Volunteers, and pay her a pension at the rate of $15 per month.

The report (by Mr. CHAD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4134) granting a pension to Margaret Stewart, submit the following report:

The beneficiary named in the bill is the daughter of William Stewart, who died in the hospital at Fort Crex, Wisconsin, July 8, 1863, while serving as private in Company E, One hundred and nineteenth Regiment Pennsylvania Volunteers. Her father drew a pension until her remarriage, and finally died November 7, 1877, since which time no pension has been paid to her on account of the death of her father.

Margaret Stewart was born August 1, 1848, and has been a confirmed cripple since her childhood, having lost both of her legs at the age of seven, rendering her left arm totally useless. At the age of six years she was placed in the Foster Home at Philadelphia, Pa., where she has been ever since, and has attended the Philadelphia Industrial School. She is a good reader and writer, and has contributed regularly to her support at said institution, and after his death his widow was allowed to the best of our power to the charity of the Home, as she is unable to earn anything by labor and has no one living who is legally bound in her support.

Congress having at all times liberally responded to the calls of the helpless and dependent children of those who lost their lives in the defense of the country, your committee being fully impressed with the merits of the case under consideration, return the accompanying bill with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HELEN A. MOORE.

The next business on the Private Calendar was the bill (H. R. 5081) to pension Helen A. Moore and minor children of John S. Moore.

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 Helen A. Moore, widow of John S. Moore, Second Lieutenant of Company F, Second Regiment Michigan Volunteers, and the names of Charles E. Moore, aged 26 years, and William Moore, aged 24 years, respectively, of Company F, Second Regiment Michigan Infantry, war of 1861, and the names of the minor children of the said John S. Moore shall also be placed on the pension-roll by the Secretary of the Interior, subject to the provisions and limitations of the pension laws.

The report (by Mr. CHAD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5081) granting a pension to Helen A. Moore and minor children of John S. Moore, submit the following report:

Helen A. Moore is the widow of John S. Moore, who served as corporal, second lieutenant, first lieutenant, and captain, respectively, of Company F, Second Regiment Michigan Volunteers, from May 23, 1861, to September 30, 1864. His services in the field, and a pension for injuries received in action, were granted by act of Congress, March 3, 1883; and he died December 9, 1883. The widow's claim has been rejected by the Pension Committee on the ground that the conditions of the pension provision were not complied with, and the death was due to disease of liver and kidneys was not a result of the wounds for which he was
pensioned, nor is the same otherwise shown to have been due to his military service.

In addition to the wounds herebefore mentioned, it is shown by the records of the War Department that the soldier received a wound of breast in action at the battle of Bethesda Church on June 3, 1864, and that he was afterwards sent to the hospital for the treatment of the wound. The theory of the Surgeon-General shows that the soldier received a wound of breast while in the service, and that he was afterwards sent to the hospital for the treatment of the wound. The claim made by the soldier made the application was in 1871 reported:

I understand that I am disabled by a ball entering near the sternum on the right clavicle.

The ball entered near the articulation of sternum with clavicle, right side, passed to the left, and came out in front of the left shoulder joint.

The point I wish to impress upon the House and call your attention to is the fact that the bullet came out.

In 1879 he was again examined, and the report shows that the soldier was wounded by a ball which entered just left of the sternum and below the clavicle, near the angle of the scapula, at the shoulder, and that the bone was fractured and the clavicle was partly dislocated. The wound was not shown to be serious, and the soldier was discharged from the service.

In the report of the Surgeon-General it is stated that the soldier received a wound of the shoulder in action at the battle of Bethesda Church on June 3, 1864, and that he was afterwards sent to the hospital for the treatment of the wound. The report shows that the soldier received a wound of the shoulder while in the service, and that he was afterwards sent to the hospital for the treatment of the wound. The claim made by the soldier made the application was in 1871 reported:

In 1885 he filed an application alleging a new disability, namely, a ball entered near the sternum on the right clavicle, right side, passed to the left, and came out in front of the left shoulder joint. The ball entered near the articulation of sternum with clavicle, right side, passed to the left, and came out in front of the left shoulder joint.

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wounded in the right breast, that the bullet making that wound was still lodged in his body, and his death was traceable to it. It is con-
tradicted by a judgment on the facts. No proof of it was made during both of his applications; and it is contradicted by the fact that he never went back to himself, and contradicted by the logic of necessity.

Mr. OWENS, of Ohio. Mr. Chairman, I sincerely sympathize with my Brother Stone's anxiety to protect the national Treasury, but I do
not understand exactly by what "apothecary's scales" he measures the number but I believe that it can hold without their interfering with
his natural existence. [Laughter.] I am like him; I am no doctor, but I noticed awhile ago that he said something about this man hav-
ing a bullet in him, which had made his exit at the time, while the other one struck him in the right side and was taken out at the time by the surgeon.

Mr. STONE, of Missouri. With all due respect to the gentleman, I never admitted that this man had a bullet in him at all at the time of his death.

Mr. OWENS, of Ohio. Well, they went through him, and that will
do just as well.

Mr. STONE, of Missouri. On the contrary, I stated that two bul-
lets had wounded him: one in the shoulder, which had made its exit at the time, while the other one struck him in the right side and was taken out at the time by the surgeon.

Mr. STONE, of Missouri. Of course this is not a question as to how many bullets this man had in him or did not have in him, how many struck him or did not strike him. The Pension Depart-
ment, organized by this Government to consider these claims and to pass upon them, liberally construing the laws, as has been admitted, denied this claim, after full investigation, upon the ground that the fact alleged as the basis of the application, namely, that this man had a bullet in him, was not sustained by the evidence, and upon an appeal to the Secretary of the Interior that finding was approved.

Mr. OWENS, of Ohio. Will the gentleman permit me to ask him a question?

Mr. STONE, of Missouri. Yes, sir.

Mr. OWENS, of Ohio. When you get three or four in you, you will have a pension.

Mr. STONE, of Missouri. But, Mr. Chairman, this is not a question
as to how many bullets this man had in him or did not have in him, how many struck him or did not strike him. The Pension Depart-
ment, organized by this Government to consider these claims and to pass upon them, liberally construing the laws, as has been admitted, denied this claim, after full investigation, upon the ground that the fact alleged as the basis of the application, namely, that this man had a bullet in him, was not sustained by the evidence, and upon an appeal to the Secretary of the Interior that finding was approved.

Mr. OWENS, of Ohio. Well, sir, I have made my speech. I am through.

Mr. STONE, of Missouri. Claims do come here that have not been rejected by the Department.

Mr. OWENS, of Ohio. I think not.

Mr. STONE, of Missouri. And I am simply seeking in a proper case to sustain the finding of the Department.

Mr. YODER. Mr. Chairman, it is evident that our time this even-
ing is occupied in discussion, and if nobody else talks it will be all on one side. Now, we have heard a splendid lecture on the anatomy of the thorax, and the shoulder joint, and the ankle joint, and the thigh, and the gentleman from Missouri [Mr. STONE] says that the bullet did not penetrate the thorax, and consequently did not penetrate the liver, as though the liver was in the thorax! [Laughter.]

Mr. STONE, of Missouri. As a physician, if you saw a wound, saw
where the bullet had entered and saw where it had gone out, if it had struck at one place here upon the breast [indicating] and had gone out at the shoulder, would you still suppose that that bullet was in the liver?

Mr. YODER. That would depend upon whether I knew it, and it de-
pends in this case upon whether the doctors knew which course the bullet had taken. They supposed it went in one direction, but it might easily have gone in another. Why, sir, if a man were on trial in the police court for
shooting another we could not have had the evidence described with any exactness than had it been done in the discussion we have heard on these wounds. This man was shot in the thigh; he was shot in the ankle; he was shot in the shoulder; the sternum was sloughed off; the muscles were torn. Why, great God, it would be an honor to be the witness of such a hero as that! Any woman might be proud to be the widow of such a man.

Mr. O'DONNELL. Mr. Chairman, let us pass this bill giving the widow and children a pension; let it not be said, they "asked for bread" and we "gave them a Stone." [Laughter.]

Mr. KILGORE. I would like to hear read again the section of the bill which provides for pensioning the minor children.

The Clerk read the second section of the bill.

Mr. KILGORE. Now, Mr. Chairman, I do not know what the rule
is on this subject or what practice has been followed heretofore; but I know what common sense dictates in this connection, that the names of the minor children and their ages ought to be inserted in the bill.

Mr. YODER. That is a matter of proof.

Mr. KILGORE. I know it is a matter of proof; but they might prove
that half the children in the neighborhood were the children of this soldier.

Mr. BOOTHMAN. May I ask the gentleman a question?

Mr. KILGORE. I have no objection if it relates to this argument.

Mr. BOOTHMAN. Decent is gentleman really think that accord-
ing to the proof this soldier underwent enough to warrant this House in
giving to his widow and his children (no matter how many) under the age of twenty-five years a pension?

Mr. KILGORE. I am not raising any question about the facts.
I am not going to undertake to enter into these histories of wounds; for perhaps I would locate the thorax and the liver as far apart as my friend from Missouri did. I do not want any more of the dexterous talk.

But assuming that I answer the gentleman's question in the affirm-
ate, I say that the names and ages of the minor children ought to be given in the bill.

Mr. YODER. That is a matter the evidence of which is on file in the Pension Office, sworn to, a matter of record, absolute, positive, and definite, so that there can be no question about it.

Mr. KILGORE. Could they not supplement that with another state-
ment putting in other children?

Several Members. Oh, no.

Mr. KILGORE. Well, it is common sense that a bill of this character should at least recite the names of the minor children.

Mr. SHIVELY. Mr. Chairman, I want to interrupt the gentleman [Mr. KILGORE] to observe that his argument might with some reason be made before the Bureau of Pensions on an application, were there no law requiring express proof of identity. But this bill provides a pension for minor children, subject to the provisions and limitations of the pension laws. These laws require proof of identity, and under this bill these parties are put upon proof.

Mr. KILGORE. That may be true; but it is so easy to prevent fraud or irregularity by giving the names of the children and their ages. I am inclined to prevent the passage of this bill unless that is done or unless the section be stricken out. With that reservation I want to call attention.

Mr. BOOTHMAN. The gentleman will allow me to suggest that it might require some search among the papers to ascertain these names, and it is not necessary we make it so difficult as to require a law. [Laughter.]

Mr. KILGORE. Then let the bill go over; let it be amended and come up another evening.

Mr. BOOTHMAN. The question as to minor children is a matter of pure justice as in any other case, and if the other is just, the other must be just as well.
this point that there is a minor child; according to my recollection her name is Helen, and she is a girl, born, if I remember correctly, shortly after the death of the father. There is but one minor child, and, according to my remembrance, the name is either Henrietta or Helen.

A MEMBER. That is a matter of proof at the Department.

Mr. KILGORE. I know it is a matter of proof, but it is so easy to make the mistake specified now by inserting the name in the bill and seeing that it is free from any irregularity that might otherwise arise.

Mr. LANE. The effect would be the same if that section were not in the bill at all.

Mr. KILGORE. Would the children be entitled in that case to a pension?

Mr. LANE. Certainly they would.

Mr. KILGORE. Then why not strike out the section?

Mr. LANE. The reason just as well do so.

Mr. MORRILL. I understand—perhaps the gentleman from Missouri [Mr. Stone] can tell us whether it is a fact—that this child was the child of Helen A. Moore.

Mr. LANE, of Missouri. Yes; sir; the child of Helen A. Moore; and that child has a guardian, and the application of the child through the guardian is on file among these papers.

Mr. MORRILL. The gentleman from Illinois [Mr. Lane] is correct. It is entirely unnecessary to name the child in the bill, because the pension is paid to the mother. There is no pension paid to the minor children; the pension is paid to the mother for the support of the children.

Mr. KILGORE. If the minor children will be provided for under the law, without any special provision in the bill, then I insist that the section ought to be stricken out.

Mr. LANE. I hope that motion will not prevail. We desire simply that these facts should go on record, in order that they may help to establish the law, without any special provision in the bill, for the purpose of proof.

Mr. KILGORE. Let the section be stricken out.

Mr. STONE, of Missouri. I move to amend by striking out the second section.

Mr. LANE. I hope that motion will not prevail. As my friend from Missouri [Mr. Stone] has stated that this child was born after the soldier died, the child must be less than four years old; and there is so much the more need why the widow should receive the extra pension.

Mr. STONE. That is a matter of proof at the Department.

Mr. LANE. It is a question of when the soldier died, the child must be less than four years old; and there is a special order at 2 o'clock to-morrow.

Mr. KILGORE. Then why not strike out the section?

Mr. STONE. Of Missouri. I propose to take a amendment.

Mr. Chairman.

I say I did not undertake to measure the distance from the throat to the liver. I simply read the reports made by this medical board, which show that the wound in his shoulder was a musket ball that was the point of entrance and the point of exit, particularly when the soldier had stated the point of entrance and exit himself.

Mr. Cooper, of Indiana. I rise to a point of order.

Mr. STONE, of Missouri. I am speaking to a motion I have made. The CHAIRMAN. The gentleman will state his point of order.

Mr. STONE, of Missouri. I propose to take a amendment.

Mr. KILGORE. I demand a division. I will say to the gentleman that it will facilitate the passage of this bill to accept the amendment.

Mr. STONE, of Missouri. I am asked to withdraw the motion. I will withdraw it.

Mr. KILGORE. I renew the motion. If it does not make any difference to the bill it ought not to go in at all.

Mr. LANE. The amendment of the committee was adopted.

The CHAIRMAN. The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

Polly Robinson.

The next business on the Private Calendar was the bill (H. R. 5083) to pension Polly Robinson.

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 Polly Robinson, mother of Hamilton W. Robinson, late a sergeant in Company B, Fifty-second Regiment of Pennsylvania Volunteers.

Mr. Kilgore. Then why not strike out the section?

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5083) to pension Polly Robinson, submit the following report:

Polly Robinson is the mother of Hamilton W. Robinson, who served in Company B, Fifty-second Regiment Pennsylvania Volunteers, from September 25, 1861, to July 12, 1863, and died October 22, 1863, of disease of lungs contracted in the service.

These facts are established by the evidence in the case. The claim of the mother has been rejected, however, on the ground that soldier left surviving her a married daughter.

Mr. Kilgore. If it is not possible to establish a claim, and it is thus made out of the bill, it should be stricken out.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

SOPHIA SCHMIDMELDING.

The next business on the Private Calendar was the bill (H. R. 5739) increasing pension of Sophia Schimmeltenig, widow of Alexander Schimmeltenig, late brigadier-general and major-general by brevet.

The bill was read, as follows:

Be it enacted, etc., That the pension of Sophia Schimmeltenig, widow of Alexander Schimmeltenig, deceased, brigadier-general of the Army of the United States and major-general by brevet, be, and the same is hereby, increased to $40 a month.

The Clerk proceeded to read the report (by Mr. Craig).

The CHAIRMAN. The bill would inquire if the gentleman from Texas proposes to make the same objection to this bill that he has made to other bills carrying the same amount.

Mr. KILGORE. I have no objection to that. Let the bill go over to a full House.

The CHAIRMAN. What day would the gentleman suggest?

Mr. MORROW. There is an objection to laying bills aside and having them called up at any day except the following morning or the Friday following.

The CHAIRMAN. The gentleman from Texas desires to do so, and come up to-morrow morning, at 10 o'clock, the house question to be considered as ordered, with fifteen minutes' debate on each side.

Mr. KILGORE. And the right of amendment.

Mr. O'DONNELL. There is a special order at 2 o'clock to-morrow.

The CHAIRMAN. The bill is laid aside with the previous question ordered upon it, it will come up immediately after the reading of the Journal to-morrow. That will be the effect of the previous question.

The CHAIRMAN. Then, without objection, the order will be made that the bill shall be reported out of committee this evening. It is the intention that the previous question be ordered upon its passage; that it go over until to-morrow morning immediately after the reading of the Journal, with the right of fifteen minutes' debate on each side and the right of amendment.

There was no objection, and it was so ordered.
Mr. MORRILL. He was mustered in at Fort Leavenworth in the United States service by the United States mustering officer.

Mr. STONE, of Missouri. Where does the gentleman get evidence for that statement?

Mr. MORRILL. The evidence is on file there in Kansas. The report states it, and I was familiar with all the men and the facts; so that I know the facts are as stated.

Mr. SWENJEY. I do not understand that from the report.

Mr. HILL. I would ask the gentleman from Kansas whether or not an application has been made in the Pension Office.

Mr. MORRILL. There was, and it was rejected.

Mr. TARBNEY. What rank did he hold?

Mr. MORRILL. Lieutenant.

Mr. SWENJEY. Would not the War Office records show that fact?

Mr. MORRILL. For the reason I have explained they do not show it.

Mr. TARBNEY. Let me ask the chairman of the Committee on Invalid Pensions if this was not the case: in those days commissions were often promised to men provided they would enlist so many men; and was it not the fact that he was appointed without any commission until afterwards?

Mr. MORRILL. He was appointed by General Lane, under the authority of President Lincoln. A full appointment was given to him, and he was discharged by a general order afterwards.

Mr. TARBNEY. Was he mustered in?

Mr. MORRILL. He was mustered in.

Mr. KILGORE. But he did no service, I understand.

Mr. MORRILL. He did no service, because on his way back to recruit he was prostrated by sunstroke.

Mr. KILGORE. Was he discharged at the time, on the same day?

Mr. MORRILL. No; some time afterwards.

Mr. STONE, of Kentucky. He was on his way back home?

Mr. MORRILL. He was on his way going up to recruit.

Mr. KEIR, of Iowa. And this case was before the Pension Office and rejected, I understand?

Mr. MORRILL. Yes; it was rejected on the ground that the records of the War Office did not show that the regiment was abandoned; the efforts to get up a brigade were abandoned; but they were never mustered into the service.

Mr. SWENJEY. Was he mustered in?

Mr. MORRILL. He was mustered in at Fort Leavenworth in the United States service by the United States mustering officer.
The next business was the bill (H. R. 3861) to pension Helen E. Moore and the minor children of John S. Moore. The question was on agreeing to the amendment to strike out the second section, as follows:

"That the minor children of the said John S. Moore shall also be placed on the pension-roll by the Secretary of the Interior, subject to the provisions and limitations of the pension law."

Mr. KILGORE. I think there should be an amendment of the title so as to conform to the change made in the bill by this amendment. The SPEAKER pro tempore. The title may be amended after the bill has passed.

Mr. ALLEN, of Michigan. I understand that there are children of this soldier by another wife. Will not the effect of this amendment be to cut them out entirely? If so, I think the amendment ought not to be adopted.

Mr. OWENS, of Ohio. I think that under the terms of the bill all minor children will be provided for.

The amendment was agreed to.

Mr. KILGORE. I move to amend the title by striking out the words "and minor children of John S. Moore."

The motion was agreed to.

The next business was the bill (H. R. 9338) granting a pension to Allen Coons, reported from the Committee of the Whole House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

The bill was recommitted.

SOPHIA SCHIMMELFENNING.

The next bill reported from the Committee of the Whole House was the bill (H. R. 5790) increasing pension of Sophia Schimmel芬宁, widow of Alexander Schimmel芬宁, late brigadier-general and major-general by brevet.

The SPEAKER pro tempore. This bill has been reported from the Committee of the Whole with the recommendation that the previous question be considered as ordered, by force of which action it will come up to-morrow morning after the reading of the Journal. If there be no objection, that order will be made. Mr. PETEES. I object to that order. All bills going over in this manner should be fixed to come up on the next private-bill day. Objection is made by a number of members to the making of these orders generally and the effect of other bills. The order reported from the Committee of the Whole to be modified so that this bill go over until Friday next, after the reading of the Journal, the previous question to be considered as ordered. If there be no objection, that order will be made. The Chair hears no objection.

S. M. SAMUEL STERLING.

Mr. ROOTMAN. I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 3983) granting a pension to Samuel Sterling, and that the same be considered ordered.

The bill was read, as follows:

"Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place the name of Samuel Sterling, son of David Sterling, late private in Company F, Thirty-first Regiment Ohio Volunteers Infantry, now deceased, upon the pension-roll of the United States, and to pay to said Samuel Sterling a pension from and after the approval of this act, at the rate of $15 per month."

The report (by Mr. YODER) is as follows:

"This claimant, and the beneficiary of this bill (H. R. 3983), is the physically helpless son of David Sterling, who was a private in Company F, Thirty-first Regiment Ohio Volunteers Infanty, war of 1861-1865. Claimant was born December 8, 1841. He applied for pension, but did not apply for his own pension, but for the pension of his minor son, which his widow, Sophia M. Sterling, applied for in his name. She died before the claim was granted.

The soldier's death occurred in 1864, leaving a widow and four young children (of which claimant is the eldest), and no estate of any consequence for their support. The soldier's death was caused by disability contracted in service.

According to the Returns of the War Department, he served from September 20, 1861, to July 20, 1865. During his service he was treated for rheumatism at the hospital at Nashville, Tenn., from May 11, 1864, to June 12, 1864, at Chattanooga, Tenn., for chronic rheumatism from May 13, 1864, to May 25, 1864. It appears that he applied for pension, but died before it was granted. At the time of his death, his widow, Sophia M. Sterling, applied for pension, but before the completion of the claim she remarried, and the claim, as to the minor child, was never heard of; also, the affidavit filed in the widow's claim the following evidence as to the cause of the soldier's death appears, viz."

The widow states--"David Sterling (the father) was discharged July 20, 1865, and died on account of heart disease and blind sages on the 8th day of October, 1874."
The bill was read, as follows:

Mr. CARUTH. I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 4029) granting a pension to Agnes Vetter, and put it upon its pas-

AGE

The Speaker pro tempore. Is there objection to the present

Mr. KILGORE. I insist upon the reading of the report.

The report (by Mr. Wilson, of Kentucky) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4029) granting a pension to Agnes Vetter, submitted the following report:

The records of the War Department show that John M. Vetter served as first lieutenant and also as captain of Company F, Ninth Kentucky Infantry, from November 25, 1861, to June 1, 1862, when his resignation was accepted, tendered by reason of his liability to discharge his duties ever since the battle of Shiloh.

His mother, Agnes Vetter, filed a claim in the Pension Office on August 29, 1887, based on her dependence, and in support of her claim, filed testimony showing that while in the service she was incapacitated by typhoid fever and chronic diarrhoea, upon which pulmonary consumption supervened, causing the soldier's death on September 14, 1879. Her dependence upon her is fully shown, and her own patriotic feeling was exhibited by going with the Louisville, Ky., auxiliary boat, as a volunteer nurse, to the battlefield of Shiloh.

Her claim would have to be admitted by the Pension Office were it not for the facts that the soldier left a widow surviving him, who, however, is shown, remarried a year subsequent to the soldier's death.

As here indicated, her claim was rejected by the Pension Office in November, 1887, on the ground that the soldier left a widow surviving him.

Mr. Vetter is now seventy-eight years of age. Her case is one which certainly deserves relief at the hands of Congress, and there being no one else in whose behalf to make application, the gentleman will sustain it.

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, and a duplicate vote on its passage was ordered to be entered on the journals.

The Speaker pro tempore. The Chair did not understand the gentleman as pressing the motion, but thought it was withdrawn.

Pending that motion, the Chair thinks it would be well for a motion to be entered to reconsider the various bills passed to-night.

Mr. O'DONNELL. I move that the Speaker take the votes by which the several bills were passed to-night, and also move to lay that motion on the table.

The latter motion was agreed to.

The question being taken on the motion of Mr. Stone, of Missouri, it was rejected.

So the House refused to adjourn.

Mr. LANE. I demand the regular order.

Mr. BAKER. Let me call up this bill now.

Mr. LANE. You cannot take up a bill in the House without unanimous consent.

Mr. BAKER. Will you object?

Mr. LANE. I will. The Committee on Invalid Pensions have again and again agreed that the Calendar shall be regularly called. I ask the regular order.

Mr. YODER. We have violated it to-night.

Mr. LANE. You did this evening, and I was loath to object. I thought it likely that some objection would be made, and I did not object to obstruct pensions to be had, but I feel under obligations to carry out the agreement of the committee.

Mr. BAKER. I ask that this bill be stated, and then if the gentleman objects the pension will be taken up.

Mr. LANE. I do object.

Mr. PETERS. Then I move that the House now adjourn.

Mr. ALLEN, of Michigan. I rise to a parliamentary inquiry.

The Speaker pro tempore. They did.

Mr. ALLEN, of Michigan. Did the two bills which passed the committee last week pass to-night?

The Speaker pro tempore. They did.

The question being taken on the motion of Mr. Peters, the House divided; and there were—yes 10, noes 11.

So the House refused to adjourn.

And then (the hour of 10.30 p. m. having arrived) the House adjourned.
EXECUTIVE AND OTHER COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following communication was taken from the Speaker's table and referred as follows:

PURCHASE OF TENTS.
Letter from the Secretary of War, transmitting the draught of a bill "authorizing the purchase of tents for certain purposes and making appropriations therefor," with report of the Quartermaster-General of the Army in relation thereto— to the Committee on Military Affairs.

RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolution was introduced and referred as follows:

By Mr. RICHARDSON.

Resolved, That the third paragraph of clause 1 of Rule XIII be amended by adding thereto the following proviso:

Provided, That reports from the Court of Claims, transmitted to Congress by the Clerk of Claims under the acts of March 3, 1883, and March 2, 1887, shall have precedence on the Private Calendar when reported by a committee of the House; to the Committee on Rules.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, reports of committees on bills of the following titles were delivered to the Clerk, ordered to be printed, and referred as follows:

A bill (H. R. 3242) from the Committee on Invalid Pensions, reported favorably the bill (H. R. 2978) granting jurisdiction and authority to the Court of Claims in the case of cow Rowenas—to the Committee of the Whole House.

Mr. LAWS, from the Committee on Invalid Pensions, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 7919) granting a pension to Lyron R. McIntyre;
A bill (H. R. 7956) granting a pension to James O'Donnell; and
A bill (S. 218) granting a pension to George W. Paddock.

Mr. LAWS, from the Committee on Military Affairs, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 7912) for removal of charge of desertion from Alfred Lane;
A bill (H. R. 1271) for the relief of Sanford A. Pingam.

Mr. WILLIAMS also, from the Committee on Military Affairs, reported favorably the bill (H. R. 887) authorizing the erection of a hotel upon the Government reservation at Fortress Monroe— to the House Calendar.

Mr. WALKER, of Missouri, from the Committee on Commerce, reported favorably the bill (S. 3056) authorizing the construction of a free bridge across the Arkansas River, connecting Little Rock and Arkansas, Ark.— to the House Calendar.

Mr. WILLIAMS, of Ohio, from the Committee on Military Affairs, reported favorably the bill (H. R. 4635) granting certain privileges to the Union Railway Company of Chattanooga, Tenn.— to the House Calendar.

Mr. LAWS, from the Committee on Invalid Pensions, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 7914) granting a pension to Jay Marvin; and
A bill (H. R. 7858) granting a pension to David Rose.

Mr. BAKER, from the Committee on Commerce, reported with amendment the bill (H. R. 3889) to authorize the construction of a bridge and approaches at New York City, across the Hudson River, to regulate commerce in and over such bridge between the States of New York and New Jersey, and to establish such bridge a bridge and post road—to the House Calendar.

Mr. O'FELLI, of Pennsylvania, from the Committee on the Library, reported favorably the joint resolution (H. Res. 113) appropriating $3,000 to inclose and beautify monument at Moore's Creek, North Carolina— to the Committee of the Whole House on the state of the Union.

Mr. CARLITON also, from the Committee on Claims, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (S. 242) for the relief of Mrs. Sarah Elizabeth Halliday, widow and administratrix of the estate of John Halliday, deceased; and
A bill (S. 690) for the relief of Alice E. Robertson.

Mr. YODER, from the Committee on Invalid Pensions, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 5050) granting a pension to Dolly Blazer;
A bill (H. R. 5069) granting a pension to Lawrence Dougherty;
A bill (H. R. 4983) granting a pension to Elizabeth A. Jones;
A bill (H. R. 5709) granting a pension to Sarah A. Harrison;
A bill (H. R. 5747) granting a pension to Mrs. Catherine Reed; and
A bill (H. R. 3912) to place the name of Pauline Richweiler on the pension-roll; and

A bill (H. R. 1783) granting a pension to Mrs. Alice A. Cunningham;
A bill (H. R. 3961) granting a pension to Sarah Connally;
A bill (H. R. 3295) granting a pension to Simon Beakler;
A bill (H. R. 6103) granting a pension to Elizabeth Bennett;
A bill (H. R. 1110) granting a pension to William J. Bryan;
A bill (H. R. 3218) granting a pension to Malinda Comwell;
A bill (H. R. 2317) granting a pension to Anna McCready;
A bill (H. R. 3365) for the relief of Emeline Beam, mother of Isaac W. Beam; and
A bill (H. R. 3065) granting a pension to Mary Donohue;
A bill (S. 611) granting a pension to Anna A. Probert; and
A bill (S. 3604) placing the name of Bridget White on the pension-roll.

Mr. YODER also, from the Committee on Invalid Pensions, reported with amendment the bill (H. R. 2934) granting a pension to George W. Pinher—to the Committee of the Whole House.

Mr. LAWS, from the Committee on Invalid Pensions, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 4032) granting a pension to J. N. Jordan; and
A bill (H. R. 3242) granting a pension to Sarah Devine, mother of Jesse Chapman.

A bill (H. R. 7818) granting a pension to Harriet E. Cooper; and
A bill (H. R. 7892) granting arrears of pension to Herman F. A. Royelle.

A bill (H. R. 6389) granting a pension to Peter Peterson; and
A bill (H. R. 4344) granting a pension to Brigadier John H. Kibbey; and
A bill (H. R. 3224) granting a pension to Sally Powell; and
A bill (H. R. 7076) to increase the pension of Cornelius J. Wylie; and
A bill (H. R. 4306) to pension Rebecca Bolerjack; and
A bill (H. R. 6068) to pension William F. Reed; and
A bill (H. R. 7955) granting a pension to Christopher C. Funk; and
A bill (H. R. 7659) granting a pension to Warner M. Ellis; and
A bill (H. R. 5719) for the relief of Harrison Tyrson; and
A bill (H. R. 7690) granting a pension to Frederick B. Sells; and
A bill (H. R. 5434) granting a pension to William Edwards; and
A bill (H. R. 7933) granting a pension to Barbara Langstaff; and
A bill (S. 1791) granting a pension to John C. Abbott; and
A bill (S. 338) granting a pension to Sarah E. Stewart.

Mr. LAWS also, from the Committee on Invalid Pensions, reported with amendment the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 7330) granting a pension to William A. Averly; and
A bill (H. R. 6029) granting a pension to Ella Harrison.

Mr. BROSHUIS, from the Committee on Agriculture, reported with amendment the bill (H. R. 238) defining "lard," also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of compound lard—to the House Calendar.

Mr. TURNER, of Georgia, from the Committee on Commerce, reported favorably the bill (S. 1783) authorizing the Brazos Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas—to the House Calendar.

Mr. TURNER, of New York, from the Committee on Invalid Pensions, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 5650) for the relief of Sarah D. Duke; and
A bill (H. R. 6391) granting a pension to Mrs. Margaret A. Jacoby.

Mr. TURNER, of New York, also, from the Committee on Invalid Pensions, reported with amendment the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 4372) granting a pension to John Dean; and
A bill (H. R. 6079) granting an increase of pension to Frank Traynor.

Mr. MARTIN, of Indiana, from the Committee on Invalid Pensions, reported favorably the following bills; which were severally referred to the Committee of the Whole House:

A bill (H. R. 2011) granting a pension to John S. Lozier; and
A bill (H. R. 4167) granting a pension to Lorenzo D. Whiteford; and
A bill (H. R. 7367) for the relief of Sarah M. Williams; and
A bill (H. R. 6913) granting a pension to Alexander G. Davis; and
A bill (H. R. 5014) for the relief of Ernest Bart; and
A bill (H. R. 2481) granting to Bridget Toole; and
A bill (H. R. 4851) granting to Elias J. Glase; and
A bill (H. R. 7293) granting to Belle Morris, of Dillsburgh, Ind.; and
A bill (H. R. 1155) granting a pension to Francis M. Hull; and
A bill (H. R. 2469) increasing the pension of Thomas Ward.
Mr. SPRINGRE, on behalf of the minority of the Committee on the Territories, to whom was referred the bill (H. R. 985) to provide for the admission of the State of Wyoming into the Union, and for other purposes, submitted their views in writing; and it was ordered that said views be printed and refereed to said Committee on the Territories.

ADVERSE REPORTS.

Under clause 2 of Rule XXII, adverse reports on bills of the following titles were delivered to the Clerk and laid on the table:

By Mr. GEST: A bill (H. R. 3233) for the relief of Michael A. Dece.

Also, from the same committee, a petition of William H. Blake, relative to claim for services rendered by him in the capture of steamer W. R. Terry, in 1861.

By Mr. BELKNAP, from the Committee on Invalid Pensions, the bill (H. R. 7635) granting an increase of pension to Ira C. Alger, Jr.

By Mr. KELLEY, from the Committee on Accounts, on a resolution to appoint Thomas G. Ingram, assistant janitor.

By Mr. WILLIAMS, of Ohio, from the Committee on Military Affairs, on the bill (H. R. 1918) for the relief of F. W. Zickendrath.

Also, from the same committee, on the bill (H. R. 2890) to remove the charge of desertion from the military record of John J. Schmidt.

Also, from the same committee, on the bill (H. R. 1361) for the relief of William T. Edwards.

Also, from the same committee, on the joint resolution (H. Res. 92) authorizing the Secretary of War to grant a permit to Harry Libby and Philip T. Woodfin to erect a hotel upon the lands of the United States at Old Point Comfort.

By Mr. BELKNAP, from the Committee on Invalid Pensions, on the bill (H. R. 6247) granting a pension to James Shaw.

By Mr. MASON, from the Committee on Commerce, on the bill (S. 80) for the extension of the Oregon and Washington Extension Railroad Company to construct and maintain a bridge across the Columbia River between the State of Oregon and the State of Washington, and to establish it as a post-road.

BILLS AND JOINT RESOLUTIONS.

Under clause 3 of Rule XXII, bills and joint resolutions of the following titles were introduced, severally read twice, and referred as follows:

By Mr. CARTER: A bill (H. R. 8491) to provide for the examination and classification of certain mineral lands, and for other purposes—to the Committee on Mines and Mining.

Also, a bill (H. R. 8490) to provide for the construction of a public building at Battle Creek, Mont.—to the Committee on Public Buildings and Grounds.

By Mr. O'NEILL, of Pennsylvania: A bill (H. R. 8493) authorizing a sale of part of a certain lot in the city of Washington—to the Committee on the District of Columbia.

By Mr. BROWNE, of Virginia: A bill (H. R. 8494) authorizing the Secretary of War to grant a permit to Harry Libby to erect a hotel upon the lands of the United States at Old Point Comfort, Virginia—to the Committee on Military Affairs.

By Mr. CONNELL: A bill (H. R. 8495) providing for the extension of the coal laws of the United States to the district of Alaska—to the Committee on Territories and the Public Lands.

By Mr. CARUTH: A bill (H. R. 8496) providing for the purchase of a portrait of General James Wilkinson—to the Committee on the Library.

By Mr. LEE: A bill (H. R. 8497) to authorize the Washington and Western Railroad Company to extend its line into and within the District of Columbia—to the Committee on the District of Columbia.

By Mr. O'NEILL, of Massachusetts: A bill (H. R. 8498) for the relief of captains, pilots, engineers, and mates of steam-vessels—to the Committee on Commerce.

By Mr. PICKLER: a bill (H. R. 8290) for an act to authorize the Pierre and Fort Pierre Ponton Bridge Company to construct a pontoon bridge across the Missouri River at Pierre, S. Dak.—to the Committee on Commerce.

By Mr. RUSSELL: a joint resolution (H. Res. 123) to print 10,000 copies of the resolutions of the Representatives of the United States, from George Washington to Benjamin Harrison, for the first century of Presidential inaugurals, with authenticated incidents connected therewith, biographical sketches of the Presidents from official sources, together with steel-plate portraits of the Presidents and steel-plate illustrations of the Capitol and White House— to the Committee on Printing.

By Mr. LODGE: A joint resolution (H. Res. 133) providing for the disfranchisement of the Government to depositories of public documents— to the Committee on the Library.

PRIVATE BILLS, ETC.

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

By Mr. BELDEN: A bill (H. R. 8499) for the removal of a charge of desertion from record of Frank A. R. Gray—to the Committee on Territories.

By Mr. BLISS: A bill (H. R. 8500) to correct the military record of Ernestus Confer—to the Committee on Military Affairs.

By Mr. CRANE: A bill (H. R. 8501) for the relief of Adams & Wicks—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 8504) granting a pension to Oscar S. Crabtree—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8505) granting a pension to Chris. Steiger—to the Committee on Invalid Pensions.

By Mr. DUNNELL: A bill (H. R. 8506) for the relief of John W. McCann—to the Committee on Military Affairs.

By Mr. HATCH: A bill (H. R. 8507) for the relief of John H. Morgan—to the Committee on Military Affairs.

By Mr. HOLMAN: A bill (H. R. 8508) granting a pension to Ann Carr, of Yoyav, Ind.—to the Committee on Invalid Pensions.

By Mr. KNAAP: A bill (H. R. 8509) to relieve Daniel E. Thompson of the charge of desertion—to the Committee on Military Affairs.

By Mr. McCARthy: A bill (H. R. 8510) for the relief of James W. Connolly, of Thirty-eighth Regiment of New York Volunteers—to the Committee on Invalid Pensions.

By Mr. McCreary: A bill (H. R. 8511) for the relief of S. P. Scaggs, of the independent company of Charles Deering, late adjutant Seventeenth Kentucky Infantry—to the Committee on Invalid Pensions.

By Mr. McKANE: A bill (H. R. 8512) making an appropriation for the maintenance of the estate of William Moos, deceased—to the Committee on Claims.

By Mr. Moore, of New Hampshire: by request: A bill (H. R. 8513) granting a pension to Thomas F. Leshey—to the Committee on Invalid Pensions.

By Mr. PRICE: A bill (H. R. 8514) for the relief of Pierre Breux, of Terre Bonne Parish, Louisiana—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 8515) granting a pension to Louis Bailey—to the Committee on Invalid Pensions.

By Mr. SIMMONDS: A bill (H. R. 8516) for the relief of James B. McCubbin—to the Committee on War Claims.

By Mr. SWERSTAD: of Georgia: A bill (H. R. 8517) for the relief of the heirs or legal representatives of David L. Duffy, deceased—to the Committee on War Claims.

By Mr. Wheeler, of Alabama: A bill (H. R. 8518) to grant a pension to Thomas Stewart—to the Committee on Pension.

By Mr. WICKHAM: A bill (H. R. 8519) granting a pension to John Frothin—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the following changes of reference were made:

A bill (S. 1383) for the relief of Mary B. Hook—to Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (S. 1545) for the relief of Edwin De Leon—to Committee on War Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 2258) granting a pension to Hannah Cummins—to Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5106) for the relief of Squire West—to Committee on Invalid Pensions discharged, and referred to the Committee on 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 Rev. E. W. Roberts and others, of Chili, Monroe County, New York, in favor of the repeal of all duties on sugar, refined and raw—to the Committee on Ways and Means.

By Mr. BARNES: Petition of Subordinate Union, No. 2, of the city of Augusta, Ga., of the Bricklayers and Masons' International Union of America—to the Committee on Labor.

By Mr. BECKWITH: Four petitions of citizens of New Jersey, against alien labor on public works—to the Committee on Labor.

By Mr. CAMPBELL: Petition of citizens of Brooklyn, N. Y., against the employment of aliens upon public works of the Government—to the Committee on Labor.

By Mr. CARUTH: Resolutions of the Trades and Labor Assembly of Louisville, Ky., favoring the enforcement of the eight-hour law—to the Committee on Agriculture.

By Mr. GLEADLE: Petition of Merriman Thompson, for reimbursement for property worth $400.50—to the Committee on War Claims.
By Mr. CONGER: Petition of Ellsworth Post, Grand Army of the Republic, of Ames, Iowa, in favor of pensions for widows and children of all late soldiers—to the Committee on Invalid Pensions.

Also, petition of J. W. Lundy and others, of the Seventh district of Iowa, in favor of remonstrance of silver—to the Committee on Coinage and Currency.

Also, memorial of Farmers' Alliance, Ellwell, Iowa, in favor of Butterworth bill—to the Committee on Agriculture.

Also, petition of H. H. Cameron and 76 others, praying that pensions may be granted all soldiers and marines who served in the Federal Army in the war of the rebellion who are in any respect or any degree unable to perform manual labor—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Petition of Nelson B. Gardner, for increase of pension—to the Committee on Invalid Pensions.

By Mr. NORTON: Petition of E. D. Shaw and others, citizens of Anderson County, Missouri, praying for a service pension—to the Committee on Invalid Pensions.

By Mr. TURNER, of Nebraska, for same purpose—to the Committee on Invalid Pensions.

By Mr. SWENEN: Petition from 361 Friends of Newburgh, Clinton County, Ohio, against expenditures for warlike purposes—to the Committee on War Claims.

Also, petition of S. C. Hampton, administrator, for reference of claim to the Court of Claims under provisions of the Bowman act—to the Committee on War Claims.

By Mr. RUSSELL: Petition of Louise Bailey, for pension—to the Committee on Invalid Pensions.

By Mr. STEPHENSON: Petition of the citizens of Menominee, Mich., relative to the position of the North American Turnebord on immigration and naturalization laws—to the Select Committee on Immigration and Naturalization.

Also, petition of the Nationalist Club of Minneapolis, Minn., against proposed settlement of the Pacific railway debt to the Government—to the Committee on Pacific Railroads.

By Mr. VAN SCHAICK: Petition of Farmers' Alliance, Greensville County, Virginia, asking to arrest the attempt to enable said institution to loan money on real estate—to the Committee on Banking and Currency.
By Mr. WHEELER, of Alabama: Petition of William Hamaker, of Madison County, Alabama, praying for reference of his claim to Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. WILLIAMS, of Illinois: Additional evidence in support of claim. Thirteen documents—referred to the Committee on Invalid Pensions. Also, affidavits for relief of Allen Anderson, Harrison Thurmond, and John Garrett—to the Committee on Military Affairs.

SENATE.
SATURDAY, March 22, 1890.

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

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

PETITIONS AND MEMORANDA.

Mr. WILSON, of Iowa, presented a petition of the Bricklayers and Masons' Union No. 2, of Des Moines, Iowa, praying for the passage of a law prohibiting the employment of aliens on Government works; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented a petition of Subordinate Union No. 2, of Belleville, Ill., of the Bricklayers and Masons' Union of America, praying that none but American citizens be employed on all Government works; which was referred to the Committee on Education and Labor.

Mr. SAWYER presented a petition of the Bricklayers and Masons' Union of La Cross, Wis., praying that Americans be employed in preference to aliens on Government works; which was referred to the Committee on Education and Labor.

Mr. PADDICK presented a petition of the Bricklayers and Masons' International Union of America, of Omaha, Nebr., praying that none but American citizens be employed upon Government works; which was referred to the Committee on Education and Labor.

Mr. STOCKBRIDGE presented a petition of the Bricklayers and Masons' International Union of America, of Detroit, Mich., and a petition of the Bricklayers and Masons' International Union of America, of Saginaw, Mich., praying for such amendment of the laws as will favor citizens of the United States as employees on Government works and exclude aliens therefrom; which were referred to the Committee on Education and Labor.

Mr. HISCOCK presented six petitions of citizens of the State of New York, praying that the time for making application for arrears of pension be extended; which were referred to the Committee on Pensions.

He also presented a memorial of 238 members of the Society of Friends, citizens of the State of New York, remonstrating against increased expenditures for the Navy and other warlike preparations as a menace to the peace and security of the nation; which was referred to the Committee on Naval Affairs.

He also presented sundry petitions signed by numerous citizens of the State of New York, representing ten subordinate unions of the Masons' Independent Union of America, praying that the present laws be so amended that only citizens of the United States shall be employed on Government works; which were referred to the Committee on Education and Labor.

He also presented a petition of 74 citizens of the State of New York, praying for the passage of House bill 3953, providing for an increase of compensation to letter-carriers; which was referred to the Committee on Education and Labor.

Mr. SHERMAN presented a memorial of Subordinate Union No. 10, of East Liverpool, Ohio, of the Bricklayers and Masons' International Union of America, and a memorial of Subordinate Union No. 8, of Cleveland, Ohio, of the Bricklayers and Masons' International Union of America, remonstrating against the employment of aliens on Government works; which were referred to the Committee on Education and Labor.

Mr. TURPIE presented a petition of Subordinate Union, No. 3, of the Bricklayers and Masons' International Union of America, of Indianapolis, Ind., praying for legislation making a discrimination against aliens in favor of citizens of the United States employed on public works; which was referred to the Committee on Education and Labor.

Mr. INGALLS presented a petition of 39 citizens of Demna, Kans., and the petition of Eugene B. Bisbee, of New York City, N. Y., praying for the free coinage of silver; which were referred to the Committee on Finance.

He also presented a petition of Anderson Post, No. 45, Grand Army of the Republic, of Smith Center, Kans., praying for the passage of the service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of Grand Army of the Republic, Post No. 89, of Nebraska; a petition of Grand Army of the Republic, Post No. 60, of Nebraska; a petition of Grand Army of the Republic, Post No. 17, of Nebraska, and a petition of Grand Army of the Republic, Post No. 6, of Nebraska, all praying for the passage of Senate bill 494, to remove the limitation in the payment of arrears of pensions; which were referred to the Committee on Pensions.

Mr. PIERCE presented a petition of 138 residents of Titusville, Pa., praying for the passage of Senate bill 3697, providing for the appointment of a commission to investigate the causes of agricultural depression; which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Farmers' Alliance of Hunter, N. Dak., praying for the passage of Senate bill 3697, creating a commission to investigate the causes of agricultural depression, and also praying for the passage of a bill authorizing the Government to sell for the people the money to be paid in consequence of the same; which were referred to the Committee on Agriculture and Forestry.

Mr. REAGAN presented resolutions adopted by the Galveston (Tex.) Cotton Exchange in favor of an appropriation to secure a deep-water harbor at Galveston; which were referred to the Committee on Finance.

Mr. ALLISON presented a petition of 110 citizens of the Seventh Congressional district of Iowa, and a petition of 140 citizens of Wayne County, Iowa, praying for the free coinage of silver; which were referred to the Committee on Finance.

He also presented resolutions adopted by the John Dillon Post, No. 263, Department of Iowa, Grand Army of the Republic, of Muscatine, Iowa, and a resolution adopted by the W. A. More Post, No. 190, Department of Iowa, Grand Army of the Republic, of Manchester, Iowa, praying for the passage of the service-pension bill; which were referred to the Committee on Pensions.

He also presented the petition of W. A. Elliott and other citizens of Grandy, Iowa, praying for legislation to prohibit boards of trade, bucket-shops, and mercantile bodies and individuals from fixing the value on the raw or manufactured products of the United States by means of promises of future deliveries; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of W. A. Elliott and other citizens of Grandy, Iowa, praying for the passage of such laws as will prohibit the selling of promises of future deliveries of farm produce or stock products by those who are not the owners thereof, thereby depriving the Government of the said value; which was referred to the Committee on Agriculture and Forestry.

Mr. ALLEN presented a memorial of the Legislature of Washington, which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, STATE OF WASHINGTON, Office of the Secretary of State.

I, Allen Weir, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the instrument of writing, a copy of which is hereunto annexed, with the original instrument of writing, and that the same is a correct transcript therefrom and of the whole of said original.

In testimony whereof I have hereunto set my hand and affixed the seal of said State, this 17th day of February, A. D. 1890.

ALLEN WEIR, Secretary of State.