

## SENATE.

THURSDAY, March 15, 1894.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.  
The Journal of yesterday's proceedings was read and approved.

## PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of Chickasaw Lodge, No. 40, Ancient Order of United Workmen, of Memphis, Tenn., praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WILSON presented a memorial of Cigar Makers' Union No. 88, of Dubuque, Iowa, and a memorial of Cigar Makers' Union No. 120, of Muscatine, Iowa, remonstrating against the proposed increase of the internal-revenue tax on cigars; which were referred to the Committee on Finance.

Mr. LODGE presented the petition of Albert V. Bugbee and 13 other citizens of Massachusetts, and the petition of Thomas W. Shepherd and 58 other citizens of Peabody, Mass., praying that fraternal society and college journals be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PEPPER. I present a number of remonstrances which come in the usual printed form. They purport to be from different places in Kansas, and remonstrate against any increase in the tax on alcohol. One of my constituents sends me a copy of the remonstrance, together with a personal letter which he received from a drug firm in the city of Dubuque, Iowa, in which the writer asks him to procure signatures and forward the memorial to Senators, giving the names. Then the writer adds at the bottom of the letter:

DEAR SIR: The above and inclosed circular was handed to me by a druggist for the purpose of getting signers. I would say that I believe 99 per cent of all the voters in Western Kansas are in favor of an income tax and an increase on distilled spirits.

My object in calling attention to this matter is that the Committee on Finance may have the benefit of whatever there may be in such a proceeding. I move that the memorials be referred to the Committee on Finance.

The motion was agreed to.

Mr. PEPPER presented the petition of Dr. E. W. Haradon and sundry other citizens of the United States, praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WASHBURN presented a petition of sundry citizens of Minneapolis, Minn., praying that the preamble to the Constitution of the United States be so amended as to recognize the Deity; which was referred to the Committee on the Judiciary.

He also presented petitions of George A. Wade and 27 other citizens of Minneapolis; of B. D. Smith and 20 other citizens of Mankato; of Oak Camp, No. 1260, Modern Woodmen of America, of Sleepy Eye; of Thomas F. Addy and 25 other citizens of Sleepy Eye; and of Court Century, No. 1257, of Minneapolis, all in the State of Minnesota, praying that fraternal college and society journals be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Board of Trade of Mankato, Minn., praying for the enactment of legislation establishing a nonpartisan tariff commission; which was referred to the Committee on Finance.

He also presented a petition of the Rhode Island Society for the Prevention of Cruelty to Animals, of Providence, R. I., praying for the passage of House bill 4182, providing for an international conference to secure the better protection and care of animals in transit; which was referred to the Committee on Foreign Relations.

Mr. STOCKBRIDGE presented a memorial of sundry citizens of Marquette, Mich., remonstrating against the passage of the Wilson tariff bill; which was referred to the Committee on Finance.

He also presented the petition of George D. Gillespie, Bishop of the Protestant Episcopal Diocese of Western Michigan, praying for the passage of legislation to suppress the lottery traffic; which was referred to the Committee on the Judiciary.

He also presented the petition of Henry I. Allen and sundry other citizens of Schoolcraft, Mich., and the petition of Simeon J. Banks and sundry other citizens of Bancroft, Mich., praying that fraternal society and college journals be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry sulphur refiners of Brooklyn, N. Y., and Bayonne and Newark, N. J., remonstrating against the proposed change in the sulphur schedule made by the Wilson tariff bill; which was referred to the Committee on Finance.

He also presented a memorial of Local Union No. 24, Cigar Makers' International Union of America, of Muskegon, Mich., remonstrating against the proposed increase of the internal-revenue tax on cigars; which was referred to the Committee on Finance.

He also presented a memorial of the Church Orphanage of St. Johns Parish, Washington, D. C., remonstrating against a reduction of the appropriation annually granted it in aid of its maintenance as a public charity of the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HAWLEY presented a petition of the First Congregational Church of Berlin, Conn., and the petition of Elizabeth P. Avery and 4 other citizens of Connecticut, praying for the enactment of legislation to suppress the lottery traffic; which were referred to the Committee on the Judiciary.

He also presented a petition of the Humane Association of America, praying for the passage of House bill 4182, providing for an international conference to secure the better protection and care of animals in transit; which was referred to the Committee on Foreign Relations.

He also presented the memorial of John J. O. Neill and 40 other members of Cigar Makers' Union, No. 282, of Bridgeport, Conn., remonstrating against an increase of the internal-revenue tax on cigars; which was referred to the Committee on Finance.

He also presented petitions of Robert Crawford and 57 other citizens of Clinton; of Peter F. Starburger and 26 other citizens of Connecticut; of Yale Conclave, No. 244, Improved Order of Heptasophs, of New Haven; of Charles F. Bartlett and 35 other citizens of Connecticut, and of Nucas Lodge, No. 17, Ancient Order of United Workmen, of Montville, all in the State of Connecticut, praying that fraternal society and college journals be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. ALLEN presented a petition of Hall of Harmony Lodge, No. 46, Ancient Order of United Workmen, of Lexington, Nebr., praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL of Oregon presented the petition of J. W. Looney and sundry other citizens of Jefferson, Oregon, praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL presented a memorial of sundry citizens of St. Joseph, Mo., remonstrating against the adoption of an amendment to the preamble to the Constitution of the United States recognizing the Deity; which was referred to the Committee on the Judiciary.

Mr. VILAS presented memorials of William Williams and sundry other citizens of Minocqua; of R. J. Washburn and sundry other citizens of Palmyra; of Henry Roemheld and sundry other citizens of Milwaukee; of P. Okey and sundry other citizens of Oconto; of W. T. Lamb and sundry other citizens of Kenosha; of F. Harbridge and sundry other citizens of Racine, and of Charles A. Gamm and sundry other citizens of Watertown, all in the State of Wisconsin, remonstrating against an increase of the internal-revenue tax on distilled spirits; which were referred to the Committee on Finance.

Mr. CULLOM presented a memorial of Cigar Makers' Union, No. 80, of Danville, Ill., remonstrating against an increase of the internal-revenue tax on cigars; which was referred to the Committee on Finance.

He also presented memorials of sundry citizens of Danville, Camp Point, and Piper City, all in the State of Illinois, remonstrating against an increase of the internal-revenue tax on distilled spirits; which were referred to the Committee on Finance.

He also presented a petition of Calumet Council, No. 69, National Union, of Chicago, Ill., praying that fraternal society and college journals be admitted to the mails as second-class matter; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MANDERSON presented a memorial of the Cigar Makers' Union of Nebraska, remonstrating against an increase in the internal-revenue tax on cigars; which was referred to the Committee on Finance.

Mr. LINDSAY presented a petition of sundry citizens of Kentucky, praying that an additional appropriation be made for the completion of Lock No. 2, in Green River, Ky.; which was referred to the Committee on Commerce.

He also presented memorials of sundry citizens of Franklin and Birmingham, Ky., remonstrating against an increase of the tax on distilled spirits; which was referred to the Committee on Finance.

Mr. DOLPH presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to suppress the lottery traffic; which was referred to the Committee on the Judiciary.



He also presented a memorial of sundry citizens of Oregon, remonstrating against the proposed amendment of the preamble to the Constitution of the United States, recognizing the Deity; which was referred to the Committee on the Judiciary.

Mr. TURPIE presented the petition of Patrick Reilly, mayor, and sundry other citizens of Hammond, Ind., praying for the enactment of legislation granting relief to John W. Stevens, of Hammond, Ind., late sergeant Company B, Eighty-seventh Indiana Volunteers; which was referred to the Committee on Pensions.

Mr. VEST presented the memorial of Rudolph Fischer and sundry other druggists of St. Louis, Mo., remonstrating against an increase of the tax on alcohol; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Kansas City, Mo., and a petition of Forest Park Council, No. 877, Royal Arcanum, of St. Louis, Mo., praying that fraternal college and society journals be admitted to the mails as second-class matter; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CULLOM presented sundry memorials of woolgrowers of Spanish Fork, Utah Territory; of Wood, Oklahoma Territory; of Ringgold, Rosseau, and Millersburg, Ohio; of Pike County, Ill.; of Petersburg, Nebr., and of Cincinnati and Bloomfield, Ind., remonstrating against a reduction of the present duty on wool; which were referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. MITCHELL of Wisconsin, from the Committee on Military Affairs, to whom was referred the bill (S. 857) to correct the military record of James McConnell, reported it with amendments, and submitted a report thereon.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 1637) for the relief of Capt. John W. Pullman, reported it without amendment, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1526) for the relief of Henry Halteman, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 33) to restore Eugene Wells to the Army, reported it without amendment, and submitted a report thereon.

#### COLUMBIA RIVER BRIDGE.

Mr. DOLPH. By direction of the Committee on Commerce I report back with amendments the bill (S. 1759) to amend an act entitled "An act to authorize the Oregon and Washington Bridge 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." This is a very brief bill, the passage of which is urgent, and it will take but a moment. I am authorized by the committee to ask for its present consideration.

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

The amendments of the Committee on Commerce were, in line 8, after the word "hereby," to strike out "extended, revived," and insert "re-enacted;" and in the same line, after the words "to be," insert "and to have been;" so as to make the bill read:

*Be it enacted, etc., That "An act to authorize the Oregon and Washington Bridge 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," approved March 24, 1890, be, and the same is hereby, re-enacted and declared to be and to have been in full force and effect from and after March 24, 1894. Section 12 of said act, which provides that said act shall be null and void if actual construction of the bridge therein authorized be not commenced within two years and completed within four years from the date of the approval thereof, shall be, and the same is hereby, so amended that the time within which said bridge is required to be commenced shall be within two years from March 24, 1894, and the time within which it is required that said bridge be completed shall be within four years from the 24th day of March, 1894.*

The amendments were agreed to.

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

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

#### BILLS INTRODUCED.

Mr. WASHBURN introduced a bill (S. 1771) to authorize the withdrawal from settlement or sale of gold and silver bearing lands within the State of Minnesota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MITCHELL of Oregon introduced a bill (S. 1772) extending the time for the completion of a railroad bridge over the Columbia River at or near Vancouver, in the State of Washington; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. CALL introduced a bill (S. 1773) granting a pension to

Capt. Dennis A. Dolan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS (Mr. VILAS in the chair). By request of the Commissioners of the District of Columbia I introduce a bill. I ask that the bill after its second reading be referred, with the accompanying letter, to the Committee on the District of Columbia.

The bill (S. 1774) to amend an act entitled "An act to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes," approved May 11, 1892, was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

#### AMENDMENT TO APPROPRIATION BILL.

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

#### COST OF WHEAT PRODUCTION IN CALIFORNIA.

Mr. PEPPER. I wish to offer a resolution, but before doing so I desire to call attention to another matter and ask to have a mistake corrected—not of my own, but of another.

Last summer, under the order of the Senate, I had occasion to visit the State of California in examining the conditions of agricultural affairs. Among other places I visited the capital of the State and conferred with the secretary of the State board of agriculture. I asked him to prepare for me a statement showing the cost of producing wheat in that State, and he forwarded his statement to me by mail. It was afterwards incorporated in the report of facts and statistics which I submitted to the full committee, and it is found on page 178 of the report. From those figures it appears that the cost of producing wheat in the State of California by the most economical methods is 22 cents a bushel.

When the report was printed a copy was forwarded to all persons who had furnished testimony, and Mr. Secretary Smith, of the State board of agriculture, of California, telegraphed me that he discovered an error in his figures and stated in the dispatch that he would write me. I have his letter here, and after calling attention to what it shows I shall ask that it be read. The secretary shows that he, as secretary of the board, and Mr. Boggs, who is president of the board, each made out a separate list of the different items of expense in producing wheat, and that one of them followed the course of a large traction engine, which draws eight or ten plows in a gang, and the other one followed the ordinary course where the common horse team is used, and they made different figures. The secretary sent to me his figures, when it was intended that the figures which had been prepared by the president of the board should be sent, which show that the cost of wheat is a little greater, some 10 cents a bushel, than in the estimate sent by the secretary. The secretary is quite anxious that the proper correction may be made in some form so that it can get to the public, and inasmuch as the report has been printed, I ask that his short letter of explanation be read.

The PRESIDENT *pro tempore*. If there be no objection the letter will be read as requested.

The Secretary read as follows:

CALIFORNIA STATE BOARD OF AGRICULTURE,  
SECRETARY'S OFFICE,  
Sacramento, Cal., March 7, 1894.

DEAR SIR: Your report just at hand, and it is with much chagrin I find that the wrong set of figures were copied in report sent you on cost of wheat production in California.

President Boggs and myself made two sets of figures upon the subject, one set showing cost by the use of steam in plowing, i. e., traction engine with eight to ten plows in gang.

The other set were based upon use of horses, custom most in vogue, and in which was added an additional harrowing for "fallowed" land and cost of sacks and hauling to cars.

There is a difference of \$1.50 per acre, or about 10 cents per bushel upon the same yield. The figures that should have been sent are these:

Cost of preparing land.....	\$1.50
Seed.....	.95
Sowing and harrowing.....	.50
Harvesting.....	1.00
Sacks and hauling.....	.60

Total..... 4.55

At a yield of 14 bushels (which is a low average in the great wheat-growing districts—16 bushels is nearer the figure) would cost 32½ cents per bushel, and at a yield of 18, would be 25½ cents per bushel.

I feel very much humiliated over the error, and if there is any opportunity to correct it in future publications or announcements, would feel greatly obligated thereby.

Very respectfully,

EDWIN F. SMITH, Secretary.

Hon. W. A. PEPPER,  
United States Senate, Washington, D. C.

#### TRANSMISSION OF PERIODICALS, ETC., IN SACKS.

Mr. PEPPER. I submit the resolution which I send to the desk, and ask that it be read and lie over under the rules.



The resolution was read, as follows:

*Resolved*, That the Committee on Post-Offices and Post-Roads be, and it is hereby, instructed to consider and report whether the postal laws and regulations ought not to be so amended that any person shall have the right to mail any periodical, tract, leaflet, or other similar publication, by the sack or otherwise, and have the same delivered to any receiver of mail at any domestic post-office when the postage is prepaid thereon at the rate of 1 cent per pound or fractional part thereof, and when such publications are not of obscene or immoral character, not issued for advertising purposes, nor to incite riot or insurrection.

The PRESIDENT *pro tempore*. The resolution will be printed and lie over at the request of the Senator submitting the same. CLERICAL FORCE IN TREASURY AND INTERIOR DEPARTMENTS.

Mr. GALLINGER. I submit a resolution, which I ask shall be printed and lie over under the rule.

The resolution was read, as follows:

*Resolved*, That the Secretary of the Treasury and the Secretary of the Interior be directed to transmit to the Senate, in separate lists, the names of all clerks appointed, promoted, reduced, and dismissed since the 4th day of March, 1893, and the State to which each clerk is credited.

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

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 62) to fill a vacancy in the Board of Regents of the Smithsonian Institution.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 1133) to remove the charge of desertion standing against John W. Wacker; and it was thereupon signed by the President *pro tempore*.

#### COINAGE OF SILVER BULLION.

The PRESIDENT *pro tempore*. If there are no further concurrent or other resolutions, the morning business is concluded, and the Calendar under Rule VIII is in order.

Mr. MITCHELL of Oregon. If no other Senator will make the request, I ask the Senate to proceed to the consideration of the unfinished business.

The PRESIDENT *pro tempore*. The Senator from Oregon asks unanimous consent that the Senate proceed to the consideration of the unfinished business. Is there objection?

Mr. COCKRELL and others. No objection.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the unfinished business will be stated.

The SECRETARY. A bill (H. R. 4956) directing the coinage of the silver bullion held in the Treasury, and for other purposes.

The PRESIDENT *pro tempore*. The question is on the passage of the bill, on which the Senator from Wyoming [Mr. CAREY] is entitled to the floor.

Mr. CAREY. Mr. President, when the Senate went into executive session last evening I had just read a letter from Hon. Charles Francis Adams on the subject of bimetalism in the United States. I referred to a dispatch that was published yesterday in the Washington Post from London, which I could not at the time place my hand upon. It is dated London, March 13, and is as follows:

At the requests of the merchants and others in England having large East India and China trade interests, the London Chamber of Commerce has represented to the Government the urgency of the reassembling of the international monetary conference with a view of finding some remedy for the heavy fall and violent fluctuations in silver, which are represented as causing grave injury to Eastern trade.

Germany's recent action has also been spoken of on the floor, and I shall not take up time in referring further to this matter. It is evident that the German people are looking toward international bimetalism.

I have also in my hand a clipping from a paper printed in Colorado, the Colorado Miner, which, after discussing the injuries that have befallen the country from the demonetization of silver, closes by saying:

We feel that we have been wrongfully treated in the crushing of an industry that is far-reaching and one which, as the financiers of England and Germany are fast becoming convinced, could have prevented the present panic which has been so disastrous to the whole world by opening our mints to the free coinage of silver as well as gold. And we further believe that the time is not far distant when an international monetary conference will satisfactorily settle this great question for the benefit of all and prosperity again be restored.

Mr. President, I, for one, believe that the repeal of the purchasing clause of the Sherman act and the closing of the mints in India to the free coinage of silver will do more toward bimetalism in the world than all that has been accomplished during the last twenty years, or since silver was demonetized by the chief nations of the world. We had better take this question as it is. It does no good to talk of the manner in which silver was demonetized, or why it was demonetized. We know that Germany acted in 1871 and 1873 and demonetized silver. Norway, Sweden, and Denmark demonetized silver in 1873 and 1875.

These countries were followed by Holland. Russia fully demonetized silver in 1876. Austria-Hungary suspended the coinage of silver in 1879. The United States suspended silver coinage in 1873. The Latin Union fully demonetized silver in 1878. The legislative council of India closed the mints of that country in 1893.

The United States by the repeal of the purchasing clause of the Sherman act has closed its mints to the coinage of silver, except the silver on hand in the shape of silver bullion, and the silver that may be required for subsidiary coinage.

The United States by the purchase of silver since 1878 had tried to prevent the decline of silver. It had the assistance of no other great commercial nation. Not a mint in all Europe has been open to the free coinage of silver. The great nations discarded it. The great nations should freely rehabilitate it as a money metal. The United States can not do it alone. It would please the great commercial nations of the world for the United States to undertake it. The price of all our products would be measured in gold as they are now, but our silver dollars would be weighed and bring their bullion value only. The silver miner would only be benefited for a day.

It is not possible for one country alone to give any commodity so abundant or universal as gold or silver, without limit, a stamp value very different from its commercial value. The gold in the coins of the various nations has a fixed value. The stamp telling its value does not make it so. It has attained a universally recognized value among the nations of the world. Melt the coin, the metal is still worth its coin value. If silver could receive the same recognition by the nations of the world there would be no further controversy about the much discussed silver question. Until they do it it is to be hoped this nation will maintain its present position. I believe Great Britain, that has held out against bimetalism, has to-day a greater interest in bimetalism than any other nation. By the recent legislation in the United States the burden has been shifted from the United States to the nations of Europe.

I am one of those who do not think that there are very many persons in the United States who believe in gold monometallism, or that there are many who believe in the issue of irredeemable paper money. There are very few people in the United States who want this country to go on an exclusively silver standard. That the great body of people are in favor of bimetalism there can be no doubt, but they want bimetalism that is practicable; they want both gold and silver coined on the same basis at the mints and under the same circumstances, but they want it done so that they may be maintained in the future, and so that the United States will not pass immediately from the gold standard to the silver standard, and destroy its credit.

The Bland law was a makeshift; the Sherman law was a mistake. I do not believe that makeshifts in financial matters are good for the country. If the United States had not tried the experiment perhaps the great nations of the world would have gone back to bimetalism for the country. During the stress of civil war Congress was compelled to do many things which could not be justified in time of peace. There is but one course for a nation like this to pursue, and that is the straight course, and to deviate neither to the right nor to the left. The financial legislation of this country during the last thirty years has maintained a high credit for the United States. No other nation has accomplished so much.

We are certainly proud of our country and proud of its credit. What has been the basis of it? That this country has not permitted its currency to depreciate, and that it has paid all its obligations in the best kind of money. The policy has been to keep each kind of a dollar in its debt-paying power equal to each other kind.

The bill we propose to pass to-day, I think, is a bad stroke against silver. We not only propose to put in circulation \$55,000,000 more of silver money without helping the silver miner one cent, but we propose to redeem the best paper money we have in circulation, the Treasury notes, the only paper money based on silver, which is legal tender for all purposes, and substitute what? Silver certificates which are not a legal tender except in the payment of customs duties to the Government of the United States; certificates which the Attorney-General has recently declared are not money. Any creditor except the Government may refuse to receive them in the liquidation of debts.

It is true that we can take this money to the subtreasuries and to the Treasury Department at Washington and obtain silver dollars for it, but silver money is a very inconvenient money to-day. We seem to have passed by the time when we want to use in everyday circulation either gold or silver except in very limited amounts.

Mr. STEWART. Will the Senator allow me to correct his statement?

Mr. CAREY. Certainly.



Mr. STEWART. The Treasury notes issued under the act of 1890 are not legal tender under all circumstances. They are not legal tender when the contract otherwise provides.

Mr. CAREY. As I understand, we can make a contract for payment in any kind of money; the Supreme Court has decided that, and that is true either of silver or of gold.

Why withdraw these legal-tender notes and substitute notes which are not legal tender? I have heard no satisfactory explanation upon this floor, except that it removes a strain upon our gold. At this point I differ from our silver friends. The silver in circulation in this country should be just as good as gold; it should hold such a position that it could be exchanged into gold.

The Senator from Colorado [Mr. TELLER] said that the silver dollar which had 45 cents of bullion in it was as good for all practical purposes as gold. I do not deny that, but it is not the silver which is in the dollar that makes it good, it is the confidence of the people that the Government will maintain the declaration of its stamp and their confidence that the country has the ability to so maintain it. Congress made the silver dollar good in the payment of debts. The United States has declared its intention to maintain the parity of the silver dollar with that of gold. It can not be otherwise than good so long as the Government has the ability to maintain its declaration. Suppose we should go to a silver basis. Would the 45-cent dollar then have as great a purchasing power as the 45-cent dollar which has the gold standard behind it? Clearly not.

I can not understand how it is that members of this body and members of another body, which I am not permitted to speak of, change their minds so quickly upon these subjects. There were two national conventions which met in 1892, one Republican and the other Democratic. One of these conventions must have copied the spirit of the resolution of the other. The resemblance is great. Note the language of the resolution in the Republican platform, adopted at Minneapolis in 1892:

The American people, from tradition and interest, favor bimetalism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions to be determined by legislation as will secure the maintenance of the values of the two metals, so that the purchasing and debt-paying power of a dollar, whether of silver, gold, or paper, shall be at all times equal. The interests of the producers of the country, its farmers and workmen, demand that every dollar, paper or coin, issued by this Government shall be as good as any other. We commend the wise and patriotic steps already taken by our Government to secure an international conference to adopt such measures as will insure the parity between gold and silver for use as money throughout the world.

I now call attention to the resolution in the Democratic platform adopted at Chicago in 1892.

We hold to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver without discriminating against either metal or charge for mintage, but the dollar unit of coinage of both metals must be of equal intrinsic and exchangeable value, or be adjusted through international agreement, or by such safeguards of legislation as shall insure the maintenance of the parity of the metals and the equal power of every dollar at all times in the markets and in the payment of debts; and we demand that all paper currency shall be kept at par with and redeemable in such coin. We insist upon this policy as especially necessary for the protection of the farmers and laboring classes, the first and most defenseless victims of unstable money and a fluctuating currency.

In the law of 1890, known as the Sherman law, there is a provision more condemned than either of the resolutions referred to, but meaning the same thing, as follows:

That upon demand of the holder of any of the Treasury notes herein provided for the Secretary of the Treasury shall, under such regulations as he may prescribe, redeem such notes in gold or silver coin, at his discretion, it being the established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law.

The bill passed November 1, 1893, to repeal the purchase clause of the Sherman act, contains the following provision—the Democratic and Republican platforms abbreviated:

And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetalism as will maintain at all times the equal power of every dollar coined or issued by the United States, in the markets and in the payment of debts.

The pending bill appears to me to be going in an opposite direction from what was declared by the two great conventions and by the laws of 1890 and 1893.

As I said, the law of 1890, preceded by the law of 1878, known as the Bland law, did not appear to do silver a particle of good. The large purchases under these laws by the United States did not stay the decline in the price of silver.

The statistics of the United States show a remarkable condition of things so far as the production of silver is concerned. In 1873, the year that silver was demonetized by the United States, there was produced in the world 63,000,000 ounces of fine silver. There was produced in 1892 151,000,000 ounces of fine silver.

Notwithstanding the nations of the world discarded silver, its production was increased enormously. Two and a quarter times as much silver was produced in 1892 as was produced in the year silver was demonetized.

But it is said that silver has decreased in value. So it has, but the aggregate commercial value of silver increased from \$82,000,000 in 1873 to \$132,000,000 in 1890. Though largely discarded as a money metal by most of the great commercial nations of the earth, the coining value of the silver produced increased from \$81,000,000 in 1873 to \$196,458,000 in 1892.

We have reached the condition to-day that all of the great commercial nations have discarded silver as a money metal. The purpose of the bimetalists of this country should now be to induce the great commercial nations of the world to go back to bimetalism, or at least a sufficient number of them to go to bimetalism to justify the United States in reopening its mints to free coinage. All of our legislation should aim to accomplish this purpose.

Congress was called together last August. An impressive message was received from the President of the United States. The reason given for the special session of Congress was to enable Congress to repeal the purchasing clause of the Sherman act. The President of the United States contended that this great issue of silver money was driving the gold out of the country; that it was decreasing the gold reserve, and that speedy legislation was imperative. There are many who believe that great benefit came out of the repeal of the purchase clause of the Sherman act. Many more believe that if Congress had acted promptly, all which was predicted by the President would have taken place. Congress did not adjourn until early in November.

Mr. President, it is now proposed to add as much silver currency to the money of this country as would have been added under the purchase clause of the Sherman law in about twenty-one months. If you place the construction upon the proposed law which is contended for by some, that the Secretary of the Treasury will have the right to issue an additional \$55,000,000 of silver certificates, we shall put in circulation speedily as much additional paper money as would have been circulated had we continued to purchase silver at present prices for nearly three and a half years. Will it not have a bad effect on the cause of international bimetalism?

Every Senator who voted for the bill last November, especially Senators on this side of the Chamber, will watch with much interest to see whether the President will give his approval to the measure which is now pending, and which will undoubtedly pass the Senate within the next hour. It is a question of great interest whether the President considers the causes which led to the repeal of the purchase clause of the Sherman act have already disappeared, or whether the necessity of putting \$55,000,000 or \$110,000,000, as the case may be, into the Treasury of the United States at this time to meet the ordinary expenditures of the Government, overrides such causes.

Mr. DUBOIS. Mr. President, the bill under consideration will pass by a good majority. A number of Senators who voted to repeal the Sherman act will vote for this bill. I wish an amendment to the measure providing for the free coinage of silver at 16 to 1 could be voted for at this time. We would then know how sincere is the conversion of those who voted last summer to strike silver the fatal blow, and who now vote to coin the silver which the Government has filched from the miners. I regret very much that the distinguished Senator from Nevada [Mr. STEWART] withdrew his amendment for free coinage, and am at a complete loss to know why he did so. I should like to vote for free coinage now. I take no comfort in voting for this bill, and I want it distinctly understood, so far as I am concerned, that it is not the kind of silver legislation which satisfies me.

I hoped, when the Sherman act was repealed, that the silver advocates were done with all piecemeal, makeshift legislation, and that we would make our fight for what we want—free coinage. I am not content to sit still and await the pleasure and convenience of foreign governments. I do not take much stock in their desire for an international agreement. There is one certain thing, whatever they do will be in their own interest, and not ours. They will look out for themselves, and, in my opinion, we should do the same thing.

I quite agree with the distinguished junior Senator from Massachusetts [Mr. LODGE], who stated the other day the difference between the Eastern silver men and the Western silver men when he said in very concise and plain language that the Eastern bimetalists, as he called them, were not content to move because they did not think it safe for this country to adopt the free coinage of silver without an international agreement, while the silver advocates from the West and South were content, and thought it safe and necessary for this country to adopt free coinage regardless of the wishes and plans of foreign countries.

The distinguished Senator from Iowa [Mr. ALLISON] says



when an international agreement is reached the ratio between gold and silver will be 15½ to 1 instead of our 16 to 1. I hope he is right.

I must confess that I have not his faith. I feel quite confident that the ratio will be as high as the foreign nonsilver-producing and gold-using countries can make it. They will endeavor to so fix the ratio as to keep the price of silver permanently low, and in consequence the price of commodities. The expense of recoinage of their silver coins will not stand in the way. If the ratio is established at 15½ to 1 it will be due to France alone through their desire to protect their own large amount of silver coin.

Viewing the subject from my standpoint, I feel that we must make and win the fight in our own country, and pay no attention to foreigners. If we get their aid, so much the better. We should not pin our faith and hope to them, however, nor take them into account in our calculations. If they agree to free coinage it will be for the hard fact that dire distress and necessity compels them. It is a hazardous experiment for us to attempt to force this distress and necessity upon them, through legislation or lack of legislation on our part, for the causes which bring suffering to them will bring misery to our own people at the same time.

I believe the silver sentiment is growing rapidly in this country. I think all classes of people are beginning to appreciate the fact that there must be a constantly increasing supply of both gold and silver in order that prosperity may abide with us. I fear this legislation may have a tendency to check that growing sentiment. I hope I am mistaken. Senators whose judgment is riper and much more accurate than my own believe this measure will stimulate the sentiment for free coinage. I yield to them because I know they are the honest and sincere friends of silver.

Mr. MITCHELL of Oregon. Mr. President, as the time has been fixed at 2 o'clock to-day when the vote is to be taken on the pending measure, and as there are a number of Senators who desire to speak, I shall not detain the Senate longer than may be necessary to state very briefly the reasons which shall influence my vote.

I shall vote for this bill not because I believe it goes to the extent legislation should go in the interest of silver as a money metal and in the interest of an increase of the circulating medium of the country, but because I believe it is a step in that direction; I believe it is one move on the legislative checkerboard in the right direction; and for that reason I shall give it my support. I should have greatly preferred, as the Senator from Idaho [Mr. DUBOIS], who has just taken his seat, said, that this had been a free coinage bill. I should vote for that kind of a bill, at the existing ratio of 16 to 1, with a great deal more pleasure than I shall cast my vote for the pending measure.

Since the bill has been under discussion there has been a great deal said here and elsewhere in the way of lengthy speech, which tends, to my mind, so far from elucidating the provisions of the present measure, to cloud the subject under consideration. Stripped, divested of all which has no relevancy to the pending bill, what is the precise nature, the real character, and the intended and probable effect of the present measure—because it is the measure which is before the Senate in reference to which we are to cast our Senatorial suffrages in a few minutes, and not some other measure which is not before the Senate.

There are in the Treasury vaults of the United States to-day, we are told, 139,466,257 ounces of silver bullion. That bullion cost the Government of the United States, under the operation of the act of 1890, known as the Sherman act, \$125,888,929. Under the operation of the Sherman act it was provided that the difference between the cost of this silver bullion and the coin value of the silver should be regarded and set down as gain or seigniorage to the Government and should be coined and pass into the Treasury of the United States.

What does the pending bill propose? It proposes, in the first place, in the first section to make mandatory on the Secretary of the Treasury, that this seigniorage, this gain to the Government, which amounts in round numbers to about \$55,000,000, shall, as fast as the same can be done under the operation of the mints, be coined into standard silver dollars and for the issue of silver certificates. That is the proposition of the first section.

It is objected that this ought not to be done. In reply, I say that when Congress directs that that shall be done it only directs that that shall be done which was directed to be done by the Sherman act itself, but which has never been done because the Secretary of the Treasury has seen fit to exercise whatever discretion he had under the Sherman act in favor of gold and gold alone, and against silver always and every time.

Now, I undertake to say that no act of Congress was ever more free from ambiguity, no provision of any act was ever plainer than was the act of 1890 in reference to the direction contained in it to the Secretary of the Treasury with regard to the coinage

of the bullion purchased under the act. There was no discretion given by that act—none whatever. I will read it. Section 3 of the act of 1890 reads as follows:

That the Secretary of the Treasury shall each month coin 2,000,000 ounces of the silver bullion purchased under the provisions of this act into standard silver dollars until the 1st day of July, 1891.

Everybody admits that that was a mandatory provision. Nobody has ever claimed anything to the contrary, so far as that provision is concerned. All agree that it was a mandatory provision compelling the Secretary of the Treasury to coin until the 1st day of July, 1891, 2,000,000 ounces a month. Now, then, I will read the provision which follows, which is in precisely the same language, so far as the mandatory phraseology is concerned, and then I shall call attention to what is regarded by the opponents of this bill as a qualification, and which, in my judgment, is no qualification or limitation at all. It reads as follows:

And after that time he shall coin of the silver bullion purchased under the provisions of this act as much as may be necessary to provide for the redemption of the Treasury notes herein provided for.

What does that mean, Mr. President? "He shall coin," not he may coin. "He shall coin of the silver bullion purchased under the provisions of this act"—how much? "As much as may be necessary to provide for the redemption of the Treasury notes herein provided for." He was not merely authorized to coin enough to meet a certain portion of the Treasury notes issued under the act, but "the Treasury notes herein provided for." In other words, all the Treasury notes that were to be issued, or could be issued, or ever should be issued under the provisions of that act. He was to coin this bullion in order to be prepared for the redemption, if necessary, in silver of the whole amount of the Treasury notes, and no other construction can be placed upon it that will stand one minute before any court worthy of the name.

But, furthermore, I insist that the whole policy of the Sherman act of 1890 was based upon the theory that the bullion in the Treasury should be treated, when it was purchased and paid for and came into the vaults of the Treasury, not as a commodity, but as a money metal. The whole theory of the legislation was based upon that idea. The very next section, section 4, reads as follows:

That the silver bullion purchased under the provisions of this act shall be subject to the requirements of existing law and the regulations of the mint service governing the methods of determining the amount of pure silver contained, and the amount of charges or deductions, if any, to be made.

That provision shows clearly and beyond all question that this legislation regarded that silver and intended that it should be regarded by the Secretary of the Treasury, not as a mere commodity, not as a mere bullion basis for the issuance of Treasury notes, but as a money metal to be coined into money and held as a medium of ultimate redemption of these very notes. That is the theory of that legislation, and when our friends upon the other side of this question get up here and talk about violating plighted faith and all that kind of thing, I undertake to say that the men, whether Senators or not, who insist that now the whole theory shall be changed and that this deposit of bullion shall be treated as a mere commodity and not as a money metal, are the men who are violating the plighted faith of the nation as expressed in that legislation. I will show you how and why, Mr. President. I only regret that I have not more time, because I am encroaching, I know, on the rights of other Senators.

The distinguished Senator from Ohio [Mr. SHERMAN], followed by other Senators; the distinguished Senator from Wisconsin [Mr. VILAS], now occupying the chair, and others, argue that the bullion in the Treasury must be treated, not as a money metal, but must be treated as bullion. They say there has been no gain, there has been no seigniorage, there has been no gain to the Government. They say the market value to-day of the 140,000,000 ounces of silver bullion, which if coined into silver dollars would amount to \$180,320,008, is but \$82,285,091, and they insist before the Senate and the country and the world that the Congress of the United States shall treat that bullion as a commodity, and deal with it as though it were worth but \$82,285,091 instead of \$180,320,008. What is there, Mr. President, to that kind of an argument? Do you not see that the men who make that kind of an argument at once become the advocates upon this floor of fiat money?

What is there behind the \$153,000,000 of Treasury notes issued under the Sherman act as a means of ultimate redemption except two things—first, the silver bullion, placed there as a means of ultimate redemption, and, upon the other hand, the credit of the Government, and the credit of the Government only? There is no gold behind it. There is no gold whatever created or provided as a fund by any legislation with which to meet the redemption of those notes. Consequently the only thing there is to prevent the Treasury notes issued under the Sherman act from being what our friends are so ready to call fiat money is the silver bullion, the silver dollars coined out of the silver bullion that has been purchased under that act.



Mr. HIGGINS rose.

Mr. MITCHELL of Oregon. No; I can not be interrupted now. That is all there is of that.

Now, then, the theory of the Sherman act, I say, was that the silver should be treated as a money metal and not as a commodity, but the Senators turn around now, and the Senators who supported the Sherman act say, "No, we will not do what was plainly indicated in the Sherman act of 1890; we will not deal with this as a metal which will coin under that act 182,000,000 standard silver dollars, but we will deal with it as bullion worth a good deal less than half that amount." What is the effect of that kind of an argument? It is that you reduce the means, and the only provided means, of ultimate redemption of the \$153,000,000 of Treasury notes from 180,000,000 standard silver dollars to an amount of bullion worth only \$82,000,000. That is the argument; that is the legitimate result. It leads there and nowhere else. So, the able Senators who charge us who support the pending bill with violating the public faith are violating the public faith themselves, as pledged plainly and unequivocally in the act of 1890, because by their argument, instead of having 182,000,000 standard silver dollars back of the \$153,000,000 of Treasury notes issued under that act, there is a lot of bullion worth but \$82,000,000. Now, I will hear my friend from Delaware.

Mr. HIGGINS. I have not the text of the Sherman act before me, but I understand that it gave to the Secretary of the Treasury the discretionary power to coin the bullion as its coinage might become necessary for the redemption of these notes.

Mr. MITCHELL of Oregon. Not at all, Mr. President. That is the very point. I say no act was freer from ambiguity than this one is upon that point. It directs him mandatorily to coin enough of that bullion to redeem all the Treasury notes issued under that act.

Mr. HIGGINS. And the word "enough" means enough for the time being, in his discretion.

Mr. MITCHELL of Oregon. It does not. My friend from Delaware would amend upon his own *ipse dixit* in the Senate the Sherman act that was passed nearly four years ago and which was repealed in part over five months ago. Nothing of the kind. The whole theory of the act, I say, was that the bullion should be treated as a money metal and not as a commodity. Therefore, I say, that when the first section of the bill provides for the coinage of the bullion, the seigniorage, and also the balance of it, it is simply carrying out the policy as declared in the Sherman act.

Now, what does the second section provide? The second section provides for the coinage of the balance, after the coinage of the seigniorage, and for the issue of silver certificates, but it does not interfere with the provision of law as stated in the Sherman act as to the mode of redemption of the outstanding Treasury notes. They will be redeemed just the same, if the bill becomes a law, as they have been redeemed. The Secretary of the Treasury will have the same discretion as to the redemption of those notes by the payment of silver or of gold as he has under the existing law. So there is no change so far as that is concerned. For one I wish it were otherwise. If I had my way I would make it mandatory on the Secretary of the Treasury to redeem every note issued for the purchase of silver bullion in standard silver dollars of 412½ grains, nine-tenths fine, and I would make all silver certificates issued a legal tender for the payment of all debts, public and private.

Mr. ALLISON. Will the Senator from Oregon yield to me for a moment?

Mr. MITCHELL of Oregon. Certainly.

Mr. ALLISON. I desire to know of the Senator from Oregon how under the provisions of the second section, if the Secretary of the Treasury under that section shall redeem the Treasury notes in gold coin, silver certificates can be issued in lieu of such redemption?

Mr. MITCHELL of Oregon. They are issued whenever they are redeemed in silver.

Mr. ALLISON. And only then?

Mr. MITCHELL of Oregon. Yes.

Mr. ALLISON. That is to say, unless the Secretary of the Treasury shall redeem the Treasury notes in silver coin after the bill becomes a law then the silver certificates can not be issued.

Mr. MITCHELL of Oregon. Yes. I should not object to be interrogated further, but I have not the time. I must hurry along. I wish to give it as my deliberate judgment that while it is the duty of the Secretary of the Treasury under the Sherman act to so administer the law as to maintain the parity between the two metals, between the two coins, silver and gold, that in exercising his discretion, as he always has done and as Secretaries of both Administrations have done in redeeming in gold instead of silver, he took a course that did not have a tendency to sustain the parity, but just the reverse. It was a discrimination against silver, and any policy that discriminates

against one coin or one metal and in favor of another coin or another metal, can not have a tendency to maintain the parity. The inevitable result of a policy of that kind will be to put down in value the metal discriminated against and to uphold and advance the price of the metal in whose favor the discrimination is made. There can not be any question about that, as it seems to me.

Mr. President, a great deal has been said here about the pending bill probably authorizing a double issue. I think that has been ably answered by the Senator from Kentucky [Mr. LINDSAY], and by other Senators who have spoken, and I shall not stop to discuss that matter. I have not the time, besides. I indicated the other day my view of the bill. I think any court considering this bill would take into consideration the great purpose of the act, and would not be bound by the literal construction of a particular line or section, so far as that is concerned.

We were told here last August, with a great deal of apparent confidence and assurance upon the part of the advocates of the unconditional repeal of the Sherman act, that all that was necessary to be done in order to stop the flow of gold to Europe and to bring prosperity to this country was simply to unconditionally repeal that act.

Mr. HAWLEY. I should like to say, as I shall have no opportunity to speak, and I have heard that remark made several times by Senators holding the view of the Senator from Oregon, that whoever made that statement made it individually, and not in behalf of the general supporters of the repeal.

Mr. MITCHELL of Oregon. I do not say that the Senator from Connecticut ever made that remark.

Mr. HAWLEY. The repeal of the purchasing clause of the Sherman act was a mere feather's weight in the balance. It was a wise precaution to take, but—

Mr. HARRIS. Will the Senator from Connecticut undertake to represent all those who voted for the repeal of that act, or simply himself?

Mr. HAWLEY. I represent a number of them.

Mr. HARRIS. How many?

Mr. HAWLEY. I say it was the general sentiment. We did not believe that the repeal of the Sherman law would cure all the evils human flesh is heir to. We knew better.

Mr. MITCHELL of Oregon. I do not know what the Senator from Connecticut may have said upon that subject; but the Senator from Connecticut knows as well as I know, and as well as every other Senator upon this floor knows, that all of the great metropolitan papers of this country, every paper published in any commercial center of any importance whatever, were full of statements to the effect that it was absolutely necessary to repeal that act unconditionally, and that by repeal the export of gold would cease and prosperity would come to the country. That was the effect of the statements all the way through.

Mr. HAWLEY. Mr. President, I deny that. I do not accept the Herald, the Times, the Post, and the World as representing Republican doctrines.

Mr. PEPPER. It was the statement made on this floor at the time.

Mr. MITCHELL of Oregon. I am not talking about Republican doctrine. I am talking about the general demand made at the instance of the banking interests of this country and the metropolitan commercial cities for the unconditional repeal of that act. They made a demand upon us. They said it was necessary to be done, and that to do it would stop the flow of gold from this country to Europe and bring prosperity, whatever the Senator may say to the contrary.

The Sherman act was unconditionally repealed. The demand was met, whether rightfully or not. It is over five months since the act was repealed, or those provisions were repealed, and what has been the result? Has the flow of gold to Europe stopped? Not by any manner of means. Has prosperity come to the country? Not at all, to any great extent.

Mr. HIGGINS rose.

Mr. MITCHELL of Oregon. I can not yield for an interruption. Prosperity has not come. Not a bit of it. There has been exported from this country since the 1st of January last nearly \$6,000,000 of gold, while we have imported about \$2,000,000, leaving a balance against us of nearly \$4,000,000 in the last two months. In the last week, or rather the first week of March, \$1,700,000 was exported, against \$416,000 imported, leaving a balance against us for the first week in March of considerably over a million and a quarter dollars. It was all talk, Senators. It seems that whenever any proposition is suggested here in the interest of silver, if we say we must have free coinage, they say, "Oh, no." Hands go up on every side. We can not do it; we can not sustain it; we must have an international bimetallic arrangement for which our friend from Iowa [Mr. ALLISON] labored so assiduously and ably, and which he knows as well as I do there is no more show of securing in any near future than there is of securing a railroad



from here to the moon—not a particle. If we say we will take the product of this country and utilize it, coin it, then they say we are a lot of inflationists; that we are crazy upon the financial subject. When a little innocent bill comes here from the House of Representatives, simply proposing to carry out the policy of the act of 1890, hands go up all around again, and they say "No, we will not vote for that." What kind of legislation in the interest of bimetallism, Senators, I ask you in the name of Heaven, are you willing to accept? I should like to know, and I would stop if I had time now to hear from any Senator on either side of this Chamber, what kind of legislation are you willing to accept in the interest of real bimetallism, which you profess to favor, but which you invariably vote against?

Mr. HIGGINS. If the Senator from Oregon will allow me to answer, I say hold England right where we have her now and not let up on her.

Mr. MITCHELL of Oregon. We hold England!

Mr. HIGGINS. I say do not surrender and do not run away, but stand and fight.

Mr. MITCHELL of Oregon. Oh, yes; we have England right by the throat!

Mr. HIGGINS. We have.

Mr. MITCHELL of Oregon. We have England down just the same way Col. Phoenix had the other man down, with his nose inserted between the teeth of his adversary. [Laughter.]

Mr. HIGGINS. Witticism is not always argument.

Mr. MITCHELL of Oregon. That is about the way this country has England down. We have deferred too long to the wishes and dictation of England; dominated too long by the money power of the Old World. Instead of issuing bonds and saddling sixty millions of interest-bearing debt on the people of this country, I prefer to utilize the dead silver bullion lying in the vaults of the Treasury by coining it into 55,000,000 standard silver dollars, as proposed by the pending bill.

Mr. President, I should like to discuss this question longer, but in justice to other Senators who desire to speak and as we are to vote at 2 o'clock, I must yield. I thank the Senator from Illinois who kindly yielded me the floor, to which he was entitled.

Mr. PALMER. Mr. President, I should be very glad if I had time to say, in answer to the Senator from Oregon, a few words in behalf of those who voted for the repeal of the purchasing clause of the Sherman act; but when I was a boy I heard it stated as a maxim that "when a horse is running against time the jockey should keep his eye on the watch." I will spare the Senator to-day. I trust, however, he will consider me in his debt.

Mr. MITCHELL of Oregon. I am much obliged to the Senator. He yielded to me, and I really took his place. I ought not to have spoken so long, I assure him.

Mr. PALMER. Mr. President, I shall speak briefly and much more concisely than I usually do. I shall attempt to fix the meaning of the bill before the Senate.

The first section of the bill is clear in three particulars, however ambiguous its language may be in other respects. First. It commands the Secretary of the Treasury to convert into coin an amount of silver bullion which will produce \$55,156,681. This is called the seigniorage of the purchase of silver under the act of July 14, 1890. But that declaration is not important.

Second. It authorizes the Secretary of the Treasury in his discretion to issue silver certificates to the amount authorized to be coined—in advance of such coinage.

Third. It provides that the silver coin to the amount above mentioned produced by such coinage, or the silver certificates which may be issued by the Secretary of the Treasury in anticipation of such coinage, shall be used by the Secretary of the Treasury "in the payment of public expenditures." The ostensible object of this section of the bill is to provide the Treasury with the sum of \$55,156,681, either in the form of silver coinage or of silver certificates to meet its current wants.

The language of the section has been subjected to criticism for the vagueness and inaccuracy, as well as the redundancy of its language—but I think the interpretation which I have given to it is the true one, and adopting that as the true construction of the section I will hereafter discuss its claims to the favorable consideration of the Senate.

The second section of the bill refers to a point of time in the future and seeks to impose upon the Secretary of the Treasury duties which will commence after the complete execution of the first section. It has no relation to the immediate wants of the Treasury, nor does it profess to do so. Its prophetic object is to establish a policy with reference to the coinage of the remainder of the silver bullion which will remain in the Treasury after the coinage of \$55,156,681, authorized by the first section of the bill. Its language is:

After the coinage provided for in the first section of this act, the remainder of the silver bullion purchased in pursuance of said act of July 14, 1890, shall be coined into legal tender standard silver dollars as fast as possible, and the coin shall be held in the Treasury for the redemption of Treasury notes

issued in the purchase of said bullion: that as fast as the bullion shall be coined for the redemption of said notes the notes shall not be reissued, but shall be canceled and destroyed in amounts equal to the coin held at any time in the Treasury derived from the coinage herein provided for, and silver certificates shall be issued on such coin in the manner now provided by law.

This section of the bill requires that after the coinage provided for in the first section is completed, the remainder of the silver bullion purchased in pursuance of said act of July 14, 1890, shall be coined into legal-tender standard silver dollars as fast as possible; the coin produced by such coinage shall be held in the Treasury for the redemption of the Treasury notes issued in the purchase of said bullion. It may be a question, and I will direct my attention to that point hereafter, whether the words "legal-tender standard silver dollars" have any legal meaning.

If they have any operative meaning they are vital terms, and if without legal meaning the language I have quoted, which seems otherwise clear and direct, would impose no legal duty with respect to coinage of such bullion upon the Secretary of the Treasury. It now remains to remark that the remainder of the section after the word "bullion" in the eighth line is singularly incomplete. To illustrate, I quote the language again: "That as fast as the bullion shall be coined for the redemption of said notes, the notes shall not be reissued, but shall be canceled and destroyed in amounts equal to the coin held at any time in the Treasury, derived from the coinage herein provided for."

It is obvious that the language quoted assumes that when and as soon as any amount of the bullion shall be coined Treasury notes equal to the amount of the coinage will have reached the Treasury in that way have become subject to the control of the Secretary, for the duty to cancel and destroy notes equal to the coin held at any time in the Treasury can only apply to Treasury notes over which the Secretary has acquired control. It is to be regretted that in a measure of so much importance it should be necessary to import into it conjectural intendments which may or may not harmonize with the purpose of the bill. If by the aid of this suggested emendation of the bill it is made to mean that as fast as the bullion shall be coined for the redemption of said notes, such of said notes as shall have come into the Treasury by redemption or otherwise shall be canceled and destroyed in amounts equal to the coin held in the Treasury for the redemption of said notes the meaning is made reasonably certain.

In view of this construction of the language quoted it can make no difference whether Treasury notes issued in the purchase of bullion come into the Treasury by the process of redemption or by any other means, for the cancellation of the notes if they have reached the Treasury by any means will keep pace with the coinage provided for in the section. It does not seem to be within the contemplation of the language quoted that Treasury notes will come into the Treasury by redemption in "legal standard silver dollars" alone, for the proviso preserves so much of the act of July 14, 1890, as relates to the legal-tender character or the mode of redemption of the Treasury issues under its provisions. The section then requires "that the remainder of silver bullion after the coinage of the amount provided in the first section shall be coined into legal-tender standard silver dollars." The purport of the language is to make the duty of the Secretary in that respect imperative, while it is now discretionary. It requires that the dollars coined shall be held in the Treasury for the redemption of the Treasury notes; and that as fast as the bullion shall be coined Treasury notes which have come into the Treasury by redemption or otherwise shall to the amount of the coin held at any time in the Treasury derived from the coinage provided for be canceled and destroyed.

It may be asked at this point, can any meaning whatever be found for these apparently contradictory provisions? The provision is that Treasury notes shall be canceled and destroyed in amounts equal to the coin held at any time in the Treasury derived from the coinage herein provided for, and silver certificates shall be issued on such—the same coin.

I have attempted to analyze the two sections of this bill and determine their meaning, and I have said that the ostensible purpose of the first section is to aid the Treasury by supplying it with something more than \$55,000,000 in silver coin, or with such an amount of silver certificates as the Secretary of the Treasury may issue in anticipation of coinage.

The silver bullion proposed to be coined under the provisions of the first section represents theoretically the difference between the commercial value of the bullion at the time of its purchase and the fiction termed its coinage value. In other words, it is proposed to coin the loss which the United States has sustained in the purchase of silver bullion. It is that which Mr. Hewitt so aptly termed "a vacuum." It is, indeed, a vacuum, for it is admitted that if the whole mass of silver purchased under the act of July 14, 1890, was now put upon the market it would produce many millions of dollars less than the amount which would be necessary to discharge the Treasury notes issued for the



price of its purchase. A fictitious value termed "coinage value" is assumed by the bill, and the amount of the bullion to be coined is by the first section of the bill determined by that fictitious rule of valuation.

I think no man at all familiar with existing financial conditions will assert that the coinage of fifty-five millions of silver dollars will aid the Treasury, nor will silver certificates issued under the act be in the least degree serviceable, for they will have no greater value than the silver dollars they will represent.

Experience has demonstrated that silver coin can not be used by the Treasury in the discharge of public obligations. The enormous depreciation in the commercial value of silver bullion has rendered bimetalism, as defined by the Chicago platform, impossible to be produced by Congressional action. It is claimed by some that money is the mere creation of law, and that commercial value, either absolute or relative, in the material of which money is composed is unimportant, but it is impossible to make the business men of the world believe that the silver dollar which contains 412½ grains of standard silver worth 60 cents per ounce, is equal in either purchasing or debt-paying power to the dollar which contains 25.8 grains of standard gold, which is worth 129 cents per ounce. This proposition has been so often debated in this Chamber that nothing can be added to what has been so often and so well said.

I beg to observe that the proposition involved is not whether Congress can coin money and fix the legal value of either domestic or foreign coins, but the inquiry is, is it within the power of any Government to compel men to regard coins of the same denomination, but composed of different metals differing in weight and in the proportions of the metals they contain, as of equal acceptability or of same commercial value?

The difficulty of compelling an equality of values is illustrated by the fact that while silver coin is the standard of value in some countries, and gold coin is the standard of value in other countries, in no country on earth are the coinages of silver and gold upon any existing ratio recognized as of equal value. The silver dollar of 412½ grains and the gold dollar of 25.8 grains are alike dollars, and our problem is to make them of equal acceptance and value for all the purposes for which money is coined. It has not been done at any time in our history except in a very general and limited sense, and in the same restricted and limited sense it is still possible.

I admit that it is possible by law to give such preferences and advantages to silver coinage as will make it to some extent the standard of local values in the United States, but to make silver the common standard of value can only be done by displacing gold coin which profoundly affect all values which depend upon gold. This bill is intended to give such preference to silver coinage as will displace gold. The first section must operate in one of two directions, it will place in the Treasury fifty-five millions of silver coin, which the public creditors will not accept in discharge of their claims on the Government, and the coinage will therefore remain in the Treasury of less commercial value than was the bullion from which it was fabricated? Or its purposes may be to provide for the public creditors silver coin alone for the satisfaction of their claims upon the Government and in that way compel them to accept it. According to the requirements of the bill the silver coin and certificates must be paid for public expenditures.

As the first result, which would under present circumstances follow the passage of the bill, the Secretary would loyally obey the mandate of Congress; he would proceed to coin the silver bullion in the Treasury to the amount required by the bill, and that coin would remain added to the enormous mass of silver coin now in his possession as inert and useless; for while this bill modifies the act of 1890 in some important respects it does not relieve the Secretary of the Treasury from the duty of redeeming Treasury notes issued under that act in gold or silver coin at his discretion, nor from that higher obligation to the established policy of the United States to maintain the parity of the two metals upon the present legal ratio, no other ratio having been provided by law. I am the more impressed with the conviction that the silver coinage authorized by the act will be useless for the purpose of the Treasury from the doubt I entertain, whether either the silver coinage or the silver certificates authorized by the act will be a legal tender for any purpose, or will have any of the advantageous qualities conferred upon the silver coinage and the silver certificates by other laws.

The act of February 28, 1878, to authorize the coinage of the standard silver dollar and to restore the legal-tender character thereof, provided that there "shall be coined at the several mints of the United States silver dollars of the weight of 412½ grains troy, of standard silver, which coins, together with all silver dollars heretofore coined by the United States of like weight and fineness, shall be legal tender at their nominal value

for all debts and dues, public and private, except where otherwise expressly stipulated in the contract." And the Secretary of the Treasury was authorized and directed to purchase, from time to time, silver bullion at the market price thereof, not less than \$2,000,000 worth per month, nor more than \$4,000,000 worth per month, and cause the same to be coined monthly as fast as so purchased into such dollars, to the amount of \$2,000,000 per month. The provisions of the act of 1878 will not apply either to the silver coinage or the silver certificates made or issued under subsequent laws.

By the third section of the act of 1878, holders of the coin authorized by the act are given the right to deposit the same with the Treasurer or any assistant treasurer of the United States in sums not less than \$10 and receive therefor certificates of not less than \$10 each. It was further provided that said certificates shall be receivable for customs taxes and public dues. These provisions are limited to the silver coins authorized by the act.

The second section of the act of July 14, 1890, gave to the Treasury notes issued under its provisions certain legal qualities, including that of being a legal tender for all debts, public and private, except where otherwise expressly stipulated in the contract, with redeemability in coin at the option of the Secretary of the Treasury. Such are the provisions of the act of 1890 as relate to the coinage of silver or the issue of silver certificates, and neither the provisions of that act nor those of any preceding act apply to the silver coins or the silver certificates proposed to be made or issued under this bill now before the Senate.

The first section of the act, which authorizes the coinage of an amount of silver bullion which will produce \$55,156,681, and authorizes the Secretary to anticipate the coinage of the bullion by the issue of silver certificates, does not profess to determine the denomination of the coins or to make either the coin or the silver certificates a legal tender for debts, public or private, or make either of them receivable for public dues, from which it is fairly inferable that neither the coin nor the certificates will possess those qualities; and the second section of the act authorizing the coinage of the remainder of the silver bullion purchased in pursuance of the act of July 14, 1890, does not determine that either the standard silver dollars to be coined and held in the Treasury or the silver certificates authorized to be "issued on such coin" in the manner now provided by law, shall be a legal tender for public or private debts or receivable for public dues.

It is true that the direction contained in the second section of the bill is that the "remainder of the silver bullion shall be coined into legal-tender standard silver dollars;" but those words can not have the effect to give to the dollars authorized to be coined the legal-tender quality, they are mere words of description and refer to the similitude, and to the possible weight and fineness of the proposed coin, but the sovereign power of giving to coin the legal-tender quality can not be inferred from mere terms of description found in a law. One of two propositions is inevitable: that the quality of being a legal tender for public and private debts is incidental to and is to be inferred from the fabrication of a silver dollar by public authority in pursuance of law, or that the silver coinage authorized by the bill will not be a legal tender, even though it becomes a law.

To my mind it is clear that silver certificates issued by the direction of the Secretary of the Treasury can have no other legal effect than such as are to be implied from the facts certified, or to speak with greater legal accuracy, they can only contain such facts as the Secretary of the Treasury is authorized by law to certify.

The Secretary of the Treasury under the provisions of this bill can only certify that there is in the Treasury one or more silver dollars subject to the demand of the holder of a certificate. They would not be coin certificates under the act of 1877. I think the effect of the bill, if it becomes a law, would be to convert the issues of Treasury notes under the act of 1890, which are now by law a legal tender to a limited extent for the payment of private debts and are receivable for public dues and demands, into silver certificates, which would have no incidental qualities, and would depend for their value alone upon the fact that the holder had the right to demand at the Treasury a specified amount of silver coin without the legal quality of being a tender for public or private debts, and not receivable for public dues; and even if it can be supposed that the silver coinage authorized by the act can produce the legal-tender quality, it would not be within the pledge of the United States to maintain the parity of the two metals, for the Secretary of the Treasury would not be permitted to redeem them in coin at his discretion, for by the act the Treasury is made the mere custodian of the silver coinage for the convenience of the holder of the silver certificate.



For some reason not clearly perceptible it is provided in the second section of the bill that silver certificates shall be issued on such coin in the manner provided by law. I know of no general law which prescribes the manner of issuing silver certificates. Issues of silver certificates for special purposes are authorized by several statutes, but in every instance where the statute authorizes the issue of silver certificates it prescribes the purposes as well as the legal effect of the certificate authorized to be issued.

The act of February 28, 1878, authorizes the issue of silver certificates upon deposit of silver coin, and in express terms makes such certificate receivable for customs taxes and all public dues, and when so received may be reissued.

The act of August 4, 1886, authorizes the issue of silver certificates in denominations of one, two, and five dollars in lieu of silver certificates of larger denominations issued under the act of February 28, 1878, in place of larger certificates, and such silver certificates are clothed with the qualities similar to those possessed by the larger certificates for which they were substituted. There may be other acts authorizing the issue of silver certificates which have escaped my attention, but I think I am justified in saying that the reference in the second section of the bill to any legal manner for the issue of silver certificates is without meaning and in no wise controls the construction or legal effect of silver certificates which may be issued under the act, because there is no law in effect to which that reference can be applicable.

Mr. ALLISON. Will it interrupt the Senator if I ask him, with all seriousness, the question I propounded to the Senator from Oregon?

Mr. PALMER. Certainly not.

Mr. ALLISON. Under the clause which he has just been discussing, how will it be possible for the silver certificates to get into circulation unless the Treasury notes are redeemed in silver? That is to say, if the Treasury notes are redeemed in gold, they are still in the Treasury and directed to be canceled; but the silver coin is also in the Treasury, and the silver certificates can not get out under the law except by the deposit of silver.

Mr. PALMER. It is easy to see that the Senator from Iowa does not agree with me in the belief (which I confess is not so well fixed as to regard it as improper for him to differ with me) that this proposed act contemplates the cancellation of all certificates that may come into the Treasury after its passage.

Mr. ALLISON. All Treasury notes?

Mr. PALMER. All Treasury notes.

Mr. ALLISON. There is no doubt about that in my mind, and I so understand the Senator. That being true, if the Secretary of the Treasury shall exercise the discretion he has under the law of 1890 to redeem the Treasury notes in gold, he must cancel them, because the law requires it. How is the silver that has been coined to be got out of the Treasury under the provisions of this proposed act? The Senator has described the only two acts I know of that provide for the issue of silver certificates.

Mr. PALMER. I have already, in anticipation, answered the Senator from Iowa.

Mr. HARRIS. Do I understand the Senator from Iowa to assume that the Treasury notes issued in the purchase of this bullion are to be canceled to a greater extent than the silver dollars coined from the bullion?

Mr. ALLISON. Not at all. That is not my contention. I would state my contention, but I do not like to disturb the Senator from Illinois.

Mr. PALMER. Certainly; I yield to the Senator from Iowa.

Mr. ALLISON. My construction of the proposed law is that the Secretary of the Treasury, in order to make it operative at all, must redeem the Treasury notes in silver; that he can not redeem them in gold, because if he should choose to redeem them in gold he would contract the currency.

Mr. PALMER. Unquestionably that is the logic of the proposition. I think the difficulty suggested by the Senator from Iowa is well founded, but I think I have answered that point.

Mr. HARRIS. Will the Senator from Iowa allow me to ask him, if the bullion is coined into legal-tenders silver dollars to the extent, say, of \$10,000 or \$10,000,000, as the case may be, and that amount of the Treasury notes come to the Treasury and they are canceled, do not the silver dollars answer exactly the same purpose that the Treasury notes would have answered?

Mr. ALLISON. They are in the Treasury.

Mr. PALMER. The difficulty that is suggested by the Senator from Iowa was in my mind. I condensed what I had to say on account of the limited time before the vote is to be taken; but I have answered that by way of anticipation. I believe, from the defects in this proposed law, that the silver coined under its provisions will remain inert in the Treasury.

Mr. ALLISON. That is the point I make.

Mr. PALMER. I believe that it will not contribute to put

into circulation a single silver dollar, and that it is in the direction of creating a compulsory currency of much less value than the Treasury notes for which it is proposed by this bill to substitute them.

Mr. President, I promised the Senator from South Dakota [Mr. PETTIGREW] seven minutes, and I believe I have come within two minutes of keeping the promise.

Mr. PETTIGREW. Mr. President, I do not intend to discuss the silver question at this time, but as there has been so much controversy over the question as to whether the remarkably low price of wheat and cotton was in any way related to the decline and low price of silver, I desire to put a few facts into the RECORD on this occasion.

The following table, taken from the speech of Senator HANSBROUGH of North Dakota, showing the world's production of wheat, was compiled by the Department of Agriculture:

*Approximate statement of the world's wheat crop from 1885 to 1892, inclusive.*

Countries.	1885.	1886.	1887.	1888.
	<i>Bushels.</i>	<i>Bushels.</i>	<i>Bushels.</i>	<i>Bushels.</i>
United States	357,112,000	457,218,000	453,329,000	415,868,000
Ontario	31,572,931	28,459,322	20,705,452	20,923,709
Manitoba	7,209,479	6,922,723	12,741,050	7,230,640
Argentine Republic and Chile	*25,000,000	*28,800,625	*28,000,000	*28,375,000
Austria	48,281,992	44,644,090	52,351,733	51,843,452
Hungary	113,805,460	102,846,419	145,906,514	135,869,789
Belgium	18,516,935	18,219,412	19,887,110	15,298,980
Denmark	5,533,355	5,201,640	6,024,672	3,905,465
France	311,733,033	304,427,095	319,094,204	280,176,816
Germany	95,505,881	97,973,269	104,013,175	92,991,571
Great Britain and Ireland	82,071,332	85,285,353	78,567,593	76,760,071
Greece	*4,963,625	*4,927,250	*5,000,000	*4,823,750
Italy	117,027,013	119,793,575	126,223,350	110,095,000
Netherlands	6,325,545	5,194,702	6,889,532	5,243,700
Portugal	*7,661,250	*8,228,750	*6,000,000	*7,093,750
Roumania	*22,629,063	*22,629,063	*24,000,000	*51,075,000
Russia	178,064,400	163,455,273	278,097,917	133,935,995
Poland	*14,110,000	*13,100,000	*15,600,000	14,399,446
Servia	*4,681,875	*4,525,813	*5,000,000	*4,540,000
Spain	*113,500,000	*131,660,000	*95,000,000	*101,156,875
Sweden	3,974,773	3,867,487	4,370,485	3,853,738
Norway	*280,000	*280,000	*230,000	*312,125
Switzerland	*2,067,188	*1,645,750	*2,000,000	*1,702,500
Turkey in Europe	*45,400,000	*41,143,750	*42,000,000	*42,592,500
India	299,155,584	258,317,622	238,585,947	266,882,112
Asia Minor	*43,200,938	*37,000,000	*37,000,000	*38,306,250
Persia	*26,743,438	*22,000,000	*22,000,000	*22,700,000
Syria	*16,457,500	*14,000,000	*14,000,000	*14,187,500
Japan	12,362,906	16,453,383	15,571,400	15,839,821
Algeria	*22,700,000	*32,915,000	21,215,718	*19,892,500
Cape Colony	13,600,000	3,666,022	3,692,555	3,932,000
Egypt	*14,187,500	*16,457,500	*13,700,000	*14,187,500
Australasia	38,412,447	132,681,648	*15,932,961	135,733,671
Total	2,093,859,443	2,113,950,536	2,266,331,368	2,221,510,911

Countries.	1889.	1890.	1891.	1892.
	<i>Bushels.</i>	<i>Bushels.</i>	<i>Bushels.</i>	<i>Bushels.</i>
United States	490,560,000	399,292,000	611,780,000	515,949,000
Ontario	19,288,963	22,648,193	33,611,074	29,690,129
Manitoba	7,428,511	15,128,034	23,922,598	14,909,420
Argentine Republic and Chile	*24,118,750	*30,271,043	*47,256,500	*47,540,418
Austria	33,376,705	44,059,982	41,070,599	147,123,536
Hungary	93,520,530	148,017,904	120,268,750	138,223,680
Belgium	19,392,038	19,409,505	*14,187,500	30,748,362
Denmark	4,977,875	4,062,569	4,666,445	*4,538,683
France	307,357,350	331,748,810	219,241,787	310,037,795
Germany	87,170,362	104,020,781	85,750,011	*100,667,440
Great Britain and Ireland	78,149,523	78,306,016	77,016,151	62,621,756
Greece	*5,000,000	*5,675,000	*5,675,000	*3,972,500
Italy	108,994,463	131,433,000	141,455,050	*115,676,431
Netherlands	6,473,217	*6,189,120	*3,713,472	*5,675,000
Portugal	*8,512,500	*8,252,160	*6,252,160	*6,100,625
Roumania	*44,784,883	53,607,639	45,672,264	*59,828,160
Russia	167,883,931	213,031,825	169,108,708	241,678,684
Poland	10,052,537	12,639,608	12,680,920	24,440,446
Servia	*5,000,000	*10,315,200	*7,945,000	*4,651,296
Spain	76,622,213	*70,143,360	71,249,064	*73,895,520
Sweden	3,804,927	4,018,922	14,551,310	*14,559,853
Norway	*223,750	238,602	*412,606	*412,606
Switzerland	*2,270,000	*2,475,648	4,011,798	*3,300,804
Turkey in Europe	*59,725,000	*37,134,720	*33,008,640	*24,756,480
India	237,522,133	228,592,000	255,434,667	203,168,000
Asia Minor	*35,887,500	*37,134,720	*37,029,375	*37,134,720
Persia	*22,500,000	*22,693,440	*20,630,400	*18,567,860
Syria	*12,768,750	*12,378,240	*12,343,125	*12,378,240
Japan	16,491,845	12,567,996	18,131,295	*13,857,802
Algeria	*22,500,000	*22,693,440	*21,281,250	19,398,797
Cape Colony	3,776,137	2,045,616	2,748,749	2,813,400
Egypt	*7,945,000	*8,252,160	*11,140,418	*8,252,160
Australasia	\$35,996,836	43,861,853	33,674,000	37,006,221
Total	2,075,027,329	2,172,372,240	2,205,251,339	2,217,764,701

\*Unofficial.

†Preliminary.

‡Estimated.

§No official figures for South Australia were published for 1886, 1887, 1888, or 1889, and the figures for that colony incorporated in the totals for Australasia for three years were consequently unofficial.



I will also insert a statement of the average export price of wheat and cotton for the past twenty-two years and of the price of silver. The figures are from the Statistical Abstract:

Year.	Wheat.	Cotton.	Silver.	Year.	Wheat.	Cotton.	Silver.
		Cents.				Cents.	
1872	\$1.49	19.3	\$1.32	1883	\$1.13	10.8	\$1.11
1873	1.31	18.8	1.20	1884	1.07	10.5	1.01
1874	1.43	15.4	1.27	1885	.86	10.6	1.05
1875	1.12	15.0	1.24	1886	.87	9.9	.99
1876	1.24	12.9	1.15	1887	.89	9.5	.97
1877	1.17	11.8	1.20	1888	.85	9.8	.93
1878	1.34	11.1	1.15	1889	.90	9.9	.93
1879	1.07	9.9	1.12	1890	.83	10.1	1.04
1880	1.25	11.5	1.14	1891	.85	10.0	.90
1881	1.11	11.4	1.13	1892	.80	8.7	.86
1882	1.19	11.4	1.13	1893	.60	7.2	.75

These statements show that the world's production of wheat was 45,000,000 bushels less in 1883 than in 1887, yet the price was 85 cents, a decline of 4 cents per bushel.

In 1889 the world's production was 190,000,000 bushels less than in 1887, and 18,000,000 bushels less than the crop of 1885, and the price was 90 cents per bushel as compared with 89 cents in 1887, a rise of but 1 cent per bushel.

The crop of 1890 was 94,000,000 less than the crop of 1887, and the price fell to 83 cents per bushel, or a decline of 6 cents per bushel.

The crop of 1891 was 61,000,000 bushels less than the crop of 1887, and the price was 85 cents per bushel, or a decline of 4 cents per bushel as compared with the price in 1887. The price of this crop was maintained above what it would have been by the passage of the Sherman law in 1890, and the consequent rise in the price of silver.

The crop of 1892 was 49,000,000 bushels less than the crop of 1887, and the price fell to 80 cents per bushel, a loss of 9 cents.

The crop of 1893 was 81,000,000 bushels less than the crop of 1887, and wheat fell with silver to 60 cents per bushel. Since 1887 the population of the countries which use wheat have increased over forty millions of people, while the production of wheat in the world has steadily declined, and the price per bushel has decreased 29 cents.

Certainly the statement that overproduction has caused the decline in the price of wheat is overcome by these figures.

What, then, is the cause of this great decline? We contend that it is the appreciation of gold and the bounty resulting to the people of India by the decline in the value of silver bullion, as shown by the statement from the Treasury Department, which I will not read but wish to have inserted as part of my remarks:

*Statement showing the exports and average export price of cotton, raw, and wheat from British India during the years ending March 31, 1870 to 1891, and eleven months, ending February, 1892, inclusive.*

[From official sources.]

Year ending March 31—	Cotton, raw.			Wheat.		
	Pounds.	Value.	Price per pound.	Bushels.	Value.	Price per bushel.
			Cents.			
1870	524,834,448	\$91,579,892	16.51	145,988	\$158,035	\$1.10
1871	577,600,800	93,412,315	16.18	463,908	498,398	1.07
1872	809,246,032	102,107,664	12.62	1,189,232	1,131,096	.96
1873	494,214,448	67,306,718	13.62	735,489	804,912	1.09
1874	503,966,176	63,418,757	14.59	3,277,781	3,972,509	1.21
1875	627,309,632	73,235,242	11.68	2,004,156	2,358,965	1.18
1876	561,207,920	63,748,603	11.30	4,686,767	4,350,399	.93
1877	510,486,368	56,381,683	10.86	10,423,328	9,396,672	.90
1878	387,583,616	45,059,299	11.60	11,896,563	13,713,552	1.15
1879	332,255,728	37,987,637	11.44	1,972,546	2,495,662	1.27
1880	442,229,312	53,498,174	12.09	4,109,495	5,396,482	1.31
1881	508,653,376	63,560,371	12.50	13,896,167	15,734,122	1.14
1882	630,508,928	71,718,830	11.37	37,148,543	42,573,896	1.15
1883	691,059,376	77,067,638	11.15	26,495,024	29,225,307	1.10
1884	670,575,136	69,129,130	10.31	39,202,035	42,699,893	1.09
1885	567,807,856	63,816,593	11.25	29,421,645	30,316,886	1.02
1886	469,159,648	51,753,701	11.94	30,328,659	38,425,589	.98
1887	608,816,544	64,684,618	10.62	41,558,765	41,404,733	1.00
1888	601,983,872	69,180,011	11.49	25,271,249	26,699,300	1.05
1889	597,137,072	72,219,216	12.09	32,874,628	36,111,744	1.10
1890	707,878,304	89,608,340	12.66	25,764,124	27,804,552	1.08
1891	662,359,376	79,213,321	11.95	26,731,592	49,003,645	1.09
1892, 11 months	418,538,512	44,018,186	10.52	53,371,983	64,843,523	1.21

NOTE.—At the request of Mr. George O. Jones the rupee has been reduced to United States money at the rate of 48 cents per rupee.

S. G. BROCK, Chief of Bureau.

TREASURY DEPARTMENT,  
Bureau of Statistics, April 16, 1892.

These tables show that while India did not increase her production of wheat, the amount that was exported enormously increased and the people of that country substituted something else for food, probably millet.

The export price of wheat from India has increased rather than decreased, so that while wheat brought but \$1.10 per bushel in 1870, it was worth \$1.21 for the eleven months ending February, 1892.

During the month of February, 1892, India exported 2,737,000 bushels of wheat, valued at \$3,601,000, at the average export price of \$1.32 per bushel.

As silver continues to decline India will continue to receive an increased price per bushel for her wheat, and the quantity she exports will also increase. All authorities agree that there has been no decline in the purchasing power of the rupee in India, but that it will purchase as much of labor and of everything else in India to-day as it ever would, although its bullion value is but 23 cents.

In this connection I insert the following extract from the speech of the Senator from Nevada [Mr. JONES]:

Let us endeavor to reach an approximate estimate of the losses sustained, by our agricultural population since 1885, when President Cleveland first advised Congress to repeal the silver-purchase act of 1878 and to stop the coinage of silver dollars:

#### WHEAT.

Average export price per bushel—	
1875 to 1885	\$1.17
1893	.73
Difference	.44

According to the report of the Agricultural Department for December, 1892, the wheat crop of this country for the year then closed amounted to 515,000,000 bushels. On this quantity a loss of 44 cents per bushel, caused by the decline in the price of silver bullion, amounts to an annual sum of \$226,600,000 of debt and tax-paying power, which amount apportioned among the principal wheat-producing States shows the loss of each of such States to be as follows (I give the figures in round numbers):

Wheat crop of 1892 in—	Bushels.	Loss.
Indiana	40,000,000	\$17,600,000
Minnesota	41,000,000	18,040,000
California	39,000,000	17,160,000
Kansas	70,000,000	30,800,000
South Dakota	32,000,000	14,080,000
North Dakota	35,000,000	15,400,000
Ohio	38,000,000	16,720,000
Missouri	25,000,000	11,000,000
Illinois	28,000,000	12,320,000
Michigan	24,000,000	10,560,000
Pennsylvania	19,000,000	8,360,000
Nebraska	16,000,000	7,040,000
Kentucky	12,000,000	5,280,000
Oregon	10,000,000	4,400,000
Washington	10,000,000	4,400,000

There may be added to these figures five to ten million bushels each for the States of New York, Maryland, Virginia, North Carolina, Texas, Tennessee, West Virginia, Wisconsin, and Iowa. The loss on wheat, therefore, suffered by the farmers of this country must be estimated at \$200,000,000 annually.

#### COTTON.

Average price per pound in New York—	Cents.
1879 to 1885	11½
1879 to 1893	8
Difference	3½

Taking the crop year 1888-'89 as an average year, and, for convenience of calculation, computing the loss at 3 cents per pound, we find that the total annual loss of the planters of the United States amounts to over \$100,000,000, distributed among the States as follows:

Cotton raised in—	Pounds.	Loss per year.
North Carolina	230,000,000	\$6,900,000
South Carolina	275,000,000	8,250,000
Georgia	480,000,000	14,400,000
Florida	32,000,000	960,000
Alabama	422,000,000	12,660,000
Mississippi	532,000,000	15,960,000
Louisiana	240,000,000	7,200,000
Texas	719,000,000	21,570,000
Arkansas	350,000,000	10,500,000
Tennessee	162,000,000	4,860,000
Total	3,422,000,000	102,660,000

This makes a total loss to the agriculturists of this country, in wheat and cotton, by reason of the demonetization of silver, of over \$325,000,000 a year.

These figures are startling, and certainly warrant an earnest effort to restore silver to its old place and price.

It is no longer a question of the silver barons, for their loss is as nothing compared with the loss of the tiller of the soil.

This decline in the price of silver and its effect was predicted in 1886 by one of England's shrewdest men.

At a meeting of the British and Colonial Chambers of Commerce, held in London in 1886, Sir Robert N. Fowler, a member of Parliament, a banker, and ex-mayor of London, said that "the effect of the depreciation of silver must finally be the ruin of the wheat and cotton industries of America and be the de-



velopment of India as the chief wheat and cotton exporter of the world."

I will also insert the following from the New York Journal of Commerce, of February 9, 1894. This extract shows that even New York, with its Jewish instincts and European sentiments, is awakening to the truth.

[New York Journal of Commerce, February 9, 1894.]

#### WHY WHEAT CAN NOT ADVANCE.

A careful student of the wheat problem gives the following explanation of the present unprecedented depression in this trade:

"A great many commercial writers in the Eastern cities are trying to explain the low prices our farmers are compelled to take for their grain, especially wheat, of which a large proportion is surplus, therefore more governed by foreign prices. These writers try to explain it by every conceivable theory except the more than apparent fact that our farmers' surplus has to be sold in competition in gold countries (which alone are importers, their farmers being driven out of business gradually for the last twenty-three years, or since England and Germany demonetized silver). We say in competition in these markets with the surplus of the great agricultural countries outside of our own, and they all silver-currency countries, viz, Russia, India, and Argentina; for instance, the prices of the wheat of three countries in London are to-day practically as follows:

"India Club, 72 cents; Russian spring, 71 cents; Argentina best, 68 cents. The India rupee is worth about 44 cents to the farmer and about 28 cents in London; therefore he is getting about \$1.10 per bushel for his wheat in the money that pays for everything he wants, and certainly not at prices higher than our own, for all authorities agree how cheap they all can live. The Russian peasant gets about the same, and the exchange on London which the Argentine gets for his wheat the last quotation I saw being 156; so the returns in his own money are about \$1.07 per bushel; while our wheat is bringing 73 cents in London, the result to our farmer is only that price in our money. With these figures before us it seems there is but one recourse for the American farmer's present relief, viz: he has to sell his surplus (and that makes the price for all) on a gold basis in gold markets when his competitors are all selling on a silver basis. No hope has he for anything better but a famine in silver countries or gauge his crops only to home requirements; letting one-third of his farm lie idle, which will bring him more money than using the whole, and at much less expense."

One of our oldest exporters confirms the above diagnosis of the case.

The bimetallics contend that the remedy is to at once enact a law opening our mints to the free and unlimited coinage of silver, and to make an international bimetallic agreement with those nations that will join us.

I believe that if this were accomplished it would have the same effect upon the prosperity of the world as the discovery of great deposits of gold amounting to thousands of millions of dollars. It would cause a rise in the price of everything that is the product of human effort. It would lift the burden from enterprise everywhere and furnish employment for everyone who chose to work.

Our opponents admit the appreciation of gold and its consequent affect upon the industries of the world. This far they have gone, although they have taken this position but recently. But they say that the remedy we offer is not the proper remedy. That we must wait until England is willing to make a bimetallic agreement and adopt the use of silver as money. Mr. President, I doubt the honesty of these people. I do not believe their position is taken in good faith.

For twenty years they have proposed a bimetallic agreement with Great Britain whenever there was any prospect that the demand for the free coinage of silver in this country would become too urgent. I believe they have done it in bad faith. I believe they have known all the time that no such agreement could be made and that England would never adopt the bimetallic standard.

I impeach the honesty and integrity of the members of this Senate who for twenty years have maintained this position, and I do not believe they are making the proposition now in good faith or with any hope that England will accept it.

Gladstone in his speech in the House of Commons one year ago used the following language:

Mr. Gladstone said:

I suppose there is not a year which passes over our heads which does not largely add to the mass of British investments abroad. I am almost afraid to estimate the total amount of the property which the United Kingdom holds beyond the limits of the United Kingdom, but of this I am well convinced, that it is not to be counted by tens or hundreds of millions. One thousand millions (\$5,000,000,000) probably would be an extremely low and inadequate estimate. Two thousand millions (\$10,000,000,000), or something even more than that, is very likely to be nearer the mark. ["Hear!" "Hear!"] I think under these circumstances it is rather a serious matter to ask this country to consider whether we are going to perform this supreme act of self-sacrifice. I have a profound admiration for cosmopolitan principles. I can go a great length in moderation [laughter], in recommending their recognition and establishment, but if there are these two thousand millions (\$10,000,000,000) or fifteen hundred millions (\$7,500,000,000) of money which we have got abroad, it is a very serious matter as between this country and other countries.

We have nothing to pay them; we are not debtors at all; we should get no comfort, no consolation out of the substitution of an inferior material, of a cheaper money, which we could obtain for less and part with for more. We should get no consolation, but the consolation throughout the world would be great. [Loud laughter.] This splendid spirit of philanthropy, which we can not too highly praise—because I have no doubt all this is foreseen—would result in our making a present of fifty or a hundred millions (\$500,000,000) to the world. It would be thankfully accepted, but I think the gratitude for your benevolence would be mixed with very grave misgivings as to your wisdom. I have shown why we should pause and consider for ourselves once, twice, and thrice before departing from the solid ground on which you have within the last half century erected a commercial fabric un-

known in the whole history of the world—before departing from the solid ground you should well consult and well consider and take no step except such as you can well justify to your own understanding, to your fellow-countrymen, and to those who come after us. [Cheers.]—*The Times*, London, March 1, 1893.

England's position and the conditions which exist there to-day are the same as they were then. It is true that a few spinners of cotton are in distress owing to India competition, but they have no voice in the Government of England.

In the Brussels conference Rothschild, representing England, used the following language:

Advocates of bimetallicism maintain that the fall in the price of silver has brought about a corresponding fall in the prices of various commodities.

This may not be the case; but, supposing the former hypothesis to be correct, I am not prepared to say that it would be a misfortune for England or the world in general; nor do I share the opinion of certain distinguished exponents of that theory who deplore the fact of the Indian exporter being able to send wheat remuneratively to England, thus interfering seriously with the interests of the British farmer; but I hold that wheat at 30s. a quarter instead of 45s., is rather a blessing than otherwise.

Therefore, I say it is folly to expect England will join us in any bimetallic agreement; but the opportunity is offered us now to make an international agreement with the silver-using countries of the world and thereby transfer to this country the financial center for most of the people of the earth, and gain financial and commercial supremacy over an unscrupulous, grasping, and dishonest rival. The means are all within our own grasp to deal England a blow from which she can never recover.

This great nation is able to shape a financial policy for itself; is able to go forward in the future furnishing every facility for the employment of her people without waiting for the consent of England, or any other nation.

No nation in ancient times was ever presented with such an opportunity to destroy her rival as is presented by the dishonesty of England to us, and it is our duty to take advantage of and, while we punish her, bless mankind. Our agreement should be with the silver-using countries alone, as they are the only countries in the world which produce the things we can not produce, and are therefore the nations with whom we should trade. We build a tariff wall against the gold-using countries to shut out their products. Why should we desire financial unity while we carry on industrial war with these nations?

Mr. President, I can not but express my contempt for the statesmanship of the men now in this body who have been its leaders for the past twenty years. They demonetized silver and then sat here with folded hands and saw our industries perish; saw panics come and go, and as a result the property of the producers absorbed by the creditors; saw the price of our wheat and cotton and other farm products decline as a result of their acts until the loss to the farmers of this country was more than the cost of the war; saw England reaping a harvest in the ever-increasing amount of farm products it took to pay the interest we owe her on two thousand millions of borrowed money, and when remedy was offered said we are powerless; we can do nothing until England is ready; we must wait until she is satiated with plunder and is tired of taking our products at a low and lower price, and is ready to consent; we will then make an international agreement. Do you wonder that the people no longer trust these men?

The proposition made by them is humiliating to our pride and is unpatriotic, is unworthy of an American citizen and unworthy of American statesmen, and the terrible consequences brought about by their acts in this connection as members of this body must earn in the future for them the contempt of the citizens of the Republic, and as time rolls around no monument will ever be built to their memory.

During the remarks of Mr. PETTIGREW—

Mr. HARRIS (at 2 o'clock p. m.). Mr. President—

The PRESIDING OFFICER (Mr. VILAS in the chair). Will the Senator from South Dakota yield to the Senator from Tennessee?

Mr. PETTIGREW. Certainly.

Mr. HARRIS. Mr. President, the hour of 2 o'clock is recorded by the clock, and at this hour the unanimous-consent agreement of the Senate is that the final vote shall be taken upon the passage of the bill. I ask for that vote.

Mr. DAVIS. I ask unanimous consent that the Senator from South Dakota shall be permitted to conclude his remarks.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent that the Senator from South Dakota shall be permitted to finish his remarks. Is there objection?

Mr. HARRIS. I object. If I yield to the Senator from South Dakota I should feel bound to yield to every other Senator. I yield to nobody.

Mr. KYLE. I ask that my colleague be allowed to print the remainder of his remarks.

The PRESIDING OFFICER. The Senator from South Dakota [Mr. KYLE] asks consent that his colleague be allowed to print the remainder of his remarks.



Mr. VOORHEES and others. Consent.

Mr. HARRIS. It is unusual, but I shall not object.

The PRESIDING OFFICER. The Chair hears no objection, and leave is granted. The hour of 2 o'clock having arrived, the bill before the Senate having been ordered to a third reading, and read the third time, the question is, Shall the bill pass?

Mr. GALLINGER. On that question I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FAULKNER (when Mr. CAMDEN's name was called). My colleague [Mr. CAMDEN] is necessarily detained from the Chamber, and is paired with the Senator from Delaware [Mr. GRAY]. If my colleague were present he would vote "yea."

Mr. FAULKNER (when his name was called). I made a pair yesterday with the Senator from Massachusetts [Mr. HOAR]. That pair has been transferred to the Senator from Nevada [Mr. JONES], which entitles me to vote. I vote "yea."

Mr. GEORGE (when his name was called). I was paired on this question with the Senator from Delaware [Mr. GRAY], he being opposed to the bill and I in favor of it; but by an arrangement my pair has been transferred to the Senator from West Virginia [Mr. CAMDEN]. I therefore vote "yea."

Mr. HILL (when his name was called). Upon this question I am paired with the Senator from Rhode Island [Mr. DIXON].

Mr. STEWART (when the name of Mr. JONES of Nevada was called). My colleague [Mr. JONES of Nevada] is paired with the Senator from Massachusetts [Mr. HOAR]. If my colleague were present he would vote "yea."

Mr. McMILLAN (when his name was called). I have a general pair with the Senator from North Carolina [Mr. VANCE]. I transfer that pair to the Senator from Ohio [Mr. SHERMAN], and I vote "nay."

The roll call having been concluded, the result was announced—yeas 44, nays 31; as follows:

## YEAS—44.

Allen,	Dubois,	McLaurin,	Quay,
Bate,	Faulkner,	Martin,	Ransom,
Barry,	George,	Mills,	Roach,
Blackburn,	Gordon,	Mitchell, Oregon,	Shoup,
Blanchard,	Hansbrough,	Morgan,	Stewart,
Butler,	Harris,	Pasco,	Teller,
Call,	Huntun,	Peffer,	Turpie,
Cockrell,	Irby,	Perkins,	Vest,
Coke,	Jones, Ark.	Petigrew,	Voorhees,
Colquitt,	Kyle,	Power,	White,
Daniel,	Lindsay,	Pugh,	Wolcott.

## NAYS—31.

Aldrich,	Dolph,	Lodge,	Platt,
Allison,	Frye,	McMillan,	Proctor,
Brice,	Gallinger,	McPherson,	Smith,
Caffery,	Gibson,	Manderson,	Stockbridge,
Carey,	Gorman,	Mitchell, Wis.	Vilas,
Chandler,	Hale,	Morrill,	Washburn,
Cullom,	Hawley,	Murphy,	Wilson.
Davis,	Higgins,	Palmer,	

## NOT VOTING—10.

Camden, +	Gray, +	Jones, Nev. +	Vance, +
Cameron, +	Hill, +	Sherman, -	
Dixon, -	Hoar, -	Squire, -	

So the bill was passed.

## TENNESSEE STATE CLAIMS.

Mr. HARRIS. A few days since I asked the unanimous consent of the Senate to consider the joint resolution (S. R. 61) providing for the adjustment of certain claims of the United States against the State of Tennessee, and certain claims of the State of Tennessee against the United States. A question was raised by the Senator from Ohio [Mr. SHERMAN] and the Senator from Maine [Mr. HALE]. Since that time the Senator from Maine and myself have looked over the joint resolution, and I have consented to offer certain amendments which are perfectly satisfactory to him. I ask the unanimous consent of the Senate to consider the joint resolution at this time, and, if considered, I will submit the amendments.

Mr. HALE. When this joint resolution was before the Senate a few days since, it provided for the determination of certain questions between the General Government and the State of Tennessee by a special commission, and appropriated money in advance to carry out the result of such commission's deliberations.

I thought then, as I do now, and so did the Senator from Ohio [Mr. SHERMAN], who is absent, that it would be much safer legislation to have all such reports made to Congress, so that it may consider the question of an appropriation; and on the suggestion by the Senator from Ohio and by myself, the Senator from Tennessee, who is a very conservative legislator on such matters, consented that the joint resolution should go over. He and I have examined it since then, and the amendments which he and I have agreed upon cover the point; so that if it is determined by the commission that the General Government is

indebted to the State of Tennessee, instead of the money being appropriated in advance, the Secretary of the Treasury will report the whole matter to Congress with such recommendation as he may deem proper.

I am bound to say that if, after full adjudication by this commission, the Secretary reports in favor of an appropriation, I shall consider that Congress is in duty bound to carry it out. The final jurisdiction of Congress is maintained over the subject; and, therefore, I see no further objection to the joint resolution, and hope that it will pass.

The PRESIDING OFFICER. The Senator from Tennessee asks unanimous consent of the Senate for the consideration of the joint resolution indicated by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. HARRIS. Let the joint resolution be read at length, and then I shall suggest the amendments agreed upon by the Senator from Maine [Mr. HALE] and myself.

The Secretary read the joint resolution.

Mr. HARRIS. After the word "Tennessee," in line 11, the Senator from Maine and myself have agreed to an amendment, to insert "the said commission shall report such agreement, compromise, or settlement to the governor of Tennessee, to be submitted by him to the Legislature of said State at its next regular session."

The PRESIDING OFFICER. The proposed amendment will be stated in connection with the language of the joint resolution.

The SECRETARY. In line 11, after the word "Tennessee," it is proposed to insert:

The said commission shall report such agreement, compromise, or settlement to the governor of Tennessee, to be submitted by him to the Legislature of said State at its next regular session.

So as to read:

That the Attorney-General, Secretary of the Treasury, and the Secretary of War be, and they are hereby, authorized and required to proceed to compromise, adjust, and settle with the State of Tennessee, through her duly appointed agent, all said matters, upon such terms as to amount, allowance of interest, etc., as shall do equal and impartial justice to both parties; and if the result of such settlement shall disclose a balance due to the United States from the State of Tennessee, the said commission shall report such agreement, compromise, or settlement to the governor of Tennessee, to be submitted by him to the Legislature of said State at its next regular session.

The amendment was agreed to.

Mr. HARRIS. In line 11, before the words "the payment," I move to insert the word "if."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 11, before the words "the payment," it is proposed to insert the word "if;" so as to read:

And if the payment of such balance shall not be provided for at the next regular session of the Legislature of Tennessee, then the Secretary of the Treasury is hereby authorized and required to proceed to collect same by appropriate proceedings in accordance with the terms of the bonds held by the United States.

The amendment was agreed to.

Mr. HARRIS. I move to strike out all after the word "to," in line 19, to the end of the joint resolution, and insert "report the same to Congress with such recommendation as to an appropriation therefor as he may deem proper."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "to," at the beginning of line 19, it is proposed to strike out "pay the same to the governor of Tennessee out of any money in the Treasury not otherwise appropriated," and insert "report the same to Congress with such recommendation as to an appropriation therefor as he may deem proper;" so as to read:

And in the event the result of such settlement shall disclose a balance due the State of Tennessee, the Secretary of the Treasury is hereby authorized and directed to report the same to Congress with such recommendation as to an appropriation therefor as he may deem proper.

The amendment was agreed to.

Mr. HALE. Will the Secretary read that part of the joint resolution which refers to the officers who are to constitute this tribunal.

Mr. HARRIS. The Secretary of the Treasury, the Attorney-General, and the Secretary of War.

Mr. HALE. I thought as the joint resolution was read that the order of precedence which is fixed by the statute is not followed.

Mr. HARRIS. As to the order of precedence between those officers, neither the Attorney-General nor I gave any thought—at least I did not and I do not suppose he did—but the joint resolution was originally prepared by the Attorney-General and myself. What order does the Senator suggest?

Mr. HALE. It is not a material thing, of course; but we generally follow the order which is fixed by the statute. The Secretary of the Treasury should be first and the others in due order.



Mr. HARRIS. I have no objection to any order. I agreed to a commission composed of the Secretary of the Treasury, the Secretary of War, and the Attorney-General. I care not in what order they may appear in the joint resolution.

Mr. HALE. The order as stated by the Senator is correct. Let the Secretary read that part of the joint resolution, so that we may see how it is there.

The Secretary read as follows:

That the Attorney-General, Secretary of the Treasury, and the Secretary of War be, and they are hereby, authorized, etc.

Mr. HALE. I move to amend by changing the order.

The SECRETARY. In line 3, after the word "the," where it first occurs, it is proposed to strike out "Attorney-General;" at the end of the same line, after the word "Treasury," to strike out the word "and," and after the word "War," in line 4, to insert "and the Attorney-General;" so as to read:

That the Secretary of the Treasury, the Secretary of War, and the Attorney-General be, and they are hereby, authorized, etc.

Mr. HALE. That is right.

Mr. HARRIS. On reflection, unless the Senator from Maine thinks it material, as this is a subject-matter which I have discussed with the Attorney-General, and he and I agreed upon the exact verbiage of the joint resolution as it was originally offered, I should prefer letting it stand as it is.

Mr. HALE. The Senator from Tennessee, I know, is very careful about all such matters, and if he thinks, after consultation with the Attorney-General, that any feeling would be manifested about changing the joint resolution, I shall withdraw my amendment.

Mr. HARRIS. I hope the Senator will. I prefer the joint resolution remaining as it is.

The PRESIDING OFFICER. The Senator from Maine withdraws his amendment.

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

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

The preamble was agreed to.

#### ADJOURNMENT TO MONDAY.

Mr. VOORHEES. I move that when the Senate adjourn today, it adjourn to meet on Monday next.

The motion was agreed to.

#### WILLIAM M'GARAHAN.

Mr. TELLER. I give notice that on Monday next, immediately after the completion of the routine morning business, I shall move to take up Senate bill 341, known as the McGarrahan bill. I have given several such notices, but there has been no opportunity for me to make a motion to take the bill up. I shall endeavor, however, on that occasion to have it taken up.

Mr. VEST. If the Senator from Colorado will permit me, I wish to say there is a bill here which ought to be disposed of, which is in the nature of unfinished business, but has lost its place on account of the seigniorage bill coming over from the House of Representatives and being taken up. I refer to the bill in regard to the purchase of a site for the erection of a Government Printing Office.

Mr. TELLER. I will say to the Senator from Missouri that if I can get the McGarrahan bill up I shall be willing that it be laid aside for the bill to which he refers.

#### COL. JESSE H. STRICKLAND.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 838) for the relief of Col. Jesse H. Strickland, Eighth Tennessee Cavalry, United States Volunteers, with the understanding that if it shall lead to protracted discussion it will not be pressed.

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

The bill was reported from the Committee on Military Affairs with an amendment in line 9, after the date "1864," to insert "deducting all pay and allowances paid to him in any other military capacity for the time;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jesse H. Strickland, late colonel of the Eighth Tennessee Cavalry, the pay and allowance of a colonel of cavalry, from January 30, A. D. 1863, to April 1, A. D. 1864, deducting all pay and allowances paid to him in any other military capacity for the time.

The amendment was agreed to.

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

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

#### WAGON BRIDGE NEAR SIOUX CITY, IOWA.

Mr. VEST. I am instructed by the Committee on Commerce to report with certain amendment two bridge bills, and to ask

that they be immediately considered. There is necessity that they should go back to the other House to-day if possible. I report first the bill (H. R. 4831) to amend an act entitled "An act authorizing the construction of a high wagon bridge at or near Sioux City, Iowa," approved March 2, 1889, as amended by acts of April 13, 1890, and February 7, 1893, with an amendment.

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

Mr. VOORHEES. If the bills lead to no debate, I shall not object.

Mr. VEST. I have no idea that they will lead to debate.

Mr. VOORHEES. If the bills lead to no debate, I shall not object to their consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4831) to amend an act entitled "An act authorizing the construction of a high wagon bridge at or near Sioux City, Iowa," approved March 2, 1889, as amended by acts of April 13, 1890, and February 7, 1893.

The bill was reported from the Committee on Commerce with an amendment in line 9, after the word "April," to strike out "thirteenth" and insert "thirtieth;" and in line 18, after the word "years," to insert "after the date of approving this act;" so as to make the bill read:

*Be it enacted, etc.,* That section 7 of an act entitled "An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," approved March 2, 1889, as amended by an act entitled "An act to amend an act entitled 'An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa,'" approved April 30, 1890, and as amended by an act entitled "An act to amend an act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," approved February 7, 1893, be amended so as to read as follows:

"SEC. 7. That this act shall be null and void if the construction of said bridge shall not be commenced within two years after the date of approving this act, and be finished on or before March 2, 1896."

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

On motion of Mr. VEST, the title was amended so as to read: "A bill to amend an act entitled 'An act authorizing the construction of a high wagon bridge at or near Sioux City, Iowa,' approved March 2, 1889, as amended by acts of April 30, 1890, and February 7, 1893."

#### IOWA AND NEBRASKA PONTOON BRIDGE COMPANY.

Mr. VEST. I also report from the Committee on Commerce, with amendments, the bill (H. R. 5425) for a charter for the Iowa and Nebraska Pontoon Bridge Company, for the consideration of which I also ask unanimous consent.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

The first amendment was, in section 3, line 7, after the words "over the," to strike out "railroad," and insert "railroads."

The amendment was agreed to.

The next amendment was to insert as an additional section:

SEC. 9. All the rights granted by this act shall cease whenever the Secretary of War shall determine and give the notice hereinafter provided that the high wagon bridge across the Missouri River at or near Sioux City, Iowa, authorized by an act approved March 2, 1889, and amended April 30, 1890, and February 7, 1893, is completed and open for travel, and it shall be the duty of the Secretary of War to give the owners of said pontoon bridge notice to remove the same within twelve months from the date of said notice, and if the company owning said bridge shall neglect to make such removal within said time, it shall then be his duty to cause the same to be removed at the expense of said company.

Mr. ALLISON. I am not quite clear in regard to this proposed amendment of the bill, and I call the attention of the Senator from Missouri to the matter. I am not sure that that provision will accomplish all which it is intended to accomplish. As I understand, the charter for the pontoon bridge, so called, is to expire by limitation when this new structure is completed and in operation; but the amendment as I heard it read only provides that the pontoon bridge shall be removed within twelve months. It seems to me it might be well to add to the amendment "that the charter herein granted shall expire at that time."

Mr. VEST. The amendment says so at the beginning of it.

Mr. FRYE. It provides in the first two lines that all the rights acquired by virtue of the act shall cease.

Mr. ALLISON. I should be glad to have those lines read.

The PRESIDING OFFICER. The Secretary will again read the proposed amendment.

The Secretary read the amendment.

The amendment was agreed to.

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



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

The bill was read the third time, and passed.

#### EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-seven minutes spent in executive session the doors were reopened.

#### DULUTH AND WINNIPEG RAILROAD COMPANY.

Mr. WASHBURN. I ask the unanimous consent of the Senate for the present consideration of the bill (S. 1458) granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian Reservations, in the State of Minnesota.

I will state that the bill was reported some time since by the Committee on Indian Affairs. I do not understand that there is any objection whatever to it, and it is important that it should be passed at an early day.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

Mr. COCKRELL. Let the report be read, Mr. President.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the report submitted by Mr. MANDERSON February 13, 1894, as follows:

The Committee on Indian Affairs, to whom was referred the bill (S. 1458) entitled "A bill granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian Reservations, in the State of Minnesota," having had the same under consideration report back favorably, with amendments.

The bill, with proposed amendments, was submitted by your committee to the Secretary of the Interior, and has been returned with the approval of the Department, except in the matter of a few minor details, in which respect the bill has been amended to meet the views of the Interior Department.

The letter of the Secretary of the Interior and that of the Commissioner of Indian Affairs are attached hereto.

#### DEPARTMENT OF THE INTERIOR, Washington, February 5, 1894.

SIR: I have the honor to acknowledge the receipt of your communication of 25th ultimo and accompanying S. 1458, "A bill granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa and White Earth Indian Reservations, in the State of Minnesota."

In response thereto, I transmit herewith a copy of a communication of 2d instant from the Commissioner of Indian Affairs, to whom the papers were referred.

The Commissioner's report calls attention to the fact that as the road is already constructed to some point within the Chippewa Reservation, and the company desires an extension of its road, as mentioned in the bill, as it originally stood, the substitution of the word "Winnibogishish" for "Chippewa" in the title and in line 7 of section 1 should not be made.

He also suggests that a better course of the road would be "westerly" instead of "northwesterly," and that the provision relating to station grounds be amended so as to limit the size to 200 by 3,000 feet, and in number to one station to every 10 miles of road, and concurs in the amendment to the first section, as made by the Senate Committee on Indian Affairs.

I concur in the views of the Commissioner and see no objection to the passage of the bill, if amended as suggested.

The bill is herewith returned.

Very respectfully,

HOKE SMITH, Secretary.

Hon. C. F. MANDERSON,  
United States Senate.

#### DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS, Washington, D. C., February 2, 1894.

SIR: I am in receipt, by your reference of the 27th ultimo for report, of a communication from Hon. CHARLES F. MANDERSON, with which he incloses a copy of Senate bill 1458, being a bill granting to the Duluth and Winnipeg Railroad Company a right of way through the Chippewa (Winnibogishish) and White Earth Indian Reservations, in the State of Minnesota. Senator MANDERSON requests an opinion from the Department as to whether or not there are objections to the passage of the bill.

In reporting on the bill, I have the honor to inform you that, by act of Congress approved October 17, 1888 (25 Stats., 558), the Duluth and Winnipeg Railroad Company was granted a right of way for the extension of its line of road through the Fond du Lac Indian Reservation in Minnesota, as well as the right to construct its road, commencing at Duluth, and running by the most practicable route, to a point at or near Grand Rapids, on the Mississippi River.

Under the provisions of this act the company constructed its road through said Indian reservation, and this office is unofficially advised that the road has been constructed under the act to and beyond Grand Rapids.

By act of Congress approved March 2, 1889 (5 Stats., 1010), the company was granted a right of way through the Leech Lake and White Earth Indian Reservations, in Minnesota, commencing at Duluth and running by the most practicable route to some point on the international boundary line between the Lake of the Woods and the Red River of the North. This act provides that the right of way therein granted shall be forfeited by said company unless the road is constructed through the reservations mentioned within three years from the date of its passage.

No maps of definite location of said lines as granted by this act were ever filed in this office for approval. The right to construct, as will be seen, has now lapsed.

You are also informed that by act of Congress approved June 2, 1890 (26 Stats., 129), the company was granted a right of way for the extension of its road through the Winnibogishish, Cass Lake, White Oak Point, and Red Lake Indian Reservations, in Minnesota. The maps of definite location of

the road under this act were approved by the Department on October 23, 1889. This office is unofficially informed that the company has constructed its line of road under this act to some point within the Chippewa Reservation. It is to be observed that the said act of Congress does not grant the company a right of way through the said Chippewa Reservation. This was probably a mere oversight at the time of the passage of this act, under the impression that the Winnibogishish Reservation covered all the territory in this region through which the company desired a right of way. The company's right to construct its line of road by this route will expire by the terms of the act on June 2, 1895.

The company now seeks by the bill in question to obtain a right of way for the extension of its road, and for a telegraph and telephone line through the Chippewa and White Earth Reservations in Minnesota, commencing at some point on its already constructed line in said State and running in a general northwesterly direction, by such route as shall be deemed advisable, to some point on the western boundary line of the said State, or to some point on the northern boundary line thereof, between the Red River of the North and the Lake of the Woods, or to both such points; such right of way to be 50 feet in width on each side of the central line of the road. Said company also to have the right to take from the lands adjacent to the line of the road material, stone, and earth necessary for the construction of said road; also ground adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not exceeding in amount 300 feet in width by 3,000 feet in length for each station, to an extent not exceeding one station for each 6 miles of road within the limits of said reservations.

It is to be observed that the word "Chippewa" has been stricken out both in the title and in line 7 of section 1 of the bill, and the word "Winnibogishish" substituted therefor. By informal conference with Senator WASHBURN, who introduced the bill, it is learned, as stated above, that the road is already constructed to some point within the Chippewa Reservation; also that the company desires an extension of its line of road as mentioned in the bill as it originally stood—that is to say, through the Chippewa and White Earth Reservations. It would seem, therefore, that the substituted amendments in the title and in said line 7 should not be made.

It is suggested, however, that in extending the road through the Chippewa Reservation and thence through the White Earth Reservation, a better description of the general course of the road would be "westerly." Instead of "northwesterly." It is accordingly suggested that the words "westerly or" be inserted before the word "northwesterly," in line 10 of section 1 of the bill, so that said line 10 will read "in a general westerly or northwesterly direction by such route as shall be."

Your attention is also invited to the fact that the bill provides for granting the company ground for station purposes, not to exceed 300 feet in width by 3,000 feet in length for each station, to an extent not exceeding one station for each 6 miles of road within the limits of said reservations. This is a little unusual, both as respects the size and number of said station grounds. Most, if not all, of the recent acts granting railroad companies rights of way through Indian reservations limit the size of station grounds to 200 feet in width by 3,000 feet in length and in number to one station for every 10 miles of road. It is, therefore, suggested that the bill should be amended by striking out the word "three" before the word "hundred," in line 21 of section 1 of the bill, and inserting the word "two" in lieu thereof, and that the word "six" before the word "miles," in line 23 of section 1 of the bill, be stricken out and the word "ten" inserted in lieu thereof.

Attention is also invited to the fact that the Senate Committee on Indian Affairs suggests the following amendments, to be inserted at the end of section 1 as the bill now stands:

"Provided, That no part of such lands herein granted shall be used except in such manner and for such purposes only as are necessary for the construction and convenient operation of said railroad line, and when any portion thereof shall cease to be used, such portion shall revert to the nation or tribe of Indians from which the same shall be taken."

In this suggested amendment this office concurs. The bill seems to sufficiently protect the rights of the Indians, both in their individual and tribal capacity, and so far as this office is concerned, if it shall be amended as herein suggested, there appears to be no objection to its passage.

Senator MANDERSON's letter and the bill are returned herewith.

Very respectfully, your obedient servant,

D. M. BROWNING, Commissioner.

The SECRETARY OF THE INTERIOR.

The PRESIDENT *pro tempore*. The amendments of the Committee on Indian Affairs will be stated in their order.

The first amendment was, in section 1, line 8, after the word "general," to insert the words "westerly or;" so as to read:

That there is hereby granted to the Duluth and Winnipeg Railroad Company, a corporation organized and existing under the laws of the State of Minnesota, and to its assigns, the right of way for the extension of its railroad, and for a telegraph and telephone line, through the Chippewa and White Earth Indian Reservations in said State, commencing at some point on its already constructed line in said State and running in a general westerly or northwesterly direction, by such route as shall be deemed advisable, to some point on the western boundary line of the said State, or to some point on the northern boundary line thereof, between the Red River of the North and the Lake of the Woods, or to both such points.

The amendment was agreed to.

The next amendment was, in section 1, line 21, after the word "amount," to strike out "three" and insert "two;" and in line 24, before the word "miles," strike out "six" and insert "ten;" so as to read:

Such right of way shall be 50 feet in width on each side of the central line of said railroad, and said company shall also have the right to take from the lands adjacent to the line of said road material, stone, and earth necessary for the construction of said railroad; also grounds adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 200 feet in width and 3,000 feet in length for each station, and to an extent not exceeding one station for each 10 miles of road within the limits of said reservation.

The amendment was agreed to.

The next amendment was to add, at the end of section 1, the following proviso:

"Provided, That no part of such lands herein granted shall be used except in such manner and for such purposes only as are necessary for the construction and convenient operation of said railroad line, and when any portion thereof shall cease to be used, such portion shall revert to the nation or tribe of Indians from which the same shall be taken."

The amendment was agreed to.



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

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

Mr. GALLINGER. A few days ago when the bill (S. 176) granting a right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina Reservation, in North Dakota, was under consideration, I supposed it was the bill that is now being considered, and I objected to its consideration.

Mr. COCKRELL. What is the order of business?

Mr. GALLINGER. I think the Senator from Missouri will not object to what I state.

Mr. COCKRELL. I think I reported the bill, and I ask what is the order of business?

Mr. GALLINGER. The order of business objected to was No. 101, Senate bill 176.

Mr. COCKRELL. I reported the bill.

Mr. GALLINGER. I said then that I had received a letter from a constituent of mine which I had mislaid, in which he raised some objections to the bill, but I find now that his objections were to the bill which is now being considered. My constituent made the point that certain New England capitalists had invested a considerable amount of money, of which they would be deprived if the bill should pass. I have investigated the matter, and find that the bill is in the ordinary form of bills granting a right of way to a railroad company, and it occurs to me that if my constituent or constituents have any remedy it must be in a court of law rather than in attempting to defeat a bill of this kind. Therefore I make no objection to the passage of the bill, but I desired simply to make this explanation.

The PRESIDENT *pro tempore*. The question is, Shall the bill pass?

The bill was passed.

Mr. COCKRELL. Now, Senate bill 176 ought to be called up and passed.

#### DULUTH AND MANITOBA RAILROAD COMPANY.

Mr. HANSBROUGH. I ask unanimous consent for the consideration of the bill (S. 176) granting a right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina reservation in North Dakota.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to grant to the Duluth and Manitoba Railroad Company, a corporation duly organized under the laws of the State of Minnesota, a right of way, not to exceed 100 feet in width, across the Fort Pembina military reservation, upon such line as may be approved by the Secretary of War.

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

#### MARIA T. KARGE.

Mr. QUAY. I ask the Senate to proceed to the consideration of the bill (S. 1230) for the relief of Maria T. Karge.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Maria T. Karge, widow of Joseph, colonel Second Regiment New Jersey Cavalry, at the rate of \$30 per month.

Mr. COCKRELL. I move after the name "Joseph," in line 6, to insert the name "Karge," so as to read, "widow of Joseph Karge."

The amendment was agreed to.

Mr. COCKRELL. I ask that the report be read. It is not a very long one.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the report submitted by Mr. QUAY, March 14, 1894, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1230) for the relief of Maria T. Karge, have considered the same and report as follows:

The beneficiary, Maria T. Karge, is the widow of Joseph Karge, late colonel Second New Jersey Cavalry. She is 74 years of age, without property, and dependent on others for support.

The late Col. Karge was a most gallant and meritorious officer, as will be seen from the subjoined letter of the Record and Pension Office of the War Department. He was a native of Poland, and took part in the revolutionary movement in Europe in 1848. He entered the Union Army in 1861 and was mustered out in 1865. He was one of our most efficient foreign officers, and was many times trusted with special duties which he discharged with signal credit and ability. At the battle of Rappahannock Station, Va., August 20, 1862, he was wounded while in action with his command. For this wound he was pensioned. He fell dead of heart disease December 27, 1892, while crossing the ferry from Jersey City to New York. The medical records fail to state the diagnosis of his case or his disposition at the time of his last admission to the regimental hospital, May 30, 1893, and it is therefore impracticable to prove the origin in the service of the complaint of which he died to the satisfaction of the Pension Bureau.

In view of all the circumstances, however, the bill is reported back and its passage recommended.

#### RECORD AND PENSION OFFICE, WAR DEPARTMENT, Washington City, March 8, 1894.

SIR: In response to your request of the 6th instant, received yesterday, for the military record of Col. Joseph Karge, late of the Second New Jersey Cavalry, I am directed by the Secretary of War to inform you that it appears from the records of this office that Joseph Karge was mustered into service as lieutenant-colonel, First New Jersey Cavalry, October 18, 1861, and that he is reported on the field and staff rolls of that regiment, as follows: From date of muster in to December 31, 1861, his presence or absence is not stated; from January 1, 1862, to August 18, 1862, "present;" August 31, 1862, "absent, wounded, in hospital in Washington, D. C.;" October 31, 1862, "present." A medical certificate on file, dated Washington, D. C., August 30, 1862, states that he received a severe gunshot wound of the left thigh on the 19th of August, 1862; that there was already muscular contraction which was increasing, and that he could not return to his command without risk of permanent disability. He was honorably discharged as lieutenant-colonel, on tender of resignation, December 22, 1862, in orders from headquarters left grand division. His tender of resignation is not on file. The muster-out roll of the field and staff of the regiment, dated September 16, 1864, reports him "resigned from wounds."

Joseph Karge was mustered in as colonel Second New Jersey Cavalry, September 25, 1863, and he is reported on the field and staff rolls of that regiment as follows: From date of muster in to February 29, 1864, "present;" April 30, 1864, "absent, commanding First Brigade, Cavalry Division, Sixteenth Army Corps;" June 30, 1864, "absent, on duty at Memphis as president of military commission;" August 31, 1864, "absent, commanding First Brigade, Second Division, Cavalry Corps;" and October 31, 1864, the same report; December 31, 1864, presence or absence not stated; February 28, 1865, "absent with leave;" April 30, 1865, absent, commanding Second Brigade, Cavalry Forces;" June 30, 1865, "present;" August 31, 1865, "absent, commanding post at Natchez, Miss.;" He was mustered out as colonel, with the field and staff of the regiment, November 1, 1865, at Vicksburg, Miss.

Under the provisions of the act of Congress approved June 3, 1884, and the amendatory thereof, approved February 3, 1887, he is recognized by this Department as commissioned to the grade of colonel, Second New Jersey Cavalry, to take effect from September 15, 1863, date of completion of regiment.

The medical records show that Joseph Karge, lieutenant-colonel, First New Jersey Cavalry, was wounded at the battle of Rappahannock Station, Va., August 20, 1862, and also that, as colonel Second New Jersey Cavalry, he was admitted to regimental hospital May 30, 1865, but the diagnosis of his case or his disposition is not stated.

Very respectfully,

F. C. AINSWORTH,

Colonel, United States Army, Chief Record and Pension Office.  
Hon. M. S. QUAY, United States Senate.

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

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

#### COMMODORE OSCAR C. BADGER.

Mr. HUNTON. I ask the Senate to take up for consideration the bill (S. 943) for the relief of Commodore Oscar C. Badger. It is a bill unanimously reported by the Committee on Naval Affairs. The report will explain the merits of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President of the United States to nominate and, by and with the advice and consent of the Senate, to appoint Commodore Oscar C. Badger, now on the retired list of the Navy, a rear-admiral on the retired list, to take effect on and from the 12th day of August, 1885, the time of his retirement, he having been at that date at the head of the list of commodores and first for promotion, but was disbarred therefrom by the law requiring all officers to be retired at the age of 62 years.

Mr. PEPPER. I should like to have the Senator from Virginia explain in what respect the bill changes the existing law in relation to the retirement of officers of the Navy.

Mr. COCKRELL. And let the report also be read.

Mr. HUNTON. The report will explain the bill better than I can explain it. If the Senator will listen to the report he will see that it is a perfectly meritorious case.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the report submitted by Mr. GIBSON, February 21, 1894, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 943) for the relief of O. C. Badger, have considered the same and recommend its passage, adopting as a report thereon the following report:

"The Committee on Naval Affairs, to whom was referred the bill (S. 66) for the relief of O. C. Badger, have considered the same and recommend its passage, adopting as a report thereon the following report:

"[House Report No. 1483, Fifty-second Congress, first session.]

"The Committee on Naval Affairs, to whom was referred the bill (H. R. 6631) for the relief of Commodore Oscar C. Badger, United States Navy, have considered the same and beg leave to report as follows:

"Commodore Badger was the senior officer of his grade in the Navy, and next for promotion at the date of his retirement, August 12, 1885, and would have been promoted to the grade of rear-admiral in less than two months thereafter, October 5, 1885, had he not been debarred by section 1444 of the Revised Statutes. His junior in rank succeeded to the vacancy. It further appears that Commodore Badger is the only officer of his class and date who failed, because of the age limit, to reach the grade of rear-admiral. (See Registers, U. S. N., 1885 and 1891.)

"This result is primarily due to the fact that the act to define the number and regulate the appointment of officers in the Navy, and for other purposes, approved July 25, 1893, was rendered ineffective in his case by special legislation in behalf of other officers of the Navy, over whom Commodore Badger had been advanced under the provisions of the act aforesaid.

"For six years the Official Register of the Navy, as readjusted under this general law, remained undisturbed, and Commodore Badger held the rela-



tive position on said register to which he was advanced by selection upon the recommendation of the 'Farragut board,' and but for the special legislation referred to he would long since have been a rear-admiral.

"It was this interference with the operation of the general law that deprived him of the rank to which he was justly entitled, and which he would otherwise have obtained.

"Commodore Badger's contention is that he has a rightful claim to the precedence awarded him under the act of July, 1866, upon the recommendation of the 'Farragut board;' that Congress having authorized his promotion by this act as one of the officers of the Navy 'who had rendered the most efficient and faithful service during the war, and who possessed the highest professional qualifications and attainments,' he ought not to have been deprived of the consequential benefit of said promotion by any special legislation; that, having thus acted to his prejudice, Congress should make reparation, as far as practicable, by authorizing his promotion to rear-admiral on the retired list, as of the date of his retirement as commodore, which can be done without prejudice to any other officer, either upon the active or retired list.

"The committee believe this contention is founded in right and justice. The case of Commodore Badger is exceptional in several respects. He is not only the only officer of his class and date reaching the grade of commodore who failed (by reason of the age limit) to attain the next higher grade, but he is also the only one who was prevented from reaching the higher grade by special legislation at variance with the intent of the general law of July, 1866.

"The committee does not think that favorable action in this case, as recommended in the bill as amended by the committee, would establish a precedent against public policy, because of its exceptional circumstances, and such as can not arise in the case of any other officer of the Navy.

"In view of the foregoing facts, and others more fully set forth in the record of the case, the correctness of which is attested by the Navy Department: in view of the highly honorable and meritorious services of Commodore Badger, covering a period in peace and war of forty-four years upon the active list of the Navy; in view of his promotion for faithful and efficient service in the war, and the circumstances attending his retirement, the committee regard the case as exceptional and Commodore Badger entitled to the promotion provided for in the bill.

"It may not be out of place in this report to refer specially to the fact that Commodore Badger was severely wounded in a night attack upon Forts Moultrie and Sumter, September 2, 1863, and that he has been a constant sufferer from that date, and has been subjected to large expense for special medical attendance; and also to the fact that as ranking officer in command of the Constitution and two other vessels at the port of Havre during the late Paris Exposition, he was put to large expense as the representative of the United States Navy in properly entertaining guests aboard his ship, all of which was borne out of his own salary.

"The committee asks attention to the following letter of the Secretary of the Navy, to the memorial of flag officers of the Navy, and to the letter of Rear-Admiral Fairfax in favor of the action asked of Congress in behalf of Commodore Badger:

"NAVY DEPARTMENT, Washington, April 26, 1892.

"SIR: Referring to your communication in which you state that the Committee on Naval Affairs of the House of Representatives has assigned to you, as chairman of its subcommittee on 'organization, rank, and pay,' House bill 6631, 'for the relief of Commodore Oscar C. Badger, United States Navy,' and inclosing a copy of said bill with a request for the opinion of this Department upon its merits; and referring also to your subsequent communication transmitting the papers filed with the committee to accompany the bill, I have the honor to transmit herewith, for your information, an official statement of the service of Commodore Badger from the date of his appointment as a midshipman in the Navy, September 9, 1841, to the date of his retirement with the rank of commodore, August 12, 1885, a period of nearly forty-four years.

"It appears from the records of the Department, as shown by the statement above mentioned, that Commodore Badger, during the long period of his service in the Navy, has been repeatedly assigned to difficult and responsible duties, both in time of war and peace, which duties he has uniformly discharged in such a manner as to win the high approbation of his superior officers and of the Department. As a midshipman on board the Saratoga, in 1843, he was attached to a landing party from that ship and took part in the attack upon and destruction of the Bereby villages, on the west coast of Africa. He served on board the Mississippi with the Gulf Squadron during the Mexican war, and participated in the attack upon Alvarado in 1846. Subsequently, in 1855, he commanded a party from the John Adams which attacked and destroyed the town of Vutia, Fiji Islands.

"Commodore Badger's services during the war were particularly meritorious. While in command of the steamer Anacostia, in the winter and spring of 1862, he was engaged in a number of attacks on the Potomac River and Aquia Creek batteries, in the bombardment of Yorktown, Va., and defenses at Gloucester Point, and subsequently, in 1863, in the attack on the batteries and forts on Morris Island, South Carolina. He commanded the ironclads Patapsco and Montauk in attacks on Forts Wagner, Gregg, and Sumter. While performing the duties of fleet captain on board the ironclad Weehawken in a night engagement with Forts Moultrie and Sumter, Commodore Badger was severely wounded, his right leg being shattered by a metallic splinter, driven by a round shot which struck the turret of the vessel.

"The efficient and faithful services rendered by Commodore Badger and the sterling qualities displayed by him in the discharge of the important duties to which he was assigned during the late war were recognized in an official report made to the Department by Admiral Dahlgren, under date of September 2, 1863, and by the Department in a communication addressed to Commodore Badger under date of January 7, 1864. Copies of the report of Admiral Dahlgren and of the Department's letter to Commodore Badger, above referred to, which appears in the brief filed with the committee and herewith returned, have been verified by comparison with the records of the Department, and are found to be correct.

"It further appears, from the records of the Department, that in pursuance of the requirements of section 1444 of the Revised Statutes, Commodore Badger was on the 12th of August, 1885, retired from active service; that at the date of his retirement he was the senior officer in his grade in the Navy, and that he would have been promoted to the grade of rear-admiral October 5, 1885, but for his retirement under the provisions of the section above mentioned, less than two months previous to that date.

"With reference to the circumstances attending the retirement of Commodore Badger the following statement is made in a memorial dated February 11, 1891, and signed by flag officers of the Navy, a copy of which memorial accompanies the papers above mentioned.

"Circumstances connected with his retirement entitle him to more than ordinary consideration and sympathy. Shortly before his retirement the number of rear-admirals on the active list was reduced by law so that at 62 years of age, the statutory period for retiring, there was no place for him. In less than two months a vacancy occurred that would have permitted his promotion had he still been on the active list. He is the only one of his

class and date reaching the grade of commodore who did not attain the next higher step."

"Under the circumstances above stated, and in view of the fact that Commodore Badger would have attained the grade of rear-admiral within two months from the date of his retirement, and in consideration of his advanced age, he being now in his seventieth year, the case of Commodore Badger appears to be an exceptional one, and the Department is of opinion that the bill in question providing for his appointment as a rear-admiral on the retired list of the Navy merits the favorable consideration of Congress.

"In returning herewith the papers which accompanied your letters above referred to I do deem it proper to state that the 'statement of the service of Commodore Oscar C. Badger in the United States Navy upon the active list from 1841 to 1885,' which was filed with the committee, has been carefully verified by comparison with the records of the Department and is found to be correct.

"Very respectfully,

"B. F. TRACY,  
Secretary of the Navy.

"Hon. WILLIAM MCALEER,

Chairman Subcommittee on Organization, Rank, and Pay,  
Committee on Naval Affairs, House of Representatives."

WASHINGTON, D. C., February 11, 1891.

"The undersigned, officers of flag rank in the United States Navy, would be much gratified to see Commodore Oscar C. Badger, United States Navy, on the retired list, promoted to the grade of rear-admiral. His record during his long career in the Navy, both in war and peace, is such as to entitle him to the highest consideration of Congress and the executive authorities. Circumstances connected with his retirement entitle him to more than ordinary consideration and sympathy. Shortly before his retirement the number of rear-admirals on the active list was reduced by law, so that at 62 years of age, the statutory period for retiring, there was no place for him. In less than two months a vacancy occurred that would have permitted his promotion had he still been on the active list. He is the only one of his class and date reaching the grade of commodore who did not attain the next higher step."

"The commodore is now in the sixty-ninth year of his age, and in the course of nature will not long be a possible recipient of a Government favor.

"John L. Worden, rear-admiral, U. S. Navy; C. R. P. Rodgers, rear-admiral, U. S. Navy; W. W. Queen, rear-admiral, U. S. Navy; Pierce Crosby, rear-admiral, U. S. Navy; William G. Temple, rear-admiral, U. S. Navy; S. R. Franklin, rear-admiral, U. S. Navy; James A. Greer, commodore, late commander of European station; T. H. Stevens, rear-admiral, U. S. Navy; Jno. H. Upshur, rear-admiral, U. S. Navy; J. C. Howell, rear-admiral, U. S. Navy; A. Bryson, rear-admiral, U. S. Navy; Thomas S. Phelps, rear-admiral, U. S. Navy; A. K. Hughes, rear-admiral, U. S. Navy; Edmund E. Colhoun, rear-admiral, U. S. Navy; John J. Almy, rear-admiral, U. S. Navy; R. W. Shufeldt, rear-admiral, U. S. Navy; Jno. H. Russell, rear-admiral, U. S. Navy; S. P. Carter, rear-admiral, U. S. Navy; S. B. Luce, rear-admiral, U. S. Navy."

WASHINGTON, D. C., February 11, 1892.

"DEAR SIR: Maj. Robert W. Hunter has already laid before your committee Commodore Oscar C. Badger's papers asking Congress to promote him to the grade of rear-admiral on the retired list. The appeal made by the rear-admirals residing in Washington is a strong one, and needs little more to satisfy your committee as to its reasonableness; yet my long acquaintance with the commodore, both in times of war as well as in the peaceful rounds of professional duty, has given me the opportunity to judge of the justice of the 'Farragut board,' that advanced him over officers that had previously been his seniors, he being commissioned commander July 25, 1866, 'for gallant conduct in battle.' Had he continued to hold his number on the Navy register thus conferred he would have retired as rear-admiral. The commodore is known for his unassuming and unselfish life, and has allowed these years since his retirement to pass without any effort of his own to gain that which he naturally would covet, and this present movement has emanated from his brother officers rather than from himself.

"It is proper to mention that the wound he received off Charleston has ever since caused suffering and great inconvenience, besides very considerable expense for medical treatment, and at this time he is incapacitated from taking active part in this appeal to Congress, his relative, Maj. Hunter, kindly undertaking the onerous part to relieve him mentally.

"Very respectfully,

"D. McNEILL FAIRFAX,  
Rear-Admiral, United States Navy.

"Hon. JOHN R. McPHERSON,  
United States Senate."

NAVY DEPARTMENT, Washington, January 7, 1864.

"SIR: Your letter of the 4th instant, with inclosure, reporting your return, is received.

"You are hereby detached from the South Atlantic blockading squadron and will regard yourself as waiting orders.

"The Department regrets the loss of your valuable services and trusts that you may speedily recover from the injuries received in conflict with the enemy.

"Very respectfully,

"GIDEON WELLES,  
Secretary of the Navy.

"Lieut. Commander O. C. BADGER, U. S. N.,  
Baltimore, Md."

Mr. PEPPER. I wish to ask one more question for information. Would the passage of this bill have the effect of increasing the salary of this officer, and to what extent?

Mr. HUNTON. The bill expressly provides that his pay shall not be increased until after the passage of the law, and then it does increase it by the difference between the retired pay of a commodore and a rear-admiral.

Mr. GALLINGER. The bill carries no back pay?

Mr. HUNTON. No, sir.

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

\* With the exception of one commodore, retired at his own request.



SARAH K. McLEAN.

Mr. TURPIE. I ask the Senate to proceed to the consideration of the bill (S. 575) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean. It is a very meritorious measure, and it was passed at the last session of the last Congress unanimously.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the proper accounting officers to settle and adjust to Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, all back pay and emoluments that would have been due and payable to him as a major from July 23, 1864, to the date of his reinstatement, March 3, 1875.

Mr. COCKRELL. Is there a report in this case?

Mr. TURPIE. Yes, sir.

The PRESIDING OFFICER (Mr. FRYE in the chair). There is a long report accompanying the bill.

Mr. GALLINGER. I ask for the reading of the report.

The PRESIDING OFFICER. The report will be read.

The Secretary proceeded to read the report, submitted by Mr. DAVIS, from the Committee on Military Affairs, December 19, 1893.

Mr. GALLINGER. I withdraw the request for the reading of the report.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I desire to state that this measure has been before Congress for some time, and I believe it was passed in the last Congress, having been reported from the Committee on Military Affairs by a majority report. Also at the present session it was reported by a majority report, and the views of the minority were submitted, as the record shows. I do not think that there is any equity or justice in this case. I simply desire to state that by not objecting to the bill I do not consent to its correctness, or to the principle that is embodied in it. I adhere to the minority report that was made, but I shall not consume the time of the Senate in having the views of the minority read.

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

## MISSOURI RIVER BRIDGE.

Mr. VEST. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 260) to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River at the most accessible point between the city of Kansas and the town of Sibley, in the county of Jackson and State of Missouri," approved March 3, 1887, to report it with amendments, and I ask for its immediate consideration.

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

The PRESIDING OFFICER. The amendments of the Committee on Commerce will be stated in their order.

The first amendment was to add to the bill the following as an additional section:

SEC. 2. That the word "corporations," in the first section of the act heretofore named, shall be changed to "corporation."

The amendment was agreed to.

The next amendment was to add to the bill the following as an additional section:

SEC. 3. The construction of the bridge authorized to be constructed by the act approved March 3, 1887, heretofore named, and of which this act is amendatory, shall begin within three years and be completed within ten years from the date of the approval of this act. And unless these conditions be complied with, this act and the act of which it is amendatory shall be null and void.

The amendment was agreed to.

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

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

## THOMAS CHAMBERS.

Mr. STOCKBRIDGE. I ask the Senate to proceed to the consideration of the bill (S. 349) for the relief of Thomas Chambers.

Mr. HARRIS. I wish to ask the Senator from Michigan if that bill is reported by the Committee on Post-Offices and Post-Roads?

Mr. STOCKBRIDGE. It is, and an identical bill has passed this body twice heretofore on the report of that committee.

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

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to Thomas Chambers, of Mackinac, Mich., \$3,654.56, in full compensation for the additional expenses incurred by him in carrying the Canada mails from Sault de Saint Marie, Mich., to Mackinac, Mich., from July 1, 1875, to June 13, 1879, inclusive, he having contracted to carry United States mails only.

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

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, March 19, 1894, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 9, 1894.*

## REGISTER OF THE LAND OFFICE.

Albert G. Lloyd, of Waitsburg, Washington, to be register of the land office at Wallawalla, Wash.

## POSTMASTERS.

Daniel W. Maple, to be postmaster at Canton, in the county of Fulton and State of Illinois.

Cyrus S. Parker, to be postmaster at Fullerton, in the county of Nance and State of Nebraska.

Henry S. Wyman, to be postmaster at Morenci, in the county of Lenawee and State of Michigan.

James M. Thomas, jr., to be postmaster at Wyoming, in the county of Stark and State of Illinois.

John C. Dedy, to be postmaster at Grand Crossing, in the county of Cook and State of Illinois.

Charles J. Porter, to be postmaster at Bethel, in the county of Fairfield and State of Connecticut.

Thomas F. Carroll, to be postmaster at Grand Rapids, in the county of Kent and State of Michigan.

Chauncey E. Baker, to be postmaster at Plymouth, in the county of Wayne and State of Michigan.

Robert D. Ellegood, to be postmaster at Salisbury, in the county of Wicomico and State of Maryland.

Abram G. Wall, to be postmaster at Saginaw, East Side, in the county of Saginaw and State of Michigan.

William A. Strong, to be postmaster at Reed City, in the county of Osceola and State of Michigan.

John W. Gentzler, to be postmaster at Constantine, in the county of St. Joseph and State of Michigan.

Murray J. Bement, to be postmaster at Clifton Springs, in the county of Ontario and State of New York.

Ira G. Foster, to be postmaster at Nelson, in the county of Nuckolls and State of Nebraska.

Henry D. Wilber, to be postmaster at Howell, in the county of Livingston and State of Michigan.

John E. Adams, to be postmaster at Franklin, in the county of Venango and State of Pennsylvania.

William C. Warnock, to be postmaster at Bellaire, in the county of Belmont and State of Ohio.

Hugh L. McDowell, to be postmaster at Ottawa, in the county of Putnam and State of Ohio.

W. E. Lancaster, to be postmaster at Marshall, in the county of Harrison and State of Texas.

Clinton J. Gitt, to be postmaster at Hanover, in the county of York and State of Pennsylvania.

Robert M. Elliott, to be postmaster at Gettysburg, in the county of Adams and State of Pennsylvania.

*Executive nominations confirmed by the Senate March 14, 1894.*

## NAVAL OFFICER OF CUSTOMS.

J. Marshall Wright, of Pennsylvania, to be naval officer of customs for the port of Philadelphia, in the State of Pennsylvania.

## PROMOTIONS IN THE ARMY.

*Medical department.*

Capt. Henry S. Kilbourne, assistant surgeon, to be surgeon.

*Infantry arm.*

Lieut. Col. Alfred T. Smith, Eighth Infantry, to be colonel.

Maj. George M. Randall, Fourth Infantry, to be lieutenant-colonel.

Capt. Gilbert S. Carpenter, Fourteenth Infantry, to be major.

Second Lieut. George E. French, Fourth Infantry, to be first lieutenant.

Second Lieut. Frank Owen, Eighth Infantry, to be first lieutenant.

## PROMOTIONS IN THE NAVY.

Capt. Lester A. Beardslee, to be a commodore.

Commander Henry Glass, to be a captain.

Lieut. Commander James H. Dayton, to be a commander.

Lieut. Theodorus B. M. Mason, to be a lieutenant-commander.

Lieut. (junior grade) Harvey S. Knapp, to be a lieutenant.

Lieut. (junior grade) William L. Rodgers, to be a lieutenant.



Passed Assistant Paymaster Charles M. Ray, to be a paymaster.

Assistant Paymaster Frank T. Arms, to be a passed assistant paymaster.

#### POSTMASTERS.

Cassius Alexander, to be postmaster at Grand Ledge, in the county of Eaton and State of Michigan.

John F. Major, to be postmaster at Remington, in the county of Jasper and State of Indiana.

Edward P. Honan, to be postmaster at Rensselaer, in the county of Jasper and State of Indiana.

Louis G. Clapp, to be postmaster at Mendon, in the county of St. Joseph and State of Michigan.

John H. Bourns, to be postmaster at Vassar, in the county of Tuscola and State of Michigan.

Morris A. Bement, to be postmaster at Mason, in the county of Ingham and State of Michigan.

Alfred Hagerman, to be postmaster at Oxford, in the county of Oakland and State of Michigan.

Charles M. Gibson, to be postmaster at Fremont, in the county of Newaygo and State of Michigan.

Frank A. Ellis, to be postmaster at Charlotte, in the county of Eaton and State of Michigan.

William E. Thorp, to be postmaster at Hart, in the county of Oceana and State of Michigan.

Edwin S. Smith, to be postmaster at South Haven, in the county of Van Buren and State of Michigan.

Levi S. Rice, to be postmaster at Bessemer, in the county of Gogebic and State of Michigan.

Green W. Dugger, to be postmaster at Greensboro, in the county of Hale and State of Alabama.

William Wiegand, to be postmaster at White Pigeon, in the county of St. Joseph and State of Michigan.

Thomas Thornhill, jr., to be postmaster at Milford, in the county of Oakland and State of Michigan.

Abel A. Gandy, to be postmaster at Darlington, in the county of Darlington and State of South Carolina.

William A. Cooke, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky.

Sylvester B. Price, to be postmaster at Macon, in the county of Bibb and State of Georgia.

A. W. Kennard, to be postmaster at Navasota, in the county of Grimes and State of Texas.

Hiram N. Martin, to be postmaster at Kahoka, in the county of Clark and State of Missouri.

Jerry Bush, to be postmaster at Centralia, in the county of Boone and State of Missouri.

Edward K. Stall, to be postmaster at Mount Pleasant, in the county of Henry and State of Iowa.

John H. Payne, to be postmaster at Oil City, in the county of Venango and State of Pennsylvania.

John H. Mullen, to be postmaster at Pittston, in the county of Luzerne and State of Pennsylvania.

Charles T. Sammis, to be postmaster at Northport, in the county of Suffolk and State of New York.

David L. Godley, to be postmaster at Whitestone, in the county of Queens and State of New York.

William W. Needham, to be postmaster at Bristol, in the county of Addison and State of Vermont.

*Executive nominations confirmed by the Senate March 15, 1894.*

#### UNITED STATES ATTORNEY.

Oliver E. Branch, of New Hampshire, to be attorney of the United States for the district of New Hampshire.

#### COLLECTOR OF INTERNAL REVENUE.

Edward J. Donovan, of Massachusetts, to be collector of internal revenue for the district of Massachusetts.

#### SURVEYORS OF CUSTOMS.

Francis M. Gardenhire, of Tennessee, to be surveyor of customs for the port of Chattanooga, in the State of Tennessee.

George L. Miller, of Nebraska, to be surveyor of customs for the port of Omaha, in the State of Nebraska.

Russell N. Whittlesey, of Iowa, to be surveyor of customs for the port of Council Bluffs, in the State of Iowa.

#### COLLECTOR OF CUSTOMS.

Le Roy H. Shields, of Virginia, to be collector of customs for the district of Norfolk and Portsmouth, in the State of Virginia.

#### APPOINTMENTS IN THE NAVY.

##### Civil engineers.

Adolfo Jose Menocal, a resident of the District of Columbia, and Richard C. Hollyday, a resident of Maryland, to be civil engineers.

#### ASSISTANT PAYMASTERS.

Walter L. Wilson, a resident of West Virginia; Lewis Green Stevenson, a resident of Illinois; Henry A. Dent, a resident of Alabama; Philip V. Mohun, a resident of the District of Columbia; William Jackson Littell, a resident of New York, and Samuel McCowan, a resident of South Carolina, to be assistant paymasters in the Navy.

#### PROMOTION IN THE NAVY.

Capt. Edmund O. Matthews, to be Chief of the Bureau of Yards and Docks in the Department of the Navy, with the relative rank of commodore.

#### PROMOTIONS IN THE ARMY.

##### Quartermaster's Department.

First Lieut. Robert R. Stevens, Sixth Infantry, to be assistant quartermaster with the rank of captain.

##### Cavalry arm.

Second Lieut. John M. Jenkins, Fifth Cavalry, to be first lieutenant.

Second Lieut. Stephen H. Elliott, Fifth Cavalry, to be first lieutenant.

#### POSTMASTERS.

William T. Wear, to be postmaster at Urbana, in the county of Champaign and State of Ohio.

Rheno M. Isherwood, to be postmaster at Delphi, in the county of Carroll and State of Indiana.

Franklin Hunter, to be postmaster at Sidney, in the county of Shelby and State of Ohio.

H. E. Bell, to be postmaster at Mansfield, in the county of Richland and State of Ohio.

James S. Cambell, jr., to be postmaster at Pocatello, in the county of Bannock and State of Idaho.

Thomas D. Wallace, to be postmaster at Springfield, in the county of Clarke in the State of Ohio.

Lewis H. Whiteman, to be postmaster at Xenia, in the county of Greene and State of Ohio.

Joseph Fisher, to be postmaster at Marinette, in the county of Marinette and State of Wisconsin.

Goin B. Evans, to be postmaster at Waterbury, in the county of Washington and State of Vermont.

Frederick W. Childs, to be postmaster at Brattleboro, in the county of Windham and State of Vermont.

James R. Crowe, to be postmaster at Sheffield, in the county of Colbert and State of Alabama.

William D. McMaster, to be postmaster at Woodstock, in the county of Windsor and State of Vermont.

Charles A. Fitzpatrick, to be postmaster at White River Junction, in the county of Windsor and State of Vermont.

James W. Sweely, to be postmaster at Williamsport, in the county of Lycoming and State of Pennsylvania.

James J. Finney, to be postmaster at Tarentum, in the county of Allegheny and State of Pennsylvania.

Cornelius Casey, to be postmaster at Sharpsburg, in the county of Allegheny and State of Pennsylvania.

Haskell E. Knowland, to be postmaster at Marblehead, in the county of Essex and State of Massachusetts.

William E. Lewis, to be postmaster at Chariton, in the county of Lucas and State of Iowa.

Anson T. Wilson, to be postmaster at Angelica, in the county of Allegany and State of New York.

Stephen H. Hall, to be postmaster at Norwich, in the county of New London and State of Connecticut.

John T. Gallup, to be postmaster at Greenport, in the county of Suffolk and State of New York.

William Provin, to be postmaster at Westfield, in the county of Hampden and State of Massachusetts.

James T. Coogan, second, to be postmaster at Windsor Locks, in the county of Hartford and State of Connecticut.

Francis G. Beach, to be postmaster at New Haven, in the county of New Haven and State of Connecticut.

G. Edward Laing, to be postmaster at Schuylersville, in the county of Saratoga and State of New York.

George E. Trent, to be postmaster at Wadena, in the county of Wadena and State of Minnesota.

Theodore B. Dawes, to be postmaster at Washington, in the county of Warren and State of New Jersey.

E. W. Closson, to be postmaster at Lambertville, in the county of Hunterdon and State of New Jersey.

John S. Camden, to be postmaster at Parkersburg, in the county of Wood and State of West Virginia.

William W. Degge, to be postmaster at Norfolk, in the county of Norfolk and State of Virginia.

William Brust, to be postmaster at New Ulm, in the county of Brown and State of Minnesota.



Dick Hopson, to be postmaster at Sherman, in the county of Grayson and State of Texas.

Antoinette W. Brewster, to be postmaster at Shullsburg, in the county of Lafayette and State of Wisconsin.

Charles S. Alling, to be postmaster at Seward, in the county of Seward and State of Nebraska.

B. F. Meeks, to be postmaster at Eldorado, in the county of Butler and State of Kansas.

Simon G. Gary, to be postmaster at Winfield, in the county of Cowley and State of Kansas.

George H. Parker, to be postmaster at Bolivar, in the county of Allegany and State of New York.

## HOUSE OF REPRESENTATIVES.

THURSDAY, March 15, 1894.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

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

B. L. BRANCH.

The SPEAKER laid before the House a copy of the findings of the Court of Claims in the case of B. L. Branch (deceased) vs. The United States; which was referred to the Committee on War Claims.

### LEAVE OF ABSENCE.

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

To Mr. ABBOTT, on account of important business.

To Mr. PAGE, for one week, on account of sickness in his family.

MISS JANE LINN.

Mr. STONE of Kentucky. Mr. Speaker, I ask unanimous consent for the consideration of the bill which I send to the desk.

The bill was read, as follows:

A bill (H. R. 2244) for the relief of Miss Jane Linn.

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Miss Jane Linn, of Calloway County, Ky., out of any money in the Treasury not otherwise appropriated, the sum of \$150, being for a horse taken from her by the Army of the United States during the late war.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. REED. What were the circumstances?

Mr. STONE of Kentucky. The case is set forth in the report.

The SPEAKER. Without objection, the report will be read. The report (by Mr. STONE of Kentucky) is as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2244) for the relief of Miss Jane Linn, report as follows:

The claim is for one horse taken from the said claimant by the Army of the United States during the late war. Claim stated at \$150.

The proof filed in support of the bill shows that claimant's horse was seized by Maj. Wiley Waller, commanding Fifteenth Kentucky Cavalry, he being at the time of the seizure of said horse with and in command of his said regiment. The proof in support of the bill further shows that at the time of the seizure of said horse by the said Maj. Waller the said Maj. Waller then and there mounted one of his soldiers upon said horse, and that no receipt or voucher of any kind was given claimant for said horse.

The proof filed in support of the bill shows conclusively that said horse belonged to said claimant in her own right, and that it was at the time well worth the amount claimed, viz, \$150, and the said claimant was loyal to the United States throughout the late war. Therefore your committee report back the bill and recommend its passage.

The SPEAKER. Is there objection to the request for the present consideration of this bill?

Mr. KILGORE. Mr. Speaker, that does not furnish any evidence of the value of this property, nor any evidence on which the House can judge, and therefore I object to the consideration of the bill now.

### CHANGE OF REFERENCE.

On motion of Mr. WISE, the Committee on Interstate Commerce was discharged from further consideration of the bill (S. 823) to authorize the Missouri Power Company to construct a dam across the Missouri River, and it was referred to the Committee on Rivers and Harbors.

On motion of Mr. BARTHOLDT, the Committee on Claims was discharged from further consideration of the joint resolution (H. R. 125) for the payment of an account of W. S. Niedringhaus, contractor for furnishing beef to Indians, and it was referred to the Committee on Indian Affairs.

MISS JANE LINN.

Mr. STONE of Kentucky. I ask unanimous consent to make one remark in reply to what the gentleman from Texas [Mr. KILGORE] has said with regard to the bill which I asked to have considered.

There was no objection.

Mr. STONE of Kentucky. Mr. Speaker, the gentleman from Texas stated that there was no evidence to show that this horse was taken and used by the United States Army, and that therefore he objected. I wish to say that that is not so.

Mr. OUTHWAITE. The gentleman from Texas objected on account of there being no evidence of the value.

Mr. STONE of Kentucky. Well, I want to say that that is not true. The evidence is clear and full as to the value of the horse and its ownership, and that the claimant was loyal.

### LIFE-SAVING SERVICE.

Mr. CARUTH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk, a bill (H. R. 2795) to amend clause 5 of an act approved June 18, 1878, entitled, "An act to organize the Life-Saving Service."

The bill was read, as follows:

*Be it enacted, etc.,* That section 5 of the act of Congress approved June 18, 1878, entitled "An act to organize the Life-Saving Service," be, and the same is hereby, amended so as to read as follows:

"Sec. 5. That hereafter the life-saving stations upon the sea and gulf coasts at which crews are employed shall be manned and the stations opened for active service on the 1st day of August in each year, and so continued until the 1st day of June succeeding, and upon the lake coasts from the opening to the close of navigation, except such stations as in the discretion of the Secretary of the Treasury are not necessary to be manned during the full period specified; and the crews shall reside at the stations during said periods."

SEC. 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

Mr. GEISSENHAINER. I ask that the provision naming the period of time may be reported again.

Mr. COGSWELL. We add two months.

The amendment reported by the committee was read, as follows:

Line 8, page 1, strike out the word "sea" and insert the word "Atlantic," so as to read: "that hereafter the life-saving stations upon the Atlantic and Gulf coasts," etc.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. SAYERS. This bill ought not to be considered under a request for unanimous consent.

Mr. COGSWELL. Why not?

Mr. GEISSENHAINER. It carries no appropriation.

Mr. SAYERS. Well, it will involve an appropriation. I shall have to object.

### SCHOOL LANDS IN OKLAHOMA.

Mr. FLYNN. I ask unanimous consent for the consideration of the bill which I send to the desk.

The bill (H. R. 5065) to ratify the reservation of certain lands made for the benefit of Oklahoma Territory, and for other purposes, was read.

Mr. KILGORE. I think this measure is too important to be called up and considered under a request for unanimous consent.

Mr. FLYNN. This land has been reserved and is lying there unused. This bill merely permits the leasing of it, the proceeds to go to the benefit of the institutions for whose support the land was set aside. It is necessary for us to come to Congress in order to obtain authority for leasing these lands reserved for the benefit of our schools. By this means we derive a fund for the support of our public-school system.

Mr. KILGORE. What committee does it come from?

Mr. FLYNN. It has been favorably reported by the Committee on Public Lands.

Mr. KILGORE. Well, I think it might come up in the morning hour. I object to its being called up in this way.

The SPEAKER. Objection is made.

### MEDICAL OFFICERS, NATIONAL SOLDIERS' HOMES.

Mr. BLACK of Illinois. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 5898) to amend section 4829 of the United States Revised Statutes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4829 of the Revised Statutes of the United States be amended by the addition of the following words: "Provided, That surgeons, assistant surgeons, and other medical officers of the National Home for Disabled Volunteer Soldiers, and the several branches thereof, may be appointed from others than those who have been disabled in the military service of the United States."

Mr. SAYERS. I hope the gentleman from Illinois will explain the effect of this measure.

The SPEAKER. Without objection, the gentleman from Illinois [Mr. BLACK] can make a short explanation, the right to object being reserved.

Mr. BLACK of Illinois. Mr. Speaker, the law which the bill amends requires that the persons appointed to medical positions in the National Homes for Disabled Volunteer Soldiers shall be



men who were disabled in the service. We find that it is almost impossible under that restriction to obtain competent physicians. The amendatory bill which I send to the desk provides that the Board of Managers may employ as medical officers persons other than those who were employed in the military service. The bill carries no appropriation, and does not lay the foundation for a dollar of additional expense now or at any other time. It proposes to enable the Board of Managers to increase the efficiency of the medical staff of the National Home.

Mr. DINGLEY. As I understand this bill, it will enable the managers to appoint as surgeons men who have never been in the military service. In changing the provision requiring the appointment as assistant surgeons of ex-soldiers who were disabled in the military service, if that be the law, why not modify it so as to provide that persons only shall be appointed who have seen service in the Union Army? What is the necessity of amending the law to allow the appointment of civilians to these positions when qualified ex-soldiers are applicants?

Mr. BLACK of Illinois. For this reason, we want the best men we can get for the money at our disposal. A man who was fit to be in the military service as a surgeon thirty years ago is now generally too well established in practice to change his position for what we can afford to give him.

Mr. DINGLEY. Now, Mr. Speaker, a single inquiry on that point. I have had a little experience in that direction—

Mr. BLACK of Illinois. I wish to say one word further. This bill is the result of the unanimous judgment of the Board of Managers; it represents also the judgment of the committee; and I really know of no objection to its passage.

Mr. WILLIAM A. STONE. I suggest that the bill be withdrawn for the present. I do not like to object to it; yet I do not like to consent to its passage in this way without more information upon the subject.

Mr. DINGLEY. I was about to suggest that it has come within my knowledge that not long ago, at one of these branch homes, an appointment of an assistant surgeon had been made from civil life, when there was an application from another gentleman amply qualified, who had served in the war as a surgeon, and who was a physician of skill and experience. And a gentleman from civil life has been appointed.

Mr. MARSH. To what home?

Mr. DINGLEY. I think these places should be reserved, as long as there are men suitable to fill them, for those who saw service; and for this reason I am opposed to amending the law in the direction proposed.

Mr. SICKLES. I think so, too.

Mr. WILLIAM A. STONE. I will say also if the gentleman from Illinois [Mr. BLACK] will allow me, that in my district, where one of these homes is situated, there are many physicians capable for this place, who would be glad to get it, and who were soldiers in the war, who are abundantly qualified, physically and mentally, to perform the duties of the position.

Mr. LIVINGSTON. Have you not confidence in your board of managers?

Mr. WILLIAM A. STONE. Oh, certainly; but their judgment may err, although we have great confidence in it.

Mr. LIVINGSTON. So may yours or mine.

Mr. WILLIAM A. STONE. I do not doubt that, but I do not think this ought to be passed by unanimous consent. If the gentleman from Illinois [Mr. BLACK] will consent to amend it, so as to limit these appointments to soldiers, I do not think there will be any objection to it.

Mr. BLACK of Illinois. I would rather not amend it. I would rather withdraw it temporarily, if the gentleman insists upon making an objection.

Mr. WILLIAM A. STONE. I should have to object to its passage in its present form.

Mr. BLACK of Illinois. Because the proposed change, in the judgment of the board, is the only one that will cure the trouble under which we labor, of obtaining efficient medical service.

Now, let me state to the gentleman that this whole body of men, presumably, are disabled; and the surgeons who attend upon them ought to be men in the very front rank of their profession, and young enough to be up in all that is modern; and if you find such a man who was in the service of the United States during the war of the rebellion, the chances are that he is too well established in his local practice to change from an established residence of thirty years to take an appointment with what we could offer him, a very small amount. That is our experience; and our experience is that in order to meet the requirements of the law as it stands now, we are greatly embarrassed in obtaining the best medical service.

Mr. WILLIAM A. STONE. In all probability there is much consideration due to what the gentleman has said, but as I say, with my knowledge of the physicians who were soldiers in the war, some of whom would be very glad to have this appointment,

and who are abundantly capable, I would not like to consent to the passage of this resolution.

Mr. CANNON of Illinois. What is the compensation they get?

Mr. BLACK of Illinois. The compensation varies. The highest is about \$2,750.

Mr. CANNON of Illinois. And that includes quarters also?

Mr. BLACK of Illinois. In addition to that, generally, quarters are furnished.

Mr. CANNON of Illinois. From \$2,750 down to what minimum?

Mr. BLACK of Illinois. About \$1,000. About \$1,700 is paid to the assistant surgeons.

Mr. CANNON of Illinois. The average is probably \$2,000?

Mr. BLACK of Illinois. Not far from that.

Mr. CANNON of Illinois. And quarters?

Mr. BLACK of Illinois. Yes.

Mr. CANNON of Illinois. I want to say to my friend that I think I know enough men who were surgeons in the late war who reside in Illinois and who are perfectly competent to fill every place in each one of these homes, four times over, who would be glad to have the \$2,000 and quarters.

Mr. WILLIAM A. STONE. Yes.

Mr. BLACK of Illinois. Well, Mr. Speaker, the bill was meant for the best interests of the members of these homes, the disabled soldiers in the homes. I did not intend it to be the occasion for any mere talk that should give an advantage to any gentleman on the floor.

Mr. CANNON of Illinois. I do not desire to make mere talk. It was in the best of faith that I made the statement. Two thousand dollars a year and quarters, net cash in hand—

Mr. SICKLES. Spot cash.

Mr. CANNON of Illinois (continuing). I undertake to say, is far more than the average good surgeon throughout the country gets. It is better than a \$3,500 practice.

Mr. SICKLES. It is spot cash. A man does not have to collect his bills.

Mr. BLACK of Illinois. I have no doubt that the State of Illinois can furnish a full equipment for the Federal Government. We would agree to furnish at contract figures every officer of every grade and kind.

Mr. SICKLES. Including the President. [Laughter.]

Mr. BLACK of Illinois (continuing). But these homes are, unfortunately, scattered throughout States not as opulent as we are. None of these homes are located in the State of Illinois, so that the gentleman's offer to assist us from the limits of his district does not relieve the situation. The amendment proposed is the only one that will really give us the best, active, efficient, young, and able men. I submit that a man who thirty years ago was in the service of the United States, an officer or surgeon, fitted for the discharge of his duties, is not a man to turn out now in the night to attend to the wants of a camp of invalids.

We have not found that it was practicable to obtain the quality of service we need. Up to this time, except when we have contracted for the employment of civilians, we have done so under the strict letter of the law, and the consequence is that the good surgeons we have had are tottering down, in the course of events and under the weight of years, to the end. They need attendance themselves rather than being able to give it, and the reason has ceased to exist why these hospitals should be limited to the services of men who were in the war. Disabilities prey upon the mind and body as time passes, and we can not get good efficient medical service under the terms of the existing statutes.

Mr. DINGLEY. Would not the gentleman consent to amend the statute as he states it by striking out the word "disabled" and leaving it to read simply "soldier?"

Mr. BLACK of Illinois. We will still have in force the general statute, which gives these men the preference in regard to such matters. The repeal of the limitation is all we propose.

Mr. DINGLEY. I think that would not be the effect if the special bill proposed by the gentleman should be passed, as this would be the last enactment.

Mr. BLACK of Illinois. This bill would remove the bar that now exists in the statute it seeks to amend. The proposed amendment does not pretend to repeal the general statute, giving the preference to the employment of Federal soldiers as officials, and with a board of ex-soldiers and officers there is no danger of the Federal soldier being discriminated against in the matter of appointments. But we need now, when the average of these men in the homes is 59½ years, we need young men who can go to them; young men who may be their own sons, if you please, and these surgeons may themselves be inmates.

We want men who are proud of the service and record of the members in the homes, and who are thoroughly competent in



the discharge of their duty; who are trained in the latest discoveries of medical science, who are young, competent, practical, loving men; and this is the only way in which they can be obtained. In regard to the instance mentioned by the gentleman from Maine—I suppose it is the Togus Branch that you refer to?

Mr. DINGLEY. It is.

Mr. BLACK of Illinois. There it was a question of whether or not the better man under the existing law had to be turned down. We gave every weight that we possibly could to the service of the gentleman who was an applicant on the other side, but when we used all the weight, and put it in for the man, the weight of evidence compelled us to seek the employment of the civilian, for the reason that he was the better surgeon, and we wanted to get the best that medical science could afford for the old veterans.

Mr. DINGLEY. Do I understand my friend from Illinois to say that after investigation the civilian applicant was found to be better qualified as a physician and surgeon than the soldier applicant?

Mr. BLACK of Illinois. That was our best judgment.

Mr. DINGLEY. I never heard that suggestion made before. It was not made by the member of the board who had the matter in charge.

Mr. PICKLER. May I ask the gentleman a question?

Mr. BLACK of Illinois. Certainly.

Mr. PICKLER. Do I understand that this is a proposition to amend the law that the surgeon soldier would be preferred to the civilian, or only the disabled surgeon would be preferred?

Mr. BLACK of Illinois. We want so to amend the law as to give the best possible medical advice to the old soldiers. We believe that the fact that a man was disabled to a certain degree interferes with his usefulness as a surgeon, and we want to have the best.

Mr. PICKLER. But where he is equally competent what would be done?

Mr. BLACK of Illinois. Certainly we would give the preference to the soldier.

Mr. PICKLER. Whether disabled or not?

Mr. BLACK of Illinois. If he was the best qualified, if he was a soldier, but we would have to determine whether the qualification was affected by the disablement.

Mr. PICKLER. I would like to have this certain, that the soldier surgeon should be preferred, whether disabled or not, if he is equally well qualified with other applicants.

Mr. BLACK of Illinois. I would certainly have it so in every case.

Mr. PICKLER. Well, will this allow that?

Mr. BLACK of Illinois. Yes, sir.

Mr. SAYERS. I wish to ask the gentleman from Illinois whether the act of April 11, 1892, has any bearing upon the case:

Sec. 4829. The officers of the National Home shall consist of a governor, a deputy governor, a secretary, a treasurer, and such other officers as the managers may deem necessary.

Would the gentleman consider a medical officer as one of the "officers" of the National Home?

Mr. BLACK of Illinois. Yes, sir; we have always treated them so.

Mr. SAYERS. Very well, I will read the rest of this section:

They shall be appointed from honorably discharged soldiers who served as mentioned in the following section, and they may be appointed and removed, from time to time, as the interests of the institution may require, by the Board of Managers.

I suppose the gentleman is familiar with that statute?

Mr. BLACK of Illinois. Yes, sir; perfectly familiar.

Mr. MARSH. The legislation referred to by the gentleman from Texas is the legislation to which the amendment of my colleague applies, and in that legislation the word "disabled" is stricken out.

Mr. BLACK of Illinois. Yes, sir.

Mr. MARSH. And you are no longer required to appoint a disabled soldier, but simply an honorably discharged soldier.

Mr. DINGLEY. Then how did it happen that when an honorably discharged ex-surgeon in the Army applied for the position in the Home at Togus, in my State, he was turned down and a civilian appointed?

Mr. BLACK of Illinois. I have already furnished the information to the gentleman, but I will do so again. In the best judgment of the board the man who was selected was by all odds better qualified to perform the duties than the man whose application was rejected.

Mr. DINGLEY. Then was not the law which gives the preference to an ex-soldier violated by the managers in making that appointment?

Mr. BLACK of Illinois. No. The law was not intentionally violated, because the appointment, when attention was called to

it, was revoked, and a cure given, as far as it could be given, to the action previously taken, and the employment made under contract.

Mr. DINGLEY. That is, you evaded the law?

Mr. BLACK of Illinois. Well, I will not parley with the gentleman about that. I state the facts.

Mr. DINGLEY. Now, as the gentleman has reflected on the soldier applicant—

Mr. BLACK of Illinois. I have not reflected on the soldier applicant.

Mr. DINGLEY (continuing). I wish to state that the applicant was an ex-army surgeon and a physician of the highest excellence, and the suggestion that he was not as well qualified as any other applicant, in my judgment and in the judgment of physicians in my State, is not consistent with the fact.

Mr. BLACK of Illinois. Well, the gentleman's judgment—he will allow me to say so without disparaging him at all—is not the judgment that must control. He must accord to the gentlemen who stood there representing the home the same enlightenment, the same patriotic desire, and the same regard for the rights of the men that he claims for himself; and we, having the duty thrown upon us, decided that the physician chosen was the one most competent to discharge the duties of the office.

Mr. DINGLEY. Was there any investigation as to the qualifications of the soldier applicant?

Mr. BLACK of Illinois. Certainly there was.

Mr. MARSH. I understood my colleague in his opening remarks to say that under the existing law the board are required, in making appointments of these surgeons, to appoint discharged soldiers who were disabled.

Mr. BLACK of Illinois. That was the provision.

Mr. MARSH. I understood him to say that that was the restriction under which they were laboring and which his amendment was intended to remedy.

Mr. BLACK of Illinois. Yes, sir.

Mr. MARSH. Now, it appears that by the section to which my colleague's amendment is offered they were required to select disabled soldiers, but the gentleman from Texas [Mr. SAYERS] has called attention to the fact that that provision of the law which my colleague was complaining of, that restriction which my colleague was complaining of, was repealed years ago, and that, under the existing law, neither he nor his board is confined to selecting from disabled soldiers, but that they are only required to make their selection from honorably discharged soldiers. I submit, therefore, to my colleague, that inasmuch as he was mistaken when he took the floor here as to the existing law, and inasmuch as that restriction has heretofore been removed, he had better leave this thing as the law now leaves it, requiring the board to appoint these surgeons from honorably discharged surgeons or soldiers of the Army.

Mr. BLACK of Illinois. I can not accept the gentleman's suggestion. I ask the amendment of an existing statute.

Mr. MARSH. I made the suggestion because I supposed my colleague had been misinformed as to the existing law.

Mr. WILLIAM A. STONE. Mr. Speaker, I object to the further consideration of this bill unless it is modified in accordance with the suggestion that has been made here. If he will put in "other soldiers" that will meet the objection.

Mr. MARSH. But that is the law now.

The SPEAKER. Objection is made. The gentleman from Illinois [Mr. MARSH] is not in order.

Mr. WILLIAM A. STONE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILLIAM A. STONE. I rise for the purpose of withdrawing my objection to this bill. The gentleman from Illinois is willing to amend it in accordance with the suggestion that has been made here, and if it is so amended I think there will be no objection to it.

Mr. CANNON and Mr. DINGLEY. That is the law now.

Mr. LACEY. I renew the objection.

Mr. KILGORE. Mr. Speaker, I withdraw the objection which I made awhile ago to the consideration of the bill called up by the gentleman from Oklahoma [Mr. FLYNN].

#### SCHOOL LANDS IN OKLAHOMA.

The SPEAKER. The title of the bill will be read.

The Clerk read as follows:

A bill (H. R. 5065) to ratify the reservation of certain lands made for the benefit of Oklahoma Territory, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the reservation for university, agricultural college, and normal school purposes, of section 13 in each township, of the lands known as the Cherokee Outlet, the Tonkawa Indian Reservation, and the Pawnee Indian Reservation, in the Territory of Oklahoma, not otherwise reserved or disposed of, and the reservation for public buildings of section 33 in each township of said lands, not otherwise disposed of, made by the President of the United States in his proclamation of August 19, 1893, be,



and the same are hereby, ratified, and the governor of said Territory is hereby authorized to lease the same for a period not exceeding three years, under regulations to be prescribed by the Secretary of the Interior, for the respective purposes for which the said reservations were made: *Provided*, That at the expiration of any lease of said lands the same may be released for another period of three years.

The SPEAKER. The gentleman from Texas [Mr. KILGORE] objected to the present consideration of this bill, but withdraws his objection. Is there further objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time; and passed.

On motion of Mr. PICKLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### MARGARET ENGLISH.

Mr. TRACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Margaret English, widow of William English, late of Company A, Ninety-fifth New York Infantry Volunteers, and to pay her a pension at the rate of \$12 a month.

Amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all after the word "pension," in line 7, and insert in lieu thereof the words "subject to the provisions and limitations of the act approved June 27, 1890."

After the name "William English" insert "alias William Quinn."

Mr. STALLINGS. Mr. Speaker, has this bill been considered by the Committee of the Whole at a Friday evening session?

Mr. TRACEY. No, Mr. Speaker, it has not. It has, however, been favorably reported by the Committee on Invalid Pensions.

Mr. STALLINGS. Then I must object to its consideration.

#### ORDER OF BUSINESS.

The SPEAKER. Objection is made, and the Clerk will call the committees for reports.

#### BRIDGE ACROSS THE CALUMET RIVER.

Mr. GEARY, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation an act (S. 1424) to amend section 8 of an act to authorize the construction of a bridge across the Calumet River, approved March 3, 1893; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE AT CLIFTON, TENN.

Mr. GEARY also, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation a bill (H. R. 5041) extending the time authorizing the St. Louis and Birmingham Railroad Company to build a bridge across the Tennessee River at Clifton, Tenn.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### SECTION 434, TITLE 52, OF THE REVISED STATUTES.

Mr. MALLORY, from the Committee on Interstate and Foreign Commerce, reported back a bill (H. R. 4475) to amend section 434 of title 52 of the Revised Statutes of the United States.

The SPEAKER. Does this bill involve any charge on the Treasury?

Mr. MALLORY. No, sir.

The bill was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### SEAMEN OF STEAMER AMSTERDAM.

Mr. MALLORY also, from the Committee on Interstate and Foreign Commerce, reported with a favorable recommendation a bill (H. R. 6309) for the relief of the dependent relatives of the seamen of the Netherlands steamer Amsterdam, who lost their lives in the effort to save the crew of the American schooner Maggie Wells, and also for the relief of the sole survivor of the rescuing party; which was referred to the Union Calendar, and, with the accompanying report, ordered to be printed.

#### LIFE-SAVING STATION, EAST MARION, LONG ISLAND, N. Y.

Mr. CARUTH, from the Committee on Interstate and Foreign Commerce, reported back with amendment the bill (H. R. 387) to authorize the construction of a life-saving station at or near East Marion, Long Island, N. Y., and making an appropriation therefor; which was referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

#### MEDALS FROM THE SPANISH GOVERNMENT.

Mr. MONEY, from the Committee on Foreign Affairs, reported back with amendment the bill (H. R. 5525) authorizing John E. Johnson and others to accept medals of honor and di-

plomas from the Government of Spain; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### MARITIME CANAL COMPANY OF NICARAGUA.

Mr. MCCREARY of Kentucky. Mr. Speaker, the bill (H. R. 6058) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, was referred to the Committee on Foreign Affairs. I am directed by that committee to report it back and ask that it be referred to the Committee on Interstate and Foreign Commerce, as that committee has before it several similar bills.

The SPEAKER. In the absence of objection, the reference will be changed, and the bill referred to the Committee on Interstate and Foreign Commerce.

There was no objection.

#### INTERNATIONAL GEODETIC ASSOCIATION.

Mr. DINSMORE, from the Committee on Foreign Affairs, reported back favorably the joint resolution (H. Res. 126) authorizing the President to appoint delegates to attend the meetings of the International Geodetic Association; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### ASSISTANT CLERK FOR COMMERCE COMMITTEE.

Mr. PAYNTER. By direction of the Committee on Accounts I submit a privileged report.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
September 22, 1893.

Mr. WISE submitted the following; which was referred to the Committee on Accounts:

*Resolved*, That an assistant clerk be allowed to the Committee on Interstate and Foreign Commerce during the present and regular sessions of the Fifty-third Congress, at a compensation of \$6 per day, to be paid out of the contingent fund of the House.

The amendment reported by the Committee was read, as follows:

Amend by striking out, after the word "during," the words as follows: "the present and;" and by striking out the words "\$6 per day" and inserting in lieu thereof "\$100 per month from time employed."

The SPEAKER. The report will be read.

The Clerk read as follows:

Mr. RUSK, from the Committee on Accounts, submits the following report:

"The Committee on Accounts to whom was referred the accompanying resolution, having considered the same, respectfully report that it appears from the statement submitted to them, that the Committee on Interstate and Foreign Commerce is constantly engaged in the consideration of important matters, involving a great deal of clerical work, and that the services of an extra clerk are necessary. They therefore recommend the passage of the accompanying resolution."

Mr. PAYNTER. Mr. Chairman, the gentleman from Maryland [Mr. RUSK] at a meeting of the committee at which I was not present, was instructed to make this report, which I submit at his request. I yield to the gentleman from Virginia [Mr. WISE], the chairman of the Committee on Interstate and Foreign Commerce, that he may explain to the House the necessity for the employment of this additional clerk.

Mr. WISE. Mr. Speaker, I do not wish to detain the House, as I made a statement of this matter the other day. The resolution now reported was offered by authority of our committee. We think this additional clerk necessary. An additional clerk has been granted to every other committee that has made such a request. The Committee on Accounts has reported this resolution unanimously; and as it proposes only to give our committee an additional clerk during the session at a compensation of \$100 a month, I hope there will be no objection to it.

The SPEAKER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The question recurring on agreeing to the resolution as amended, there were, on a division—ayes 45, noes 25.

Mr. MONTGOMERY. No quorum.

The SPEAKER. The Chair will appoint tellers.

Mr. PAYNTER. I ask leave to withdraw the resolution.

The SPEAKER. Without objection that will be done.

There was no objection.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. SAYERS. I move that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. LESTER in the chair, and resumed the consideration of the bill (H. R. 5375) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes.



The pending paragraph was the following:

That all disbursing officers of the National Home for Disabled Volunteer Soldiers shall, before entering upon their duties, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive. They shall render their accounts monthly, direct to such bureau of the War Department as the Secretary of War may designate, and, after examination there, the fiscal accounts shall be passed to the proper accounting officer of the Treasury for settlement.

The CHAIRMAN. Against the paragraph now pending a point of order was made by the gentleman from Illinois [Mr. BLACK].

Mr. SAYERS. I have understood it is the desire of the Illinois delegation to be absent from the House for an hour and a half or more.

Mr. CANNON of Illinois. I think we can get back by half past 2.

Mr. SAYERS. Very well; then I will ask the committee to pass over this and another clause until the Illinois delegation can return. I understand from the gentleman from Illinois [Mr. BLACK] that he has no objection to the other portions of the bill.

Mr. CANNON of Illinois. I presume it would be a proper course to pass over these paragraphs; but it need not be done on my account. I presume, however, that my colleague [Mr. BLACK], who makes the point of order, desires to go where the rest of the delegation are going.

Mr. SICKLES. Let us dispose of the point of order now.

Mr. WILLIAM A. STONE. There are several objections to these matters—to all of them, in fact.

The CHAIRMAN. The Chair is prepared to rule on the question of order unless some gentleman desires to debate it.

Mr. BLACK of Illinois. I am ready to accept the ruling of the Chair.

Mr. DOCKERY. I suggest that if the Chair is ready to rule, the question be now ruled upon.

Mr. COGSWELL. I would like to be heard on the point.

Mr. SAYERS. I desire to call the attention of the Chair very briefly to the clause to which this point of order applies. It begins at line 17, page 83. The first provision of the clause is—

That all disbursing officers of the National Home for Disabled Volunteer Soldiers shall, before entering upon their duties, give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for all public moneys and property which they may receive.

Then we find this further provision:

They shall render their accounts monthly, direct to such Bureau of the War Department as the Secretary of War may designate, and, after examination there, the fiscal accounts shall be passed to the proper accounting officer of the Treasury for settlement.

Now, it seems to me as well as to the other members of the subcommittee who prepared this clause, that it was entirely competent for the committee to provide a mode in which the appropriation should be expended.

Mr. SICKLES. I agree with the honorable chairman of the Committee on Appropriations that it is entirely competent for the committee to report a clause of this character under ordinary circumstances; but existing law has provided for this same subject-matter; has provided the manner in which these accounts shall be rendered; and the provision reported by the committee proposes to change existing law in that regard. Therefore this clause is subject to the inhibition of Rule XXI, which prohibits any new legislation in an appropriation bill unless the object of such new legislation is to limit or reduce the amount of money appropriated. In other words, the manner in which the disbursing officers shall render their accounts is covered by existing law. Those accounts are rendered in the first place to the Board of Managers, are audited by an officer of that board, and then transmitted to the Secretary of War, and by him transmitted to the auditing officers of the Treasury. There is careful and ample provision, therefore, by existing law with reference to these accounts.

Now, the question is whether the administration of this home in this respect shall be changed by Congress. You will bear in mind that the principle of that administration is this: This board is the creation of Congress; the managers are appointed by Congress; the board has never been made subject to the jurisdiction of any bureau of the War Department; and I for one am not willing to see this home placed under any bureau of that Department, high as is my confidence in its officers. The inmates of this home are old soldiers. They are now under the care of men who served with them—men whom they know. But if you place them under the jurisdiction of the Inspector-General's Office of the War Department, which does not, perhaps, contain to-day a single soldier who served in the war, you change entirely the character of the administration of the home. I am unwilling to see that brought about; and if contemplated by this House, it should be done with careful consideration, upon proper

debate, and with full deliberation; it should not be done incidentally by the introduction of new legislation upon an appropriation bill.

Mr. CANNON of Illinois. Will the gentleman allow me?

Mr. SICKLES. Certainly.

Mr. CANNON of Illinois. I agree with the gentleman in his statement as to what it is not desirable to do; but having read these provisions, I wish to say that in my judgment they will if adopted interfere in no way with the full government of the home by the board as it has heretofore been governed.

Mr. SICKLES. It might.

Mr. CANNON of Illinois. Certainly there was no intention, as I believe, to do so—

Mr. SICKLES. I am sure there was not.

Mr. CANNON of Illinois. And the bill does not do so.

What I aim to say is that I think my friend has not studied the provision closely.

Mr. SICKLES. There are two of them. They should be considered *in pari materia*. I refer to the clause which I marked there, and the second clause, as follows:

That the Board of Managers shall make an annual report of the condition of the National Home for Disabled Volunteer Soldiers to the Secretary of War, to be submitted by him with his annual report to Congress at the commencement of each regular session thereof, and all laws or parts of laws that require the Board to audit and examine or authenticate the accounts of the treasurer and visit the home quarterly are hereby repealed.

Now, the effect of that will be to substitute for the inspection of this Board of Managers, who know these men and know their weaknesses as well as their virtues, an inspection by the Inspector-General's Department, who know nothing about them; and I do not want to see that done. There are two clauses, and they are to be judged together.

Mr. CANNON of Illinois. Precisely. And right at that point, because the gentleman wants to get at the effect of the clauses, and so do I—

Mr. SICKLES. Yes.

Mr. CANNON of Illinois. I do not understand that the making of the report through the Secretary of War does anything more than to get the documents and reports all together.

Mr. SICKLES. That is done now.

Mr. CANNON of Illinois. No; they make a separate report. Second. I do not understand that they are prevented from making visitations at the homes. On the contrary, complaint has been made from time to time that they were compelled to visit the homes quarterly, and the object of the proposed legislation was, or is, that they shall not be compelled to visit the homes quarterly, but may visit them according to the exigencies of the service, when they choose, whenever it is needed. Third. Nowhere do I find any provision, as proposed, that requires any examination or inspection, further than the examination of accounts, which seems to me very apt, by an officer of the Inspector-General's Department.

Mr. SICKLES. Now, they are inspected carefully, so far as auditing is concerned, at the Treasury, with a view to economy.

Mr. CANNON of Illinois. In my judgment, having in former years been largely charged with the making of this bill, and having now some knowledge of it, in my judgment it does not in the slightest degree anywhere interfere with the plenary control of the homes, as under existing law, by the board. It does compel, however, the giving of a bond to the United States by the treasurers of the homes.

Mr. SICKLES. A bond is now given.

Mr. CANNON of Illinois. Certainly a bond is now given, but it goes to the corporation; and it was thought best, in view of the apprehended errors—because there have been errors in the administration of this home that led to years of litigation—

Mr. SICKLES. In one instance, in the case of Gen. Butler.

Mr. CANNON of Illinois. After he ceased to be the governor, and in my judgment a litigation not successful against Gen. Butler, but growing out of the faulty law. Now, without interfering with the home in the slightest, it was sought to make these officers accountable to the United States, I mean the treasurers, the disbursing officers, and to let their accounts be settled by the Treasury Department, precisely as all other accounts are settled.

Mr. SICKLES. They are settled by the Treasury precisely as all other accounts are settled, and as to the bond no question has ever been made as to the legality of a bond given heretofore.

Mr. CANNON of Illinois. While there is a settlement by the Treasury Department—

The CHAIRMAN. The Chair will call the attention of gentlemen to the fact that the question before the House is the point of order.

Mr. WILLIAM A. STONE. Mr. Chairman, I should like to be heard on the point of order.

Mr. SICKLES. I have not concluded my observations on the point of order.



The CHAIRMAN. The point of order is the question under consideration.

Mr. SICKLES. I yielded to my friend from Illinois, out of courtesy, for his explanation.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. SICKLES. I simply desire to call the attention of the Chair to clause 2 of Rule XXI.

Mr. COGSWELL. Mr. Chairman, I desire to be heard on the point of order. Although there has been some debate on the merits of this amendment, this is too important a matter, whether we discuss the point of order or the merits, to have it done in the colloquial style that has been indulged in so far this morning. The point is an important one, and the merits of the amendment are important, and there has been a deal of misunderstanding about them, so that I think the House owes it to itself to give its attention briefly to the committee, who claim to be as friendly to this institution as anybody in the House, and who have heard both sides and all sides before a determination was had. But I will confine myself, under the direction of the Chair, to a brief statement upon this point of order.

The clause provides that the disbursing officers of these soldiers' homes shall give bond to the United States Government, which gives them the money to disburse, instead of to the managers of the soldiers' homes, who give them no money to disburse. The point of order to that is that it changes existing law. The committee claim that it is in compliance with the existing law. Now, I sustain my position in this way:

The act of March 3, 1887, which is existing law, provides that all expenditures of these homes, including the expenses of the Board of Managers, shall be made subject to the general laws governing the disbursement of public money. That is your existing law to-day, that the officers of these homes, in the expenditures of the money we appropriate shall be governed by and subject to all general laws in regard to the disbursement of public moneys. Now, what is the general law? The existing law, section 3614 of the Revised Statutes, says:

Whenever it becomes necessary for the head of any Department or office to employ special agents—

Now, these treasurers of the homes are the special disbursing officers of this money—

Whenever it becomes necessary—

Says existing law—

to employ special agents, other than the officers of the Army and Navy, who may be charged with the disbursements of public moneys—

And these are the treasurers of your homes—

such agents, before entering upon duty, shall give a bond in such form and with such security as the head of the Department or officer employing them may approve.

Mr. SICKLES. Will my friend allow me to ask him a question?

Mr. COGSWELL. Yes.

Mr. SICKLES. Are these managers of the homes employed by the War Department?

Mr. COGSWELL. Certainly not. I am talking about the treasurers, who are the agents of the Government in disbursing public moneys.

Mr. SICKLES. And that law applies to the employés of a Department. These managers of the homes are not employés of the War Department. They are appointed by Congress. The whole administration is governed by the law creating them.

Mr. COGSWELL. The law says—

Whenever it becomes necessary for any Department to employ special agents, other than officers of the Army and Navy—

Mr. SICKLES. They are not employed by the War Department.

Mr. COGSWELL. They are used and paid by the General Government to disburse some three millions of the people's money annually, and the law says that in such case they shall give bonds.

Mr. SICKLES. Then, if the law so provides, you do not want any more legislation.

Mr. COGSWELL. This legislation is necessary, because it has not been complied with heretofore; and like a good many other laws, needs to be enforced, or to have attention called to them, especially when you are appropriating public moneys. It is more in the nature of a notice of a requirement that they shall comply with existing law.

Now, there is another provision as to monthly accounting. That also is in the line of compliance with existing law.

Section 3622 provides—

That every officer and agent of the United States who receives public money—

And I suppose that no one will deny that these treasurers receive public money—

That whoever receives public money which he is not authorized to retain as salary, pay, or emoluments, shall render his account monthly.

The CHAIRMAN. Will the gentleman inform the Chair what section he refers to?

Mr. COGSWELL. Section 3622 of the Revised Statutes.

Mr. SAYERS. If the gentleman from Massachusetts will allow me, I understand that the Illinois delegation are very anxious to leave the House for the purpose of attending the funeral of the wife of one of their colleagues. If the gentleman will permit, I will ask unanimous consent to pass over the two clauses to which objection is made, until they return.

Mr. COGSWELL. As soon as I conclude, which will be in a minute.

Mr. SAYERS. Very well.

Mr. COGSWELL. That section and citation which I have given the Chair requires a public disbursing officer to render accounts monthly. There is nothing obnoxious to existing law in this clause which requires these accounts to be made monthly.

And such accounts, with the vouchers necessary to a correct and prompt settlement, shall be sent by mail or otherwise to the bureau to which they properly belong.

And this legislation is not only, as I claim, in conformity with existing law, but also expedites the settlement of these claims within thirty days, instead of ninety days. Is that very unfair to the soldiers and the soldiers' homes?

The CHAIRMAN. Will the gentleman from Massachusetts allow the Chair to make a suggestion? You claim that this is not in violation of existing law, because the law already provides that these officers shall make monthly settlements?

Mr. COGSWELL. Yes.

The CHAIRMAN. As this bill provides that, and nothing more, is not the law sufficient as it is?

Mr. COGSWELL. That does not make it obnoxious to the point of order.

The CHAIRMAN. Precisely; but this not only requires them to make a settlement monthly, which this general law does, but it requires them to make it to a particular place, under a particular law, to the War Department, and to such bureau of the War Department as the Secretary may designate.

Mr. COGSWELL. Ah; but the existing law requires that all these accounts shall be rendered to the War Department. These gentlemen are claiming that a great change in the law is being effected, and they have spread it pretty industriously throughout the country, in the newspapers, that their functions are being encroached upon. Why, under existing law, as the result of a Congressional investigation made some time in the seventies, this home was required to make up all its estimates and to render all of its accounts to the War Department, to which it now renders them, and there they are audited and sent over to the Treasury Department, and are audited twice there under existing law.

The CHAIRMAN. Is that the law of 1872?

Mr. COGSWELL. I think it is the law of 1872.

The CHAIRMAN. The gentleman will please suspend.

Mr. COGSWELL. It is the law of March 3, 1875.

The CHAIRMAN. The gentleman from Massachusetts will please suspend.

Mr. COGSWELL. Certainly; I am through.

Mr. SAYERS. Mr. Chairman, I desire the attention of the gentleman from Illinois for a moment. I understand the only objection that the gentleman from Illinois [Mr. BLACK] raises is as to the paragraph beginning on line 17, page 83, and ending at line 2, page 84.

Mr. BLACK of Illinois. That is one.

Mr. SAYERS. That is one. And then to the other paragraph, beginning with line 16, on page 84, and ending at line 2, page 85.

Mr. BLACK of Illinois. That is right.

Mr. SAYERS. The gentleman does not object to any other portion of the bill?

Mr. BLACK of Illinois. That is all, sir.

Mr. SAYERS. That is what I understood the gentleman to say. Now, Mr. Chairman, in order that the Representatives from Illinois may have an opportunity to be absent for an hour and a half or so, I ask unanimous consent that the portion of the bill to which I have referred be passed over.

Mr. BLACK of Illinois. I would like to have a ruling of the Chair.

Mr. SICKLES. Rule.

Mr. WILLIAM A. STONE. For what time do you want it passed over?

Mr. SAYERS. Until they have an opportunity to return.

The CHAIRMAN. The Chair would like to hear what gentlemen have to say on the point of order.

Mr. WILLIAM A. STONE (to Mr. SAYERS). There is no objection to that.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that these two paragraphs to which he has re-



ferred, that beginning on page 83 and a portion of 84 be passed over. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

State or Territorial homes: For continuing aid to State or Territorial homes for the support of disabled volunteer soldiers in conformity with the act approved August 27, 1888, \$575,000: *Provided*, That one-half of any sum or sums retained by State homes on account of pensions received from inmates shall be deducted from the aid herein provided for.

Mr. PICKLER. Is this in conformity with existing law?

Mr. SAYERS. It follows the appropriation bills of the last Congress.

The Clerk read as follows:

#### MISCELLANEOUS.

Defending suits in claims against the United States: For defraying the necessary expenses incurred in the examination of witnesses and procuring of evidence in the matter of claims against the United States and in defending suits in the Court of Claims, including the payment of such expenses as in the discretion of the Attorney-General shall be necessary for making proper defense for the United States in the matter of French spoliation claims, to be expended under the direction of the Attorney-General, \$25,000.

Mr. WILLIAM A. STONE. I would ask the gentleman from Texas if it is not understood that these matters of the Department of Justice were to be passed over?

Mr. SAYERS. When we come to the judiciary I will ask that it be passed over.

The Clerk read as follows:

Rent and incidental expenses, Territory of Alaska: For rent of offices for the marshal, district attorney, and commissioners; furniture, fuel, books, stationery, and other incidental expenses, \$1,000.

Mr. SAYERS. I have an amendment at this point, Mr. Chairman.

The Clerk read as follows:

On page 89, after line 8, insert the following:  
"For collecting and printing the decisions of the United States district court of Alaska, \$500."

The amendment was agreed to.

The Clerk read as follows:

Repairs to United States jails: For repairs to United States jails, \$5,000.

Mr. SAYERS. Another amendment, Mr. Chairman.

The Clerk read as follows:

On page 89, after line 21, insert the following:  
"That the act to repeal all statutes relating to supervisors of elections, special deputy marshals, and for other purposes, approved February 8, 1894, shall not be deemed to have repealed the appropriations contained in section 3689 of the Revised Statutes for fees of supervisors of elections so far as the same is necessary to pay all claims for services legally rendered prior to February 8, 1894, and said appropriation shall continue available for the purpose of paying all such claims accruing prior to February 8, 1894."

The amendment was agreed to.

Mr. SAYERS. Mr. Chairman, I am informed that the Committee on the Judiciary are preparing amendments to several of the paragraphs that follow in the items of appropriations for the support of the United States courts, United States marshals, commissioners, etc. I therefore ask unanimous consent that all from the bottom of page 89 to line 10 on page 94 be passed over.

Mr. BOWERS of California. For how long?

Mr. SAYERS. Until we go back to the parts of the bill that have been passed over and we reach these others again.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that that portion of the bill commencing with line 24, on page 89, to line 10, on page 94, be passed over. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

To enable the Public Printer to comply with the provisions of the law granting thirty days annual leave to the employés of the Government Printing Office, \$184,000, or so much thereof as may be necessary.

Mr. SAYERS. Mr. Chairman, I have an amendment.

The Clerk read as follows:

On page 98, after line 25, insert the following:  
"To enable the Public Printer, during the fiscal year ending June 30, 1895, to comply with the provisions of the joint resolution approved February 26, 1883, for the removal and storage of certain property of the Government mentioned therein, \$7,320."

The amendment was agreed to.

The reading of the bill was resumed and concluded.

Mr. SAYERS. I understand the gentleman from Georgia [Mr. BLACK] desires to ask some questions.

Mr. STOCKDALE. I desire to offer an amendment to that last section.

The Clerk read as follows:

All disbursing officers charged with disbursing money appropriated by this bill shall make an itemized account of expenditures to the Treasury Department.

Mr. SAYERS. I raise the point of order that they have to do that now under the law.

Mr. STOCKDALE. Mr. Chairman, I desire to see that amendment adopted. I do not understand that they all have to make these itemized accounts. This amendment applies to the whole

bill, and the Government loses money by putting money at the disposal of officers without requiring itemized accounts.

Mr. SAYERS. Mr. Chairman, I would state to the gentleman from Mississippi that the joint commission is engaged in framing bills to present to this House, and of which they will ask consideration, which will cover the whole subject, I understand.

Mr. STOCKDALE. Then I withdraw my amendment, on the statement of the gentleman from Texas.

Mr. BLACK of Georgia. Mr. Chairman, I move to strike out the last word.

I do not wish, of course, to indulge in any criticism upon the committee which has prepared this bill. I have no doubt that they have given the matter careful consideration; but I have been very much impressed ever since I have had any experience at all here with the fact that the expenditures in reference to this public printing were very extravagant and indefensible. It seems to me that it is quite important for us to observe a principle which holds a cardinal place in the platform of our party, not only that taxes should be confined to the revenues, but that the revenues should be necessary. And I can not escape the conclusion that there are hundreds of thousands of dollars uselessly expended in this matter of public printing that yields no good to anybody.

I notice a provision on page 98 of this bill appropriating \$180,000 to enable the Public Printer to grant leaves of absence to the employés of the Government Printing Office.

Mr. SAYERS. I will state to my friend that that is in accordance with existing law. Congress some years ago passed a law allowing leave of absence for thirty days to all employés of the Government Printing Office, and the Committee on Appropriations, under the rules of the House, are required to report appropriations in accordance with existing law. Further, I will say to the gentleman that if we did not make this appropriation everyone entitled to a leave of absence under the law could walk up to the Court of Claims, sue the Government, and get a judgment.

Mr. BLACK of Georgia. I am not indulging in any criticism on the committee. I understand there is such a statute with reference to the Printing Office. I desire to ask the gentleman, however, whether that same statute applies to other Departments of the Government? My information is that it is a matter of discretion with the heads of other Departments whether they will grant such leave or not.

Mr. SAYERS. The difference between the Government Printing Office and the Departments in that respect, as I understand it, is this: In the other Departments the law prescribes that the employés shall not have leave of absence exceeding thirty days in the year, whereas the law in relation to the Government Printing Office prescribes that the employés shall have thirty days leaves of absence in the year.

Mr. BLACK of Georgia. I wish to ask the gentleman another question, with his permission.

Mr. RICHARDSON of Tennessee. Before the gentleman asks his other question, will he yield to me to make a further reply to the one which has just been propounded?

Mr. BLACK of Georgia. With pleasure.

Mr. RICHARDSON of Tennessee. The difference between the leaves of absence granted to the employés of the Government Printing Office and the leaves granted to the employés in the Departments is that, in addition to the thirty days given to the employés in the Departments they have a sick leave of thirty days with full pay, a privilege which does not obtain in the Government Printing Office.

Mr. BLACK of Georgia. Do they have that sick leave whether they are sick or not?

Mr. RICHARDSON of Tennessee. If the employés in the Departments are sick they have an additional thirty days leave of absence with pay. That gives them sixty days leave in the year, provided thirty days of that absence is from sickness. They have thirty days' leave, and in addition to that the law allows the heads of the Departments to grant them thirty days additional on account of sickness, a privilege, I repeat, which is not allowed in the Government Printing Office.

Mr. BLACK of Georgia. With the permission of the gentleman from Texas [Mr. SAYERS], I will ask him another question. What inquiry, if any, was made by the committee as to the number of employés in the Government Printing Office?

Mr. SAYERS. A census of them has recently been taken and reported to Congress, showing who they are, what States and districts they are from, and all about them.

Mr. RICHARDSON of Tennessee. That was presented during the extraordinary session, in October or November I think, by the Joint Commission appointed to investigate the business methods of the Executive Departments.

Mr. BLACK of Georgia. Well, how many were there?



Mr. RICHARDSON of Tennessee. I can not state exactly. There were 2,700 without the piece hands, and there are about 500 to 700 piece hands, making in all from 3,200 to 3,400.

Mr. BLACK of Georgia. I have reason to believe, though I could not establish it by proof, that there are perhaps from 15 to 20 per cent more persons employed in that department than there ought to be, and it occurs to me that instead of the Government running the Government Printing Office, the Printing Office is running the Government.

Now, Mr. Chairman, I wish to call attention to another matter that may seem of less importance, but which I think not unworthy the attention of this committee. There is an item in this bill which authorizes an expenditure of \$85,000 for printing in the Agricultural Department. Of course I would not suggest an objection to any appropriation that would make that Department as efficient, as useful, and as helpful as it ought to be, but I hold in my hand a bulletin issued by the Agricultural Department known as "Bulletin No. 4, Division of Ornithology and Mammalogy" [laughter], and I want to call attention to the fact that in a letter of transmittal from the chief of division to the Secretary of Agriculture he says:

I have the honor to transmit herewith a report on the ground squirrels or spermophiles of the Mississippi Valley, for publication as Bulletin No. 4 of this division. Since it is intended as an economic bulletin, it is devoted chiefly to the food habits and distribution of the several species, technical matter being omitted.

[Here the hammer fell.]

On motion of Mr. SAYERS, Mr. BLACK of Georgia was allowed an indefinite extension of time.

Mr. BLACK of Georgia. Mr. Chairman, it would not perhaps be an easy matter to determine whether the statement that this is an "economic" bulletin is a typographical error or not. Certainly there is much in this pamphlet that might more properly characterize it as a gastronomic bulletin. [Laughter.] This document, you will understand, is issued at the public expense, for the benefit of the farmers of the country.

A MEMBER. What is the date of it?

Mr. BLACK of Georgia. August 17, 1893. Of course we are to presume that this work was done in the interest of the farmers, done to promote the great agricultural interests of the country, upon which, we learn as an elementary principle, all our other interests depend. This letter of transmittal states that the subject has not been treated technically—"technical matter being omitted"—yet the pamphlet starts out with this announcement to the farmers—the farmers, the plain men of the country—

The destructive animals that form the subject of the present bulletin belong to the genus *Spermophilus*, and are commonly known as spermophiles.

[Laughter.]

The name is derived from the Greek words *σπέρμα* seed, and *φιλεω*, to love, in allusion to the fact that seeds form a large proportion of the food of the various species.

Mr. STOCKDALE. Will the gentleman permit a suggestion?

Mr. BLACK of Georgia. I will, if it is in the interest of the farmer. [Laughter.]

Mr. STOCKDALE. It is.

Mr. BLACK of Georgia. Is it "technical?" [Renewed laughter.]

Mr. STOCKDALE. No, sir; it is perfectly plain. I know that the gentleman and the committee reporting this bill do not want to have it bear a sectional character; and, as we have no ground squirrels in our part of the country, I want to include gophers. [Laughter.]

Mr. RICHARDSON of Tennessee. "Go for" him. [Laughter.]

Mr. STOCKDALE. I do not want to have my part of the country misrepresented in that way. The gopher proper is not a ground squirrel at all. It is more like a terrapin.

Mr. BLACK of Georgia. Well, this mistake may grow out of the fact that the author of this bulletin has discarded everything technical; but I call your attention to the fact that he uses the words "gopher" and "ground squirrel" as synonymous. [Laughter.]

Mr. STOCKDALE. The gopher in my part of the country is not a ground squirrel, and I do not intend that he shall be confounded with the ground squirrel. [Laughter.]

Mr. KILGORE. Mr. Chairman, I believe I heard the gentleman from Mississippi state that the gopher is an animal. Now, he is wrong about that. The gopher is an iron plow.

Mr. BLACK of Georgia. Mr. Chairman, I wish to remind gentlemen that we are now calling the attention of the country to the spermophiles. [Laughter.]

Mr. KILGORE. Well, I do not know so much about them. [Laughter.]

Mr. BLACK of Georgia. This writer says further:

In the Old World the spermophiles are known as sousliks, while in America they are popularly called gophers or ground squirrels. The term "gopher," however, belongs properly to a very different group of animals,

to which it should be restricted, namely, the pocket gophers, which have external cheek pouches, and resemble the moles in living underground and throwing up little mounds along the courses of their subterranean tunnels.

Mr. STOCKDALE. Well, there is still another species of gopher which is like a terrapin, and is good to eat.

Mr. BLACK of Georgia. This writer says that these spermophiles are good to eat.

Mr. CUMMINGS. I want to say to the gentleman from Georgia that the gopher to which the gentleman from Mississippi [Mr. STOCKDALE] refers is a native of Florida, that it has a shell with a hinge in front; that it burrows in the ground, and that the darkies in Florida eat it, and consider it very fine eating.

Mr. RICHARDSON of Tennessee. The gentleman from Florida [Mr. MALLORY] probably eats it too. [Laughter.]

Mr. CUMMINGS. They are very dangerous little animals, because they make great holes in the ground in the palmetto scrub, and the cowboys frequently, in rounding up their cattle, ride their horses into those holes and break their legs.

Mr. BLACK of Georgia. Mr. Chairman, I am not disposed to limit the fund of information that is being distributed here to the country; but I must object to being interrupted too much while I am dealing with this official bulletin, issued from the Agricultural Department, issued at the public expense, issued for the benefit of the farmers, and which starts out with the announcement that therefore it discards everything technical. [Laughter.]

I read further from this bulletin:

"Ground squirrel" is a less objectionable name, because these animals really are ground squirrels; the term is, however, commonly applied to the chipmunks, belonging to the related genus *Tamias*; hence the name spermophile is here used in preference to either of the others.

Then this gentleman who is undertaking to promote the great agricultural interests of the country, without any display of technical knowledge, furnishes us an account of the several distinct species of the spermophiles.

Here is the "*Richardsoni spermophile*." [Laughter.]

Mr. STOCKDALE. That belongs in Tennessee, I suppose.

Mr. BLACK of Georgia. I do not know whether that refers to the chairman of the Committee on Printing or not. I am dealing somewhat with this question of public printing and what appears to me to be the utterly indefensible abuse of it, and the utterly indefensible expenditure of the public money in putting before the country such documents as these.

Now, here are five species of the spermophilus. Here is the *Spermophilus richardsoni*, Franklin's spermophile (*Spermophilus franklini*), the Striped spermophile (*Spermophilus tridecemlineatus*), and Kennicott's spermophile (*Spermophilus spilosoma obsoletus*). [Laughter.] I suppose that species is obsolete.

The fifth, the Mexican spermophile (*Spermophilus mexicanus*).

A MEMBER. KILGORE knows about that.

Mr. BLACK of Georgia. We read further in this very valuable bulletin:

The squirrels would be a most valuable adjunct to any cornfield after planting if some method could be devised to prevent them from taking the corn.

[Laughter.]

It appears, Mr. Chairman, that this very valuable fund of information has been collected by men who have been specially employed and sent through the country and who are known as special field agents; and the author of this work has furnished us with the information that the stomachs of many of these animals have been subjected to laboratory treatment. He says:

The stomachs of most of the specimens are preserved in alcohol.

Mark you, not in brandy—

Mr. CARUTH. Why not in whisky?

Mr. BLACK of Georgia. Not in whisky—not in anything but alcohol—

And each was labeled with a tag of parchment paper bearing a number in carbon ink.

The exact necessity for the carbon ink does not appear to me, though I am ready to confess my unfamiliarity with the subject of spermophiles.

These preserved stomachs, together with the accompanying schedules, were forwarded to the Department for critical examination. Each stomach was cut open, the contents spread out on a plate,—

Whether silver, or pewter, or tin, we are not told; I suppose that is not material; but they were spread out on a plate—and enough water added to wash out the fine sediment.

There is a slight digression in the treatment of this subject, for I find a chapter here on owls—"Archibuteo ferrugineus."

Mr. CARUTH. Say it again and say it slow. [Laughter.]

Mr. BLACK of Georgia. Now, here is a very interesting fact—interesting to the owls and the spermophiles, if not to the farmers of the country:

Ordinary owls and spermophiles do not meet, as each sleeps during the hours in which the other is active.

[Laughter.]



Now, I wish to say in defense of the author of this bulletin that he is not a theorist; he is not a doctrinaire; he is a practical man. Much of this information is derived from his practical experience and observation; for he says:

In order to satisfy myself that they were actually able to kill adult squirrels—

These are not infantile squirrels, they are adult squirrels—

I trapped several and placed them alive (they had been caught in a wire trap and were not at all injured) in a room with a pair of these owls. As soon as noticed by the latter, one of them would fasten his talons into the squirrel's back and, with a few well-directed strokes of its beak, break the vertebrae of the neck and eat the head of the squirrel, often before the latter was quite dead.

Miserable cannibals! They would not even wait for the death of the poor squirrel! [Laughter.]

Yet the remainder of the body was usually left and devoured later.

Further, we read:

No less than 16 of the 73 species and subspecies of hawks and owls found in the United States and British America are known to prey on the various members of the genus *Spermophilus*. The following species have been reported to feed on these animals, and more careful observations will undoubtedly increase the list.

To be continued in our next!

Now, before I read this list, remember the statement in the beginning of this bulletin, that it was issued without any intention to indulge in technicalities.

#### HAWKS.

*Circus hudsonius.*  
*Accipiter cooperi.*  
*Parabuteo u. harrisi.*  
*Buteo b. krideri.*  
*Buteo b. calurus.*  
*Buteo swainsoni.*  
*Archibuteo ferrugineus.*  
*Aquila chrysaetos.*  
*Haliaeetus leucocephalus.*  
*Falco mexicanus.*

#### OWLS.

*Strix pratincola.*  
*Bubo v. subarcticus.*  
*Nyctea nyctea.*  
*Surnia ulula caparoch.*  
*Speotyto c. hypogaea.*  
*Glaucidium g. californicum.*

[Laughter.]

Mr. JOHNSON of Indiana. Is the gentleman quite sure that his pronunciation of those names is not at fault.

Mr. BLACK of Georgia. Now, Mr. Chairman, we are further informed in this bulletin—

Doubtless a few of the smaller species are captured by skunks, though a greater part of the food of the skunk consists of smaller game—insects, and fruit. The long-tailed weasel (*Putorius longicauda*) is one of their most deadly enemies. It readily enters the burrows and kills the occupants without the slightest inconvenience. On the prairies of the Dakotas, Nebraska, and Wyoming they may frequently be seen running quickly from one hole to another, and as is usual with weasels, they probably kill far more than they can eat, merely for the pleasure of killing.

Mr. CARUTH. Horrible!

Mr. KILGORE. Will the gentleman allow me?

Mr. BLACK of Georgia. No, I do not believe I will. I do not want to be delayed in the making of this announcement which follows to the farmers of the country:

□ These weasels always seem to be rather scarce, else no spermophiles would remain alive.

There is no doubt that the larger snakes destroy great numbers, especially of the young, though definite information on the subject is scarce. I have frequently found large bull snakes (*Pituophis*) crawling in or out of their holes, and have found pocket gophers and other animals of the size of small spermophiles in the snakes.

Thus it may be seen that without the aid of man there are abundant provisions for regulating the abundance of these animals and preventing their too rapid increase. The great danger is that in some of his blind efforts to rearrange matters in a more satisfactory manner man will destroy his friends instead of his enemies.

Now, Mr. Chairman, we have given to us here the methods of destroying spermophiles. Among them is the use of firearms. Another one, though not a favorite, is fumigation; and I want to call attention to this fact as stated:

Various devices have been patented for destroying burrowing rodents, especially ground squirrels, by suffocation. This is accomplished by forcing the smoke of burning straw or sulphur into the burrows by means of "smokers" or fumigating machines, and the fumes soon overcome the inmates.

Now listen:

When the holes have more than one entrance it is necessary—

Not advisable, not desirable, but absolutely necessary—

to take the precaution to close all but one, to prevent the escape of the smoke.

[Laughter.]

The favorite method of destroying the spermophiles is the trap; but I want to call attention to the fact that in the use of the trap it "should be set at the mouth of the hole." [Laughter.]

Then here is another general observation, prompted no doubt by the same desire to promote the interest of the farmer that inspired this whole production:

Strychnine.—In general, the scattering of strychnine about promiscuously is to be avoided, on account of the danger to animals other than those for whom it was intended.

That is to say, when you adopt poisoning as a means of destroying the spermophiles you will remember this, gentlemen, that

you must not put the poison around promiscuously, where some other animal, innocent in its nature, might partake of it and be destroyed.

Now, here are a number of experiments, made, I presume, by these field agents, these explorers, these special agents of the Government, who are sent out at Government expense, and the result of whose work and observations we have before us to-day in this interesting bulletin. Here are a number of experiments made in the State of Texas. I read:

Another was allowed to go down its hole about 10 feet (3.04 meters). I poured in 49 cubic centimeters of bisulphide, and in five minutes the prairie dog was apparently dead, but caught in the hole, and I broke the string in trying to draw it out.

[Laughter.]

What material the string was made of, and whether it was furnished at public expense, we are not informed; perhaps that is a matter altogether too insignificant for our consideration when dealing with such a far-reaching, all-important, and essential question as the spermophiles!

Here is another experiment:

Caught a skunk by one foot in a steel trap.

[Laughter.]

Now, gentlemen, do not laugh too soon; just wait a while.

It had crawled down a hole the length of the trap chain—about 14 inches (355 millimeters). Eighty-three cubic centimeters of bisulphide was poured into the hole, and in five minutes the skunk was apparently dead, though its heart was still beating. It had not discharged its scent fluid.

I handled it freely, rolling it about on the ground, but it could not move. I put it back in the hole, and upon returning three hours later found that it had revived.

I suppose that the fatal defect in this performance was perhaps that this special field agent of the Government did not push the hole in on top of the animal. [Laughter.]

Canadian, Tex., August 28.—(8) Caught a little spotted skunk (*Spilogale*) in a trap; dug a hole 10 inches (250 millimeters) deep and drew the skunk along till it fell into the hole. After throwing some dry grass over the hole, 18 cubic centimeters (about a tablespoonful) of bisulphide was poured on it. In six minutes the skunk was dead and had not discharged its weapon of offense.

Now, Mr. Chairman, there is much more in this very interesting and useful book for the farmers of the country, but I will not now consume the time of the House in calling attention to it. I have no doubt that after this brief and very imperfect review, it will commend itself to the personal examination and inspection of every member of the House. I simply call attention to this, Mr. Chairman, for the purpose of illustrating what I conceive to be an indefensible and outrageous use of the money of the people. I withdraw the pro forma amendment.

Mr. COX. Who wrote this?

Mr. BLACK of Georgia. I have not the personal acquaintance of the gentleman, but I think it would be a great misfortune to the country not to have his name known wherever it can be.

Mr. REED. Do not put it in the RECORD, then!

Mr. BLACK of Georgia. This letter of transmittal was dated August 17, 1893, and is signed by Dr. C. Hart Merriam, chief of division, and the statement on the cover is that it was prepared under his direction by Vernon Bailey, chief field agent.

Mr. RICHARDSON of Tennessee. The gentleman speaks of a letter of transmittal. Does he mean a letter of transmittal to Congress?

Mr. BLACK of Georgia. No, sir; a letter of transmittal addressed to Hon. J. Sterling Morton, Secretary of Agriculture. It is, perhaps, due to this gentleman, and due to whoever may have preceded him in that office, if he had any predecessor, to say that it appears to be a continuation of at least a part of what has been going on in the Agricultural Department and is being put before the country at the public expense.

Mr. RICHARDSON of Tennessee. Mr. Chairman, the gentleman from Georgia [Mr. BLACK] has in his closing remarks removed in part the necessity for me to say anything. I had arisen to say I did not want the House and the country to suppose that the Committee on Printing, to which the gentleman referred, had had anything to do with the printing of this bulletin, or similar bulletins.

Another reason why I rise, Mr. Chairman, is to emphasize the importance of the bill known as the printing bill, which I had the honor to report to this House, and which passed this House some time ago, and which is now pending in the Senate and awaiting action there.

This bulletin, which has been referred to by the gentleman from Georgia [Mr. BLACK], was printed by the authority and under the discretion given to the Secretary of Agriculture. It is printed with the money appropriated in the annual appropriation bill for annual printing and under the discretion given to heads of Executive Departments to expend that money. All the Cabinet officers and some of the Bureau officers of the Gov-



ernment have authority and discretion to make publications and to use the money of the Government allowed them in these appropriation bills for that purpose.

Now, the reason why I say it emphasizes the importance of the bill to which I have referred, known as the printing bill, is that in that bill the committee has endeavored, as far as possible, to put a limit upon the discretion given to these departmental officers to do printing.

I will not take time to say what the limit is, but one of the chief limitations is that no edition of a special report by the head of a Department shall exceed one thousand copies. Of course, it is not possible for the committee, or for Congress, to pass upon each document or report before it is printed, but we do put a limit upon the number to be printed. One other matter and then I will conclude.

Mr. DINGLEY. I understand that the bulletin which has been referred to was published by the Department of Agriculture. Is that so?

Mr. RICHARDSON of Tennessee. It was published by the Department of Agriculture, under the discretion given to the Secretary of Agriculture.

Mr. DINGLEY. By authority conferred in the appropriation bill?

Mr. RICHARDSON of Tennessee. No; not by any authority expressly given under the appropriation bill for this particular publication, but the Secretary of Agriculture has discretion to expend the money in publishing anything that he sees fit to publish.

Mr. DINGLEY. The money was appropriated to be used, in the discretion of the Secretary of Agriculture, for the making of publications.

Mr. RICHARDSON of Tennessee. That is true. Now, one other matter. The gentleman from Georgia [Mr. BLACK] criticizes the Government Printing Office for the large number of employes there. I think it is well known that there are a larger number now in the Printing Office than ever heretofore, but the work has been greatly increasing, and that calls for an increase in numbers.

Again, as I stated in reply to a question of the gentleman from Georgia, some seven or eight hundred of these employes are piece hands, and they are only employed as there is work for them to do. It would not matter if there were double as many of these piece hands as there are. There would be no increase in expenditures, because they only work by the piece, and are only paid by the piece, and the simple effect would be to reduce the amount paid to each piece hand. It would not increase the expenses of the Government. I do not undertake to say that there are not too many there, but several hundred of them are there as piece hands.

Mr. MILLIKEN. And that expedites the work also.

Mr. STOCKDALE. Is it intended by this provision that the granting of leaves of absence for sickness shall be in the discretion of the Superintendent of Public Printing entirely as to the amount that he shall grant for sick leave in addition to the thirty days allowed by law?

Mr. RICHARDSON of Tennessee. The Public Printer has no authority to grant sick leave, or any compensation for sick leave. The leave he grants is not a sick leave, but an annual leave to all employes.

Mr. STOCKDALE. Do you propose to give it to him now?

Mr. RICHARDSON of Tennessee. Not at all. This does not touch that question. It simply makes the annual appropriation of \$180,000 to enable him to pay for the leave that is allowed by law; not for sickness, but simply the annual leave. They are required to take that leave, and this is to provide the necessary compensation. It does not extend or enlarge the law in any way. It simply appropriates the money to pay for the leave.

I believe that is all I want to say, except that inasmuch as the gentleman referred to the present Public Printer, or to the management of the Public Printing Office under him, I want to say that in my judgment the office is being properly and judiciously administered by the present incumbent. I only say this as a matter of justice to him, inasmuch as we differ politically.

#### MESSAGE FROM THE SENATE.

The committee rose informally; and Mr. O'NEIL having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. COX, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 4956) directing the coining of the silver bullion held in the Treasury, and for other purposes.

#### SUNDRY CIVIL APPROPRIATION BILL.

The Committee again resumed its session, Mr. LESTER in the Chair.

Mr. BOWERS of California. Mr. Chairman, I only wish to occupy three minutes, and for that purpose I move to strike out

the last word. What I wish to say is in answer to the gentleman from Georgia [Mr. BLACK], who has read from this bulletin of the Agricultural Department.

I do not know how it is in Georgia, whether they have many gophers there or not; but in the State of California, and all over the Pacific coast and in New Mexico and Arizona, one of the most important questions to the farmers is how they can exterminate the gophers. There is no question that means more dollars to all that country than that.

Let me call the gentleman's attention to another matter. A short time ago the orange trees all over the State of California and through that country became covered with black scales. All sorts of experiments were tried to destroy them.

One of these Government agents was sent to Australia; after being there a year or so, he sent over to this country a few little *cardinalis vedolia*, a little lady bug, an insect very little bigger than the head of a pin. They were colonized in California, and in the course of three or four years they have saved all the orchards of that State, worth millions upon millions of dollars. All the printing this Government can do for the next hundred years will not be worth so much. That one act of that one Government agent has been of more value than the Agricultural Department has cost since the foundation of this Government.

Again. Within a few years a scale attacked the olive trees. Thousands of acres had been planted in olive trees. It was and is a growing industry in that State. They have been attacked by another scale. One of the Department agents has recently, within two years, found in Australia another little bit of a bug and brought some of them to California. They have been introduced and colonized in the orchards there, and they are to-day saving the olive orchards of that State, and where an orchard was not worth five cents, the successful introduction of that little bug has made it worth \$10,000. This has been accomplished by the money you have expended on a special agent, or the expense of that Agricultural Department incurred in sending these special agents to Australia by that Department. These special field men have saved property worth more money and been of more value to the United States than the Agricultural Department will cost in the next hundred years.

I want to say to gentlemen there has been a great deal of fun made about this report, and I was reminded, Mr. Chairman, of a little circumstance I heard related. A traveling man was down in Tennessee in one of the outlying places having a good time, when he was introduced by a gentleman to one of the natives, who asked, "Stranger, where do you live?" "Why," said he, "I live in New York." "How far mought that be, stranger, from Mayville?" Mayville was the village in which he lived. The man said, "About 800 miles." "Good Lord," he says, "stranger, how lonesome you must be, so far away from Mayville!" [Laughter.] I often think when I hear people talk of their own localities that they ought to remember that the United States is a great big country. There are thousands of great interests that perhaps do not affect one State that do very seriously affect other States. And I want to say in justice to the Agricultural Department, and to these field agents, and to these experiments, that nothing is more important to-day than that some effectual way may be found to destroy the parasites which prey on the vegetation or fruit trees of at least ten States of this Union, and that some effectual and practical method may be found to destroy gophers.

Mr. SAYERS. Mr. Chairman, I now ask that we return to the Coast and Geodetic Survey on page 14.

The CHAIRMAN. The bill having been read through, the committee will now recur to those parts of the bill which were passed over. The Clerk will read that which was first passed over.

The paragraphs relating to the Coast and Geodetic Survey were read.

Mr. ENLOE. Mr. Chairman, I offer an amendment which I desire the Clerk to read.

The Clerk read as follows:

Strike out all after line 12, on page 14 of the bill, to the bottom of said page, and pages 15, 16, 17, 18, 19, 20, 21, 22, 23, and down to and including line 11 on page 24, and insert:

"On and after the 1st day of July, 1894, the Bureau in the Treasury Department known as the Coast and Geodetic Survey be, and the same is hereby, abolished, and all the duties now performed by the Coast and Geodetic Survey, relating to the survey of the coasts of the United States and adjacent islands, including the survey of rivers to the head of tide-water or ship navigation, with such topography as may be necessary thereto, and the preparation of charts and nautical publications therefrom, and all soundings, examinations of temperature, and of the deep-sea and tidal current observations be, and the same are hereby, transferred to the Department of the Navy, and the Secretaries of the Treasury and of the Navy shall cause to be transferred to the Department of the Navy all the vessels, buildings now owned or controlled by the United States and occupied by said Coast and Geodetic Survey, and such of the records, materials, and employes of the Coast and Geodetic Survey as may be necessary in order to carry out the purposes of this act.

"2. That all of the duties now performed by the Coast and Geodetic Survey relating to the Geodetic Survey are hereby transferred to the Depart-



ment of the Interior, and shall be performed by the United States Geological Survey attached to said Department, and such of the records and materials as belong to, or are used in, said work, together with such employees as may be necessary, shall be transferred to the Department of the Interior.

"3. The chief of the Hydrographic Office shall be an officer not below the grade of commander, and he shall be entitled to the highest pay of his grade."

Mr. SAYERS. Mr. Chairman, I raise a point of order upon the amendment, as it repeals existing law.

Mr. ENLOE. Mr. Chairman, it is only necessary in answer to that to reply that it reduces the amount of appropriations carried in this bill. It strikes out absolutely the appropriations for the maintenance of this Bureau and provides for the transfer of the Coast Survey work to the Navy Department and the geodetic work to the Geological Survey.

Mr. HOLMAN. Without any increase of appropriation.

Mr. ENLOE. Without any increase of appropriation.

Mr. STALLINGS. What was the appropriation last year?

Mr. HOLMAN. From \$400,000 to \$600,000.

Mr. SAYERS. I make the further point of order that it does not show a reduction of expenditures.

Mr. ENLOE. Mr. Chairman, the amendment shows on its face that it strikes out the appropriation. If it is necessary to put in the words, "the appropriation contained in this bill is hereby stricken out," I will add that amendment in order to meet the technical objection the gentleman makes.

Mr. CANNON of Illinois. Mr. Chairman, it seems to me that the objection is a substantial one. I think it would be in order to move to strike out the appropriation. I think it would be in order *in toto* or in part; but as I understand it, as I caught the amendment, the gentleman not only moves to strike out and proposes to reduce the appropriation, but he seeks to legislate—to transfer certain work to certain departments. Now, it does not appear that this legislation retrenches expenditures. Rule XXI prohibits, as I recollect it, any amendment upon an appropriation bill except such as reduces expenditures.

Now, if the gentleman can evade the rule by merely striking out the appropriation and then go on and legislate in a manner by which he reorganizes the whole service of the Government, then the rule amounts to nothing. So that it seems to me that the point of order should apply not only to the amendment as a whole, but to each section of the amendment. I do not know that I desire to say anything further, but I will state again what it seems to me can be stated in two sentences as perfectly as in an hour. That if this rule, or the exception, is satisfied by a mere decrease of appropriation, and then, after the appropriation is decreased, you could legislate, it not appearing that the legislation itself decreases the expenditures, why the rule amounts to nothing. The object of the rule is to prohibit legislation upon general appropriation bills, so that the granting of the money shall not drag through legislation as the price for the granting of the money. The House saw proper to make an exception, namely, that legislation might be had, providing it reduced expenditures.

The CHAIRMAN. The latter portion of the amendment might be in order, by reducing the amount of money covered by the bill.

Mr. ENLOE. That is the point.

Mr. CANNON of Illinois. Certainly. I think it is in order now to move to reduce the amount of money the bill carries. I have no doubt about that at all; but it is not in order to attach to that proposition the enactment of legislation which reorganizes the Departments of the Government, or that would give us an amended Revised Statutes. So that, if the gentleman incorporates in his amendment matters that are not in order with those that are in order, it seems to me that the whole amendment would fail. As this matter is just commencing, it seems to me that the point of order ought to run, and I will make it run, as a matter of safety, not only to the amendment as a whole, but to every paragraph of the amendment.

Mr. ENLOE. Now, Mr. Chairman, I desire to call the attention of the Chair to the provisions of the rule; and I think I can clearly demonstrate to the House that this amendment comes within the provisions of the rule. By an examination of Rule XXI, in that portion of it on page 22 of the Digest, this language will be found:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

Now, I insist, Mr. Chairman, in the first place, as to the subject-matter, the amendment, it is germane to the bill. It is legislation relating to the continuation of the work of the Coast and Geodetic Survey. There is a provision in the appropriation bill providing for the continuation of that work. Now, this amendment simply proposes, so far as that branch of it is concerned, to transfer jurisdiction of this Bureau from the Treasury

Department, where it is at present lodged, to the Navy Department and to the Interior Department. I will not go into the reason for the transfer now; but it is perfectly in line, so far as being germane is concerned, with the provisions already contained in the bill. Now, as to whether or not it is in order, on the ground that it reduces expenditures, it is perfectly manifest that we need not debate that at all, in view of the fact that it strikes out the entire appropriation contained in this bill.

Mr. LOUD. I would like to ask the gentleman, whether, if his amendment were adopted, it would not be necessary to make an appropriation to carry out the objects provided for in this bill?

Mr. ENLOE. I understand that it will become necessary to make an appropriation for that purpose.

Mr. LOUD. Can you determine at this moment whether the ultimate result of your amendment will not be to increase the appropriation?

Mr. ENLOE. Yes, sir; I can determine that without any sort of question.

Mr. LOUD. You can not determine what the House will do.

Mr. ENLOE. I know very well what the head of the Navy Department will do; I know very well the view taken of this matter by the heads of the Department. I have here a letter from the Secretary of the Treasury saying that this transfer ought to be made and that it would reduce expenditures and secure equally efficient service. I have here a letter from the Secretary of the Navy saying that the transfer ought to be made, that the work can be better done under the Navy Department, that it will be more homogeneous than it is now, and also that expenditures will be reduced.

Mr. LOUD. We shall have to make a specific appropriation for the work.

Mr. ENLOE. The Department officers will have to make an estimate and submit it to be embodied in the legislative, executive, and judicial appropriation bill, and it will come up in its proper order in that bill.

Mr. LOUD. But you can not determine in advance what the House will do.

Mr. ENLOE. I presume that it will follow the recommendations of the heads of the Departments. The House rarely goes beyond the recommendations of the Departments and usually makes a reduction from the estimates.

Mr. LOUD. You do not even know what those heads of Departments will recommend.

Mr. ENLOE. Yes; I know they will recommend a less amount than is contained in this bill for this Bureau. I know also that this amendment is in order, aside from that consideration, for the reason that it complies strictly with the language of the rule, having been drawn with the utmost care to bring it within the provisions of the rule. I drew this amendment, not exactly as it is, but substantially so, and sent it to the Secretary of the Treasury and the Secretary of the Navy, and they examined it, and returned it to me in the form in which I have offered it, which comes strictly within the rule, and enables us to secure this needed legislation.

Mr. HOOKER of Mississippi. I wish to say a word, Mr. Chairman, upon the amendment which has been offered in its relation to Rule XXI. The very object of that rule, I take it, was to prevent all legislation on appropriation bills that did not come clearly within the exceptions which the rule contains. The rule inhibits all legislation upon appropriation bills unless it come within the exceptions mentioned. The very object was to prevent new legislation on appropriation bills, and that object was a very proper one. If there is objection to the manner in which this Bureau is conducted and a desire to economize by transferring the duties which it now discharges to other Departments, then that ought to be done by a separate and independent bill. So radical a change as is proposed by the gentleman from Tennessee ought not to be effected by an amendment on an appropriation bill.

Mr. ENLOE. I insist that the gentleman is not discussing the point of order.

Mr. HOOKER of Mississippi. I am discussing the point of order expressly, because I am going on to demonstrate that the gentleman concedes that the duties now performed by this Bureau must, if his amendment be adopted, be performed by other Departments of the Government. What are the duties which this Bureau has performed? Sir, they are memorable in the history of the country, extending back to its original organization. Confining itself to the great coast line and to the geodetic survey of this country, that Bureau has done more for the advancement of the commerce of this country and the advancement of science than any other subdepartment of the Government.

Mr. ENLOE. Then, if the gentleman has such confidence in the merits of this Bureau, instead of trying to defeat this amend-



ment on a technicality, let him agree to submit the question to the judgment of the House by a vote on this amendment.

Mr. HOOKER of Mississippi. No, sir. We want you to make your amendment in accordance with the rule of the House before it can be received here and voted upon by the House.

Mr. ENLOE. It is in accordance with the rule.

Mr. HOOKER of Mississippi. It is because your amendment is not in accordance with the rule that I oppose it. The gentleman [Mr. ENLOE] claims that he brings this proposition within the rule by stating that, in his opinion, and in the opinion of somebody else, the duties of this Bureau could be better performed by certain other Departments, but, Mr. Chairman, that is mere supposition, mere conjecture. If the duties which this Bureau has so long and so well performed are still necessary to be performed by some other Department of the Government, as the gentleman concedes, how is it demonstrable to this committee, or to the Chairman of this committee, that this amendment will reduce expenditures? It is a mere supposition, and in order to come within the rule he must show affirmatively and positively by estimates that his amendment will reduce expenditures. He can not show it by merely asserting that the amendment will reduce expenditures.

That can not be shown by mere conjecture. It must be shown by absolute estimates, and there is nothing in the amendment of the gentleman from Tennessee which demonstrates that it will reduce expenditures, and that alone makes it objectionable under the rule. Rule XXI was adopted by the House to prevent legislation of this very character, to prevent, upon an appropriation bill, legislation which in this case would abolish one of the great scientific bureaus of the Government, which has done so much honor to its conductors in the past and in the present, and has done so much for the advancement of the country. The amendment is clearly objectionable because it does not come within the rule. As I have already said, it is a mere conjecture that this amendment will reduce expenditures; it is a mere conjecture that the performance of these functions, which the gentleman concedes are necessary to be performed in the future, will be better under some other Department of the Government. The amendment does not say that this is an unnecessary work, but merely that it is possible, as a matter of conjecture, that the duties may be performed more economically by some other Department; and, therefore, it is not in order under the rule.

Mr. DINGLEY. I desire to call the attention of the Chair to the fact that this whole question of order was debated and decided in the second session of the Fifty-second Congress. It was then contended that an amendment changing existing law, which reduced the amount of an appropriation, came within the rule. The ruling was substantially this, and it was unquestionably correct, that it must be shown that the change of law proposed necessarily and potentially made a reduction; that unless that appeared on the face of the amendment, and not as a matter of conjecture or computation, the amendment could not be held to be in order.

The CHAIRMAN. The Chair recognizes the rule that it must appear on the face of the amendment that it does reduce expenditures, but the question is, does this amendment come within that rule?

Mr. DINGLEY. Then, if that is the view of the Chair, this amendment is clearly out of order. There is nothing on the face of the amendment which shows that it will certainly reduce expenditures, because all the duties now performed by this Bureau are to be performed hereafter by some other Department, and there is nothing to show that the same expense will not be incurred in their performance by that other Department as by the existing Bureau. The mere transfer of the work from one Department to another does not, on its face, change the expense of doing that work. The inference, on the other hand, is almost unavoidable, that the transfer of the work to another Department of the Government will involve precisely the same expenditure that is now made for that work. Therefore, the amendment does not come within the rule. I call attention to that decision in the Fifty-second Congress which involves almost the identical question here presented, and which was made on a motion made by the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. Mr. Chairman, I wish to be heard just a moment. It seems to me that this amendment is in order under the rule. The Chairman has, of course, the second clause of Rule XXI before him, and I think it is hardly possible to read that clause without coming to the conclusion that this amendment is in order.

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

Now, it is obvious that this amendment reduces the number of

the employes of the Government. It is obvious that it strikes out all the employes of this particular Bureau. This is my understanding of its effect. It also reduces the amount of the appropriation some \$460,000 and simply devolves the duties which are now performed by this Bureau upon other Departments of the Government without any increased compensation. Now, how is it possible that that does not reduce public expenditures; that it does not reduce the number of employes of the Government; that it does not reduce the amount of appropriations covered by the bill? The amendment of the gentleman from Tennessee [Mr. ENLOE] complies with each one of the three conditions imposed by the rule. I do not see how that conclusion that the amendment is within the rule can be avoided. Take an illustration. Certain duties have heretofore been performed by the Commissioner of Customs, but the other day we transferred those duties to one of the Comptrollers of the Treasury.

Mr. OUTHWAITE. On an appropriation bill?

Mr. HOLMAN. No.

A MEMBER. By a special bill.

Mr. HOLMAN. By a special bill. But that was clearly in order if on an appropriation bill, for it came within the rule.

Mr. OUTHWAITE. Of course it was.

Mr. HOLMAN. This amendment also is in order, for it simply devolves upon other officers of the Government the performance of these duties of the now officers of the Coast and Geodetic Survey without any increase of compensation. My friend from Mississippi [Mr. HOOKER] must see the force of that point. This amendment transfers certain duties of officers of the Coast and Geodetic Survey to other Departments without any increase of compensation to the officers of those Departments.

Mr. HOOKER of Mississippi. Do you mean to say that either the Interior Department or the Navy Department could carry on the operations which are now carried on by the Coast and Geodetic Survey without having a corps of officers educated and trained for the purpose and understanding the work?

Mr. HOLMAN. The gentleman can not say that as a proposition of fact under the rule. Now, here is a reduction of the number of employes of the Government—that must be conceded—upon the face of the amendment and a decrease of the amount of the appropriation. The question has always been in deciding these questions of order whether upon the face of the proposition there was a reduction of the expenditures of the Government in either of the three modes mentioned in the rule as necessarily following the change of the law. Now, no gentleman can deny that on the face of the proposition the number of employes of the Government is greatly reduced. No gentleman can deny (and the Chair will see the point of this remark at once) that the compensation of public officers is reduced some \$460,000, and no one can deny that the amount covered by the bill is reduced. As a logical proposition, under the rule there is no doubt at all about this question. If the rule is to be observed—and of course it governs this question—then it inevitably follows that this proposition reducing the appropriation something like \$400,000 or \$500,000, reducing the number of employes of the Government, reducing the amount of compensation paid to the officers of the Government, and devolving their duties upon other bureaus of the Government, comes within the rule.

Mr. OUTHWAITE. Will the gentleman show how it reduces the number of employes?

Mr. HOLMAN. I say it reduces the number—

Mr. OUTHWAITE. But how?

Mr. HOLMAN. Because it abolishes a bureau and increases the duties of other bureaus without any increased compensation. Take the case I put. Suppose on an appropriation bill it is proposed to transfer the duties of the Commissioner of Customs to one of the Comptrollers of the Treasury. Gentlemen may say that is a legislative provision; of course it is; but it reduces expenditures, because it dispenses with one officer, increasing the duties of another without any increase of compensation. If one officer can perform the duties, why provide two?

Mr. CANNON of Illinois. Let me ask the gentleman this question: Under the construction of the rule which he contends for, could you not upon an army bill or any bill carrying an appropriation for the War Department, by reducing the number of dollars appropriated, abolish the War Department and transfer the duties to the Navy Department or to the Treasury Department?

Mr. HOLMAN. Certainly, if the duties of the given office could be transferred without an increased appropriation to the other office, it would of course come within the rule.

Mr. CANNON of Illinois. Then the rule that there shall be no legislation upon a general appropriation bill (which is a wise rule) does not mean anything. All that you have to do in order to evade its operation is to juggle with the matter by reducing to the extent of one dollar or one cent the amount carried by the bill, and then legislate by the wholesale.



Mr. HOLMAN. Oh, no! Will my friend allow me a question?

Mr. CANNON of Illinois. Certainly.

Mr. HOLMAN. Does not this amendment proposed by the gentleman from Tennessee on its face reduce appropriations to the extent of over \$400,000.

Mr. OUTHWAITE. Not at all.

Mr. HOLMAN. Why does it not?

Mr. OUTHWAITE. Because every one of those appropriations will have to be made to meet the expenses of this bureau.

Mr. HOLMAN. That is not the point. Does it not upon its face reduce the appropriations? Can you say that the employments in other bureaus must be increased?

Mr. CANNON of Illinois. I will say to my friend that the portion of the amendment which decreases the appropriations, if it stood by itself, would be in order; but as to that part of the amendment which undertakes to legislate, it is impossible to tell whether the legislation will create larger or smaller expenditures. That part of the amendment, in my judgment, is not in order; and as the amendment taken as a whole is not in order, it seems to me it is subject to the point of order.

Mr. HOLMAN. Now, let me make this inquiry of my friend: If on a proper appropriation bill it was proposed to transfer the duties of the Commissioner of Customs to one of the Comptrollers of the Treasury, thus abolishing the office of Commissioner of Customs and imposing new duties upon the Comptroller, without increased compensation, would not that be within our rule?

Mr. CANNON of Illinois. I should think not.

Mr. HOLMAN. You should think not! Why, it has been done at every session of Congress for the last twenty years.

Mr. LOUD. Was not this same motion made last year in regard to the Geological Survey—to transfer it in some manner or other?

Mr. HOLMAN. No; there was a reduction of the force of that bureau and an increase of the duties of the officers and employes as was then proposed as to the Coast and Geodetic Survey.

Mr. LOUD. But the result was substantially the same.

Mr. HOLMAN. No; not substantially the same, for that was simply a reduction for the time of the official force of the bureau.

Mr. HOOKER of Mississippi. Does the gentleman mean to say to this committee that if the amendment of the gentleman from Tennessee abolishing these officers were adopted, the other Departments, to which it is proposed to transfer the duties of the Coast and Geodetic Survey, would not require officers in addition to those they now have for the execution of the business of the Government?

Mr. HOLMAN. Does not my friend see that the real question here involved—

Mr. HOOKER of Mississippi. The gentleman does not answer my question.

Mr. HOLMAN. The proposition here is to devolve upon other Departments duties now performed by a Bureau which, it is alleged, can be dispensed with. Is not that within the rule?

Mr. HOOKER of Mississippi. The gentleman is avoiding the question.

Mr. HOLMAN. Not at all.

Mr. HOOKER of Mississippi. The gentleman knows very well that neither the Treasury Department nor the Interior Department could possibly perform these functions except by the employment of additional officers—probably the same set of officers you are seeking by this amendment to get rid of.

Mr. HOLMAN. I think not. No member can positively say whether an additional force in the Navy and Interior Departments would be required or not, but I think not. The question is, whether this amendment on its face reduces the number of employes, whether on its face it reduces the expenditures of the Government, and whether it reduces the amount carried by the bill. There is no question that it does.

Mr. MILLIKEN. As I understand, the gentleman thinks he brings this within the rule because it seems to reduce expenditures, whether it does so or not.

Mr. HOLMAN. It will and does reduce expenditures.

Mr. MILLIKEN. If the amendment reduces expenditures on this bill only because of the greater expenditure on some other bill which is yet to come before Congress—

Mr. HOLMAN. Who can say that it will have that effect?

Mr. MILLIKEN. If you can not show that it reduces expenditures you are not within the rule.

Mr. HOLMAN. I would like to have the ear of the Chair for a moment.

The CHAIRMAN. The gentleman from Indiana is addressing the Chair. The Committee of the Whole will come to order.

Mr. HOLMAN. I wish to be heard a moment further. The question of the propriety of increasing the duties of a given pub-

lic officer or Bureau or Department and the abolition of offices is alone involved here. If Congress thinks proper to devolve upon a given Bureau or Department additional duties, abolishing other offices, a proposition to do so is clearly within the rule, if there is no increase of expenditure, but on the contrary, a reduction of expenditure. That is the present case. The amendment proposes that the business of the Coast Survey shall be under the charge of the Navy Department and the Geodetic Survey under the Geological Bureau. What gentleman can say that in any possible degree that can increase the number of employes of the other Departments or deny that it will reduce the expenditures of the Government?

Mr. OUTHWAITE. It is for the gentleman to prove that it makes a reduction.

Mr. HOLMAN. Upon the face of this proposed amendment that the Navy Department shall make the coast surveys, who can say that there would be an increase of the cost of the Navy? Yet the cost of the Coast and Geodetic Bureau would be saved.

Mr. MILLIKEN. Anybody can say it, because it would unquestionably be the fact.

Mr. HOLMAN. The Navy Department is the proper Department of this Government to make these coast surveys; it is making them now to some extent. The geodetic surveys obviously should be under the Geological Bureau.

Mr. OUTHWAITE. Only a very small part of them.

Mr. ENLOE. More than half.

Mr. HOLMAN. No, not more than half; but more than a third of this work is now done by the navy officers. This proposition does not increase the force of the Navy Department to the extent of a single employe. What other valuable use can you, in times of peace, make of your Navy?

Mr. HUDSON. Is it not a fact that the identical branches of education which are required to be learned in order to do the work provided for here are required to be taught at our Naval Academy?

Mr. HOLMAN. Certainly. This is a naval matter all the way through—purely a matter for the Navy. As I remarked a moment ago, a third of all this work is now done by the Navy Department. It is remarkable that this Bureau of Coast and Geodetic Surveys should have been established, as it is obvious the coast survey belongs to the Navy.

Mr. HUDSON. One-half, I understand.

Mr. HOLMAN. No, about one-third is done by naval officers; and the proposition is simply to devolve this additional duty upon those officers. As to the Geodetic Survey, every gentleman can see that there is no necessity for any increase of the force, because in the Geodetic Survey and the Geological Survey we have two different bureaus of the Government substantially covering the same ground, and we are practically paying twice for the same work. I do not think there can be any possibility of mistake in saying that this proposition is in order.

That the geodetic work should be under the Geological Bureau is too obvious for discussion.

Mr. OUTHWAITE. Mr. Chairman, this proposition when it was sent to the Clerk's desk to be read was as clearly out of order as any that has been proposed in this House during this session. The gentleman who offered it saw himself that something must be done to bring it within the rule; and, therefore, he proposed to attach the clause that certain appropriations in the bill should be stricken out.

Mr. ENLOE. The omission of that was simply an inadvertence, because the amendment provided in effect for that.

Mr. OUTHWAITE. This amendment is legislation pure and simple. It proposes to transfer one of the bureaus of this Government from the charge of one Department to two others. Now, there are certain propositions of parliamentary law which, though not in the rule itself, are implied as a part of the rule. One of these propositions is that the amendment upon its face must show clearly that it reduces expenditures; that the reduction must not be merely a matter of conjecture or argument or a matter of estimates yet to be brought in. It must be shown upon the face of the amendment that it reduces expenditures.

Mr. HUDSON. Does not this amendment show on its face that it reduces expenditures?

Mr. OUTHWAITE. No, it does not.

Mr. HUDSON. Without an additional appropriation for the bureaus upon which this work is to be devolved, would not the amendment necessarily reduce expenses?

Mr. OUTHWAITE. No, it would not reduce expenditures.

Mr. ENLOE. Why not?

Mr. OUTHWAITE. It does not on its face show a reduction, as it must do to come within the requirements of the rule.

Mr. ENLOE. Does it not strike from this bill certain appropriations?

Mr. OUTHWAITE. One clause of the amendment does. But I ask the attention of the Chair to this proposition: The



amendment on its face shows that every officer is to be continued; on its face it shows that every function now performed is still to be performed except one, and that is the chief. It provides that that portion of the Bureau shall go to a certain officer of the Navy Department, and that he shall have the highest pay of his rank. Now, if he is performing the duties of that position and receiving pay for it, this is not a reduction so far as he is concerned.

Mr. HOLMAN. Will my friend allow me a question right here?

Mr. OUTHWAITE. Yes.

Mr. HOLMAN. Is there any provision in this amendment that proposes to transfer any of these offices to the Navy Department, or to the Interior Department?

Mr. OUTHWAITE. On its face it does not say that there is any intention to abolish the offices.

Mr. HOLMAN. Well, abolish them.

Mr. OUTHWAITE. But you do not make that proposition. Make the proposition that the Coast and Geodetic Survey shall be abolished, and the appropriation stricken out, and I will cease to talk about this point of order. But you do not make that proposition. Mr. Chairman, the proposition is to preserve intact two divisions of this Bureau, putting one under the Interior Department, and the other under the Navy Department. Now, if the Chair will pardon me for a moment, I wish to call his attention to a decision or two which have been rendered in recent Congresses:

A provision in the agricultural appropriation bill transferring the supervision of the importation of animals from the Treasury Department to the Department of Agriculture, is out of order, being a provision changing law and not retrenching expenditures.

RECORD, Fifty-second Congress, page 518.

Then another one in that very connection:

The reduction of expenditures must appear as a necessary result, in order to bring an amendment or provision within the exceptions of the rule. It is not sufficient that such reductions would probably, or would in the opinion of the Chair, result therefrom.

And there is another ruling of the Chair, and that is that if an amendment is out of order in any portion of it, it is out of order in all of it.

If you take this amendment and read it, how can it be otherwise than that the proposition to transfer a portion of this bureau to the Interior Department is out of order as a legislative proposition? It does not on its face show any reduction either of the appropriation or of the expenditures.

Mr. TRACEY. I should like to call the attention of the gentleman from Ohio and the attention of the Chair to a ruling of the Speaker in the Forty-fourth Congress.

Mr. OUTHWAITE. I have my finger upon it and was about to read it:

To a bill making appropriations for the Indian service, an amendment transferring the management of Indian Affairs from the Department of the Interior to the War Department, but providing no reduction of expenditures, was held to be germane as an amendment, but subject to the point of order, as being a change of law, and no retrenchment appearing as the result of the proposed change.

When that was argued the proposition was made that the duties would be performed by the officers of the War Department. There is nothing to show whether an officer of the War Department gets more or less than an officer of the Interior Department.

There is nothing in this amendment to show whether the officers of the Navy Department or the officers of the Interior Department, to whom these two branches of the survey are to be transferred, receive more or less pay, or whether the service would cost more or less.

Mr. HOLMAN. Will my friend allow this suggestion, that in the case ruled upon in the first session of the Forty-fourth Congress, the frailty of the proposition was that it did not provide for abolishing the offices of the Indian Bureau. That is all there was of it.

Mr. WILLIAMS of Mississippi. It just transferred them.

Mr. OUTHWAITE. This amendment does not abolish any officer except one, and it transfers his duties to another officer.

Mr. WILLIAMS of Mississippi. It abolishes them all, on the face of it.

The CHAIRMAN. Will the gentleman from Tennessee [Mr. ENLOE] allow the Chair to read the amendment?

Mr. ENLOE. I desire to modify the amendment, to strike out the provision for transferring the employés of the Coast and Geodetic Survey to the Navy Department, and striking out the provision providing for the transfer of the employés performing the work of the Geodetic Survey; and I have provided at the end that all the offices connected with the Coast and Geodetic Survey are hereby abolished.

Mr. OUTHWAITE. I wish to make a point of order that a portion of this amendment is out of order, and that therefore the whole of it is out of order.

Mr. ENLOE. You admitted that with the provision in it which is now contained in it it would be in order.

Mr. OUTHWAITE. I did not admit anything of the kind. I said that if you made a simple proposition to abolish the Coast and Geodetic Survey, and to strike out all the appropriations therefor, it would be in order.

Mr. ENLOE. This does strike out all appropriations therefor.

Mr. LOUD. I ask to have the amendment reported as modified.

The Clerk read as follows:

Strike out all after line 12, on page 14, of the bill to the bottom of said page, and pages 15, 16, 17, 18, 19, 20, 21, 22, 23, and down to and including line 11, on page 24, and insert:

"On and after the 1st day of July, 1894, the Bureau in the Treasury Department known as the Coast and Geodetic Survey be, and the same is hereby, abolished, and all the duties now performed by the Coast and Geodetic Survey relating to the survey of the coasts of the United States and adjacent islands, including the survey of rivers to the head of tide water or ship navigation, with such topography as may be necessary thereto, and the preparation of charts and nautical publications therefrom, and all soundings, examinations of temperature, and of the deep-sea and tidal-current observations, be, and the same are hereby, transferred to the Department of the Navy, and the Secretaries of the Treasury and of the Navy shall cause to be transferred to the Department of the Navy all the vessels, buildings now owned or controlled by the United States and occupied by said Coast and Geodetic Survey, and such of the records and materials of the Coast and Geodetic Survey as may be necessary in order to carry out the purposes of this act.

"2. That all of the duties now performed by the Coast and Geodetic Survey relating to the geodetic survey are hereby transferred to the Department of the Interior, and shall be performed by the United States Geological Survey attached to said Department, and such of the records and materials as belong to or are used in said work shall be transferred to the Department of the Interior, and the officers connected with the Coast and Geodetic Survey are hereby abolished.

"3. The chief of the Hydrographic Office shall be an officer not below the grade of commander, and he shall be entitled to the highest pay of his grade."

Mr. OUTHWAITE. Against that amendment I make the point of order.

Mr. ENLOE. I want to call the attention of the Chair to the fact that the first part of this amendment strikes out every appropriation for the Coast and Geodetic Survey, strikes out every section of it, mentioning it page by page. In the second place it provides for the abolition of the offices of the Coast and Geodetic Survey, and does not provide for the continuation of a single officer employed in either branch of the work of the Coast and Geodetic Survey. That clearly reduces the appropriation contained in this bill by the amount that it is proposed to appropriate for this work. That appears clearly on the face of the amendment. It not only appears on the face of the amendment that it reduces it, but it appears that this reduction also abolishes these offices. There is not a single vestige left except the work, and the material that is used there in doing the work. I do not know how you could make an amendment in order to an appropriation bill under the rule, if this is not in order.

Mr. OUTHWAITE. Mr. Chairman, it is a well known rule that when an amendment contains several distinct propositions the committee has a right to vote upon each of these separate propositions, and has a right to have them separated and submitted to the committee. That much is conceded.

It is another well known principle of parliamentary law that where portions of an amendment, or a part of an amendment which consists of several parts, are out of order, that if one part is out of order, the whole is out of order.

This amendment, as modified at this time, contains propositions to transfer certain portions of this bureau to the Interior Department.

Mr. ENLOE. The work and material.

Mr. OUTHWAITE. That proposition does not in itself show any reduction of expenditures. It is true that it is tacked onto another proposition which does, but the fact that you tack on a proposition that it is out of order to one that is in order does not strengthen the position of the one that is out of order.

Mr. ENLOE. Will the gentleman yield for a question?

Mr. OUTHWAITE. Certainly.

Mr. ENLOE. I would like the gentleman to state how it is possible for a single dollar to be expended in the prosecution of this work, either in the Navy Department or in the Interior Department, without a new appropriation?

Mr. OUTHWAITE. It is not necessary for me to show that to sustain the position that I take now, that you propose to transfer to the Interior Department a portion of a bureau which is now under the Treasury Department; and unless that transfer in itself upon its face shows a reduction of expenditures, it is out of order.

Mr. HOLMAN. Why, yes; it does.

Mr. OUTHWAITE. It does nothing of the kind.

Mr. WILLIAMS of Mississippi. It does away with the appropriation.



Mr. OUTHWAITE. You do not argue that the transfer to the Interior Department would do away with the appropriations?

Mr. WILLIAMS of Mississippi. Why, of course, when you do away with the appropriations in this bill by providing for a transfer that makes you reduce the expenditures. If striking the appropriation out is in order, that is as much in order as the rest of it.

Mr. OUTHWAITE. Unless you couple the transfer with a reduction in the appropriation, it is not in order.

The CHAIRMAN. The point of order made is that this is new legislation, and does not come within the exception of Rule XXI in reference to legislation on an appropriation bill. The rule is as follows:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

Now, so far as the first portion of this amendment is concerned, which strikes out all of the provision in reference to the Survey, there can be no question but that it would be in order, and would of course reduce expenditures—that is, the amount of money carried by the bill. That would do it, and therefore would come under that exception in the rule with reference to the amount of money covered by the bill. But the amendment is offered as a whole. It is an amendment that makes legislation and changes existing law. It is doubtful if this part of it is germane to the bill. But besides that it is clear that, when taken by itself, it makes new legislation. In other words, it changes the law in reference to the Coast and Geodetic Survey, and transfers it to the Navy Department. It also abolishes a certain office, which might bring it under the rule as reducing the "number of officers" and reducing the expenditures "by the reduction of the number of officers." But the trouble about the amendment is this: Does the legislative part of this amendment, that which changes the law in reference to existing law, of itself reduce expenditure by the reduction of offices? The Chair thinks it does not; and therefore does not come within the exceptions mentioned in the rule, which says such legislation may be in order in appropriation bills when the number of officers are reduced; that is to say, when the number of officers are reduced by it.

But the new legislation which is proposed does not reduce the number of officers. The provision of the amendment which does reduce them is disconnected altogether from the legislative part of the amendment.

Now, if part of an amendment is subject to a point of order, then the whole of it is. The fact that an amendment reduces expenses must clearly appear upon the face of the amendment. The Chair thinks that the legislative portion of this amendment does not come within the exception of the rule, because it does not appear that the legislation proposed by the amendment of itself reduces expenditures. The Chair, therefore, sustains the point of order.

Mr. ENLOE. With all due respect to the decision of the Chair, I appeal from the decision.

The CHAIRMAN. The gentleman from Tennessee appeals from the decision of the Chair.

Mr. ENLOE. And upon that appeal I want to be heard.

I understand the Chair to decide that this part of the bill, the legislative part, which proposes this transfer is not in order, because it does not reduce the number of officers and because it does not show a reduction of expenditures. The matter that the Chair must have based the decision upon was the amendment as originally presented and not the pending amendment as modified. This amendment provides expressly for the abolition of every one of the officers in the Coast and Geodetic Survey. It wipes that office out absolutely. It does not leave a single employé after the 1st of July. It leaves nothing there except the unfinished work, and provides for the transfer of that unfinished work to these other Departments.

The CHAIRMAN. The Chairman understood that it legislates that all the duties of the Coast and Geodetic Survey shall be transferred to the Interior Department and Navy Department, which is new legislation, and legislation which does not reduce the number of officers and expenditures.

Mr. ENLOE. That is an inference of the Chair that they will have to employ an additional force in the Interior Department and in the Navy Department to do this work. That is a mere matter of inference. The Chair is going around the rule; and, instead of construing the amendment strictly according to its face and in the way the rule provides and according to the decisions, the Chair goes around the rule and draws an inference that we must employ an additional force when this work goes to the Navy Department and that that must involve additional

appropriations. I say that is an inference in which the Chair is unwarranted.

Mr. DINGLEY. If the gentleman will pardon me. Suppose when in the consideration of the legislative and judicial appropriation bill, we reach the Interior Department I should offer an amendment striking out the whole of the appropriation for the Interior Department, and should by legislation provide that hereafter all the duties heretofore discharged by the Interior Department shall be transferred to the Treasury Department, does the gentleman think that that amendment would be in order?

Mr. ENLOE. That is not a parallel case.

Mr. DINGLEY. It is precisely parallel.

Mr. ENLOE. It is not; for in this transfer of the hydrographic work the Navy Department is already fully equipped for the work. It has all the force for doing the legitimate work of the Coast and Geodetic Survey to-day, and has practically been doing the greater part of the Coast Survey for nearly twenty years.

Mr. DINGLEY. I do not think that is so.

Mr. ENLOE. That is so. The record shows that that is so, and I will show before I get through with this debate that all the practical, legitimate work of the Coast and Geodetic Survey has been done under naval officers for nearly twenty years. The great bulk of it has been done under the direction of naval officers. It has been done in a great measure by the vessels and the officers in the Navy Department. The Coast and Geodetic Survey has had a few men in the field, but comparatively few, and the great bulk of the work, I repeat, has been done by the Navy Department, which is fully equipped and ready to go forward with the work. Now, so far as the Chair knows, and so far as any member of this House knows, it will not require a single dollar to carry on this work that will not be embraced anyhow in the naval appropriation bill. It does not provide for any additional appropriations for the Geological Survey whatever. The geological work is to be done and will be continued under the appropriation to be made in the legislative, executive, and judicial appropriation bill, and this work and material which is on hand would simply be turned over to the Interior Department, and the Superintendent of the Geological Survey would go on with the work.

Mr. LOUD. Is not that wholly speculative?

Mr. ENLOE. It is wholly speculative, so far as your argument is concerned, but with me it is not speculative. I propose to abolish all the officers, from the Superintendent down. The last one of them is left without an appropriation. The only thing transferred is the material, the work, and the instruments for doing the work. Those are to be taken to the Navy Department, which is ready to go forward with the work, and would do it just as thoroughly and even better than the Coast Survey.

Now, if the rule is to be construed according to this decision, it is not possible to draw any amendment which provides for any new legislation whatever so that it will come within the decision just made by the Chair upon this amendment.

Mr. HOOKER of Mississippi. I do not desire to say anything, but after the gentleman's argument I think that this amendment is more improper than ever.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. VAN VOORHIS of New York. Mr. Chairman, I listened with care to the decision of the Chairman upon this question. I have no doubt that it is perfectly right, and I hope it will be sustained.

The question being taken, the decision of the Chairman was sustained.

Mr. ENLOE. Mr. Chairman, I desire to offer another amendment.

Mr. HOPKINS of Illinois. I desire to make a point of order on one portion of this paragraph.

The CHAIRMAN. The amendment just offered by the gentleman from Tennessee was to the whole paragraph, but only the first portion of the paragraph had been read.

Mr. ENLOE. Before we pass from that first portion I want to move to strike out all after line 12, on page 14, down to and including line 11 on page 24.

Mr. HOPKINS of Illinois. My point of order applies to the matter at the bottom of page 22 and the top of page 23. The language that I take exception to is—

The CHAIRMAN. The Chair will state to the gentleman that that part of the bill has not yet been reached. The gentleman from Tennessee [Mr. ENLOE] has the floor.

Mr. ENLOE. As we have had a change of Chairman [referring to the fact that Mr. LESTER had been succeeded in the chair by Mr. OUTHWAITE] I will renew my motion. I move to strike out all of page 14, beginning with line 12, extending through lines



15, 16, 17, 18, 19, 20, 21, 22, 23, and on page 24 down to and including line 11.

Mr. LOUD. I make the point of order that that has not yet been reached.

The CHAIRMAN. The whole paragraph has not yet been read. The motion will come properly at the conclusion of the reading of the paragraph.

Mr. ENLOE. I understood from the previous occupant of the chair that the proper time to make the motion was at the beginning, but I expected a different decision when we got a change of Chairman. [Laughter.]

The CHAIRMAN. Well, the gentleman has got it. [Laughter.]

Mr. ENLOE. That is the opinion of the present occupant of the chair.

The CHAIRMAN. The present occupant of the chair is not aware of what may have been the private expressions to or by the gentleman from Tennessee on this subject, but holds that this is not the proper time for him to make his motion. The Clerk will read the paragraph.

The Clerk completed the reading of the paragraph, as follows:

For every expenditure requisite for and incident to the survey of the Atlantic, Gulf, and Pacific coasts of the United States and the coast of the Territory of Alaska, including the survey of rivers to the head of tide water or ship navigation; deep-sea soundings, temperature, and current observations along the coast and throughout the Gulf Stream and Japan Stream flowing off the said coasts; tidal observations; the necessary resurveys; the preparation of the Coast Pilot; continuing researches and other work relating to terrestrial magnetism and the magnetic maps of the United States and adjacent waters, and the tables of magnetic declination, dip, and intensity usually accompanying them; and including compensation not otherwise appropriated for, of persons employed on the field work, in conformity with the regulations for the government of the Coast and Geodetic Survey adopted by the Secretary of the Treasury; for special examinations that may be required by the Light-House Board or other proper authority, and including traveling expenses of officers and men of the Navy on duty; for commutation to officers of the field force while on field duty, at a rate to be fixed by the Secretary of the Treasury, not exceeding \$2.50 per day each; outfit, equipment, and care of vessels used in the Survey, and also the repairs and maintenance of the complement of vessels; to be expended in accordance with the regulations relating to the Coast and Geodetic Survey from time to time prescribed by the Secretary of the Treasury, and under the following heads: *Provided*, That no advance of money to chiefs of field parties under this appropriation shall be made unless to a commissioned officer or to a civilian officer who shall give bond in such sum as the Secretary of the Treasury may direct:

For field expenses:

For survey of unfinished portions of the Atlantic coast from Maine to Florida, including the coast of New Brunswick eastward to Point Lepreau; Grand Manan Island; Portsmouth Harbor, and Piscataqua River; Newburyport Harbor and Merrimack River to Haverhill; Hudson River to Troy; Bogue Inlet and interior waters along the coast of North Carolina; Cooper and Ashley Rivers, South Carolina, and necessary resurveys, including Boston Harbor, Buzzards Bay, Nantucket Sound, Chesapeake Bay and tributaries, coast of New Jersey from Sandy Hook to Cape May, bar and entrance to Brunswick Harbor, St. Johns River to Jacksonville, and Fort George Inlet, \$17,700.

Mr. ENLOE. I have an amendment to offer to lines 7 and 8, on page 16, which is to strike out "\$17,700" and insert the following:

Fifteen thousand dollars; and the Joint Commission to Examine the Executive Departments is hereby directed to make an examination of the character of the work of the Bureau of the Coast and Geodetic Survey, and to report to Congress at the earliest practicable day whether the same can not be more efficiently and more economically performed by the officers of the Hydrographic Office of the Navy Department and the Geological Survey of the Interior Department; and said commission may report by bill or otherwise.

Mr. SAYERS. I make the point of order upon that amendment, that it is new legislation.

Mr. ENLOE. Well, I want to get the decision of all the different parliamentarians on this question.

Mr. SAYERS. I withdraw the point of order.

Mr. ENLOE. Now, Mr. Chairman, I desire to be heard on the amendment.

Mr. CANNON of Illinois. I renew the point of order.

Mr. ENLOE. I have the floor and am addressing the Chair.

Mr. CANNON of Illinois. The gentleman can not cut me off from making the point of order, thereby causing me to lose my right.

Mr. ENLOE. I thought I could if I got the floor first, but I do not know what it takes to cut off the gentleman from Illinois. [Laughter.]

The CHAIRMAN. The point of order having been made and withdrawn, could be immediately renewed. The Chair will hear the gentleman from Tennessee on the point of order.

Mr. ENLOE. Well, Mr. Chairman, I do not want to discuss the point of order.

Mr. SAYERS. I withdraw the point of order with the understanding that the gentleman will allow the amount to remain as it is in the bill, \$17,000.

Mr. ENLOE. I am perfectly willing to do that if my amendment is entertained.

Mr. CANNON of Illinois. I shall not withdraw the point of order, Mr. Chairman.

Mr. ENLOE. I do not think the gentleman from Illinois has any point of order pending. I had the floor and was addressing the Chair. The point of order was withdrawn and I immediately addressed the Chair, saying that I desired to be heard on the amendment, and then the gentleman from Illinois [Mr. CANNON] rose and said that he desired to renew the point of order.

Mr. CANNON of Illinois. Oh, that is a mere play upon words. The gentleman from Texas [Mr. SAYERS] made the point of order and then withdrew it. The very moment the point of order was withdrawn the gentleman from Tennessee [Mr. ENLOE] said that he wanted to be heard on the amendment, and as quickly as I could get on my feet, instantly upon the withdrawal of the point, I said I renewed the point of order. Now, if the fact of the gentleman from Tennessee speaking a second before I spoke, when I intended to renew the point of order cuts me off, then I am cut off.

The CHAIRMAN. The Chair will state that under the practice the renewal of the point of order by the gentleman from Illinois [Mr. CANNON] was clearly in time.

Mr. ENLOE. I suppose if it had been one minute or one hour later it would not have made any difference. The point of time makes no difference.

The CHAIRMAN. If it had been delayed so as to show that the gentleman did not, as soon as he was informed of the withdrawal of the point of order, renew it, then the renewal would be too late.

Mr. ENLOE. I thought when I got the point of order withdrawn that I had better address myself to the question of the amendment because I was afraid that the Chair would rule against me regardless of how the matter might come up. [Laughter.]

The CHAIRMAN. The Chair will hear the gentleman on the point of order if he desires to be heard.

Mr. ENLOE. I must confess that in addressing the present occupant of the chair upon this subject I feel very much as if I were leading a forlorn hope, as if I knew there was a gun planted in front of me and the probability was that I would get shot before I got into the fortifications. [Laughter.] But I want to say, Mr. Chairman, that this amendment proposes to reduce the amount carried in the bill, and also proposes to direct the Joint Commission to make an investigation of the matter and report to the House. I want to call the attention of the Chair further to a matter that occurred here when we had this bill up two years ago. I then attempted to bring about some reforms in this Bureau, which the gentleman himself [Mr. OUTHWAITE] did everything he could to obstruct, and finally the chairman of the Committee on Appropriations, the gentleman from Indiana [Mr. HOLMAN], offered an amendment directing the Superintendent of this Survey to submit estimates for a reduction of the force in his own office.

That amendment was incorporated in the bill in the House, and it went over to the Senate, but it never returned to the House, and was not a part of the appropriation bill when it passed. But it seems to me that if the Superintendent of the Coast and Geodetic Survey could be directed to make an investigation of his own office, a joint commission of Congress can certainly be directed to investigate that Bureau and report to Congress, and that is what this amendment provides. It cuts down the appropriation, and it authorizes this joint commission which is already in existence to investigate this particular Bureau, and make a report to the House by bill or otherwise. I think the amendment is clearly in order, and I would like to have the decision of the Chair.

Mr. HOOKER of Mississippi rose.

Mr. DINGLEY. Mr. Chairman, it is evident—

The CHAIRMAN. The gentleman from Mississippi [Mr. HOOKER] is recognized.

Mr. HOOKER of Mississippi. I yield to the gentleman from Maine.

Mr. DINGLEY. I desire to ask the gentleman from Tennessee [Mr. ENLOE], with reference to the point of order, whether he thinks that the legislative portion of the amendment which he has offered has anything to do with the cutting off of the \$2,000 proposed to be cut off by the amendment?

Mr. ENLOE. Oh, yes. I think it is very legitimately connected with it. [Laughter.] I put it in there for that purpose.

Mr. HOOKER of Mississippi. My friend from Tennessee, in adding to his amendment a reduction of the amount of the appropriation in the bill, seeks to give a color of order to a proposition which he is perfectly aware is out of order unless it can be made in order in that way; so that it will be very easy for the Chair to decide this question if he will bear in mind that the main point of order which was originally made, and which has been renewed by the gentleman from Illinois [Mr. CANNON], is that this amendment is in violation of that provision of the rule



which interdicts new legislation. That this amendment does propose new legislation is unquestionable, and the mere fact of coupling with a proposition which is out of order because it is new legislation, an additional proposition to reduce the amount carried by the bill, does not cure the defect in the amendment, but leaves it subject to the point that it is new legislation. It is evident that the gentleman from Tennessee is "after" the Coast and Geodetic Survey, and he is not very careful about the sort of road he travels if he only can get at it. He says he attempted to do this two years ago, and he now attempts it again, but he must bring himself within the rule, and clearly this amendment which he proposes is new legislation, proposing a change of law, and, being so, it is subject to the point of order made originally by the gentleman from Texas and renewed by the gentleman from Illinois.

Mr. ENLOE. Mr. Chairman, in reply to the gentleman from Mississippi, I want to say that this amendment does not create any new law. The law already provides for this commission; it is already in existence, and this amendment simply directs a commission already authorized by law to extend its investigation to this Bureau.

Mr. HOOKER of Mississippi. And that is new legislation.

Mr. ENLOE. The gentleman says that I have put on a provision reducing the appropriation in order to make the proposition in order. I call attention to the language of the rule which provides that new legislation may be in order where it provides for a reduction of expenditures in the number or compensation of any officers paid out of the Treasury or a reduction of the amount of the appropriation carried by the bill. Now, this amendment reduces the amount of appropriation carried by the bill. As I have said, it directs a commission already authorized by law to make an investigation. It does not create a new commission. It directs an existing commission to investigate and report to this House.

Now, the gentleman says I am not very particular in getting after the Coast and Geodetic Survey as to how I do it. Well, so far as that is concerned, if I can do it in any legitimate way, I certainly will. But I will say another thing. I am not one of those gentlemen of the House—I do not know how many there may be—who have got assistants or subassistants or other employed into this Bureau who are now going around lobbying with members of Congress in favor of appropriations in this bill and trying to prevent the reform of any abuses in this Bureau?

Mr. HOOKER of Mississippi. Does the gentleman mean to imply that I have any appointee in that Bureau?

Mr. ENLOE. I am not undertaking to speak as to the gentleman particularly.

Mr. HOOKER of Mississippi. I will say that I have not one there. I regret to say that I have not. I wish I had a half a dozen good ones there from the State of Mississippi. They would no doubt contribute much to the efficiency of the force.

The CHAIRMAN (Mr. OUTHWAITE). The Chair overrules the point of order.

Mr. ENLOE. Now, I desire to be heard on the merits of the amendment.

Mr. VAN VOORHIS of New York. I call for a division of the question on this amendment. There are in fact two amendments in one. I ask that the question be taken first on that part of the amendment which cuts down the amount of the appropriation.

The CHAIRMAN. When the amendment is submitted to a vote of the committee, the Chair will consider the request of the gentleman from New York [Mr. VAN VOORHIS].

Mr. SAYERS. Mr. Chairman, my understanding from the gentleman from Tennessee is that he will not make any further motion to strike out this appropriation. Is that correct?

Mr. ENLOE. Yes. I do not desire to make any other motion.

Mr. SAYERS. Mr. Chairman, this is an important question, and there should be some understanding as to the limitation of the debate. I ask that the debate upon the pending amendment be closed in two hours—one hour to be allotted to the gentleman from Tennessee [Mr. ENLOE], the other to the friends of appropriation. You can have [addressing Mr. CANNON of Illinois] all of that, if you desire it.

Mr. CANNON of Illinois. There are some applications for time that I did not know about.

Mr. COGSWELL. That will be all right.

Mr. SAYERS. I ask unanimous consent that the debate upon the pending amendment be closed in two hours, and that one hour be allowed to the gentleman from Tennessee, the other hour to the opponents of the amendment.

Mr. COGSWELL. All right.

The CHAIRMAN. The gentleman from Texas [Mr. SAYERS] asks unanimous consent that all debate on the pending amendment be limited to two hours, one hour to be yielded to the gentleman from Tennessee, and one to the opponents of the amend-

ment. Is there objection? The Chair hears none, and it is so ordered.

Mr. ENLOE. Mr. Chairman, as I stated during the course of the preliminary discussion on the points of order, I made an effort two years ago to get at the inside workings of this Bureau known as the Coast and Geodetic Survey; and I endeavored also to cut down the appropriation carried at that time in the sundry civil bill. But I was not successful, because this Coast and Geodetic Survey had more friends on the floor at that time than had the proposition to reform it.

This Bureau was organized in 1807, and the scope of its duties was clearly defined. The purpose of the organization of the Bureau was that it should make surveys of our coast line; that it should make charts or maps for the use of the Navy, and for the use of merchantmen engaged in commerce. From 1807 to 1871 this work went forward; and appropriations were regularly made by Congress for the purpose of carrying it on; and it seems to have been satisfactory in its character. But about 1871 it had nearly completed the survey of our coast, and it became necessary in order to perpetuate this Bureau that it should connect something else with the Coast Survey. At that time an appropriation of \$15,000 was asked for the purpose of forming a geodetic connection between the Atlantic and Pacific Oceans. This was the nest egg for millions of dollars of appropriations to follow. This was an expansion of the work to an unlimited extent. If the geodetic work outlined at this time to be carried forward by the Coast and Geodetic Survey were completed, there is no means of arriving at an accurate estimate of what it would ultimately cost the country.

It has been managed, however, so that the Coast Survey work has never been completed. The first survey of coast lines has never been completed; neither has the extension of this geodetic line from the Atlantic to the Pacific. I find, in following up this history, that in 1881-'82 it became perfectly manifest that the original purpose of this Bureau had been subordinated. Then it was that the purpose of the later attachment, the object of the appropriation of the \$15,000 was made manifest. The term "geodetic" was introduced in 1879. In 1882 the geodetic work had practically diverted the entire Coast Survey force from the Coast Survey work. They expended in 1881-'82 \$132,000 for geodetic work, and only \$36,000 for hydrographic work.

Now, the hydrographic work had been done for years, as it is to-day, under the direction of naval officers; they do a great portion of this work, and do it satisfactorily. The Coast and Geodetic Survey has been furnishing a part of the force; but a very small part of the appropriations made for this purpose have ever been applied to Coast Survey work proper. I intend to show before I get through the disposition that has been made of it.

Now, I want to prove by quoting competent and reliable authorities that this work has been practically complete for years. Secretary Chandler, when he was Secretary of the Navy said that this work then, in 1884, had been seven-eighths completed. I will quote his language before the joint commission reported in volume 4, Senate Miscellaneous Documents, first session Forty-ninth Congress, page 63, to show that the Navy then, as now, did most of the Coast Survey work. He said:

The topographical survey of the coast proper having nearly arrived at completion there is very little left to be done except the continuation and revision of the hydrography. The latter has, for several years past, been entrusted exclusively to officers of the Navy, who also perform a considerable part of the topographic work on the coast. In these operations 57 officers and 275 seamen, drawing their pay from naval appropriations, are now employed under the Treasury Department.

I also call attention to the fact that Superintendent Bache, in 1857, said that the work would be finished in fifteen years from that date with the appropriations at the same rate. Congress has been going forward making appropriations from year to year at the annual rate of \$463,000 up to 1885. From 1857 to 1886, a period of twenty-nine years, there was expended \$549,190 per annum—an increase over the annual appropriation at the time Superintendent Bache said this work would be completed in fifteen years at the same rate of appropriation. About \$16,000,000 had been expended up to 1885-'86, and still the first survey of our coast line had not been completed. It seems to be no nearer completion to-day than it was at that time. If there has been any progress, it is so infinitesimal in its character that you can not discover it.

I find that Prof. Hilgard, in the investigation which was had in 1885 by the joint commission, testified that the survey of the Atlantic coast would be completed in five years, and the survey of the Pacific coast in nine years. We have advanced to the present time without showing any material progress toward the completion of this survey either on the Atlantic or on the Pacific coast. The appropriation, since 1886, at the time this testimony was given, amount to \$4,526,030.21. So that the Coast and Geodetic Survey has been engaged on this work for a period of eighty-seven years, and has spent nearly \$30,000,000, yet noth-



ing has been completed. It has not completed the survey of the coast; and it has not materially extended the line which it started in 1871 when it got that \$15,000 to make the geodetic connection between the two oceans. In 1885 Mr. Hilgard, then Superintendent of the Coast Survey, was investigated by an officer of the Treasury Department, Mr. Chenoweth. The minority of the joint commission, commenting upon the testimony before them, stated that the investigation showed that the methods of the Coast Survey were "shamefully loose and even corrupt."

I want to say, Mr. Chairman, that it has not changed its methods from that day to this, and the same methods which characterized it at that time characterize the present administration of that office.

Mr. Thorne, one of the men who were instrumental in this investigation, was subsequently made the Superintendent, but nearly all of the men who were engaged in corrupt and loose practices were retained in the office; and the very same practices existed under his administration, and exist under the present administration, that existed under Prof. Hilgard's administration. I propose to make that statement good before I finish this debate.

One of the employes of that Bureau, who is over there to-day, as I understand, and has been there ever since the investigation before Mr. Chenoweth, in 1885, was found before the committee carrying a piece of Government property in his pocket, using it as his own private property. He had one of the chronometers that belonged to the Survey, and was wearing it around in his pocket as a watch. I understand that the name of the gentleman is M. W. Wines. He is there to-day, and these facts are known. That report made by Mr. Chenoweth has never been able to see the light. I applied for it two years ago at the Treasury Department, but was informed that it was in the Coast Survey.

I went to the Superintendent and asked him to let me look at the report of that investigation in order that I might see what it disclosed, and I was told by him that it was a piece of private property left there by his predecessor in office, and that he could not give me access to it.

It is a public record, a record of the investigation, showing, as this committee says, shamefully loose and corrupt methods. By some strange process that report has lodged in the possession of the present Superintendent of the Coast and Geodetic Survey and is held there under lock and key as private property, and a member of Congress can not get to see it unless he goes there with a warrant from this House authorizing him to conduct an investigation and to compel the production of the report.

I will also state that Mr. B. A. Colonna, of Virginia, who is employed in the Coast and Geodetic Survey to-day, was one of the men who was helping in the attack made upon the Coast Survey at the time Mr. Chenoweth investigated it.

Mr. Colonna is one of those characters sometimes known as a Democrat when the Democrats are in power, and known as a Republican when the Republicans are in power, and in case of doubt he is a Mugwump; and I suppose that is possibly the position he occupies to-day. He has in politics all the characteristics of the chameleon. He is one of the scriptural species of politicians. He is a man who is "all things to all men," and particularly in harmony with the ruling power.

Mr. REED. Why, then, do you say he is a Mugwump now?

Mr. ENLOE. I suppose because the Bureau is still under the control of a Republican chief, as a good many other places are in this Government that ought to be under the control of Democrats under this Administration.

Mr. REED. Is he a Mugwump in order to keep in with the Administration?

Mr. ENLOE. That may be his present state of mind. I do not know. I have not learned the latest phase of his political character. Possibly in the changes that are occurring in these times he may occupy the position of a Mugwump, and he may claim to some men to be a Democrat; but I expect, if the gentleman from Maine [Mr. REED] were to make his appearance in that office, Mr. Colonna would be to him a Republican.

Mr. WISE. Will the gentleman from Tennessee allow me to ask him a question?

Mr. ENLOE. Yes.

Mr. WISE. Are you making a charge against Mr. Colonna?

Mr. ENLOE. Yes.

Mr. WISE. What is your charge?

Mr. ENLOE. I am making the charge that he is to some men a Democrat, and to some a Republican, and that to-day he probably does not know "where he is at," politically.

Mr. WISE. Upon what authority do you make that charge?

Mr. ENLOE. Upon the authority of the gentlemen who have told me of their conversations with him, and if the gentleman wants to know, I will give him a fact that illustrates it well.

Mr. Colonna went in there and at the time the investigation of 1885 was going forward he was a Democrat; but subsequently to that, when the Republicans came into power and a man from his own State, who had been promoted on Mr. Colonna's recommendation for his efficiency, went out into West Virginia and made two speeches in the campaign for the Hon. WILLIAM L. WILSON and returned, he was discharged from that office through the instrumentality of Mr. Colonna.

Mr. WISE. I undertake to say to the gentleman from Tennessee, if he will allow me to make just one remark, that the statement that the political affiliations of Mr. Colonna are in doubt is without authority; that there is no foundation for it in fact. That gentleman is a Democrat and all his friends know it.

Mr. ENLOE. That goes to establish the truth of my proposition. Mr. Colonna could not be anything else but a Democrat to the gentleman from Virginia [Mr. WISE].

Mr. WISE. He is not anything else to anybody else.

Mr. ENLOE. That is a gratuitous statement upon the part of the gentleman, and he asserts a knowledge upon his part which I presume he is not positive about.

Mr. REED. Is he a Mugwump?

Mr. WISE. No; he is not a Mugwump, either.

Mr. REED. Can a man be a Virginian and a Mugwump? [Laughter.]

Mr. WISE. I do not know about that.

Mr. HAYES. Not a decent Virginian.

Mr. ENLOE. In order to settle this question as to Mr. Colonna's easy political virtue, I will quote from the Washington Post of September 9, 1893, the following report of the proceedings of the Virginia Democratic Association held in this city the night of September 8, 1893:

[Washington Post, September 9, 1893.]

The Virginia Democratic Association of this city held a rousing meeting last night at the hall, No. 910 Pennsylvania avenue.

The meeting was called for the purpose of electing officers for the ensuing year, but the first order of business was the paying of the respects of the association to Maj. B. A. Colonna, assistant in charge of the Coast and Geodetic Survey.

Maj. Colonna is a Virginian, and has held his present position for several years. Recently certain members of the association have had cause to question the Democracy of Maj. Colonna, and last night the storm which has been brewing unseen for several weeks burst by the introduction of the following resolutions by Mr. Joseph Settle:

"Whereas Benjamin A. Colonna, of the county of Accomac, State of Virginia, was about the year 1870 appointed to a position in the Coast and Geodetic Survey by Republican influence, and it is susceptible of proof that he declared himself a Republican until sometime during the year 1885, when the opportunity presented itself (by the removal of Prof. Hilgard, Superintendent, and Boutelle, assistant in charge of the office of the Coast Survey) for him to change his politics, and to proclaim himself a Democrat, which he did, and was appointed 'assistant in charge of office' of the Coast Survey at salary of \$3,600 per annum; and

"Whereas it is known he did remain a Democrat during the remainder of Cleveland's Administration, and to show his fealty to the party did contribute various sums of money during the campaign of 1888, and this is all the evidence known to this association of his record as a Democrat; and

"Whereas when Cleveland was defeated by Harrison, he immediately began to hedge and to 'flip' by making war on the few Democrats then in the Coast Survey in his official capacity, and proceeded to make himself 'solid' with the Harrison Administration by recommending for dismissal James A. Duesbury, of Richmond, Va., a member of this association, whose record in the Coast Survey report of 1887, page 115, over Colonna's own signature, reads as follows: 'Mr. James M. Duesbury has performed the clerical duties of the division in a most satisfactory manner, and arranged the original records of field work so that they are much more accessible than formerly,' and R. C. Glascock, another member of this association, and one of its vice-presidents for many years, who was promoted through the influence of Mr. Colonna during the Cleveland Administration without any solicitation or knowledge on the part of Glascock, and was dismissed on the recommendation of Colonna by the Harrison Administration for 'incompetency' the second day after returning from West Virginia, where he had been engaged as a speaker in Hon. W. L. WILSON'S district in November, 1890. Now, therefore, be it

"Resolved by the Virginia Democratic Association of Washington, D. C., That the Hon. John G. Carlisle, Secretary of the Treasury, is hereby respectfully requested to remove from office Benjamin A. Colonna, from the State of Virginia, assistant in charge of the Coast and Geodetic Survey, as we believe Democrats are to be found fully competent to fill this office and be more stable in their political principles than the said Colonna and who will not dismiss Democrats during Republican rule for incompetency whom they had promoted during Democratic rule for efficiency. We ask this for the good of the party and in justice to this association."

There were about sixty members of the association present, and the introduction of the resolutions against Maj. Colonna was like the explosion of a bomb in the hall. A score of members were on their feet in an instant calling for recognition.

Mr. Edward B. Wyatt, of the Pension Bureau, finally secured the floor and made an enthusiastic speech in support of the resolution. He said he did not know Maj. Colonna, and he did not want to know him if he was such a thin-skinned Democrat as he was reported to be. He thought such men should be relegated to the rear, as they were unfit to occupy public positions under any political party. Mr. Wyatt then proceeded to score Maj. Colonna in a severe manner, eliciting a storm of applause when he had finished.

About this time Mr. W. C. Maupin entered the room and called for a reading of the resolution. He then addressed the association in Maj. Colonna's behalf, vouching for his Democracy, and volunteering to become personally responsible for any charges brought against him. He related an incident when he was without funds to go to his home in Virginia to vote for Mr. Cleveland, and Maj. Colonna had provided the necessary money. He denounced the attempt to down Maj. Colonna as a conspiracy, and stated that the major was an honored member of the Jefferson Club.

Secretary R. N. Harper followed in a strong argument against Maj. Co-



lonna, and a dozen other members were ready to make speeches when the question on the adoption of the resolution was called. After a rising vote the chairman declared the resolution adopted by a vote of 47 to 3.

I will leave this question with the Democrats of Virginia, his neighbors and associates who know him.

I repeat that the methods prevailing in 1885 in the office have not changed up to the present time. I would like to call attention to some of the statements made in regard to this matter by the joint commission of the Forty-ninth Congress. I will ask the Clerk to read the matter which I send to the desk. I invite the attention of the gentlemen to this matter, because it shows what sort of an institution this Coast and Geodetic Survey is. This is from the report of the minority.

The Clerk read as follows:

When the present Secretary of the Treasury sent a committee, during the last summer, to examine into its methods of conducting business, its expenditures of money were found to be shamefully loose and even corrupt, and the Superintendent, Hilgard, was compelled to resign his position. Among other things, he was shown to have paid persons their salaries who for years had rendered no services. A distinguished officer of the Survey, whose devotion could not be questioned, but whose character was a guaranty for his truthfulness, was called upon to report upon its condition. In speaking of persons who received pay but did no work he used this language: "The fact of the case is, that these people have been practically pensioned without the law to justify it."

Another practice long indulged in has been, as the report of Mr. Colonna shows, to permit the assistants of the Survey, who are paid annual salaries and who are in the field during the summer months, to stay at home during the winter under the claim that they are working up their field notes, while the Government is paying a large office force to perform work, a portion at least of which these assistants might do. The present Superintendent, Mr. Thorne, on page 234 of the Estimates of Appropriations, 1886-'87, speaks of these winter months spent at home by employees as a "period of comparative idleness."

These were by no means the worst practices found by this investigation to have been indulged in, but we cite them because these things must have been generally known to the employees, and the organization is therefore responsible. Such practices indicate, as we think many other things do, a disposition on the part of this Survey to be a law unto itself.

Mr. ENLOE. The names signed to that report are those of Senator MORGAN, of Alabama, and Mr. Herbert, the present Secretary of the Navy. Now, Mr. Chairman, the Chenoweth report, to which I referred, the investigation conducted by the Treasury Department, has not seen the light. That is the report which shows more conclusively than the report which the joint commission made, that the administration of the Coast Survey over there is loose, and, as this committee shows, shamefully corrupt.

The officers known as field officers, employed in that office, and for whom appropriations are carried in this bill, are in the habit of spending the summers up on the coast of the Atlantic, where it is pleasant and agreeable to spend the summer, and then they come to Washington and spend the winter. That was the fact at that time, when the committee called attention to it, and that is the fact to-day; and it has been going on ever since.

At the time I commenced this fight at this session, the chairman of the Committee on Appropriations addressed a note to the Superintendent of the Survey, to try to get some information. That is the one exclusive Bureau of this Government, from which no Committee on Appropriations or member of Congress can ever get any definite information, and we have no means of finding out definitely what use is being made of the money appropriated by the Government to maintain this Bureau.

But, when we called for the information as to how many of these men were in this city, who are appropriated for and supposed to be in the field at work, the answer was that at that time, a short time ago, during the months of November, December, and January just past, there were thirty-eight of these men of the field force in this city, and there were six of them in the field. Thirty-eight were spending their winter here in Washington, drawing their pay from the Government. That was what was going on, and proves the truth of Mr. Thorne's declaration that it is "a period of comparative idleness." And there is a paragraph in the letter of the present Superintendent to the chairman of the Committee on Appropriations, which shows that for six months in the year they are not engaged in any field work. That is why they come to Washington and spend the winter here.

When you ask what they are doing, you are told over there that they are attending a geodetic convention. That is a convention that has never met, so far as anybody knows. It is a convention not authorized by law. It is a convention which has never had a chairman, so far as we know, and it has never made public any report of its proceedings. Nobody knows what subjects it considers or what work it does. As geodesy may be defined as "that part of geometry which has for its object the determination of the magnitude and figure of the whole earth or any portion of its surface," they are probably discussing the question whether it is round or flat. Mr. Colonna, in his testimony before the Joint Commission in 1885, volume 4, page 824, compares results deduced from the value of Bessel, published in

in 1837, and Clarke, published in 1866 and now used, and shows that for the millions spent on geodesy we have learned that the difference in the length of an arc of 1 mile on the earth's surface, calculated according to the two values, is about 6 inches. We are spending more than a million dollars for every inch added to the accuracy of the measurement of the earth.

But there is another organization which, I understand, meets here every winter, when Congress is in session, and that is the organization known as the "Silver Circle." It is, in common parlance, what we would call a "ring," but they have a better name for it. They call it the "Silver Circle." It is made up of a number of Democrats and Republicans in the Coast and Geodetic Survey, and their purpose is to see that the appropriations are kept up, and that nobody interferes with the management of that Bureau. In addition to that, I want to call attention to another fact.

Mr. HULICK. I would like to ask the gentleman a question. These thirty-eight officers which you have referred to as being engaged in office work here in the city during the winter, are they here to perform work in connection with their field notes?

Mr. ENLOE. I understand, Mr. Chairman, and I will address myself to that point, that they come here under the pretense that they are here to work up the field notes which they had made while in the field.

Mr. HULICK. That is what I want to inquire about.

Mr. ENLOE. Now, I want to show you what the amount of appropriation made last year was and how it was used. Two hundred and fifty-one thousand eight hundred and ninety-five dollars was the amount of the appropriation actually used last year. Now, let us see what was done with it. I find, on examination of this communication of the Superintendent to the chairman of the Committee on Appropriations, that \$139,075.40 was paid for the maintenance of the office force proper. I find that, in addition to that, the salaries of the assistants, belonging to the field force and carried in that part of the appropriation bill, but who are permanently employed in the office, amount to \$19,490 a year. Then I find that the field force in the office during the three months, the thirty-eight men specifically mentioned by the Superintendent in his communication sent to the chairman, received during that time \$19,910.62 exclusive of the salaries of those permanently assigned to office work.

Now, this "period of comparative idleness" mentioned by Mr. Thorne extends from November until April, and in some portions of the country until as late as May. These men during that time are engaged, it is said, in working up their field notes; so they are paid for the six months of winter \$39,821.24. By adding these sums together you get the amount expended in this office, across the street, for the maintenance of the office force, and for doing the work in the office \$198,096.64, and you get for the work actually done in the field \$53,598.36.

You see it takes nearly \$4 in salaries for this gentleman who presides over the bureau, these chiefs of divisions, these numerous messengers, these laborers—this Superintendent, without whom some gentlemen think this country could not exist a moment—when all these gentlemen are paid out of this fund, we find that it takes \$4 in salary to get \$1 worth of work done. That is the practical result. How do you like it?

Mr. HULICK. But the question I wanted to ask for information was this: The gentleman remarks that ostensibly this money is paid here for work done in the office. Is it a fact that they have work to do in the office in making up their notes as the result of their summer's work?

Mr. ENLOE. There is plenty of force in the office here to do all that work. I, and all gentlemen who are the least familiar with the working of that Bureau, know that when Congress meets here, during the whole winter, these field employees are walking about the streets and are not in the office most of the time. I know as a matter of fact, that when I attempted two years ago to cut down the appropriation that we could see nearly every day several of these gentlemen hanging about the Capitol here pleading with members, buttonholing members, and lobbying against the proposed reduction. They had the effrontery to come to me. They were perfectly impudent and bold about the matter. They made a regular business of it; and it was understood to be the chief part of the winter work of these men here. They go to members' homes and call upon them and explain the absolute necessity of these appropriations for this service in order to keep themselves employed.

Mr. HULICK. I desire to ask the gentleman a question.

Mr. OUTHWAITE. I would like to ask the gentleman a question.

Mr. HULICK. Just one moment in that line. Could these 38 men whom you have referred to as being here during the winter, when they could not be sent out into the field, be made of service here in the office?



Mr. ENLOE. They possibly could be made of service here in the office, but the office force for doing the work is strong enough to do it without their assistance. It is simply doubling up the force of the office during the winter months when there is no necessity for it.

Mr. OUTHWAITE. Will the gentleman allow me to ask him a question?

Mr. ENLOE. I do not want my time taken up by questions.

Mr. OUTHWAITE. I only wanted to know if you could tell how much work was required in the office to complete that which was done in the field. In other words, can you tell me how many persons it would take to finish up a day's work done in the field by a man working in the office?

Mr. ENLOE. I want to say to the gentleman from Ohio that I do not believe that this is a time to open up a school for instruction in surveying; and, if it were, I do not believe that the gentleman from Ohio would be a good pupil.

Mr. OUTHWAITE. You are criticising a number of gentlemen here for the work that is done, and you do not know anything about the work.

Mr. ENLOE. And I am doing it justly. Mr. Chairman, I am informed that there was one man who was permitted to remain in that office on a salary, who remained at home in this city and drew a salary of \$3,000 a year for six years, and he was not at the office but one time during the whole six years. But he was a very potential man in influencing legislation. I will give his name. His name was Charles S. Pierce. He has recently resigned from the Bureau. After the investigation which was made by Mr. Chenoworth he continued to draw \$3,000 a year salary, and rendered no service to the Government unless it be a service to come about Congress and lobby with members to prevent it from interfering with this exclusively soft snap that gentlemen have in the Coast Survey.

Let us see what these high-salaried assistants from the field force are doing in the office.

Charles A. Schott, salary \$4,000, employed at the Coast Survey Office at Washington as chief of the computing division. This is the only place in the office (except executive officer) that is necessary to be filled with a field officer, because the computing division is the connecting link between the field and office work. The data derived from field work is here computed, and then referred to the office to be matured.

Benjamin A. Colonna, salary \$3,600, employed in the office at Washington as "assistant in charge of the office." His duties are simply that of chief clerk, and have no connection with the field. His salary as field officer, when appointed to this position, was \$1,800. This position could be much better filled by promoting some clerk in the office on his merits, or by some good business man from the outside, as no field officer, green from the field, can command executive ability sufficient to properly conduct office work; or this office might be abolished and the duties performed by the "executive officer."

George A. Fairfield, salary \$3,000, came into the office several years ago, when his salary was \$2,800, and has been waiting with no permanent duty to perform until recently, when he was put in charge as chief of the "tidal division." His predecessor was an able civilian, at a salary of \$2,000.

William H. Dennis, salary \$3,000, is employed in the office as "chief of drawing division." He was brought in from the field a few years ago, where his salary was \$2,400.

Edward Goodfellow, salary \$2,400, employed in the office to compile the yearly reports for publication. This can be done by a \$1,200 clerk.

Herbert G. Ogden, salary \$2,400, employed in the office as chief of "engraving division."

Otto H. Tittmann, salary \$2,400, employed in the office as chief of "weights and measures."

Richard M. Bache, salary \$2,200, in charge of suboffice at Philadelphia.

Andrew Braid, salary \$2,400, employed as "executive officer" at office in Washington. This man executes the orders of the Superintendent and acts as superintendent in his absence.

Gershane Bradford, salary \$2,000, employed in the office as chief of the "chart division."

Spencer C. McCorkle, salary \$2,000; in the office, but not permanently employed on any work.

Edwin Smith, salary \$2,000, employed as chief of "instrument division." This man knows about as much about constructing an instrument as a member of Congress would know about building a locomotive. It is necessary to employ a head instrument maker at a salary of \$1,800 to keep him straight.

In fact it is found to be necessary to employ head draftsmen, with salaries ranging from \$1,800 to \$2,400, to direct all these "chiefs" (excepting the computing division).

Prior to 1878 these draftsmen succeeded to the positions of

chief on their merits, but since that time they have been filled by assistants from the field force, because there is nothing in the field for them to do, and they are all drawing from \$200 to \$1,800 each per year more for this work, that they are not capable of doing in the office, than they received for the work they are capable of doing in the field.

This shows some of the work of the "silver circle" in getting good salaries and soft positions for its members.

The "silver circle" reduced the salaries of the working force in 1890 in sums ranging from \$100 to \$330 each per year, and increased their own from \$100 to \$400 each. I exposed that rascally performance May 11, 1892, in the House, and the exposé will be found on page 4593 of the RECORD, first session Fifty-second Congress.

Now, I want to call attention to some of the work of this Coast Survey. And if gentlemen will take these Coast Survey maps and examine them they can see exactly what is being done. These are charts prepared by the Coast and Geodetic Survey [spreading out a number of maps], prepared for the use of the Navy and the owners of vessels engaged in commerce. The object of a coast survey is to survey the coast line and mark any natural obstructions there may be to navigation, to sound and mark the depth of the water that sailors may know how to keep the channel, and to note on the charts such natural objects along the shore line as may be necessary to enable the mariner to locate his position on the coast at any hour. That is the object. What are they doing? I assert, and it can not be successfully contradicted, that following the Atlantic coast from Chesapeake Bay down to Florida you will find that they have done coast survey work proper.

I wanted to find the maps of that part of the coast for the purpose of illustrating that point. I want to call the attention of the House to this. Here is a map of the Coast Survey. That is a coast survey work proper [illustrating], from Chesapeake Bay down. The work there is not extended back to the country, but simply introduces the natural objects that the mariner would see and need for information in sailing a ship. But when you come to this map for instance [illustrating], after we get above the Chesapeake, here is the entrance to the Delaware. Then the survey is extended back into the country in places to a distance of 5 miles, which is clearly beyond any point that could benefit the mariner, because he can not look 5 miles into the country for a natural object by which to locate the position of his ship.

They are doing to a great extent what Maj. Powell, of the Geological Survey, designates as cadastral work, which means the mapping out of every natural object and every artificial change on the face of the earth, and even the divisions of property. When you come here to Long Island there is a map of the island showing New York City, Brooklyn, and a large part of the country along the Hudson River. In the maps or charts of New York City and Brooklyn they have laid out every street and every alley and every street-car line, and every railroad that runs into the city; they have made perhaps the most minute, accurate, and complete survey and map that has ever been made of the city of New York. I want gentlemen to look at this map [exhibiting it]. Here is the city of New York as surveyed by the Coast and Geodetic Survey. See where this survey runs; how detailed and accurate it is. Look at these minor subdivisions, actually indicating the wards of the city, so that you can trace the lines of every ward and every subdivision. I believe you could use this map in the trial of a lawsuit, in determining the boundaries of real estate in New York and Brooklyn.

Mr. HULICK. Is it not probable that that survey was made by the city?

Mr. ENLOE. No, sir; the Bureau surveyed and platted out the city in this way, and that is the kind of work they are doing instead of legitimate Coast Survey work.

Mr. OUTHWAITE. That was issued in December, 1885?

Mr. ENLOE. Yes, sir; they have no doubt got it much more complete and much more extended since that time. Here is a map of the city of Portland, Me., laid out as accurately, I venture to say, as it is on any local map. Here is the city of Boston surveyed and laid out in the same way. Here are all the little watering places along the Atlantic coast. Wherever these gentlemen found it pleasant to spend the summer, you will find that they have laid out even the minor subdivisions of private property, making such detailed maps as are made only in Europe, and there only for military purposes.

Mr. OUTHWAITE. Was not this survey made in 1861 or 1862, when it was possible that there may have been some military reasons for making it?

Mr. BOUTELLE. What is the complaint of the gentleman from Tennessee?

Mr. ENLOE. My complaint is that these gentlemen are not



conducting a coast and geodetic survey, but that they are conducting a cadastral or geological survey, and going even beyond the accuracy usually observed in making geological surveys, coming down to details that are found only in maps made in Europe for military purposes.

Mr. BOUTELLE. Does the gentleman say that they are surveying anything except the coast?

Mr. ENLOE. Yes, sir. They are surveying the cities and towns, and back into the country.

Mr. BOUTELLE. What cities?

Mr. ENLOE. Boston and New York, and others.

Mr. BOUTELLE. How long is it since Boston ceased to be on the coast?

Mr. ENLOE. Is Boston on the coast?

Mr. BOUTELLE. I had an impression that it was. And is not New York a coast city?

Mr. ENLOE. Do you know whether it is necessary to go to the extreme outer limits of Boston, miles away from the shore, to find natural objects for the mariner to observe in guiding his vessel into Boston Harbor?

Mr. BOUTELLE. Certainly; it is necessary to go much more than five miles in some places. That is the most amazing criticism I ever heard.

Mr. BOWERS of California. They go from 20 to 50 miles in some places in California.

Mr. ENLOE. I know it is amazing, and the Representatives of the people here, who year after year are voting money to keep up this survey must be amazed to learn that these gentlemen are spending it in making these local surveys which ought not to be made by anybody except the State governments or the local authorities.

Mr. BOUTELLE. I do not understand yet what the gentleman's complaint is.

[Great confusion in the Hall.]

The CHAIRMAN (Mr. BYNUM, rapping on the desk). The committee will be in order. Business will be suspended until order is restored. Gentlemen will take their seats.

Mr. BOUTELLE. Is the Chair rapping at me?

The CHAIRMAN. The Chairman is rapping at every gentleman who is standing on the floor.

Mr. BOUTELLE. I am simply endeavoring, Mr. Chairman or Mr. Speaker, as the case may be, in an orderly manner to ask a question of the gentleman from Tennessee concerning the matter involved in this debate.

The CHAIRMAN. The Chair stated that all business would be suspended until all gentlemen had taken their seats. If the gentleman from Maine now desires to ask the gentleman from Tennessee any question the Chair will recognize him for that purpose.

Mr. BOUTELLE. That was what I was trying to do.

The CHAIRMAN. The trouble is that the gentleman was trying to do it while the Chair was trying to get order. [Laughter.]

Mr. BOUTELLE. I have no desire to interrupt the gentleman from Tennessee at all, but I am trying to get at what his criticism on this survey really is.

Mr. ENLOE. I am sorry that I can not go back to repeat my speech for the gentleman's benefit, but I will go on now and tell him. My criticism is that this so-called Coast and Geodetic Survey is exceeding the purposes of its organization; that it is not prosecuting the work which was contemplated when it was organized; that it is not doing the work contemplated when the geodetic branch was added to it, which was added for the purpose of establishing a geodetic line between the two oceans. That was the purpose for which the geodetic branch originally started.

That has never been completed and it is not intended to be completed as long as Congress will appropriate money to keep up the survey in its present course. I contend further that the men controlling this Bureau have never completed the survey of the coast line, and I say that they are perverting the public money which was appropriated for that purpose by devoting it to making accurate local surveys such as were not contemplated when the Bureau was organized, such as should be made only by the city governments or by the State governments, and such as the United States Government has never contemplated or authorized. Naval officers testify that these detailed charts which are made are not necessary for the purposes of navigation, and if the gentleman wants to inform himself upon that subject he can easily learn that those officers have no use for a survey of this cadastral character.

Mr. BOUTELLE. Mr. Chairman, in regard to the gentleman's suggestion as to what I can learn, I suggest in reply that possibly I may have given this subject of the Coast Survey charts nearly as much attention as the gentleman himself.

Mr. ENLOE. I am glad to know it.

Mr. BOUTELLE. But I still would like to know what the gentleman complains of. Is it that the survey goes onto the land at all, that it surveys the coast?

Mr. ENLOE. No, sir. The gentleman knows what a coast survey proper is without my explaining it, though some other gentlemen here may not. I will state, however, that no coast survey in any country ever contemplates that the survey shall not go upon the shore and note the natural objects there so that the mariner can take his chart and ascertain exactly where he is on the water.

Mr. BOUTELLE. Does the gentleman undertake to say that the law which created the Coast Survey contemplated that it should be solely for the purpose of navigation?

Mr. ENLOE. I say that was the original idea.

Mr. HOLMAN. Until 1871.

Mr. ENLOE. That was the original idea, and subsequently, in 1871, the geodetic branch was added, which was intended to survey a geodetic line to connect the two oceans.

Mr. BOUTELLE. Well, I will state to the gentleman—

Mr. ENLOE. I can not give the gentleman any more of my time unless I can get an extension.

Mr. BOUTELLE. I think there will be no trouble about that. I think the gentleman will find that the coast survey was designed not specifically for the purposes of the Navy, but for the purposes of the Army also.

Mr. ENLOE. That is a difference of opinion between the gentleman and myself.

Mr. BOUTELLE. It is quite as important we should have information in regard to the one subject as the other.

Mr. ENLOE. Mr. Chairman, I would like to give the gentleman from Maine the benefit of my opinion on all these questions; but if I yield to constant interruptions I can not complete what I want to say.

Mr. BOUTELLE. I will not interrupt the gentleman further.

Mr. ENLOE. I say that this work as originally contemplated, for all the purposes of a coast survey, is practically complete and has been for years. Secretary Chandler, in 1884, said that it had been substantially completed. The present Secretary says that it is complete, or nearly so; and Commodore Bartlett, in 1885, being then a commodore of the Navy, said that it was nine-tenths complete at that time. But it is not the intention, and never was, that it should be completed, because this Coast Survey Bureau never intends to surrender willingly its prerogative of coming to Congress and asking for further appropriations.

The Appropriations Committee in making the appropriations for field force were given to understand that it was for men who performed duties in the field and not in the office; but the records of the Coast Survey for the fiscal year ending June 30, 1892, show that out of 28 assistants getting salaries ranging from \$2,000 to \$4,000 a year less than 10 of them were in the field, together with all of those who were getting salaries of \$900 as aids, and \$1,800 as assistants.

But, Mr. Chairman, as to the purposes of these gentlemen in the Coast Survey, I desire to have read an extract from a speech on this subject delivered by Senator Plumb, when he was a member of the United States Senate. It will be found on page 1281 of the CONGRESSIONAL RECORD, Forty-ninth Congress, second session.

The Clerk read as follows:

The Senator was making an explanation of that which has not been complained of. My own judgment is—I do not express it with a great degree of confidence—that the House bill [Mr. Randall's] is better on this Coast and Geodetic Survey subject than the bill as amended by the committee of the Senate, because I observe that the differences this year are the same as they were between the two Houses last year; and the little investigation I could give the matter then satisfied me that great economies can be brought about by a change in the personnel of that department. I do not speak this with great confidence and shall yield to the superior judgment of the chairman of the committee. But one thing, I think, can not be too often spoken of or too continuously borne in mind, and that is that a public service once undertaken never ends, and that no public officers ever conscientiously or of his own volition surrenders a work which has been committed to him, but he ekes it out, and plays with it, and toys with it, and nibbles at it, and always keeps at least a pretense of that subject before him.

And so when I heard the Senator from Connecticut say that he had been told by the Coast and Geodetic Survey people that he could not get maps evidencing what the field notes disclosed for years to come, that is what I have been hearing ever since I have been here. When I go to a bureau and ask why a thing has not been done, they say at once: "If you want the thing done you must give us more money." A lot of these things are nursed for the purpose of bringing pressure on members of Congress and inducing them to make greater appropriations. You never yet found an executive department of this Government actually taking up new work if it could avoid it. The old work may be practically done, the old employees may be idling away their time, and bureaus without necessity may exist, and yet if you want new work done you have to put on new employees, no matter how ill provided the old employees are with work.

Mr. ENLOE. That was the utterance of the distinguished Senator from Kansas, now deceased, Senator Plumb, when he had investigated this matter to find out something as to what this Bureau had done, and was then doing. He testifies to the



fact that the Bureau is not disposed to complete this work; that no public officer is ever willing to complete a work as long as he can have appropriations made to continue it.

Now in reference to the amendment which I first offered providing for a transfer of this work to the Navy Department, I wish to say that this transfer was recommended by Mr. Chandler, when he was Secretary of the Navy. He said:

As it appears that the Navy now does all this work (hydrographic work on the coast), and as the Bureau supervising it has a purpose and a function precisely similar to an officer in the Navy Department, every reason exists for bringing about a union between the two offices. Such a union would unquestionably, from the very nature of things, result in a reduction of expense.—*Senate Miscellaneous Document*, first session Forty-ninth Congress, volume 4, page 63.

The hydrographic work, or the work of the Coast and Geodetic Survey proper, has, as I have stated, been conducted and is to-day largely conducted by naval officers or is done under their direction. The various Secretaries of the Navy have recognized the propriety of this work being done by the Navy Department. The objection in the first place to the transfer was that we had not educated naval officers to do the work; but that objection holds good no longer. We have a Naval Academy at Annapolis which is constantly training young men, and these trained men are to-day qualified to take charge of this work—as much so as any civilian employé to-day in the Coast and Geodetic Survey. So that objection is removed.

Furthermore, by reducing this office force and putting it under one management in the Hydrographic Office, it is confined to its proper sphere, while at the same time we secure more efficient and satisfactory work, because the officers who would conduct it are constantly discovering the obstructions to navigation. They have to travel along the shores and thus they become familiar with the nature of the coast and its obstructions. These are reasons, I say, why this transfer should be made.

Now, in regard to the Geological Survey as outlined, I want to call attention to the fact that Maj. Powell, of the Geological Survey, says in his testimony before the Joint Commission of the Forty-ninth Congress (Senate Mis. Doc., first session Forty-ninth Congress, volume 4, page 638), if they should go forward with the geodetic work on which they have entered, which is largely a duplication of the work of the Geological Survey, it would take \$350,000,000 to complete the geodetic survey; and there is no telling how much time it would take. From what we have seen of the rate of progress in the work of the Coast Survey, I suppose that it would take from now until doomsday to complete this work if the Bureau were furnished with a regular annual appropriation of the size we have been giving.

Now, I have quoted Secretary Chandler and other authorities on the subject of this transfer, and I want to call attention to a letter of Mr. Secretary Herbert on this question, which I will ask the Clerk to read:

The Clerk read as follows:

NAVY DEPARTMENT, Washington, March 14, 1894.

SIR: In reply to your letter of the 12th, inclosing an amendment which you propose to offer to abolish the Coast and Geodetic Survey and to provide for the transfer of the Coast Survey to the Navy Department, I have had a conference with the honorable the Secretary of the Treasury, and the amendment as he will send it to you, which is substantially that proposed, is approved by Secretary Carlisle and myself.

In my opinion the work of the Coast Survey now remaining to be done, so far as it appertains to the Coast Survey proper, can be accomplished by the Navy Department quite as thoroughly and very much more economically than it is now being done by the Coast and Geodetic Survey.

The Hydrographic Office of the Navy Department is now making and engraving maps similar to those being made by the Coast and Geodetic Survey, the difference being that the Hydrographic Office is not permitted by law to make maps of the coast of the United States; its charts are of other portions of the seas, of which it publishes about nine hundred, while the Coast Survey publishes only about three hundred charts of the coasts of the United States.

This Hydrographic Office is well organized and does the work thoroughly and efficiently. About ten years since a joint commission composed of three members of the House of Representatives and three Senators made a very thorough investigation of the Coast and Geodetic Survey, the Hydrographic Office, the Geological Survey, and the Signal Service, and while there was a difference of opinion as to the manner in which each of these bureaus was performing the work allotted to it, the commission unanimously commended the methods of the Hydrographic Office of the Navy Department.

An addition of one or more naval officers, already in the pay of the Government, by detail to the Hydrographic Office would enable it to effectively supervise all the coast-survey work now being done by the Coast and Geodetic Survey. Naval officers have heretofore done practically all the hydrographic work, the soundings, etc., for the Coast and Geodetic Survey. The topography and triangulation of the shore, so far as it is necessary for the charts made by the Coast and Geodetic Survey, have most of it been completed.

This organization has been in existence for more than seventy years past, and it has triangulated and mapped all the coasts of the United States except small portions of Florida, on the Gulf, and in Lower California. Naval officers are fully competent to do such triangulation as is needed to complete this work, just as army officers have done the triangulation along the shores of our lakes. The charts made by the Coast and Geodetic Survey are primarily for the benefit of the mariner, and it would seem that naval officers ought to know quite as well as civilians the requisites of a good chart for the guidance of mariners. The work to be done in the future is, there-

fore, to be largely hydrographic, and this must be done by the Navy Department.

If this work were all intrusted to the Navy Department, which is now forbidden by law to do hydrographic work along our own shores, men-of-war, when not needed elsewhere, could make the needed soundings, and thus our sailing charts could be rapidly improved. This would greatly benefit our commerce. Naval officers now make sailing directions not only of foreign waters, but they make all the sailing directions on charts published by the Coast and Geodetic Survey.

But few changes take place in the contour of the shores. Such changes there as time effects can be noted readily and at little expense. If the small amount of triangulation necessary to complete the mapping of the shores of the United States, heretofore alluded to, were completed, there would be, excluding from consideration Alaska and its coast, practically no field work along our coasts remaining to be done.

It will always be necessary to take soundings over and over again by reason of the changes in the bottoms of the ocean and of the streams caused by tides and currents. As this work is now being done by the Navy, though often credited to the Coast and Geodetic Survey, it would seem that the mapping and the charting our own coasts might very well be left to the Hydrographic Office.

The passage of your amendment, and the transfer you propose would, in my opinion, result in a large saving of money to the Government.

I also suggest that, as the work and responsibility of the Hydrographic Office will be largely increased if the transfer be made, the amendment to be forwarded by the honorable Secretary of the Treasury have added to it the following: "The Chief of the Hydrographic Office shall be an officer not below the grade of Commander, and he shall be entitled to the highest pay of his grade."

Very respectfully,

H. A. HERBERT,  
Secretary of the Navy.

Hon. B. A. ENLOE,  
House of Representatives, City.

Mr. ENLOE. I desire to have read a very brief letter from Secretary Carlisle on the same subject.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
Washington, D. C., March 13, 1894.

SIR: I have examined, as carefully as the limited time would permit, the amendment transmitted by you abolishing the bureau of the Coast and Geodetic Survey, and transferring its work to the Department of the Navy and the Department of the Interior, and herewith inclose you a revised form of amendment, which I think will accomplish the purpose you have in view and obviate certain objections which might properly be made to some of the provisions contained in the original.

In my opinion, the measure proposed will result in a very considerable reduction in the expenditures, prevent duplications of work, and secure a service fully as efficient in all respects as that now existing.

Very respectfully,

J. G. CARLISLE, Secretary.

Hon. B. A. ENLOE, House of Representatives.

Mr. ENLOE. I have another authority here which I suppose will command some respect from some gentlemen on this floor. I have already quoted Democratic and Republican authority—the testimony of men who have had experience in the administration of the office of the Secretary of the Navy; and I have quoted a letter of the present Secretary of the Treasury, under whose Department the coast and geodetic survey work is now done. I wish now to have read the views of the President of the United States on this subject.

The Clerk read as follows:

The work of the Coast and Geodetic Survey was, during the last fiscal year, carried on within the boundaries and off the coasts of thirty-two States, two Territories, and the District of Columbia. In July last certain irregularities were found to exist in the management of this bureau, which led to a prompt investigation of its methods. The abuses which were brought to light by this examination and the reckless disregard of duty and the interests of the Government, developed on the part of some of those connected with the service, made a change of superintendency and a few of its other officers necessary. Since the bureau has been in new hands an introduction of economies and the application of business methods have produced an important saving to the Government and a promise of more useful results.

This service has never been regulated by anything but the most indefinite legal enactments and the most unsatisfactory rules. It was many years ago sanctioned apparently for a purpose regarded as temporary and related to a survey of our coast. Having gained a place in the appropriations made by Congress, it has gradually taken to itself powers and objects not contemplated in its creation, and extended its operations until it sadly needs legislative attention.

So far as a further survey of our coast is concerned, there seems to be a propriety in transferring that work to the Navy Department. The other duties now in charge of this establishment, if they can not be profitably attached to some existing department or other bureau, should be prosecuted under a law exactly defining their scope and purpose, and with a careful discrimination between the scientific inquiries which may properly be assumed by the Government and those which should be undertaken by State authority or by individual enterprise.—*President's message*, first session Forty-ninth Congress.

Mr. ENLOE. Mr. Chairman, I hope that this amendment will be adopted. I think that the amendment which I originally offered should have been adopted, and that the work of the Coast Survey should have been at once transferred to the Navy Department. That course would have met the approval and support of every chief executive officer connected with this work, and would have met also the approval of the President. It should have met, and I believe would have met, with the approval of a majority of the members of this House, because I take it for granted that every member of the House wants every Bureau and every Department of the Government administered



with honesty and economy and for the best interests of the public service.

Mr. CUMMINGS. Will the gentleman allow me a question?

Mr. ENLOE. Yes, sir.

Mr. CUMMINGS. Has not the Dockery commission authority to make this investigation without the adoption of a proposition of this kind?

Mr. ENLOE. I do not know whether it has or not.

Mr. SAYERS. Yes, it has.

Mr. ENLOE. At any rate it will do no harm to put a provision in the bill directing that this investigation be made. This is a matter which ought to receive the prompt attention of Congress. That Bureau over there is a scandal to this Government.

Mr. CUMMINGS. I am in favor of the gentleman's proposition; but it seems to me that the Dockery commission already has authority to make this examination.

Mr. ENLOE. Beyond doubt it will have the authority if this amendment be adopted. This will remove any doubt which may exist on the subject. Under this amendment that commission will have authority to report at any time by bill or otherwise; and thus we may be enabled to heal this running sore; for it has become a regular carbuncle upon the public service. We have all noticed how when a man has a sore place, if you touch it he jumps.

So, whenever we touch this Coast and Geodetic Survey in this House, somebody is sure to jump, because it is a sore place. Gentlemen know that this Bureau is rotten; and when you cut into it and expose it, it is bound to go down before the opinion of this House. That is the reason I want this investigation made. We want to get at the facts so that we may legislate intelligently. The Coast and Geodetic Survey as organized with its "silver circle," with its geodetic conventions, with its trained corps of lobbyists around the Halls of Congress, must go. It has sinned away its days of grace.

[Here the hammer fell.]

Mr. BOUTELLE. Before the gentleman sits down I would like to ask him whether the report which he has had read was the report of the committee to which that subject was referred or the report of the minority of the committee?

Mr. ENLOE. I stated that it was the report of the minority.

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

Mr. SAYERS. As the gentlemen who are to speak in opposition to the amendment prefer to speak in the morning, I move that the committee now rise.

Mr. ENLOE. Before the committee rises I ask leave to extend and complete my remarks in the RECORD.

There being no objection, leave was granted.

The motion of Mr. SAYERS that the committee rise was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LESTER, from the Committee of the Whole on the state of the Union, reported that they had had under consideration a bill (H. R. 5575), the sundry civil appropriation bill, and had come to no resolution thereon.

#### ENROLLED JOINT RESOLUTION SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution (S. Res. 62) to fill a vacancy in the Board of Regents of the Smithsonian Institution; when the Speaker signed the same.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. ALDERSON, indefinitely, on account of sickness.

To Mr. KRIBBS, for two days, on account of important business.

To Mr. ENGLISH, indefinitely, on account of sickness.

To Mr. MAHON, for five days, on account of important business.

#### LEAVE TO WITHDRAW PAPERS.

By unanimous consent, on motion of Mr. BERRY, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of John M. Curry, Fifty-first Congress, no adverse report having been made thereon.

And then, on motion of Mr. SAYERS (at 4 o'clock and 40 minutes p. m.), the House adjourned.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. WADSWORTH, from the Committee on Naval Af-

fairs, the bill (H. R. 1885) for the relief of John M. Blankenship. (Report No. 590.)

By Mr. LOUD, from the Committee on Claims, the bill (H. R. 3149) for the relief of Ames & Detrick, of San Francisco, in the State of California. (Report No. 591.)

Also, the bill (H. R. 3154) for the relief of Dwight Hall. (Report No. 592.)

#### PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, a bill, resolutions, and a memorial of the following titles were introduced, and severally referred as follows:

By Mr. RICHARSON of Tennessee: A bill (H. R. 6308) to incorporate the Washington Traction Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. COOMBS: A joint resolution (H. Res. 141) to provide for the presentation of medals of honor to the militia and volunteer troops of the several States who volunteered their services for the defense of the States of Maryland and Pennsylvania in the year 1863 prior to and after the battle of Gettysburg, Pa.—to the Committee on Military Affairs.

By Mr. BOATNER: A concurrent resolution directing the institution of suits in the name and in behalf of the United States against the officers and directors of the Union Pacific Railroad Company for the recovery of money and property of said company illegally and fraudulently diverted—to the Committee on the Judiciary.

By Mr. McETTRICK: A resolution to pay Peter J. McDonald the difference between folder and that of assistant foreman—to the Committee on Accounts.

By Mr. MEIKLEJOHN: A resolution requesting information from the Secretary of the Navy relative to charges made against the Carnegie Steel Company, Limited, in furnishing imperfect and untested armor plate for perfect and tested plate under their contract with the Government for the manufacture and delivery of armor plate—to the Committee on Naval Affairs.

By Mr. COUSINS: A joint resolution and memorial by the Legislature of the State of Iowa, relating to the construction of a canal from the Mississippi River to the Illinois River at Hennepin, in the State of Illinois—to the Committee on Rivers and Harbors.

#### PRIVATE BILLS, ETC.

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

By Mr. BOATNER: A bill (H. R. 6310) for the relief of W. B. Taylor—to the Committee on Claims.

By Mr. CUMMINGS: A bill (H. R. 6311) to reimburse the mayor, aldermen, and commonalty of the city of New York for moneys expended for the United States in raising, equipping, supplying, and arming militia and volunteer forces, and in other ways to aid in suppressing the rebellion—to the Committee on War Claims.

By Mr. HATCH: A bill (H. R. 6312) granting a pension to Edward Howson—to the Committee on Invalid Pensions.

By Mr. HOPKINS of Pennsylvania: A bill (H. R. 6313) for removal of charge of desertion now standing against Charles M. Blakeslee, late of Company H, Seventh Pennsylvania Cavalry—to the Committee on Military Affairs.

By Mr. PEARSON: A bill (H. R. 6314) for the relief of Boyd E. Baile—to the Committee on Military Affairs.

Also, a bill (H. R. 6315) granting a pension to Elizabeth H. McCarty—to the Committee on Invalid Pensions.

By Mr. RAYNER (by request): A bill (H. R. 6316) for the relief of John Biemiller—to the Committee on War Claims.

By Mr. TAWNEY: A bill (H. R. 6317) granting a pension to Barbara Suckau—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

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

By Mr. APSLEY: Petition of 103 citizens of West Gardner, Mass., in favor of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. AVERY: Petition of J. D. Allen, D. McPhall, D. E. Alward, and 275 other citizens of Clare and Isabella Counties, Mich., with 27 more citizens of St. Louis, Mich., asking for the passage of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL of Colorado: Petition of citizens of Monte Vista, Colo., protesting against the passage of House bill 6168, providing for the ceding of the Fort Lyon reservation to the State of Colorado—to the Committee on the Public Lands.



By Mr. BLACK of Illinois: Resolution by the executive committee of the American Humane Association, indorsing House bill 4182, which provides for an international maritime conference for the better care and protection of animals in transit—to the Committee on Interstate and Foreign Commerce.

By Mr. BRODERICK: Resolutions of Leavenworth (Kans.) Typographical Union, in favor of the governmental ownership and control of the telegraph system—to the Committee on the Post Office and Post-Roads.

By Mr. COOMBS: Four communications from Gen. Wingate: Estimate of cost of medals; letter of Mr. R. Pearsall, Twenty-second Regiment, New York State Militia; statement of facts; petition of Fifty-sixth Regiment, New York State Militia; H. Res. 141—to the Committee on Military Affairs.

By Mr. DAVEY: Petition of Mrs. Luella A. Oteri, of New Orleans, La., owning the steamship Joseph Oteri, jr., praying for the remission of fine imposed for a technical innocent violation of United States custom law—to the Committee on Claims.

By Mr. ENGLISH: Petition of E. Madison and 15 others, of Montclair, N. J., asking for legislation in the matter of the Honduras lottery—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petition of citizens of Iowa, against proposal to amend the Constitution to recognize God—to the Committee on the Judiciary.

By Mr. HEPBURN: Petition of the congregation of the Reformed Presbyterian Church of Harlan Township, Page County, Iowa, praying such amendment of the Constitution of the United States as will secure the proper recognition of Deity—to the Committee on the Judiciary.

By Mr. McLAURIN: Papers to accompany House bill 6304—to the Committee on Pensions.

By Mr. MOON: Remonstrance of M. H. Nichols, Eugene Bishop, and 41 other citizens of White Cloud, Mich., against the further issue of interest-bearing United States bonds—to the Committee on Banking and Currency.

Also, petition of James C. McLaughlin, M. Renner, and 26 other citizens of Muskegon, Mich.; of M. H. Nichols, Eugene Bishop, and others, of White Cloud, Mich.; of Chena Loss, John Jenkins and 43 other citizens of Dalton, Mich.; of R. G. Lamorean, J. C. Ford and 52 other citizens of Fruitport, Mich.; and Alvin Aldrech, William Cusaway and 74 other citizens of Ludington, Mich., asking for the passage of a bill relative to postage of fraternal society and college journals—to the Committee on the Post-Office and Post-Roads.

By Mr. MORSE: Petition of J. C. Skinner and 25 other citizens of Plymouth, Mass., praying that Congress will extend to the fraternal beneficiary press the second-class postal rates—to the Committee on the Post-Office and Post-Roads.

Also, petition of Charles Jones and 21 other citizens of Staughton, Mass., asking Congress to pass laws to give effect to moral laws of the States against lottery enterprises—to the Committee on the Post-Office and Post-Roads.

By Mr. RAYNER (by request): Petition to accompany bill for the relief of John Biemiller—to the Committee on War Claims.

Also (by request), petition of citizens of Baltimore in favor of the passage of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

Also (by request), petition of members of the Society of Friends (orthodox), in favor of Government ownership and control of telegraphs—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN: Petition of George C. Shader and 50 other citizens of Utica, N. Y., praying for the passage of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. STEVENS: Petition of 58 citizens of Peabody, Mass., in favor of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CHARLES W. STONE: Petition of 21 citizens of Youngville, Marion County, Pa., together with resolutions of Brokenstraw Union, No. 37, E. A. U., in favor of the Manderson-Hainer bill, to admit to the mails as second-class matter the publications of fraternal and beneficiary associations—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAM A. STONE: Petition of citizens of Pittsburgh, Allegheny, Renfrew, East Liberty, Evans City, and Brownsdale, all of Pennsylvania, together with additional petitions from citizens from Beulah, Nebr.; Rice, Kans., and 22 Senators from the Iowa Legislature, praying for an amendment to the Constitution of the United States—to the Committee on the Judiciary.

Also, petition of Greene County, Mahoning County, Sabineville, and White Cottage, all of Ohio, for a Christian amendment to the Constitution of the United States—to the Committee on the Judiciary.

## HOUSE OF REPRESENTATIVES.

FRIDAY, March 16, 1894.

The House met at 12 o'clock noon, and was called to order by the Speaker.

Prayer by the Rev. W. J. COCKE, of Washington, D. C.

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

## SUPERVISORS OF ELECTION, NEW YORK CITY.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate of appropriation, submitted by the Attorney-General, for the payment of supervisors of election at the special election held in New York City January 30, 1894; which was ordered to be printed, and referred to the Committee on Appropriations.

## PRINTING AND BINDING FOR THE SUPREME COURT.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of deficiency in the appropriation for printing and binding for the United States Supreme Court, submitted by the Attorney-General; which was ordered to be printed, and referred to the Committee on Appropriations.

## PAYMENT OF CUSTOMS OFFICERS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioner of Customs, relating to the payment of officers for services rendered after the expiration of their commissions; which was ordered to be printed, and referred to the Committee on Appropriations.

## INDIAN SCHOOL, MOUNT PLEASANT, MICH.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of the Interior, increasing the estimate of appropriation for the Indian school at Mount Pleasant, Mich.; which was ordered to be printed, and referred to the Committee on Indian Affairs.

## COMMITTEE REPORTS.

The committees were called for reports, but no bills of a public character were reported.

## LOCAL SUPERVISION OF PUBLIC BUILDINGS.

Mr. CADMUS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from New Jersey [Mr. CADMUS] asks unanimous consent for the present consideration of a resolution, which the Clerk will report; after which the Chair will ask if there be objection.

The Clerk read as follows:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to inform the House what measures, if any, have been taken by him under the act entitled "An act authorizing the Secretary of the Treasury to obtain plans and specifications for public buildings to be erected under the supervision of the Treasury Department, and providing for local supervision of the construction of the same," approved February 20, 1893; and if no steps have been taken toward the execution of the said act the Secretary of the Treasury is requested to inform the House what, if any, further legislation is in his opinion necessary to carry out the provisions of said law.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

## MESSAGE FROM THE SENATE.

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

Joint resolution (S. Res. 61) providing for the adjustment of certain claims of the United States against the State of Tennessee, and certain claims of the State of Tennessee against the United States;

A bill (S. 176) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina reservation in North Dakota;

A bill (S. 179) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers;

A bill (S. 260) to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River at the most accessible point between the city of Kansas and the town of Sibley, in the county of Jackson and the State of Missouri," approved March 3, 1887;