

Mr. RICHARDSON of Tennessee. That charter ran for only twenty years.

There being no objection, the House proceeded to consider the bill.

The amendments reported by the committee were agreed to. The bill as amended was ordered to be engrossed and read a third time: and it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON of Tennessee, a motion to reconsider the last vote was laid on the table.

EULOGIES ON HON. GEORGE W. HOUK.

Mr. OUTHWAITE, by unanimous consent, submitted the following resolution; which was read, considered, and adopted:

Resolved, That Saturday, the 23d of June next, beginning at 2 o'clock p. m., be set apart for eulogies on the late George W. Houk.

And then, on motion of Mr. DOCKERY (at 5 o'clock and 3 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. HULL, from the Committee on Military Affairs, reported the bill (S. 322) to place Dunbar R. Ransom on the retired list of the Army; which, with the accompanying report (No. 951), was ordered to be printed and referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WOLVERTON: A bill (H. R. 7202) to provide for the appointment of United States commissioners, and to define their jurisdiction, powers, and duties—to the Committee on the Judiciary.

By Mr. McETRICK: A bill (H. R. 7204) to authorize officers and enlisted men of the Army and Navy to wear the badge of the Naval Order of the United States—to the Committee on Naval Affairs.

By Mr. BALDWIN: A bill (H. R. 7205) to allow further time for settlers on the Northern Pacific Railroad indemnity lands to avail themselves of the benefits of the act of Congress entitled "An act for the relief of settlers on Northern Pacific Railroad indemnity lands," approved October 1, 1890—to the Committee on the Public Lands.

By Mr. RICHARDSON of Michigan: A bill (H. R. 7211) to provide a more uniform interconvertible national currency, for coining the silver bullion in the Treasury, and for other purposes—to the Committee on Coinage, Weights, and Measures.

By Mr. RICHARDSON of Tennessee. A joint resolution (H. Res. 180) appropriating \$50,000 to enable the Public Printer to comply with the provisions of the law granting thirty days' amount of leave to employes—to the Committee on Appropriations.

By Mr. HARRIS: A joint resolution (H. Res. 181) to appoint a member of the Board of Managers of the National Home of Disabled Volunteer Soldiers—to the Committee on Military Affairs.

PRIVATE BILLS, ETC.

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

By Mr. BUNDY: A bill (H. R. 7206) for the relief of Peter Scott—to the Committee on Military Affairs.

By Mr. MAGUIRE: A bill (H. R. 7207) granting a pension to Mary Jane Debois—to the Committee on Pensions.

By Mr. VAN VOORHIS of New York: A bill (H. R. 7208) for the relief of Ira Winans—to the Committee on Claims.

By Mr. TAYLOR of Indiana: A bill (H. R. 7209) to pension Henrietta H. Cavin—to the Committee on Invalid Pensions.

By Mr. WOOPER: A bill (H. R. 7210) for the relief of Henry McCaffrey—to the Committee on Military Affairs.

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. ADAMS of Kentucky: Papers to accompany House bill 7191—to the Committee on War Claims.

By Mr. BELL of Colorado: Petition of citizen of Divide, Colo., for passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. BOATNER: Petition of 25 citizens of China, La., praying for the passage of a law establishing a Government telegraph and telephone service—to the Committee on the Post-Office and Post-Roads.

By Mr. BROOKSHIRE: Petition of citizens of Crawfordsville,

Ind., for the passage of an act (H. R. 5270) recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. CANNON of Illinois: Two petitions of citizens of Danville, Ill., for passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. CLANCY: Papers to accompany House bill 7197—to the Committee on Merchant Marine and Fisheries.

By Mr. DANIELS: Petition of citizens of Buffalo, N. Y., for Government ownership and control of telegraphs—to the Committee on the Post-Office and Post-Roads.

By Mr. GRADY: Papers to accompany bill for the relief of Jesse Stewart, of Harnett County, N. C.—to the Committee on War Claims.

By Mr. HEARD: Petition of Sarah M. Smith, for pension—to the Committee on Invalid Pensions.

By Mr. HOUK: Petition of Jethro Hill, of Mossy Creek, Tenn., for reference of his claim to the Court of Claims under the act of March 3, 1837—to the Committee on War Claims.

By Mr. McCLEARY of Minnesota: Protest of St. John's Evangelical Lutheran Church, of St. Leo, Minn., against any change in the preamble to the Constitution; signed by Rev. J. Frey, pastor, and Frederick Schultz and John F. Pheide, elders, representing 64 communicants—to the Committee on the Judiciary.

By Mr. OGDEN: Petition of citizens of Shreveport, La., praying for the establishment of a Government telephone and telegraph service—to the Committee on the Post-Office and Post-Roads.

By Mr. PAGE: Petition of William Collins and 21 other citizens of Pawtucket, R. I., for the passage of the tariff bill—to the Committee on Ways and Means.

By Mr. SMITH of Arizona: Petition of citizens of Harshaw and Holbrook, Ariz., asking for Government control of telegraphs and telephones—to the Committee on the Post-Office and Post-Roads.

By Mr. WASHINGTON: Petition of Solomon DeBow and James R. DeBow, of Davidson County, Tenn., asking reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WOOPER: Two petitions of citizens of Harrisburg, Pa., for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

SENATE.

FRIDAY, May 25, 1894.

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

Prayer by Rev. JAMES J. DOLLIVER, of Fort Dodge, Iowa.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of Charles H. Burtis Post, No. 185, Department of New York, Grand Army of the Republic, of Brooklyn, N. Y., praying for the passage of House bill No. 30, giving preference in appointment, employment, and retention in the public service of the United States to veterans of the late war; which was referred to the Committee on Civil Service and Retrenchment.

Mr. PETTIGREW presented a memorial of Cigar Makers' Local Union, No. 153, of Sioux Falls, S. Dak., remonstrating against the ratification of the proposed Chinese treaty; which was ordered to lie on the table.

Mr. PATTON presented petitions of F. J. Wait and 43 other citizens of Sturgis; of W. A. Tomlinson and 97 other citizens of Kalamazoo, and of S. F. Dexter and 44 other citizens of Evarts, all in the State of Michigan, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from the income-tax provision of the pending tariff bill; which were ordered to lie on the table.

Mr. MANDERSON presented a memorial of sundry stockholders of the Columbus Land, Loan, and Building Association, of Columbus, Neb., remonstrating against the imposition of a tax on the income of building and loan associations; which was ordered to lie on the table.

Mr. BLACKBURN presented a petition of sundry citizens of Bowling Green, Ky., and a petition of sundry citizens of Garrard County, Ky., praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. TELLER presented a memorial of sundry citizens of

Conejos County, Colo., remonstrating against any interference by Congress with the present duties on wool; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce, of Denver, Colo., praying for the ratification of commercial treaties, to take the place of the reciprocity arrangements to be abrogated by the pending tariff bill; which was referred to the Committee on Foreign Relations.

Mr. ALLEN presented a memorial of the Columbus Land, Loan and Building Association, of Columbus, Nebr., remonstrating against the passage of the clause in the Wilson tariff bill proposing a tax on the income of mutual loan and building associations; which was ordered to lie on the table.

Mr. MORGAN presented sundry petitions of citizens of Dallas County, Ala., praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. TURPIE presented a petition of sundry citizens of Morgan County, Ind., praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which, on motion of Mr. TURPIE, was referred to the Committee on Finance.

Mr. PEPPER. I present the petition of Lucius O. Wilson and a large number of other citizens of Genoa, Ill., and the surrounding country. I do not know how I can express the object of the petitioners better than by reading their petition. They pray that—

The Constitution of the United States be so amended as to permit the people thereof to vote directly at the ballot box to make their own important laws; that the President be elected for only one term by direct vote; that the Senators of the United States be elected by direct vote of the people of the States; that the Cabinet be elected by direct vote; that the postmasters and other officers of the United States be elected by direct vote of the people in the district where the office is (excepting our agents to foreign countries); that the judges of the United States courts be elected by vote of the people in the respective districts where the offices, for a term of eight years, excepting the Supreme Court of the United States, that court to be elected by the people of the United States for sixteen years; that boards of arbitration to fix employes wages be established; that boards of mining, labor, laws, agriculture, and election be established, the heads of the same to be elected by direct vote of the people every four years, said boards to have powers and duties, one of which shall be to furnish reliable statistics, facts, figures, and dates, together with all other information about the condition, circumstances, needs, wants of the people.

I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BUTLER presented a petition of 43 citizens of Charleston County, S. C., praying that in the passage of any law providing for the taxation of incomes the funds of mutual life insurance companies and associations be exempted from taxation; which was ordered to lie on the table.

Mr. VEST presented the petition of C. S. Millican and sundry other citizens of Scotland County, Mo., praying that the funds of mutual life insurance companies be exempted from the proposed income-tax provision of the pending tariff bill; which was ordered to lie on the table.

Mr. SHERMAN presented a memorial of Encampment No. 41, Union Veteran Legion, of Cincinnati, Ohio, remonstrating against placing the control of the soldiers' homes under the War Department; which was referred to the Committee on Appropriations.

He also presented a memorial of the Trades and Labor Council, of Zanesville, Ohio, remonstrating against an increase in the rate of postage on newspapers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of 47 holders of insurance policies of Hamilton County, of 20 holders of insurance policies of Mansfield, and of sundry holders of insurance policies of Mahoning County, all in the State of Ohio, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

Mr. MILLS presented the petition of A. T. Schulz and sundry other citizens of Limestone County, and the petition of J. W. Northrup, editor of the News, and sundry other citizens of Lee County, all in the State of Texas, holders of policies in life insurance companies, praying that in the passage of any law providing for the taxation of incomes, the funds of mutual life insurance companies and associations be exempted from taxation; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. ALLEN, from the Committee on Indian Affairs, to whom was referred the bill (S. 1995) granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian Reservation, in the State of Nebraska, reported it with amendments and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the amendment submitted by himself on the 11th instant, intended to be proposed to the Indian appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 2000) granting to the Brainerd and Northern Minnesota Railway Company a right of way through the Leech Lake Indian Reservation, in the State of Minnesota, reported it without amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6171) to authorize the Metropolitan Railroad Company to change its motive power for the propulsion of the cars of said company, reported it with amendments.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1375) to remove the charge of desertion from the military record of Jeremiah F. Brown, reported it with amendments and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 2030) to authorize the Ohio River Bridge Company to construct and maintain a bridge across the Ohio River at Rochester, Pa., reported adversely thereon, and the bill was postponed indefinitely.

SENATORIAL INVESTIGATING COMMITTEE.

Mr. GRAY. I submit from the special committee appointed to investigate certain alleged attempts at bribery a partial report, with all the testimony that has been taken in regard to that special feature. I ask that the report and accompanying testimony be printed under the rule.

The VICE-PRESIDENT. It will be so ordered.

TARIFF BULLETIN.

Mr. VOORHEES. I report from the Committee on Finance, Bulletin No. 20, being replies to tariff inquiries in regard to the metal schedule. This bulletin completes that schedule. I move that the bulletin be printed for the use of the Senate.

The motion was agreed to.

BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 2053) in relation to the collection of revenue, and requiring a licence to issue to foreign salesmen; which was read twice by its title, and referred to the Committee on Finance.

Mr. BLACKBURN introduced a bill (S. 2054) to repeal tax on State banks and State banking associations; which was read twice by its title, and referred to the Committee on Finance.

Mr. BATE introduced a bill (S. 2055) authorizing the construction of a bridge over the Duck River, in Humphreys County, Tenn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL of Oregon introduced a bill (S. 2056) granting a pension to Ada J. Schwatka, widow of the late Lieut. Frederick Schwatka; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. GRAY submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

BILL RECOMMITTED.

On motion of Mr. McMILLAN it was

Ordered, That the bill (S. 1592) to amend an act entitled "An act to incorporate the Washington and Great Falls Electric Railway," be recommitted to the Committee on the District of Columbia.

PRINTING OF PETITION.

On motion of Mr. PALMER, it was

Ordered, That the petition of John Cowdon, of New Orleans, La., praying for the passage of Senate bill No. 1917, to increase the volume of money on a real estate and gold and silver basis, and for other purposes, be printed as a document.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 1467) to amend an act entitled "An act to provide for the sale of the remainder of the reservation of the confederated Otoe and Missouria Indians in the States of Nebraska and Kansas, and for other purposes," approved March 3, 1881; and

A bill (H. R. 6610) to authorize the construction of a bridge across the Missouri River at some point within 1 mile below and 1 mile above the present limits of the city of Jefferson, Mo.

POLICY REGARDING HAWAII.

The VICE-PRESIDENT. The morning business has closed and the Calendar under Rule VIII is in order.

Mr. KYLE. I ask unanimous consent to call up the resolution which was considered yesterday relating to the Hawaiian Islands.

The VICE-PRESIDENT. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and the resolution will be read.

The resolution submitted by Mr. KYLE on the 23d instant was read, as follows:

Resolved, That it be the sense of the Senate that the Government of the United States shall not use force for the purpose of restoring to the throne the deposed Queen of the Sandwich Islands, or for the purpose of destroying the existing government; that the Provisional Government having been duly recognized, the highest international interests require that it shall pursue its own line of policy; that intervention in the political affairs of these islands by other governments will be regarded as an act unfriendly to the Government of the United States.

Mr. MANDERSON. Yesterday I offered an amendment to the resolution proposed by the Senator from South Dakota, but on an examination of the amendment submitted by the Senator from Colorado [Mr. TELLER] I like its language so much better that I shall not offer mine. But I suggest to him that the word "be" in the first line be changed to "is."

Mr. TELLER. I desire to modify my amendment in a slight degree, at the suggestion of the chairman of the Committee on Foreign Relations. I should like to strike out the word "shall" in the second line and insert "will;" after the word "it," in line 7, to strike out "shall" and insert "must be allowed to;" and to strike out the word "be" in the first line and insert "is." I send it up so that it may be read as amended.

Mr. GRAY. Let it be read as modified.

The VICE-PRESIDENT. The amendment submitted by the Senator from Colorado will be read as modified.

The SECRETARY. It is proposed to amend the resolution so as to make it read:

Resolved, That it is the sense of the Senate that the Government of the United States will not attempt to restore to the throne the deposed Queen of the Sandwich Islands; that the Provisional Government having been duly recognized, the highest international interests require that it must be allowed to pursue its own line of policy without interference on the part of the United States; that intervention in the political affairs of these islands by other governments will be regarded as an act unfriendly to the Government of the United States.

Mr. KYLE. Mr. President—

Mr. FRYE. I hope the Senator from South Dakota will accept the amendment.

Mr. KYLE. I will accept the amendment.

Mr. PASCO. I ask if there is any objection to considering the resolution upon this subject reported from the Committee on Foreign Relations by the Senator from Indiana [Mr. TURPIE]. That resolution presents the matured action of the Committee on Foreign Relations with reference to this subject, and it seems to me that it is proper that it should be considered. The resolution has been lying idle upon the Calendar of unobjected cases, and I see no reason why it should be laid aside and this resolution taken up in its place. Substantially both resolutions endeavor to reach the same conclusion. The Senator from Indiana can state whether the pending resolution is preferable to the one which expresses the matured action of the Committee on Foreign Relations.

Mr. FRYE. I hope there will not be any objection to a vote on this resolution now. The condition of things certainly demands of the Senate some action this morning.

Mr. GRAY. For several months we have had reported from the Committee on Foreign Relations a resolution that had been offered in the Senate by the Senator from Indiana [Mr. TURPIE] and referred to that committee. It has been discussed and nearly all the discussion which has taken place on the subject has been upon that resolution. We thoroughly understand that resolution. I am prepared to vote for it. I am not prepared to vote for any other resolution at this time. I shall insist, unless we can vote upon the resolution of the Senator from Indiana, which was reported from the Committee on Foreign Relations to the Senate several months ago, that the pending resolution shall be referred to the Committee on Foreign Relations.

Mr. MANDERSON. Will the Senator from Delaware allow a suggestion, or rather a question? Is not the resolution reported by the Senator from Indiana one that has for its main purpose an expression as to annexation or nonannexation, whereas this is simply a resolution of noninterference?

Mr. GRAY. I think not.

Mr. MANDERSON. Is there not that distinction between the resolutions?

Mr. GRAY. I think not. I think if the Senator from Nebraska will allow me to move that the resolution reported from the Committee on Foreign Relations be offered as a substitute

for the resolution now before the Senate and will let it be read, it will answer the Senator's question. I ask that that resolution be read.

Mr. KYLE. Will the Senator from Delaware vote on the other resolution this morning?

Mr. GRAY. I will.

Mr. KYLE. I will vote on it.

Mr. GRAY. I will vote on it this morning.

Mr. KYLE. And I think the Senate will.

Mr. GRAY. And I think it is time we do vote on it. I ask to have the resolution reported from the Committee on Foreign Relations read.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution reported by Mr. TURPIE from the Committee on Foreign Relations, January 23, 1894, as follows:

Resolved, That from the facts and papers laid before the Senate it is unwise and inexpedient, under existing conditions, to consider at this time any project of annexation of the Hawaiian Territory to the United States; that the Provisional Government therein having been duly recognized the highest international interests require that it shall pursue its own line of policy. Foreign intervention in the political affairs of these islands will be regarded as an act unfriendly to the Government of the United States.

Mr. GRAY. I call the attention of Senator from Nebraska to the fact that in addition to what he said the resolution states about annexation it says, also, almost in the words of the resolution offered by the Senator from South Dakota, that any interference with the Provisional Government on the part of the United States would be unwise; that that Government has been recognized by the United States, and must be left to pursue its own line of policy, and then concludes in the same words as the pending resolution.

Mr. MANDERSON. The resolution submitted by the Senator from South Dakota is one that it seems to me would commend itself to every member of the Senate. I can hardly imagine an adverse vote upon the propositions contained therein. But I submit that the main feature, the one first presented in the resolution reported from the Committee on Foreign Relations some time ago, is in regard to the annexation of those islands—that it is not at this time advisable that they should be annexed. Upon that question there might be a very material difference of views. I do not believe that the condition in the Sandwich Islands is at all changed in the desire of those people for annexation to this Republic, and I believe that just as soon as a permanent government is established, the republic which we hope is speedily coming, there will be overtures from that republic to this Government for annexation. For one, I do not desire at this time to be drawn into the consideration of that question. The resolution presented by the Senator from South Dakota is simply a resolution of noninterference, but carrying out the policy of recognition to its full fruition. The other relates to a very different, and, it seems to me, a most important subject, which may lead to a long discussion.

Mr. KYLE. Let us have a vote.

The VICE-PRESIDENT. If the Chair correctly understood the Senator from Delaware, he moves as a substitute for the resolution of the Senator from South Dakota as amended the resolution heretofore reported from the Committee on Foreign Relations.

Mr. GRAY. Yes; the resolution that was reported some months ago from the Committee on Foreign Relations.

Mr. TELLER. The Senator from Delaware must be aware that the first part of this proposition will create some antagonism. Is it necessary at this time for us to pass on the question whether it is wise to annex the islands?

Mr. GRAY. At the present time?

Mr. TELLER. I ask whether it is wise at the present time. Had we not better leave the question of annexation entirely out for the present in order to give those people peace. I am willing to take up the other resolution at any time and discuss it. I should want to say something on that phase of it.

Mr. GRAY. I will say to the Senator from Colorado that as I recollect, and I recollect very distinctly, the resolution reported from the Committee on Foreign Relations was a compromise of the conflicting views. We believed finally that it was well to compose existing difficulties and strife in those islands by declaring that there was no intention to recede from the recognition which had been given and is declared in the resolution reported from the committee to have been given to the Provisional Government. That, it seems to me, is all that the Provisional Government needs, or can expect to get. Certainly, so far as my own vote, it is as much as it ever will get from the Senate of the United States.

It also declares, as the resolution offered by the Senator from South Dakota declares, that any interference by any foreign power will be considered as an act unfriendly to the Government of the United States. The first part of the resolution, to which the Senator from Colorado objects, merely declares that

under present circumstances and at the present time annexation is inexpedient.

Mr. MANDERSON. It is a little broader than that.

Mr. GRAY. If it commits anybody for or against the general policy of annexation, I do not understand the English language.

Mr. MANDERSON. It is broader than that, if the Senator will permit me. The language is "from the facts and papers laid before the Senate, it is unwise and inexpedient." It raises the whole question.

Mr. GRAY. All the facts and all the papers that relate to the condition of those unhappy islands have been laid before the Senate, and I suppose we proceed upon information obtained from the same source.

Mr. MORGAN. The resolutions reported by the Committee on Foreign Relations—

Mr. TELLER. I had not surrender it the floor.

Mr. MORGAN. I beg pardon.

Mr. TELLER. But I will surrender it to the Senator from Alabama, for I do not want to talk the time out.

Mr. MORGAN. Mr. President, the resolutions reported by the Committee on Foreign Relations were intended to pre-empt an expression just now upon the question of annexation, and postpone it, without any expression at all upon the subject. The resolution now offered by the Senator near me [Mr. KYLE] accomplishes precisely the same purpose, without saying anything pro or con about annexation—exactly the same purpose—and I had hoped the Senator from Delaware would see that view of it and let us come to a vote upon the only point in which we agreed in committee, which was that the Provisional Government had been recognized, and that the Government of the United States would not interfere in the affairs of Hawaii.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Delaware [Mr. GRAY]. The Chair understands that the Senator from South Dakota [Mr. KYLE] has accepted the amendment of the Senator from Colorado [Mr. TELLER].

Mr. TURPIE. Mr. President, as has been remarked by the learned and honorable Senator from Delaware [Mr. GRAY], I reported a set of resolutions on this subject under the sanction of the Committee on Foreign Relations, and asked their immediate consideration seventy or eighty days ago. The printed text has been upon the desk of every Senator since.

Those resolutions include all that is included in the resolution of the Senator from South Dakota [Mr. KYLE], and more. They are clothed in diplomatic language, perfectly conservative, perfectly colorless as to party differences here with respect to the policy pursued or to be pursued in that island, much preferable in expression and in their terms to the resolution offered by the Senator from South Dakota.

I have no particular objection to the resolution offered by the Senator from South Dakota, but I infinitely prefer the resolutions reported by the Committee on Foreign Relations, not only with respect to the terms used in them, the text, but also with respect to the expression which I think this body ought to make upon the subject of Hawaii.

It is very true, it is said, annexation constitutes one of the features—I think I heard the honorable Senator from Nebraska [Mr. MANDERSON] say it was the main feature—of the resolutions reported by the Committee on Foreign Relations. It was one of the three features. All are main; all are equally important. Why should they not be?

I think I heard the learned and honorable Senator from Iowa [Mr. ALLISON] very early in this discussion ask a question, why should there be any mention of annexation of the Hawaiian Islands—

Mr. HARRIS. If the Senator from Indiana will yield to me, I will call for the regular order.

The VICE-PRESIDENT. The hour of half past 10 o'clock having arrived, the Chair lays before the Senate the unfinished business.

Mr. PEPPER. With reference to the resolution which was just before the Senate, I wish to suggest an amendment to be considered when the resolution is taken up again, which is to strike out all above line 5 and all in line 5 as far as the word "government;" so that the resolution will read as follows, with the insertion of words which I will come to in a moment:

That the Provisional Government—

Now insert—

of the Hawaiian Islands having been duly recognized, the highest international interests require that it shall pursue its own line of policy without interference on the part of the United States; that intervention in the political affairs of these islands by other governments will be regarded as an act unfriendly to the Government of the United States.

The VICE-PRESIDENT. The amendment will be received and ordered to be printed, in the absence of objection.

Mr. FRYE. I ask pardon of the Senator from Tennessee [Mr. HARRIS] for making the proposition which I am about to make.

These resolutions, or resolutions of some kind, are of supreme importance to the Hawaiian Islands, to humanity, and yet there has been a delay of three months in this Senate. That is utterly inexcusable. There they are, right on a pivot. The action of the Senate can turn it progressively forward or backward; and why we should be trifling with little miserable political quibbles is beyond my comprehension.

I am ready to vote for any resolution which shall declare to those people that this Government will not interfere with them; I do not care how it is worded. There is one purpose I have, and only one, and that is to give those people their liberty of thought and liberty of action.

Now, Mr. President, I ask unanimous consent that to-morrow immediately after the reading of the Journal, without debate, we may vote on these resolutions.

The VICE-PRESIDENT. Is there objection?

Mr. TURPIE. I object.

Mr. FRYE. I am referring to all the resolutions, I will say to the Senator from Indiana.

Mr. TURPIE. I object. I wish to answer the question of the Senator from Iowa.

The VICE-PRESIDENT. There is objection.

Mr. FRYE. Then I ask unanimous consent, Mr. President, that the resolutions shall be taken up for consideration immediately after the reading of the Journal to-morrow morning.

The VICE-PRESIDENT. Is there objection?

Mr. GEORGE. I object to that.

The VICE-PRESIDENT. There is objection.

Mr. HOAR. I desire to make one statement only, in thirty seconds, in regard to what has been said by the Senator from Maine [Mr. FRYE]; and that is, that the people interested in this matter, who are uncommonly intelligent, must take notice that the chairman of the Committee on Foreign Relations of this body [Mr. MORGAN], a committee representing the dominant party charged with the administrative power now in this country, has declared that that committee is unanimous in opinion that there ought not to be any action attempted from this country to restore the Queen; and the Senator from Delaware [Mr. GRAY], though objecting to a particular resolution, declares the same thing, and says that the resolution which he favors contains that declaration. The Senator from Indiana [Mr. TURPIE], saying that the resolution which he favors contains other important matter, also declares the same thing. So, it can go abroad now as the unanimous consent of the Senate, which nobody contradicts and nobody will stand up at this moment to deny, that there ought not to be and that there shall not be any further attempt from this country to restore the Queen.

Mr. MORGAN. Mr. President, I am very glad indeed that the Senator from Massachusetts [Mr. HOAR] has placed this matter in such a clear and intelligent light. It is, as I believe, the unanimous opinion of the Senate of the United States that there is to be no interference of any kind by the Government of the United States with the affairs of Hawaii.

Mr. HOAR. Mr. President, having said that, I think we may take it for granted that the words of the chairman of the Committee on Foreign Relations of this body will not fall to the ground. They will be heard on this subject around the world.

Mr. GRAY rose.

Mr. HOAR. I decline to yield any further, Mr. President.

Mr. GRAY. I ask unanimous consent to say a word.

Mr. HOAR. I have the floor, and I do not yield.

Mr. GRAY. You do not yield? I only want to say a word.

Mr. HOAR. If the Senator will hear me now, I have the floor.

The VICE-PRESIDENT. The Senator from Massachusetts declines to yield.

Mr. HOAR. I want to make a correction in the RECORD which will take about five seconds, and then I shall yield the floor. The Senator can then have the floor in his own right.

The VICE-PRESIDENT. The Chair has recognized the Senator from Massachusetts.

Mr. HOAR. I do not wish to object—

Mr. HARRIS. The Senator from Massachusetts will allow me to suggest to him that although he is entitled to the floor on the tariff bill, the Hawaiian matter has gone over, and it has got to go over until to-morrow morning.

Mr. HOAR. Very well.

Mr. HARRIS. Now, why consume time—

Mr. HOAR. I am going to yield the floor in ten seconds.

Mr. HARRIS. I hope the Senator will yield it in less.

Mr. HOAR. With all respect to my friend from Tennessee, who is in charge of the bill to which I am about to address myself, and nothing more is to be said on any other subject, he is constantly out of order; he thrusts in his angry, peremptory, and,

though not intentionally, discourteous, practically very discourteous, lectures upon other Senators; and I hope they will be stopped.

Mr. HARRIS. Will the Senator from Massachusetts allow me?

Mr. HOAR. I will.

Mr. HARRIS. The tariff bill is the thing now before the Senate, and the Senator from Massachusetts is violating the rules of the Senate, or at all events the universal understanding.

Mr. HOAR. Let the Senator make his point!

Mr. HARRIS. In view of the conduct of the Senator from Massachusetts, the Senator from Tennessee owes him less courtesy than any other Senator on this floor; and the Senator from Tennessee is not inclined to extend to him any more courtesy than he is inclined to extend to any other Senator.

Mr. HOAR. If the Senator from Tennessee owe anybody courtesy, if he owe it to the Senate or to any Senator or to any person, he will be bankrupt, because he does not possess assets to pay one mill or a thousandth part of a mill on a dollar of that debt.

Mr. HARRIS. He is able to pay as much as the Senator from Massachusetts on that debt.

Mr. HOAR. I think not. My debt is discharged.

Mr. President, I rose simply to say that I think I have concluded all I desire to say upon the pending amendment, and I merely wish to make a correction in the RECORD.

In the first column, on page 5224 of the RECORD, in the report of my remarks last evening on the pending amendment to the tariff bill, I am reported as saying:

My honorable friend from Rhode Island [Mr. ALDRICH] will perhaps permit me to repeat aloud what he said *sotto voce* just now, that our manufacturers are making the best guns in the world. Every gentleman who uses them knows it.

The remark was made by my honorable friend from North Carolina [Mr. RANSOM], to whom I alluded, and by whose assent I repeated aloud what he said *sotto voce*.

Mr. GRAY. I understand the tariff bill is before the Senate, but I wish to say, in one minute, that while I heartily approve of what the Senator from Massachusetts [Mr. HOAR] has said as to the unanimous feeling and sentiment of this body in regard to any interference in the Hawaiian Islands to restore the Queen or otherwise, and, so far as I am concerned, subscribe to that expression of opinion by him, I also want it understood that the resolution reported from the Committee on Foreign Relations of this body expresses the sentiments not only of that committee when it was reported, but of a large number—how many I do not know—of this body, some on both sides of this aisle, and that was, that the Senate of the United States, while declaring that they were opposed to any interference, forcible or otherwise, to restore the Queen, did not want any inference to go out that this body approved of any scheme of annexation at this time.

Mr. MORGAN. Or that they disapproved of it either way.

Mr. GRAY. On the contrary, the resolution says that we disapprove of any scheme of annexation at this time.

Mr. MORGAN. That is not the reading of the resolution, and that is not the purpose of it.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes, the pending question being on the amendment of Mr. ALDRICH, to strike out paragraph 143 and insert a substitute.

Mr. TELLER. Mr. President, I do not desire to delay action upon this bill, but I have felt, after the remarks of the Senator from Maryland [Mr. GORMAN] the day before yesterday, that I should be justified in expressing some views upon this question. The Senator from Maryland presented the very bright prospect of a solidified Democratic party, and he came as a Moses leading them through the wilderness, with this advantage over the ancient Moses: that he was to participate in the triumph and glory, which was denied to the leader of the chosen people of the olden time.

I should not care, Mr. President, about this statement of a solidified Democratic party—I have no concern about that—but the Senator undertakes to prophesy as to what is going to be the result of a solid Democratic party, and upon that prediction I have a few words to say.

We have been accustomed in this Chamber for a number of years, when certain legislation was pending to hear prophecies of either evil or good, sometimes one and sometimes the other. Certain Senators speak *ex cathedra* for the Senate and for the country. The Senator from Maryland drops into that rôle. He attacks the Republican party, now, unfortunately for the country, as I think, in the minority, and charges substantially that we have been putting upon the statute books legislation which brought the nation into distress. I do not intend to dwell upon

what has been done in the past, nor do I intend to undertake to follow and point out the errors my own party or the Democratic party has made.

If I am not mistaken, no political party can claim that they are without responsibility in the present condition of the country.

The Democratic party came into power in the popular branch of the Government in 1875. They have maintained their power in that body since, with the exception of four years, when the Republicans had a majority. If I recollect correctly, they were in the majority in this body for two years during the time the Republicans had the House of Representatives. So whatever responsibility may exist for bad legislation, or for not having good legislation, the Democratic party must take its share. It is now in power. It commands all the Departments of the Government. It is charged with the full responsibility of legislation.

The Senator concludes his speech, after narrating the difficulties that the Democrats had encountered in securing this solidified Democratic party, of which he talks by a prophecy as usual of the good time that is coming. If I believed that that was a true prophecy, and believed the Democratic party is going to bring to the country that prosperity and that glory which he foreshadowed in the closing words of his speech, I should be very glad to know that that party had come into power. But I am bound to say that so far as this party has gone in its administration since March, 1893, there is no evidence of such wisdom on its part.

We were told in the campaign of 1892 that the Republican party had not properly filled the trust reposed in them by the people; that we had enacted laws for the classes; that we had established a system of protective duties that bore harshly and wickedly upon the common people, upon the laboring people of the country; that our legislation had been intentionally in favor of the moneyed classes. I have admitted on this floor that there is too much truth in that charge, but I shall deny the general charge; and I propose very briefly to show, if I can, that we are not responsible for all the ills from which the body politic is now suffering.

The Republican party has been a protective tariff party. We have declared from the very moment that we came into power that it is the duty of the Government to protect the industries of the country. As I said the other day, this policy was based originally upon two grounds. The first was that capital was not sufficiently cheap in this country to enable us to manufacture in competition with the cheap capital of Europe; and secondly, that the American laborers had not been accustomed to live on the European plane, and could not and would not live upon that level, and therefore there must be protection for the purpose of equalizing the difference in the cost of the product when measured by the difference in the cost of labor here and the cost in Europe.

I am not an extreme protectionist. I do not believe in protection beyond the two purposes for which it was originally proclaimed. As I said the other day, I am now of the opinion that we have reached the point where capital no longer needs the protection of the laws, but we have not reached the point where the American laborer is ready and willing, or where we are ready and willing that he should be put upon the plane of the European laborer. So when we come to legislate concerning import duties we have two things to do. First, we have to determine how much revenue is necessary for the conduct of governmental affairs; how much money we have to collect each year to pay our debts, to support the Government, to make necessary improvements of rivers and harbors, and do all other things that an enlightened and a progressive Government should do. That is the first thing to be done.

I understand that the Democratic party at Chicago assumed that that was all that was to be done. The Democratic party asserted then that any tariff that went beyond that was a robbery and a violation of the Constitution. That was the issue before the American people in the last Presidential campaign. I have stated before that I do not believe and I did not believe when the result of the election was known that the American people had adopted that principle. I know that thousands of men believed that that was a correct principle and that thousands of men gave to it their support who theretofore had been members of the political party to which I belong. But I believe thousands of other men who believed other questions were more important to the American people than the tariff question were driven away from our party by its attitude on the monetary question, and voted, not with reference to the tariff, but because they distrusted our ability to wisely manage that question.

I recognize the fact, however, that having gone to the people upon these issues the Democratic party has a right to assume that that was the issue and that the judgment of the American people was in accord with the declarations of the Chicago platform.

Mr. President, we expected when Congress assembled to get a bill for revenue. Nobody expected that we would have a protective tariff. We knew, as I said the other day, that the demands for revenue are so great that if the tariff should be wisely levied, on four-fifths of the articles imported the duties levied would be sufficient to equalize the difference between the cost price of labor in this country and that in Europe.

But to do that the duties must be wisely and carefully levied. The bill as it came here from the other branch of Congress was not a revenue bill, but it was somewhat in that direction. Yet we are told by the Senator from Maryland [Mr. GORMAN] that there never was an hour when it could have been passed. By that I understand there were on the other side of the Chamber a number of Senators who are not in favor of a tariff of the kind contemplated by the House bill, which, I repeat, was not entirely a revenue tariff bill, but a bill providing for tariff of sufficient protection on some articles at least to make it a somewhat protective tariff measure.

It was an open secret, it was currently reported and generally understood, that a small portion of the Democratic party sitting in this Chamber were opposed to a tariff for revenue only. I can not say how many, and I do not think it would be proper for me to name the Senators who are supposed to belong to that class, but I will venture to say that not more than one-fifth of the Senators on the other side of the Chamber entertain those views. I will venture to say that 80 per cent of the Senators upon the other side of the Chamber are in favor of a tariff for revenue only. Yet when the bill comes to us we have the declaration of the Senator from Maryland that it is not a bill providing a tariff for revenue only, but a tariff for protection. It is true he said something about its being a tariff for revenue first and protection second, but after all it is a tariff for protection and not for revenue.

The Senator from Maryland, to whom I think I shall do no injustice if I assume that he belongs to the class of Senators who are not willing to accept the bill as it came from the other House, now tells us that the party on the other side of the Chamber is solid; that all the Senators on that side are together, and then he congratulates the country that the one-fifth of that body have compelled the four-fifths of it to come to their views on the tariff question.

Mr. President, we have had from various Senators on the other side, with a frankness which I admire, the statement that they do not approve of the tariff bill that is now before the Senate, but that they are powerless to help themselves; that they can not get any assistance from this side of the Chamber, and can not get enough votes on their own side of it to pass such a bill as they favor, and that they have been forced, dragooned, coerced into an agreement on a tariff bill which they do not approve, because they say they think it is better than the existing tariff law.

It seems to me the exultation of the Senator from Maryland was quite out of place, if that is true. Then the Senator told us that this is the best bill that has ever been presented to the American people since the Republican party came into power; not that it is the best bill that has ever been presented, but only the best that has ever come since the Republican party has been making tariffs. In other words he says that the proposed tariff is a better tariff than that of 1861 or 1862, and the amendments that followed; that it is a better tariff than that of 1883, and that it is better than the McKinley act. Then the Senator informs us that, after all, the industries of the country are not going to be particularly injured, because there is not so much difference between the proposed tariff and the existing tariff, except that they have cut down the duties on the average to the extent of 12 or 13 per cent, or about one-fourth of the McKinley law rates.

There is the difference, according to the Senator from Maryland, between the tariff of 1890 and the tariff of 1894, over 12 per cent. The Senator from Maryland did not tell us how much of that percentage they have taken off luxuries; he did not tell us how much of the \$76,000,000, which the chairman of the Committee on Finance told us was to be saved by the bill, and the amount must be somewhat reduced now, because the duties have been increased by proposed amendments, came from luxuries, from articles which the common American citizen never buys, or if at all buys sparingly; that the duty thus saved might be put upon sugar, an article which the American people consume in their homes everywhere.

If they do save \$76,000,000 upon silks and satins and articles of such a character, upon which the Senator from Rhode Island [Mr. ALDRICH] has shown the saving to be, for the purpose of putting it upon sugar, it does not seem to me that the Senator from Maryland has any great cause of congratulation either for himself or his party. That seems to be the case now.

The Republican party has insisted, as I stated before, upon levying duties upon foreign imports for the protection of Amer-

ican labor. I know it is said on the other side that that is a pretence, that it is for the protection of American capital for the benefit of manufacturers. But there is one thing that no man here will deny, and that is that the laborer in this country has been better paid than the laborer in any other country in the world. He has occupied a plane that no other man who blisters his hands has occupied. He has had independence of character; he has had a freedom of action and a wealth of opportunities that no man living anywhere else under the sun has ever had. I think we may fairly assume that he is indebted for much of these advantages at least to the operation and effect of the American tariff.

While I do not desire to go into this matter in great detail, I wish to touch for a few moments upon one or two points. First, is it right and proper that in the administration of public affairs we should have reference to the effect of our legislation upon the labor of this country? We are told that a revenue tariff is the only tariff authorized by the Constitution, but that is not the fact. The first tariff act passed by the men who organized this constitutional Government, and were active members in the creation of the Constitution itself, declared that it was the purpose of the act to stimulate American industries and protect the American people. This being a matter of record, I am not going into any discussion of the question whether a protection is legal or proper. I know we have been practicing protection for more than one hundred years, and we have been doing it with the approval of the American laborer, and in my judgment we have been doing it to his advantage and for his benefit.

Until a few years ago there was no complaint on the part of the American laborer. We have had in the course of our history hard times. Those of us who have lived till our hairs are gray, as many of us have, who remember the panic of 1857, and the panics and the depression that followed, who have been observers of the condition of American labor, know that at times American labor has been somewhat embarrassed, somewhat distressed; but I assert here now that until 1873 there was not in this country any great suffering among the American laborers. If wheat and cotton were low there was still enough to eat, and there were still such opportunities for the laborer that he need not starve.

These temporary depressions were always recovered from in a short time, up until 1873, when we entered upon a condition of affairs that lasted for five years, until 1878. To some extent from that time for a period we recovered and prosperity again came to the American people. That condition continued almost unremittently, being sometimes a little better and sometimes a little worse, up until perhaps ten years ago.

During the last ten years there has been a continual, gradual, persistent dropping of prices, a continual growing disposition on the part of owners of capital not to employ it in productive agencies, but to put it where it would be the equivalent of cash, to keep it in cash. This tendency has continued to manifest itself until the present time. It is now said that we have an abundance of money; that the great financial centers are filled with money; that the reserves in all the reserve cities are greater than ever before in the history of this country. But the strange part of it, the remarkable thing that will attract the attention of the people of this country, is that this is the condition all over the world. The Bank of England never before had in its vaults so much gold as it holds to-day; it never had so great an amount of reserve as it now holds. The same is true of the Bank of France, which has more gold and silver in its vaults than it ever had before. Every great bank in the world to-day is filled to overflowing with money. There is no end to it in the banks, but it can not be obtained for the purposes of trade and commerce and production. You can borrow in Great Britain, in New York, in France, and in Germany, money cheaper to-day than you could ever borrow it, provided always that you will put up as collateral that which can readily be turned into gold.

You can borrow money in the city of New York upon Government bonds, upon county bonds, upon State bonds, upon gilt-edged corporation bonds, money on call, for 1 per cent per annum, and you can borrow it on long time for 3 or 4 per cent per annum with that kind of security; but you would beg in vain if you offered a block of buildings outside of the charmed circle. If you offered a farm or a home in the country you would wait a long time before you could borrow at any price.

I am not holding the Democratic party responsible for this in whole, but I think there are some things the Senator from Maryland overlooked day before yesterday when he presented his rose-colored view to us of the financial condition of this country.

A year ago last March the Democratic party came into power. They found upon the statute books of the country an act that every month put into circulation from three to three and a half million dollars of money. This was no more than was required for the business of the country; it was not enough to maintain prices;

and any Government that does not keep progress in the way of increasing its money to the extent of the increase of business and demand so as to maintain stable and uniform prices does not do its duty to the country.

Prices were not high in 1893. They had been gradually dropping little by little each year. They were lower that year than they had been the year before. They were lower the year before than they had been the year previous; and it did not take a prophet to foresee that they would be lower this year than they were the last. This statute had provided for the purchase of 4,500,000 ounces of silver per month to be paid for at the market price—a concession, we have been told a hundred times, to the miners of Colorado, Montana, Idaho, and Nevada. A great concession it was! The Government said, "We will buy your silver at just what you can get for it in the city of London." That is the way the Government bought it, fixing our price here according to what silver would bring in the city of London.

It was claimed that this purchase of silver had disturbed our finances and that the people were alarmed for fear we would come to a silver basis. Not a dollar of this silver was being coined. Not a dollar of it was being put into money, but we were issuing paper money redeemable by the practice of the Treasury Department in gold. We were told we must stop buying silver. Congress assembled under the call of the present Chief Executive, who announced to the country in his message that the distress and disturbance which existed and was apparently increasing (which was comparatively little then to what it is now) was the result of the pernicious system of purchasing American silver and putting it away and issuing upon it a paper money that everybody in this country was anxious to get.

We came here on the 7th day of August. There was financial disturbance all over the country. I shall not now go into the way that that disturbance was created or brought about. It is no longer profitable to consider that matter, except as its consideration bears upon what has been done by the present Administration, which is made pertinent by the claim of the Senator from Maryland, when he gives such great credit to the Administration for what it has done in this direction. As to the Administration's accomplishments so far, it had been able to repeal the Sherman act, and the Senator says it is entitled to great credit for that.

Mr. President, the Democratic party would not have repealed that act if the voice alone of the Democratic party of this Chamber had been listened to. The repeal advocates on that side of the Chamber found able assistants and able supporters on the Republican side, and if there is any credit to be taken, the Democratic party need not take it. But if there is any infamy to be attached to it they may take it if they see fit, because it was in their power, and that of their Executive, to have secured a different result.

We had a contest here of three months. It was memorable. We who did not believe that the passage of the act of 1890 or its execution had had anything to do with bringing on the distress; we who had studied the question and believed the interest of the American laborer and the interest of all the producers of this country was to be determined by that act to a large degree, made the most determined resistance which it was possible for a minority to make so long as we believed it was wise and proper to resist. We heard from Senators on the other side of the Chamber who were in favor of repeal, led then by the Senator from Maryland, as they are led now, that if the act was repealed there would come prosperity to all the country, that the prostrated industries would be revived, that the idle would be set to work. We heard the same story on this side of the Chamber as frequently as we heard it on the other. The boards of trade and chambers of commerce teemed with resolutions, flooded us with appeals for prompt action, predicting without exception that there was nothing to be done except to wipe out this objectionable statute, and that when that was done prosperity would come and continue with us.

We passed the act. We passed it when wheat was lower than it had been in thirty years, when cotton was lower than it ever had been in the history of cotton raising, and to-day we stand under the shadow of the fact that wheat is 20 per cent lower than it was then, and cotton fully if not quite 20 per cent lower than it was the day the act was repealed. We stand under the shadow of the fact that where there was one man tramping then there are five now; where there was one closed mill then there are numerous closed mills now; where there was a desolate home because the head of the household could not get labor there are many now; where quiet and peace reigned among the laboring people of the country, the order of the day is dissatisfaction, strikes, riots, and revolution.

Mr. President, the Senator from Maryland prophesied then. He is prophesying again. In my judgment his prophecies as to the result of the passage of this bill will prove as false as his

prophecies as to the result of the passage of the silver repeal bill.

What has the Democratic party done? It came into power upon a platform that contained two positive and distinct planks. One was that gold and silver should be treated alike, and the other that there should be a tariff for revenue, and a tariff for revenue only. Has anything been done for silver? A Democratic House and a Democratic Senate, inclined in some respects to make good the pledges of their platform on silver, passed a bill, that for the coinage of the seigniorage, to put in circulation \$55,000,000 of silver. The Democratic Chief Executive put his veto on it, and nothing has been done to reverse his action.

What has the Democratic party done to relieve the country from its depression? Has there emanated from the executive department of the Government a single suggestion, a single thought, a single proposition looking to the bettering of the condition of the country? We were told early last year that the Government must maintain its hundred millions of gold in the Treasury, and that unless it did maintain a hundred millions of gold there would be distress and disaster greater than then existed. Thereupon the Government issued \$50,000,000 of interest-bearing bonds and sold them in the market and put the money in the Treasury of the United States. An attempt had been made under the previous Administration to issue bonds, and it had failed. Mr. Harrison had objected. I am bound to say that I do not believe the objection that came from the Executive then was so much to the issue of bonds as it was to the issue of bonds at that particular time. I think the Executive then was quite willing to shift the responsibility on the next President. I have no hesitation in saying that in my judgment, if the Administration had succeeded itself, there would have been an issue of bonds just as there has been. I am not charging that the Democratic party in that particular was any worse than our own would have been, because the authorities who determine this financial question do not sit in the White House nor in the Treasury Department. They can be found in Wall street.

When Wall street demands bonds, it does not make any difference which party is in power; in my judgment, it is liable to get them.

So we issued \$50,000,000 of bonds. How much gold have we to-day? The one hundred million limit is passed, and during the present month of May we have lost somewhere in the neighborhood of \$18,000,000 out of the Treasury. How long at that rate will it take us to get down to low-water mark, when we shall need another fifty millions of bonds; and the sale of the fifty millions of bonds will fill up the Treasury simply to be depleted again?

Mr. President, from behind this seat more than a year and a half ago I stated that if we should sell bonds and purchase gold the gold would be taken out again and it would be simply entering upon a system of finance that would require that process to be repeated *ad infinitum*, and that is the condition to-day. Last year, in 1893, there was a large export of gold. I remember the terror that was evinced in this body when the newspapers brought word that there had been a million dollars carried abroad the day before, and that a million more was going the next day or the day after, and I remember how the papers teemed with denunciations of those of us who were not willing that the act of 1890 should be repealed, because they asserted we were allowing a condition of affairs to exist which was bound to deplete the Treasury and take away from this country all its gold. That condition continued, and gold went out until some time in the summer, when it returned in great abundance to this country.

Gold is going abroad now. Has anybody in this Chamber called the attention of the country to the frightful state of affairs that gold is now being exported in great quantities? I have here a table to which I want to call the attention of the Senate. It gives the amount of gold that has gone abroad within the last four or five months. I believe the net loss of gold (although I may not be exact on that point) for the months of January, February, March, and April, was about \$13,000,000. That is the net loss. For the month of May, 1894—the present month—up to the 24th, there was a net export of \$20,495,800 of gold, that is, almost a million dollars a day.

Yesterday, if the newspapers are correct, \$1,800,000 more went. So since the 1st of January up to the 20th of May there had been an export of more than \$33,000,000 in gold in excess of the imports. Since that time four or five millions more have gone. It is safe to say, I presume, that in the month of May the export of gold will be \$25,000,000 and upward.

Mr. MITCHELL of Oregon. I ask the Senator if that is not more than the net export in any one month, with one exception, perhaps, in the last twenty years?

Mr. TELLER. That is, with one exception, more gold than was ever exported, I think, in any previous month. I am asked how much of what we call free gold there is in the Treasury.

There are about \$80,000,000. In May, 1893, when there was so much alarm expressed, our export of gold was only about \$15,000,000. It will certainly be \$10,000,000 more this month than it was then. This export was not caused by the silver-purchase act. It was not due to increased imports of merchandise, for since the 1st of January, 1894, the imports have been very much less than the exports. The imports from January, 1893, until June of that year were largely in excess of the exports. Since January, 1894, the mercantile exports have been largely in excess of the imports, and yet the export of gold continues.

The gold continues to run down in the Treasury, and the circulation of gold has practically ceased in the United States. Where the Government used to receive 85 per cent of its import duties in gold it now receives 8 or 9 per cent. The gold payments are growing smaller and smaller at every return that is made. It can not be said that it is because we are buying more than we are selling. We are selling more than we are buying. There never has been a time in the history of the country when such a volume of exports went out. There have been times when the returns were greater, but never when the number of bushels and pounds was so great as now.

The trouble is the world has been put upon a gold basis. The prices are the prices of a gold basis. So you may continue to send great quantities of exports abroad and you may continue to refrain from buying any foreign goods, and yet the amount that will return to you will be inconsequential compared with what it would have been if the prices were as they were twenty years ago. I am speaking of the world's prices twenty years ago.

The net exports of merchandise for the months of January, February, March, and April in the port of New York alone were \$59,970,083. To that must be added an export of silver of \$13,529,834, making a total of net exports of \$73,499,926. Last year the net imports during the same time were \$51,457,250, or a difference in our favor of \$124,000,000. Yet in the month of May we sent out nearly twice as much gold as we sent out in 1893, with a despised silver law upon our statute books and then there apparently to remain for a long time.

The prophecies that were made as to the return of prosperity with the repeal of the Sherman act have not been realized. The prophecies that were made that we would be able to retain our gold have not come to pass. It ought to be apparent to everybody that it is impossible for us to retain our gold in this country with our present monetary system.

Now, what is the fault? Where is the error? The issue of bonds does not save us. We shall be called on very soon to issue another \$50,000,000, and when the gold so purchased shall be put into the Treasury it will go out again. The gold is going abroad in the face of the fact I mentioned in the beginning, that there is not a bank in Europe that has not increased the amount of gold over every year heretofore.

I repeat, and I want to emphasize it, the gold going to Europe at the rate of \$1,000,000 a day is going to fill up the coffers of the unused gold of the great banks of the world, where it is held, not for the purpose of commerce, but for the appreciation that every wise financier sees it to be the property of gold. Why do you suppose that £70,000,000, or \$350,000,000, of gold is aggregated in the Bank of France? Why do you suppose that Great Britain has £33,000,000 of gold, where heretofore she has generally carried twenty-two or twenty-three million pounds? Why is it that the banks of Austria and Germany are full of gold? Why is it that those countries are continually adding to their fund of gold? The financiers of the world know that you can not maintain the gold standard and sustain prices and support even a degree of peace unless they are fortified with gold. It is because the great powers of Europe dare not let their coffers be empty. Why has Russia collected five or six hundred millions of gold that she holds out of the channels of trade and commerce?

The whole world knows to-day that there is a condition of unrest, a condition that threatens the stability of every country under the sun, our own not excepted, and the whole question is one based upon the money problem. It can be determined and settled, in my judgment, by a proper solution of the money question, and in no other way. The standing armies of Europe are not meant for one another. France and Germany may threaten each other, but they know there is to be no war. They know to-day in Europe as certainly as if every army was disbanded that for at least a period of years there is to be no European war. They know that they must maintain these standing armies to keep the people of those countries from rising and overthrowing those governments.

Look at the situation in Italy. Italy, bankrupted in every feature to-day, supporting a great standing army, unable to pay its debts, distress everywhere, discontent in every department of life in Italy. Why does the Italian Government maintain its army? That Government would not last an hour if the army were taken away, and they need this gold and mean to have it

for the maintenance of order, the maintenance of peace, not with other nations, but with their own subjects.

Mr. GEORGE. I am very much interested, if the Senator from Colorado will allow me to say so, in the facts he is developing. I understand what the Senator says about the motive of the European people or governments in accumulating gold, but I do not understand one part of the proposition, and I hope the Senator will explain it. What is the *modus operandi* by which the transfer of gold is made from this country to Europe when the exports are in our favor? I should like to understand that. The Senator has studied it, and is able to make the explanation.

Mr. TELLER. I can tell the Senator, although I did not propose to enter upon that subject, as I did not intend to go fully into what I have gone into, for I only took the floor for a few moments. In the first place, we are a debtor nation. We owe to great Britain, France, and Germany vast sums of money. The three countries I have mentioned are the great creditor nations that have got their hands upon all the industries of the world.

Mr. HOAR. What countries?

Mr. TELLER. Great Britain, France, and Germany.

Mr. HOAR. France?

Mr. TELLER. France is a great creditor nation, although the Senator from Massachusetts seems not to think so.

Mr. HIGGINS. Credits on outside nations?

Mr. TELLER. Certainly.

Mr. HOAR. I thought the Senator was speaking with reference to ourselves. I wish to plead absolute ignorance of the question; I am not familiar with it. I thought the Senator was speaking of nations who are our creditors.

Mr. TELLER. No; I am speaking of them as world's creditors. Of course, we have not borrowed as much money of France as we have borrowed of either Germany or England; but we have borrowed some there. France has great amounts of money loaned out. The people of France are a rich people. France has recently been holding up Italy and Spain. But for French money Spain would have long ago been, as she practically is now, bankrupt. France has been furnishing to Russia large amounts of money. So these are the three great creditor nations. We belong to the debtor class of nations; but we pay our debts. This is the only nation in the world that the creditor nations can look to with absolute certainty of having their debts paid. How long it can do it the Lord only knows.

Mr. GEORGE. Right there will the Senator allow me?

Mr. TELLER. Certainly.

Mr. GEORGE. I understand the Senator to have stated that there has been a larger exportation of gold from the United States during the present month than in any other month in the last few years.

Mr. TELLER. That is correct.

Mr. GEORGE. I can see very well, if we owe debts abroad, why gold goes to pay them; but have all those debts fallen due right now, or how is that operation performed?

Mr. TELLER. I do not suppose there is any particular time when the debts fall due. I suppose they fall due every day in the year, but it is a well-known fact to those who have watched the exports of gold that always in the spring of the year the exports exceed those at any other period.

Mr. MITCHELL of Oregon. I suggest to the Senator that our shipping interests and transportation interests transfer a large amount of gold from this to other countries every year.

Mr. TELLER. I am coming to that point.

Mr. DANIEL. Will the Senator from Colorado allow me to interrupt him?

Mr. TELLER. Certainly. I have not answered the Senator from Mississippi yet, but I will hear the Senator from Virginia.

Mr. DANIEL. I ask the Senator if it is not true, as reported in the financial journals of this country, that the present drain of gold from this country was largely caused by the necessities of the English people—the hard times that there prevailed, the number of people out of employment, and the necessity they have been put under to sustain their investments in other countries than the United States? Are they not in as hard a place as we are, and are they not compelled to sell their securities in the American markets in order to get the ready money to sustain themselves?

Mr. TELLER. At the risk of going a little beyond what I intended to in length of time I meant to occupy—and I doubt whether we can spend our time any more profitably than in discussing this monetary question—

Mr. GEORGE. I hope the Senator will explain that matter fully.

Mr. TELLER. At the risk, I say, of taking more of the Senate's time than I intended, and which I wish I could avoid, I want to answer the Senator from Virginia. A few years ago the people of Great Britain invested an immense sum of money

in South America. At the same time they were putting large sums in Australia, and some money of course in this country, and in all the British colonies everywhere. No one knows how much money the people of Great Britain have invested in foreign countries. Mr. Gladstone said they had \$10,000,000,000 invested abroad. The best authorities in Europe declare that was a great deal too small.

Mr. GEORGE. Dollars or pounds?

Mr. TELLER. Two thousand million pounds, ten thousand million dollars. All the countries of South America broke down at once. Great Britain could not get her money from that source. The Baring Brothers, a concern that was supposed throughout the commercial world to be equal nearly if not quite to the Bank of England, that had stood for, I think, this is the third generation, the greatest private banking house in the world, was ready to go into bankruptcy or to assign, when the Bank of England and other banks came to the rescue and saved the firm. The Bank of France was also asked to help, and the Bank of Russia was also called on for a million and a half pounds at the same time. Three million pounds came from the Bank of France and one and a half million pounds from the Bank of Russia. A statement was made in the French Economist, which I have no doubt is correct, to the effect that within a few weeks France sent \$45,000,000 of money into Great Britain to maintain the credit of the latter country when the Baring Brothers failed. Great Britain could not collect her money in South America. Soon after that hard times came on in Australia, and England could not collect her money in that province.

Last year without any silver law, without any buying of silver, Australia broke down in her finances absolutely, and there was an immense loss to the British capitalists who had put their money there. None of the borrowed capital could be returned to Great Britain at that time. In consequence of this chain of circumstances the British nation had no other place to go except to the American people when its people wanted money. Needing the money, they came to us, and we responded.

Mr. HIGGINS. England sold her securities?

Mr. TELLER. She sold her securities, put them on the market; not in an open way, but in a quiet, private way, sending them to the banks of New York to be gradually put upon the market here and turned over to fortunate Americans who had the money to buy. So there is not only our debts to be paid, but there are all the time American securities coming back to be sold here whenever Great Britain wants the money, and gold goes to Europe in payment of these securities. When things are easy they again buy our securities. When they get "hard up" they send them over here and cash them.

In addition to that, which seems always to be the least thought of, Great Britain does the carrying trade of this country outside of the coast trade. I believe the ocean carrying trade of this country has sunk to 13 per cent, practically nothing. Now, no man can tell how much money is paid for ocean freights. The larger your exportation is the more money you pay out. The larger your importation the more money you pay out.

In my judgment there is not a year in which it is not more than \$250,000,000. I have taken some pains to find out, but nobody can tell exactly what is the amount at the present time. It is put as high by some statisticians as \$300,000,000. The letters of credit that go to England every year by American travelers is not less than \$100,000,000. When times were prosperous in this country the servant girls of this country sent on an average at least a million dollars every month to Europe. They are not doing it now, I am afraid.

So it is not strange that gold goes abroad. With a debtor nation insisting, in the first place, upon going upon a gold basis, it simply means destroying the price of our products. It simply means hampering our ability to pay our debts, and maintaining our credit, when the prices of everything that we produce have fallen. Wheat has fallen from \$1.33 in gold in 1873 to 56 cents in New York City to-day. Cotton has declined in the same way. All the American products have experienced a similar fall in price. Our exports from this country are made up of the class of products which I have mentioned. Wheat, corn, cotton, meats, butter, and other articles have fallen from a fair price in 1873 to a price at which no man can produce them with profit to-day.

What is the result, Mr. President? You have to-day one-third of all the railroads of this country in the hands of receivers. The sixty-five railroads of this country in January, February, and March ran behind in their gross receipts over the same months a year before to the extent of \$30,000,000; and in the month of April the same roads ran behind more than \$10,000,000 in gross receipts, in comparison with the same month in 1893. You can count on the fingers of your hand the railroads of the country that are solvent to-day. When these companies can no longer pay dividends by hook or by crook, as they are now do-

ing, and when the American people shall realize that fact, and tens of thousands of small investors in the stocks and bonds of these roads will find their entire capital swept from under them by this system of finance of ours, you will need a standing army to prevent a financial revolution in this country that will bring a change of condition.

The Senator from Nevada [Mr. STEWART] calls my attention to the deposits in the savings banks. There are in the savings banks of this country \$1,700,000,000. I venture to say here that if these banks were required to pay, a thousand million dollars could not be realized out of their assets. What is to be done when the men who have toiled and filled the banks with their money shall learn that their earnings and savings of years are swept away ruthlessly from them, and when they shall be, as they will be some time, enlightened in reference to that, and know that their loss is caused by vicious and unwise legislation? I repeat, if you keep these people down you will need a bigger army than you ever had in this country.

Mr. President, it can not be done. You may keep the Frenchmen under. You may keep the Englishmen under, because of his respect for law, tradition, and authority. You may keep the German under. You can not keep an American citizen down, as the Senator from Connecticut said, when he is starving. Law or no law, they will make themselves heard and make themselves felt. A distinguished railroad man said a few months ago that there were 3,000,000 men idle, and upon them dependent were more than 10,000,000 people. Since that statement was made the idle men of this country have increased at least 20 per cent. To-day everywhere in the United States there is a conflict going on between labor and capital—strikes, riots, revolutions, you may say.

Look at the newspapers of to-day. In very many sections of the country yesterday the authorities were set at defiance. It is a contest as to whether the laborer shall receive the wages he has been getting or whether he shall get down on a lower plane. It may be that in this contest the laborer for the time will maintain himself, but the inevitable result everybody must foresee. With low wages throughout the world, with low prices everywhere in the world, there must be low prices here, and when the price of a product is below its cost there will be a suspension of production, and then in time the laborer will be compelled, much as we dislike to see it, to come down to the plane that his less fortunate fellows in Europe occupy.

The reduction of the tariff to any considerable extent and the increase of imports, in my judgment, means the sharpening of this issue. It will make matters worse and not better. What has been, without exception, the answer of people who have answered the interrogatories of the committee? Take the bulletins which have been laid upon our tables, and where the manufacturer has answered the question put to him, "What will be the effect of the reduction of the tariff?" he has answered invariably, "We must reduce our labor; we must cut the labor either in hours or in price." It has already been done, from 20 to 25 per cent, and it is to be done to a still greater extent.

Mr. ALDRICH. Will the Senator from Colorado allow me?

Mr. TELLER. Certainly.

Mr. ALDRICH. I suppose the Senator will agree with me that there can be no reduction in prices, other things remaining equal, except by a reduction of wages? That is, a reduction of wages is the necessary result of the reduction of prices, other things remaining equal.

Mr. TELLER. I have not believed and I have not charged that the reduction of duties is going to close the manufactories of New England; but I do believe that any reduction is going to compel the laborers of New England to accept lower wages, and any considerable reduction of the tariff will compel them to accept wages upon which they have never been able heretofore to exist.

Capital will take care of itself. The manufacturers of this country will continue to manufacture. They will economize, and the first economy will be, as they say themselves, the reduction of the price of labor.

Mr. President, with this condition before us, patent to every man of intelligence, I can not believe that the Senator from Maryland believes we have reached the place where prosperity will come in by cutting down the duty upon imports, by increasing foreign importations, by taking away from American labor opportunities to labor, and reducing their wages.

I do not believe this bill will help, nor do I believe it will hurt as much as some of my colleagues think it will. But it will do no good, and whatever influence it exerts upon the condition of the country will be that of evil. For that reason I am opposed to it.

But I insist that you may pass this bill, or you may adjourn without passing any bill and the condition will remain practically the same as it is until the monetary condition of the world is reformed. How can this reform be accomplished?

Mr. President, that is a great question—how far we can handle that question alone. For myself, after much thought and much anxiety, I believe that we are capable here of solving the monetary question of the world alone and unaided. What France could do with her comparatively few million of people, with her little wealth compared with ours, we can do if we only have the courage and skill to take hold of it and make the effort.

What are we to do? Are we to go on in the way we are going? Are we sensible men when we sit here and do nothing? You may deride the Coxe movement; you may poke fun at Fitzgerald; but they represent a sentiment of distrust and discontent; and they are indications, in my judgment, of a danger that no sensible man ought to overlook.

The Democratic party are in power. It would be wisdom on their part to address themselves to this question now and at least try to determine if there is not some method by which the prosperity heretofore existing could be brought back. We know now that the silver-repeal bill did not do it. We know that wheat is cheaper than it was the day we repealed the purchasing clause of the Sherman act. We know that American securities were not sent back because of that act, for they came in greater quantities after the repeal of the act than in the same period before.

We know, of course, that the distress which prevailed, and prevails now, was not the result of the act of 1890, and was not removed by the repeal of that act. I repeat here now that no intelligent man ought to believe for a moment that this bill is going to furnish the relief demanded, and I know that on the other side of the Chamber there are very many Senators, who, while they believe it may help somewhat, agree with me in the opinion that it does not strike the root of the evil after all.

Mr. GORDON. Will the Senator from Colorado allow me at that point to ask him a question?

Mr. TELLER. Certainly.

Mr. GORDON. Of course the Senator understands that every lover of the country appreciates the condition we are in just now, and is as anxious as he is to see some relief brought to this people. I want to ask the Senator, who has given so much thought to this monetary question, whether or not, in his opinion, it be not worth the experiment now to remove the tax upon State banks and let the combined intelligence of the different States undertake relief for the people of the individual States; and whether, in the Senator's opinion, that movement would not in large measure solve the silver problem? I want to hear the Senator on that point.

Mr. TELLER. I do not desire to go into that question at this time, as it is a question which will come before us later, and on which I shall endeavor to be heard when it does come. I only want to say now to the Senator from Georgia—and I will say that to every other Senator—that I do not claim for myself any more patriotism than I concede to all my associates on this floor; I do not claim that I have any more sympathy for the down-trodden of this country, or any other portion of the world, than they have. I am only telling what is the condition of the world, and suggesting that there ought to be some remedy, and that I have an idea of what that remedy should be.

Mr. President, allow me to say to the Senator from Georgia that, while the suggestion he made is a proper one, and if properly carried out would bring some relief, yet it will only be a temporary relief, and only a relief in this country. This diseased condition is not confined solely to the United States; it is as wide as the world; it exists in every country which is on the gold standard; but it is not felt in countries where there is a silver standard. We can not handle it alone, unless our action is such as to influence other nations to follow us.

If we should resort to paper money, we might add to the currency of this country \$250,000,000 or \$500,000,000 of paper which the people would readily take on the faith of the national credit; but it would not raise prices in Great Britain. It would not raise prices in France. It would not raise prices in Germany, Austria, Belgium, Sweden, and Holland. It would make for us for the time being a greater degree of prosperity, but when we had got out of the stimulus and excitement that this issue would give us, our financial condition would be as much lower as it had been raised higher before by such stimulus. That is only temporary relief.

No remedy that is not as wide as the world will reach this trouble. I do not want to be misunderstood; I do not want anybody to say that relief is only to come from an international agreement. I say, do not wait for international agreement. Let the United States put itself upon the double standard, with open mints for gold and silver at a ratio of 16 to 1, and if your gold goes, as you say it will, as it is going now, and you go to a silver basis, you will be upon a basis which will ultimately give you stability of prices, and rising prices with the silver countries of the world.

The result will be that Great Britain, and Germany, and France will be compelled to come to us and unite with us upon some international basis; and the quickest way to secure an international agreement is to say to the world that no matter what other nations may do, we are prepared to use these two metals on an absolute equality at the old ratio we adopted of 16 to 1. When we do that we will bring the world to us.

Mr. President, you may take the silver countries—I do not care to go into this subject in detail—but there is not a country where silver is exclusively used as money that is not in a better condition than is our own. Take Mexico, with great natural advantages, but with a system of government which until recently has been anything but favorable toward development and progress. I will, however, say for it now that, in my judgment, the Mexican Government is in the hands of able, patriotic, and wise men; that the people of Mexico are improving mentally, morally, and financially, and they have a greater degree of prosperity in Mexico than ever existed there before.

There can, however, be no comparison of that country with ours. Their people are different from ours. They lack that energy and that force which the Anglo-Saxon possesses; they come of a different race; they are a mixed race, very many of them, and a gentleman in Mexico told me that he did not suppose one-half of the people of Mexico slept in beds. And yet there is as much refinement, as much intelligence, as much virtue, and as much hospitality in a class of Mexicans as can be found anywhere in the world. That country, with all its disadvantages of a mixed population, with its poverty growing out of long wars, is to day infinitely better off than we are.

There are no starving men in Mexico; there are no Coxe armies; there are no idle tramps; every man who desires it can find work; and if he does not live upon the same plane that our people live upon, he lives upon a plane that is satisfactory to him, and he can make it better if he will, for opportunities are not there, as here, denied to labor.

Take China. Of course there is no comparison between the people of China and our people; and yet China has not felt the world-wide depression. Her prices have been like those of Mexico, stable for twenty years, while ours have been continually falling.

Take India. Her prosperity was greater than it ever had been up to the time when her mints were closed.

Take South America, outside of those countries where overspeculation has occurred, as in Argentina. Take the countries which are on a silver basis, and they are far better off than we are.

I should have forgotten Japan but for the fact that the Senator from Nevada [Mr. STEWART] calls my attention to it. Japan, with a population about equal to that of France, has recently stepped forward from a semicivilized condition toward an advanced civilization; and it looks to me now as if the dark-skinned races of Asia would become the manufacturers of the world.

China, Japan, and India are increasing their manufactured products beyond what was ever conceived. Japan is gathering to herself the markets of the world, which we are vainly talking about hoping to get. If this thing continues for another decade, England will cease to be the great manufacturing country of the world, and China and Japan, with a population, as I said the other day, who can live on infinitely less than can the people of any European nation, with a patience and a skill equal to that of any other people in the world, will compel all other people to yield to them in their ability to manufacture.

We are building up by this financial policy a manufacturing system in the countries which are not in accord with us, and who do not belong to our civilization and our race; and that is being done in the interest only of men who hold the securities of the world, without any other reason than that they may command more of the world's commodities.

Mr. President, I am not inclined to be prophetic of evil; but I feel, and I can not help so feeling, that we have reached a point now which should cause us to reflect. I assume that this bill will pass; I assume that substantially as it came from the committee it is to become a law, and because of that and our defective monetary system that American wages are to be reduced and American laborers are to occupy a position they have never occupied before, and which I know no man on this floor wants to see them occupy. Their courage may hold them up for a little while, but gradually they must either resist the agencies which are bringing this trouble upon them, or they must deteriorate.

Why can the American laborer do more work than any other laborer in the world; and why can he do it better? It is because he has been better paid, because he has always felt the stimulus which good wages gives to every man; because he has been a man; because he has felt that he was treated as a man, with ample wages; and because he has felt for his family; he

has had hope, courage, and ambition, and though he may have been poor, he hoped to see his boys and girls lifted up to the plane that he had wished he could reach, but had not. For them there was still hope. Shall we let that all go? Shall the American laborer be deprived of that hope, that ambition, that incentive to good citizenship? Shall the future be closed to him as it is to his fellow-workmen in the countries of the Old World? Mr. President, to me the contemplation of that state of affairs is most frightful. I felt when we repealed the Sherman act that it was a step in that direction.

I heard the Senator from Massachusetts [Mr. HOAR] yesterday speaking of the excellent people in his State who he thinks are to be hurt by this legislation. He described the people of my State; he described the people of the great Northwest; he described the character of men who have subdued the great West and made it "blossom as the rose." For them my heart bleeds, not for the people of my State only, but for all the people of the West, and for the Senator's people also; and I am willing to do what he was not willing to do; I am willing to give my vote in such a way as not to destroy this class of men, but to give them the opportunities in the future which they have had in the past.

Mr. President, believing that the passage of this bill will add burdens and not remove them, and that it will reduce the wages of American laborers, I am going to vote against it in all of its phases.

Mr. BLANCHARD. Mr. President, at the close of the session of the Senate last evening the Senator from Massachusetts [Mr. HOAR] was addressing the Senate in advocacy of a higher rate of duties upon that paragraph of the pending measure relating to shotguns. In the course of his argument he appealed to me to know if, in the years I had had the honor to represent in part my State at the other end of this Capitol, I had not found the people for whom he spoke and their representatives in the Senate and House always ready and willing to cast their votes in the direction of protecting the interests of the people of the South and the Southwest. I am glad of the opportunity to answer that question to-day.

I remember, Mr. President, in 1832, when a river and harbor bill, then so large as to attract the attention of the country, was passed, doing, for the first time in the history of the Government, justice by the great Father of Waters, in the way of large appropriations, for the purpose of improving its navigation and assisting in protecting its alluvial valley from floods. That bill, after passing the two Houses of Congress, encountered an Executive veto. It was promptly passed over the Executive veto in the House, where the bill originated, and then came to the Senate, where it likewise passed over the Executive veto.

One of the Senators who stood up for the bill notwithstanding his party's President had vetoed it, and who cast his vote in favor of its passage over the veto was the Senator from Massachusetts. He championed the cause of the Mississippi River in the bill, sustained the large appropriation it carried for the river, voted for this measure which did justice to the people of the Southwest notwithstanding the fact that it was a measure not popular in his own State. And I recall, as part of the political history of those times that, when the Senator from Massachusetts in the fall elections of that year in his State came before the people for reelection to the Senate, he was challenged for his vote cast in favor of passing the river and harbor bill over the Executive veto. He took the stump in advocacy of the measure and in defense of his course, and he was, I am glad to say, triumphantly reelected; and from that time to this he has filled a seat in this body, always with eminent ability, and sometimes with luster.

But, Mr. President, I do not think the party to which he belongs—

Mr. TELLER. Will the Senator allow me to ask him a question?

Mr. BLANCHARD. I yield to the Senator.

Mr. TELLER. The Senator has alluded to the veto of the river and harbor bill, and would leave, I think, the impression on the public mind that it was vetoed because of the appropriation for the Mississippi River. Does the Senator mean to say that?

Mr. BLANCHARD. I do not. I do not think any such inference can be drawn from anything I have said in reference to it. I premised my remarks, touching the course of the Senator from Massachusetts in reference to that bill, by stating that it was a measure so large in the aggregate amount it carried that it attracted the attention of the country and adverse criticism in many parts of the Union.

Mr. TELLER. Will the Senator allow me to ask him another question? I think he will see the reason for it afterwards.

Mr. BLANCHARD. Certainly.

Mr. TELLER. I ask the Senator if he did not recognize in the then Executive an open and avowed friend of large appropriations for the Mississippi River as being beneficial to his section of the country, both for the improvement of the river and the protection of its valley from floods?

Mr. BLANCHARD. Mr. President, answering the inquiry of the Senator from Colorado it gives me pleasure to say that we, from the valley of the great river, recognized in President Arthur, then the Chief Executive, a friend of liberal appropriations for the improvement of the Mississippi River and the protection of its alluvial valley. I well recollect the message upon that subject which he transmitted to Congress wherein he recommended liberal treatment of the river. But it is a fact, Mr. President, that President Arthur did veto the bill of 1832 carrying between eighteen and nineteen million dollars, which embraced within its provisions the most liberal appropriation up to that time which had been given by Congress in recognition of its duty toward the great Father of Waters. I did not intend to pass any criticism upon President Arthur because of his veto of that measure. That veto was based upon other grounds than because it carried a large appropriation for the Mississippi River.

Mr. President, when interrupted by the Senator from Colorado I was going on to say that while it is true with reference to the Senator from Massachusetts that he, in the broad-mindedness which many times has characterized his course as a public man, has treated us in the South and Southwest with justice and liberality, the party to which he belongs, and of which he is a shining light, has not often done so. The State which I in part represent upon this floor is, as is well known of every man, interested more largely than all the remainder of the United States in the cultivation of sugar cane and in the production and manufacture of sugar.

From the inception of the Government down to 1890 the policy of Congress had been always to maintain a reasonable duty for revenue purposes upon the importation of sugar from abroad, which aided largely in giving to the Treasury the revenue it needed and to an agricultural industry of the South the incident of protection which encouraged it. This policy, which had continued from the beginning of the Government down to 1890, a policy which the founders of the Republic and the great men who followed in their wake themselves initiated, was for the first time deliberately abandoned by the Republican party in the McKinley law of 1890, and deliberately abandoned, as I believe, because sugar was that product upon which a tax in the way of an import duty realized so much revenue that it was necessary to strike it down in order to increase the high rates of duty upon manufactured articles coming into competition with articles of like nature made in the factories and shops of the North and East.

Mr. ALLISON. Will the Senator allow me to ask him a question?

Mr. BLANCHARD. I yield.

Mr. ALLISON. I ask the Senator as to the relative prosperity of the sugar industry before and after 1890 under the McKinley act?

Mr. BLANCHARD. Mr. President, in the course of the observations which it is my purpose to submit to the Senate to-day—and it is not my purpose to occupy much of the valuable time of the Senate—I shall endeavor to answer the inquiry of the Senator from Iowa; but before I do so permit me to go on with the thread of my argument.

I say that from the beginning of the Government down to the enactment of the McKinley bill into law there had been a reasonable duty maintained upon sugar, and while the McKinley act increased in time of profound peace, without any necessity whatever for additional revenues in the Treasury of the United States, the duties upon every manufactured article, almost without exception, made in the North and the Northeast and in New England, while the Congress of the United States sanctioned and embarked upon a new, so to speak, policy of higher protection, it was guilty of the singular inconsistency of excluding sugar from the list of protected industries, of refusing a reasonable duty which was needed by an agricultural industry in the South. It segregated the sugar industry from the other protected industries of the United States, and asked it to stand alone upon a doubtful and untried experiment.

Sugar was put upon the free list for the first time since 1798, and as a sop to Cerberus they threw us a bounty, against which we protested, because we knew it would not last. Prior to 1890 too much money was being collected under the tax laws of the country. More money was being taken from the people than the necessities of government warranted. The cry went up, reduce the revenues, cut down the annual surplus. Sugar, under the duty levied on it, was yielding about \$58,000,000 a year. The Republican party answered the demand for reduction of

revenues by putting sugar on the free list. This disposed of the surplus and left a margin for placing higher duties upon the articles of manufacture in which the North was interested. So it was done—done to pave the way for a higher protection to their own industries. It mattered not that a Southern agricultural industry was sacrificed. But to let us down easily, they gave us a precarious bounty.

Believing the bounty to be a delusion and a snare, because lacking the element of permanency, the Representatives from Louisiana in Congress by their voices and their votes protested against it.

We believed that if our industry was included in the list of the protected industries, there would be some certainty of the maintenance of the fostering care which it required for its development; but that if it was cast aside from the list of protected industries and asked to stand alone under a policy of bounty, we feared the worst. We predicted then exactly what has already come to pass, at least in part. You [addressing the Republicans] placed in that bill a clause which gave this bounty for fifteen years, and even went further, and provided a continuing appropriation to pay the money that would be due sugar producers under the bounty, but we told you then that you could not fetter the hands of succeeding Congresses; that your fifteen years of bounty would not last, and that the time would come when there was great danger that the bounty would be taken away from us and sugar left upon the free list, to the destruction of that great industry in which \$100,000,000 in my State is invested.

Mr. MITCHELL of Oregon. Will the Senator from Louisiana allow me a question?

Mr. BLANCHARD. I yield to the Senator.

Mr. MITCHELL of Oregon. Suppose the Senator from Louisiana could have an assurance that the bounty system would be maintained and made just as permanent as is any legislation in regard to any protected industry in this country, would he then still prefer the duty in place of the bounty?

Mr. BLANCHARD. Mr. President, the Senator from Oregon and no other Senator, and no number of Senators in this Chamber at this time or any other time, can give any such assurance. No set of men, no political party, can enact a provision of law which gives to the producers of sugar, or the producers of anything else, a bounty for fifteen years, and guarantee that future Congresses will maintain it.

Mr. MITCHELL of Oregon. Will the Senator from Louisiana allow me a moment further?

Mr. BLANCHARD. I yield to the Senator.

Mr. MITCHELL of Oregon. I presume I have just as much power to give a guaranty in regard to bounties as the Senator from Louisiana or any other Senator on this floor, or any other party or anybody in the United States has the power to give the Senator from Louisiana a guaranty that protection shall be enforced in the future.

Mr. BLANCHARD. Mr. President, no man in this Chamber, or set of men in this Chamber, or elsewhere, can give a guaranty on any question of legislation. But on any tariff law maintained for the purpose of raising revenues needed to defray the expenditures of Government, sugar may be expected to have a place. No article can with greater justice or equity have a place upon it than sugar.

Mr. PEPPER. Mr. President—

Mr. BLANCHARD. I beg of my friend to excuse me for a moment.

No Senator or set of Senators can give a guaranty that if a reasonable duty is placed upon sugar it will be maintained, any more than the bounty will be maintained; yet I say in unity there is strength, and if the sugar industry is given the protection which results from a revenue duty on sugar, it will stand with the other protected industries of the United States, and in that position there is strength; whereas by the McKinley law it is placed in a position of weakness; asked to stand alone upon a doubtful and untried experiment.

Now I yield to the Senator from Kansas.

Mr. PEPPER. This phase of the subject is very interesting to me, and, inasmuch as the Senator from Louisiana has undertaken a comparison between the protective virtues of duties and bounties, I wish to ask the Senator this question: Whether he knows of any other protected industry in the United States in 1890, or in any previous year during the last half century, whose protection by law cost as much in comparison with the work of the domestic production as that of sugar?

Mr. BLANCHARD. In the beginning of the Government, when the Treasury needed revenue, it was found by those who were in charge of public affairs at that time that no article would yield more of revenue for the minimum of taxation than sugar; and that is exactly true to-day. It is not a question of what the incidental protection to the domestic industry has cost. The

justification of the sugar tax has been, from the beginning until now, and now, that it is the ideal article upon which a tax should be levied, an ideal article in the sense that it yields the maximum of revenue for the minimum of taxation; the maximum of revenue with the minimum of protection, if you will; and upon that ground a duty upon sugar has always been maintained, and is to-day as susceptible of defense from that standpoint as it ever was in the history of this Government.

Mr. PEPPER. Will the Senator permit me another question.

Mr. BLANCHARD. I will yield to the Senator from Kansas once more, and then I trust that Senators will not interrupt me further.

Mr. PEPPER. I assure the Senator that, with the answer to the question I shall now propound, I shall not trouble him with any further interruption, and I will say to the Senator, besides, that it is not my habit to interrupt Senators, and I should not have interfered in this discussion but other Senators set me the example, and the Senator from Louisiana was kind enough to yield to them, and I supposed he would good naturedly yield to me.

The question I ask is, if the Senator's argument is a correct one—and I am not saying that it is not correct—why will it not apply with equal force to coffee, to tea, and to articles which are not produced in this country at all, articles the duties upon which are collected with quite as small expenditures and with quite as small an amount of labor, and yet all of the duties will be revenue, and nothing but revenue?

Mr. BLANCHARD. Mr. President, the answer to the question of the Senator from Kansas is obvious. Of course the same argument would apply equally to a duty upon coffee and upon tea; but, as I understand it, the doctrine of the party to which I owe allegiance, upon this question of the tariff has always been and is now a tariff for revenue with the incident of protection. If that be true, why should we levy a duty upon coffee and tea, referred to by the Senator from Kansas, when we can obtain more revenue by a small tax upon sugar than we can by an equal tax upon both coffee and tea? Sugar is produced here and is an agricultural industry of our country to be benefited by the incidental protection which results from the tax. Coffee and tea are not raised here, and as a consequence no industry of the United States would be benefited, incidentally or otherwise, by a tax upon the same.

In the sugar tax we have a duty levied upon an article which conforms exactly to the Democratic idea of the tariff, a tariff for revenue with the incident of protection, an agricultural industry in my State, an agricultural industry in the State of the Senator from Kansas, an industry just now beginning to assume proportions which justify the belief that, if a reasonable duty is placed upon sugar and maintained for a length of time without agitation of its abolition, so as to invite capital, in a decade or two there will be produced in the United States from cane, beets, and sorghum not only the 2,000,000 tons of sugar which are annually consumed in the United States, but much more besides for export.

Mr. President, the Senator from Kansas will agree with me when I say that whereas there are produced annually in the Germanic Empire a million tons of sugar as against about 330,000 tons, all told, in the United States, we have an area of country in the United States twice as great as the Germanic Empire, which is susceptible of raising the sugar beet for sugar-making purposes as successfully as it is raised in Germany. We have, besides, an area of country in the United States as great in extent as the Germanic Empire, where sugar cane for sugar-making purposes can be grown with the great success. We have another area in the United States, several times as large as the Germanic Empire, where sorghum for sugar-making purposes can be grown in unlimited quantity, in some sections of the country two crops a year on the same ground being produced.

Then, I say, with these possibilities before us, aye, with the probabilities which these conditions present, for the production of sugar in this country equal to the consumption of our people, why should there not be maintained a reasonable duty upon sugar such as we find in the pending bill, if thereby this industry is fostered and encouraged, while a large revenue is yielded to the Treasury?

The Senator from Iowa [Mr. ALLISON] asked me if it was not a fact that since the enactment of the McKinley law, with a bounty provision in it, the development of sugar-making in this country had not progressed far beyond what it had in the same length of time prior to the giving of the bounty.

Yes, that is true. Under the stimulus and the encouragement given by the bounty, sugar production in this country has greatly increased. But that does not answer the argument made against the precarious nature of the bounty. There is no question of the encouragement to sugar production given by the bounty system.

But will this bounty last; will it remain; does it accord with the genius of American institutions; is it sustained by popular sentiment? These are the questions which disturb the sugar maker; which make him uneasy; which caused him to fear the result of the experiment of the bounty. He was apprehensive one Congress would undo the work of the preceding Congress, and he has lived to see that his fears were well founded.

Had not the Republican party placed raw sugars on the free list in 1890 there would now be no sort of doubt of maintaining sugar on the dutiable list in the pending bill. As it is, we from Louisiana have had great difficulty in making others see and admit the justice of our claim that sugar should be restored to the dutiable list.

Mr. WASHBURN. Mr. President—

Mr. BLANCHARD. I beg the Senator's pardon. I prefer not to be interrupted.

The VICE-PRESIDENT. The Senator from Louisiana declines to yield.

Mr. BLANCHARD. Mr. President, we have heard in the course of the debate upon the pending measure a great deal said on the other side of the Chamber to the effect that this bill in its makeup is a sectional measure; that it gives undue advantage to the South and Southern industries. For two months and a half I have sat in this Chamber a silent listener, obeying, at least up to this time, that ancient usage of the Senate which requires young Senators to take a back seat and "be seen but not heard." In the course of my silence and attention to the debate which has been had upon the pending measure, I have heard Senator after Senator on the Republican side make the argument of sectionalism against the bill.

Let us briefly look into it and see how much of force there is in the argument. Take wool. The greatest wool-producing State of the Union is in the South—Texas. It may, then, be said that wool is as much, if not more, a Southern raw material than it is a Northern or Western one; and yet wool is placed on the free list in this bill. Any discrimination in favor of the South in that?

Mr. PERKINS. California is the largest wool-producing State.

Mr. BLANCHARD. Well, Mr. President, perhaps the Senator from Texas will disagree with the Senator from California.

Mr. PERKINS. If the Senator will allow me, the statistics show that.

Mr. BLANCHARD. Again, Mr. President, that section of the country to-day which is the hope of the lumber industry is the South. It is well known by gentlemen living in the Northwest, and by those of us who have traveled in that region, that the end of the lumber industry in Michigan, Minnesota, and Wisconsin is in sight. Already their far-seeing millmen have gone South to the illimitable pine forests in my own State and in Arkansas and other Southern States, and have hedged against the disappearance of timber in their own country by buying by the millions of acres timber lands in the Southwest.

There is in this Capitol, in the other House, a gentleman, a friend of mine, a member of Congress from Michigan, himself one of the largest lumber producers in the Northwest, who, to my knowledge, with his associates has invested in and owns to-day in my own State, and nearly all of it within the limits of my late Congressional district, three or four hundred thousand acres of long-leaf pine timber lands. So, when you look around the country, North, South, East, or West, to locate the future home of the lumber industry of the United States, you will find it in the South; and yet this bill, which is decried on the other side as a sectional measure, puts timber and lumber upon the free list.

Mr. HIGGINS. Will the Senator yield to me?

Mr. BLANCHARD. I should prefer not to yield.

The VICE-PRESIDENT. The Senator from Louisiana declines to yield.

Mr. BLANCHARD. Again, Mr. President, the great iron and coal fields of the United States are located in the South. It is true that the pending measure places a duty of 40 cents a ton upon iron ore, and the same, I believe, upon coal; yet that is a reduction of nearly one-half from what those rates are under the existing law, known as the McKinley act; and yet the cry goes out, notwithstanding these large reductions in the rates on coal and iron, which are found in the greatest abundance in the South, that this is a sectional measure.

It is true this bill places a duty upon sugar and rice, agricultural industries of the South; one of them, however, not confined exclusively to the South.

What is this duty upon sugar? Prior to the enactment of the McKinley bill into law there was maintained, and had been for many years, a duty on an average of more than 2 cents a pound upon sugar—much more than 2 cents a pound upon refined sugar—

and yet the pending bill has reduced it to about half what it was prior to the McKinley law. Nevertheless, when the cry of sectionalism is made against the bill, sugar is especially singled out as that article which is alleged to prove it! The reduction of the sugar tax from what it was under the tariff act of 1883 rather proves the reverse of the proposition.

Mr. President, I repudiate that charge against the bill. The bill is made up, as I believe, upon lines of justice and fairness to all sections of the country, and it ill becomes Senators representing the Northeast, representing those constituencies who have been the chief beneficiaries of the protective policy which this Government has pursued, to decry against the bill because of alleged sectionalism.

Is it not a fact that for eighty years of our national existence New England has been the chief beneficiary of the tariff laws of the United States? Undoubtedly; and that section of country under this policy of protection has been built up, its people are rich, its communities strong, its industries advanced far beyond the "infant" stage. And now when simple justice is proposed to be done by the pending bill to certain industries in the South, it ill becomes Senators representing those constituencies which have fattened upon the high protective policy of the Government for more than three-quarters of a century to decry and denounce the bill as a sectional measure.

Mr. President, the Senator from Massachusetts, in the course of his remarks touching the duty proposed to be levied upon firearms and guns in this bill, referring particularly to breech-loading shotguns, declared that they were a luxury and not a necessity. That depends entirely upon what section of the country my friend from Massachusetts viewed the question. Shotguns and firearms may be a luxury in New England; but there is a story told of one of the States in that section of the Union in which I live, a State which is proud of being called "the Empire State of the South," a State which has for its emblem a lone star—I have heard it stated that sometimes down in that State a particular kind of firearm is wanted, and when it is wanted it is wanted like—sheol. [Laughter.]

At that time surely the Senator from Massachusetts would not take the position that that particular kind of firearm is a luxury. I, for one, would consider it a prime necessity, aye, the primest necessity.

Mr. President in the debate which has ensued upon this bill within the last week the Senator from Delaware [Mr. HIGGINS] took occasion, in speaking of the alleged sectional features of the bill and inveighing, if he will permit the word, to some extent against the South and the Southern people, cried out, with much vehemence of manner and emphasis of diction, "I thank God I do not take my ideas from the South."

Mr. President, that remark of the Senator from Delaware reminded me at the time of an incident recorded in Holy Writ. Something less than two thousand years ago, when the Saviour of mankind was sojourning on earth, it is recorded that two men entered the temple at Jerusalem. One was a Pharisee, the other a publican and sinner. The Pharisee stood up in a conspicuous place before the altar, and, rolling his eyes heavenward, prayed as follows: "Lord, I thank thee I am not as other men are; I give alms to the poor; I say prayers in the synagogue; I attend meetings in the Temple, and I am, Oh Lord, a good fellow generally." The other, the publican and sinner, stood afar off, and, in the meekness of spirit and humility of soul which characterized him, smote his breast, and prayed thus: "Oh Lord, have mercy upon me, a miserable sinner."

Mr. President, the application is obvious. The Senator from Delaware stands in his place on that side of the Chamber and prays to Heaven in thanksgiving that he is not as other men are: "I thank God I do not take my ideas from the South." For one, a Southern Senator upon this floor, when I heard that remark from the Senator from Delaware, I, too, thanked God, with all the fervency of my nature, that the Senator from Delaware, who could give utterance to such a remark, did not indeed take his ideas from the South. Nor do I believe, Mr. President, that the people of the brave little Commonwealth from which he comes, who, I believe, are as big in their big-heartedness and generosity as that particular utterance of the Senator from Delaware was little—I do not believe they have any part or parcel in, or sympathy with, that miserable fling at the people of the South.

Mr. President, in my seat heretofore as a silent spectator of the scenes being enacted daily in the Senate, I have witnessed the comicalities, if I may so express it, of the tariff debate as well as its serious aspects, and one of those comicalities I witnessed yesterday or perhaps the day before. The Senator from Tennessee [Mr. HARRIS] rose in his place, and with that conciseness, that vigor, and that precision which always mark his utterances upon this floor, ventured to make some observations in the line of protest and objection to the interminable delay of

which the other side of the Chamber is guilty in the consideration of the pending measure.

Straightway the Senator from New Hampshire [Mr. CHANDLER], whom I do not now see in his seat, rose in his place and remarked that he had heard the Senator from Tennessee make the same speech a dozen times on the floor of the Senate in the course of this debate; and then the Senator from New Hampshire went on himself to make a speech in reply. It occurred to me that this was a case of "the pot calling the kettle black." If the Senator from Tennessee made the same speech, alluded to by the Senator from New Hampshire, a dozen times, to my knowledge (I have sat in my seat and heard it) the Senator from New Hampshire himself made the same speech he made in reply twice twelve times.

Mr. President, I have already detained the Senate much longer than I intended when I rose to speak, but while I am on my feet I shall venture to give my opinion about the conduct of the Senate in reference to the pending bill. I wish to disclaim in the beginning of my remarks upon that topic any intention whatever to lecture the Senate. It would it become me, one of the youngest Senators in this body, both in age and in experience here, to do anything of that kind. But I am entitled to my opinion about matters that have been of daily occurrence upon this floor, and, like every other American citizen, have the right of free expression of that opinion; and I propose to freely express it.

I am aware there has existed in the Senate of the United States, perhaps from the earliest times, a usage which has become a law of the Senate, that Senators are permitted to indulge in unlimited debate. That usage has degenerated, until now, and for some time past, it has become an abuse.

It has degenerated until unlimited debate has become a synonym for unlimited delay. Here it is, with the business interests of the country in a state of stagnation; here it is, with the industries of the country in a state bordering upon paralysis; with a cry going up from every part of the Union, from every class of our fellow-citizens, to the Senate of the United States: "For God's sake make haste and get through with the tariff bill."

With these business interests, with the business men who are suffering from this paralysis of their industry, with these men who are out of employment as laborers and who are thronging the highways and byways of our country by the thousands, it is not so much a question of just what kind of a bill is passed as it is a question of passing some sort of a bill and having done with it.

Now, are we doing it? For nearly four months this bill has been before the Senate of the United States and one of its committees. Day after day interminable speeches have been made on the other side of the Chamber, day after day the hopes of the American people, asking for a speedy passage of the bill, a speedy solution of this question, a speedy cessation of the agitation of tariff questions, have been ignored and the bill drags its slow length along.

Here is the Senate of the United States bound by a set of rules which have come down to us, some of them from tradition—rules which in my opinion would be more honored in the breach than in the observance, rules which put the Senate in a strait-jacket, rules which make of the Senate of the United States what I might describe as a legislative eunuch, without virility, a creature that lives, breathes, moves, and has its being, but without the power to perpetuate its species.

The Senate of the United States, the greatest legislative body on earth, in this predicament! How preposterous! Here, with this great demand coming up for the speedy solution of this business question, the bill continues to drag its slow length along week after week, until now it has been nearly four months since the bill came from the other House.

Against the rules and usages which permit this, I here today enter my objection and protest. I declare here and now my purpose to seize every opportunity that may be presented to record my vote in favor of overturning this condition of affairs, in favor of changing the rules of the Senate so as to enable the Senate to do the business the American people sent us here to transact.

I intend to vote for anything offered, even a cloture rule if it be necessary, to bring the Senate to a position where it can do business, and I will hall with delight any reasonable change in the rules that will permit the expectations of the American people as respects legislation to be met.

Mr. PLATT. Mr. President, when I came to the Senate at 10 o'clock this morning I supposed that at half past 10 the subject which we were discussing last evening, namely, the amendment proposed to paragraph 143, would come up for immediate consideration, and I expected to occupy the attention of the Senate for some ten minutes or so in a discussion of that paragraph and the amendment to it. But something like two hours and a half of the time of the Senate has been consumed in

a manner entirely foreign to the subject under consideration. I have just listened to a lecture from a Senator upon the subject of unlimited delay in the Senate.

I could not help thinking as I listened to his address, which had no reference whatever to the subject under consideration and occupied about an hour and a quarter, that if every Senator on this floor should exercise the right which the Senator from Louisiana saw fit to exercise, we should have about one hundred hours of debate upon the bill entirely foreign to the paragraphs under consideration. That at ten hours a day would be ten days spent in debate of a general character, and of a character which is called by Senators on the other side of the Chamber obstruction. I hope we shall hear no more upon that subject.

There has been very much said here this morning which is calculated to provoke reply, but I am so anxious to please the Senators on the other side of the Chamber in charge of the bill in pressing it forward to a vote that I shall spend no time in replying to many remarks which would seem to call for a reply. However, before I speak on the subject of guns, I desire to put in the RECORD a carefully prepared table which answers the charge so frequently made, made again this morning, over and over, that what is known as the McKinley act was an act for the increase of duties:

Changes made by McKinley law.

[From the Manufacturer, December 16, 1894.]

Schedule.	Rate not changed.	De-crease.	In-crease.	Total.
Chemicals	59	44	11	114
Metals	49	50	19	118
Wool and woollens			24	24
Silk and silk goods	4		2	6
Books, papers, etc.	6	1	2	9
Cotton goods	17	6	27	50
Sundries	30	14	24	68
Flax, hemp, linen, etc.	4	8	15	27
Marble and stone	5	2	1	8
Earths, earthenware, and glassware	8	4	15	27
Agricultural products	10	2	45	57
Sugar	2	6		8
Wood and manufactures of	11	5	3	19
Total	305	142	188	635

RECAPITULATION.

Total items or groups of articles	635
Same as in old law	305
Decrease or made free	142
Rates increased	188

Some of the rates classified as "rates increased" were duties imposed upon articles which had not before had duties upon them.

I wish to say a few words about the discussion of the bill. I believe that in anything I have done I have not gone beyond what I now say we are entitled to and expect to have. Here is a bill, every line of which strikes at and affects some important industry in this country. If a bill came up here appropriating \$1,000 upon a claim and it were discussed a whole day there would be no suggestion that there had been any improper discussion; but when a bill affects every industry in the country and affects the welfare of every man in this country, may strike down a business, may close factories and mines, may even in this time of depression add still further to the depression, we are told that we must not discuss it; that there must be a vote.

Senators seem ready to throw to the winds all their formerly established principles, all their formerly cherished principles, all the proclamations of a lifetime, and say, "Pass some bill and be done with it." Some bill! Is it of no consequence whatever what kind of a bill is to be passed? If Senators suppose that this country is simply waiting for the passage of some kind of a bill to go forward again on the road to prosperity, they are vastly mistaken. The depression in this country comes not from the fact that the people are waiting for the passage of some sort of a bill, but it comes from the fear and assertion that the pending bill is to be passed.

Mr. President, we upon this side propose to take what has always been taken on the other side, the opportunity for fair, legitimate, honest debate, and nothing more. When that has been done we shall be ready to vote. We shall be ready then to take the sense of the Senate upon the question whether Senators will discharge their duty and satisfy their consciences by passing some bill. We shall be ready for that issue; and we have yet to learn, as the other side have yet to learn, whether they can pass any bill.

Mr. President, I wish to say a few words about the paragraph under consideration:

143. Sporting breech-loading shotguns and pistols, and parts thereof, 30 per cent ad valorem.

An amendment is pending which proposes to restore the rates to those of the present law. Now, if it were admitted that the rates imposed by the present law were higher than in the estimation of those who are preparing the bill they should be, I contend that the reduction has been very much greater than even from the standpoint of Senators on the other side ought to be made. There is no incidental protection about this rate. It is one of the striking instances where an industry is to be destroyed. It is not one of those instances which has obtained either full or partial protection.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER (Mr. BRICE in the chair). Does the Senator from Connecticut yield to the Senator from Rhode Island?

Mr. PLATT. Certainly.

Mr. ALDRICH. I suggest that there is not a quorum present.

The PRESIDING OFFICER. The Senator from Rhode Island suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Frye,	McLaurin,	Pugh,
Bate,	Gibson,	McMillin,	Quay,
Berry,	Gordon,	Manderson,	Sherman,
Brice,	Hale,	Martin,	Shoup,
Caffery,	Harris,	Mills,	Smith,
Call,	Hawley,	Mitchell, Oregon	Stewart,
Camden,	Higgins,	Morgan,	Teller,
Cameron,	Hoar,	Morrill,	Turpie,
Cockrell,	Huntton,	Murphy,	Vest,
Coke,	Jarvis,	Pasco,	Vilas,
Daniel,	Jones, Ark.	Patton,	Voorhees.
Davis,	Jones, Nev.	Peffer,	
Dubois,	Lindsay,	Perkins,	
Faulkner,	Lodge,	Platt,	

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present. The Senator from Connecticut will proceed.

Mr. PLATT. The existing rate upon double-barreled shot-guns, breech-loading, valued at \$6 or less, is \$1.50 each and 35 per cent ad valorem. Now, under that duty, in 1891 guns to the value of \$75,313.95 were imported; in 1892 it jumped up to \$365,811.54, falling off in 1893 to \$212,971. The revenue in 1892 was \$252,658.03, and in 1893 it was \$144,802.85. The equivalent average ad valorem in 1891 was 65.31 per cent; in 1892, 69.06 per cent, and in 1893, 67.99, and the unit of value was \$4.55.

It is perfectly apparent that to take off the duty of \$1.50 upon each gun and to reduce the ad valorem from 35 per cent to 30 per cent, as is proposed by the pending bill, is simply not to have any more guns of the value of \$6 or less manufactured in this country. All the guns of which the foreign value is \$6 or less to be used then will be worthless Belgian guns. Upon guns with a foreign value of from \$6 to \$12 the duty is \$4 each and 35 per cent ad valorem. The unit of value was \$8.83. The whole equivalent average ad valorem duty was in 1891 83.84 per cent; in 1892, 84.87 per cent, and in 1893, 80.30 per cent. The importations appear to have been small, for a reason which I will explain. In 1891 the importations amounted to \$73,620.88; in 1892, \$12,488, and in 1893, \$5,124.15.

One reading those figures and not understanding the explanation would suppose that we manufactured in this country during those years all the guns which were consumed in competition with the \$8.83 gun from abroad, but I will give the explanation. Very soon after the passage of the McKinley law in the year 1891, the importers conceived the idea of importing the barrels and the stocks separately; and, as neither were guns, getting their importations valued under the metal clause at 45 per cent ad valorem. When that came to be fully known the importations of guns valued from \$6 to \$12 dropped off, so that in the year 1893 only \$8,000 worth of these guns were imported, and yet more than half of the guns consumed in this country of that value were imported by taking them apart in foreign countries and putting the barrels on the stocks after they reached the United States. So, under the ad valorem duty of 45 per cent, in fact, the industry has been very badly crippled in this country.

Guns of a value above \$12 are not so important to this discussion, for while the duty will not in any sense be a protective duty, the guns above \$12, foreign value, which are sold in this country are sold quite largely upon their reputation. A sportsman desires to get a gun of a particular make. The real question, therefore, comes upon these two clauses of the bill where the value is \$6 or less or is between \$6 and \$12.

Mr. President, I am convinced in my own mind that if the bill should pass neither of these two classes of guns would be manufactured to any considerable extent in this country. I am somewhat familiar with the cost of manufacturing, and I think I am entirely correct in saying that these guns made in Belgium can not be competed with under a duty of 30 or 35 or even 40 or 45

per cent. Now, if that is the desire of the Senators on the other side, then the industry must go to the wall.

It will be one of those instances where, for Senators who follow the lead of my friend the Senator from Texas [Mr. MILLS], who desires free trade, there will be a compensation for voting for the protective duties which are in the bill. The proposed rate upon breech-loading shot-guns is a nonprotective free trade duty.

Mr. HOAR. I should like to ask the Senator from Connecticut a question before he sits down, because I know how highly the Senate values his testimony in all matters within his observation. Does the Senator from his own observation confirm what has already been said, that destroying this industry here will destroy the manufacture of an article of the highest character and purposes, in favor of a cheap and worthless, fraudulent imitation? I should like the Senator to give his testimony about that matter, if he will.

Mr. PLATT. If the men who use shot-guns and have knowledge of what they are understood that the reduction of this duty was to bring into our market and put in our market only the foreign-made Belgian gun, there is not, I believe, a single sportsman or boy who uses a gun who would not want the present duties retained. The American breech-loading gun is an article that will last. It is almost the perfection of finished work, and is made of good material. The foreign Belgian shot-gun will shoot for a week or a month, but if used at all will be useless in a short time.

Mr. President, why should this be done? Is this, on the other side of the Chamber, a matter of give and take, in the sense that if a protective duty is put upon one article—for instance, if a high protective duty is put upon structural iron which Mr. Carnegie makes, is it necessary that a free-trade duty should be put upon shot-guns which Ivers Johnson makes? Is the matter to be averaged in that way? Is that the incidental protection which we were told is in the bill? In the manufacture of these guns the very highest degree of skilled labor in the country is employed. If you could go into one of those gun factories in the United States and look in the faces of the men engaged there, you would see that the workmen are a very highly developed, skillful class of people, just the people whom we desire to retain in this country, just the people who are the foundation of our social and civil order in this country.

I turn to the testimony of the gentleman of whom the Senator from Massachusetts spoke, who was born in Norway, who came over here as a workman, poor. He worked in the employ of a gun manufacturing concern, and received first \$8 a week, and the next month he received \$9 a week. After he was there a year he was getting \$2.25 a day, and he saved his money, and finally he began to manufacture guns himself. He was asked if he had informed himself about the wages paid for the highest skilled laborers in the business in Belgium. Having first stated that he paid his men all the way from \$1.75 to \$3 a day, Mr. Johnson answers the question:

Yes, sir; I inquired into it particularly. I had a good recommendation to a gentleman in Belgium, and from him I got all the information that I wanted; I found the best wages paid there was somewhere about \$5 a week, that is, to skilled labor. Mr. Daly was there at the same time in the year that I was, and he introduced me to other parties, from whom I got considerable information. I will say that the Belgian people are introducing machinery, as perfect machinery for this art as the Americans have, and they are increasing every year. That is the competition that the American people have got to meet, and it is important, I think, to prevent importation as much as possible.

That brings the proposed duty right down to a square issue. Will you put the persons in this country who are getting \$18 a week in competition with the men who in Belgium are getting \$5 a week? Senators stand up and say they do not want to do that, but that is exactly what this duty will do. I trust that if the committee will not agree to the amendment which is proposed, restoring the old rate, they will at least make some amendment to this paragraph so that it shall not pass from the consideration of the Senate and make it impossible to right what it seems to me is a glaring injustice. I believe that if this matter were fully understood by the committee they would not desire to retain the duty proposed here, which puts a man who earns \$18 a week in this country and is a skillful mechanic, an intelligent man, a good citizen, in direct competition with the man in Belgium who earns only \$5 a week.

Mr. HOAR. Mr. President—

Mr. MILLS. Will the Senator from Massachusetts pardon me one moment?

Mr. HOAR. I wish to say a word in reply to the Senator from Louisiana [Mr. BLANCHARD], before what he says passes from the Senate, if it makes no difference to the Senator from Texas.

Mr. MILLS. I wish to speak but a moment. I want only one minute by the watch.

Mr. HOAR. I yield to the Senator.

Mr. MILLS. I merely wish to say to my friend from Con-

necticut, that I was presented by the Democratic convention of his State with a shotgun, which, I think, is one of the finest guns in the world. I believe they can make in Connecticut the best guns and the cheapest guns in the world, and they do not need any protection at all.

Mr. PLATT. It is rather a strange coincidence that the Democratic convention should be presenting a shotgun to my friend from Texas when he came to Connecticut to make Democratic speeches. But passing that by, it is doubtless true that as good shotguns are made in this country as are made anywhere in the world. We claim that they are the best; that they take the prizes in contests to determine the character of shotguns. It is not on account of the manufacture of these fine guns that I complain.

The Senator from Texas could not have heard my remarks. I never flatter myself that any Senator listens to them. I said that I am not pleading for this increase of duty on account of the manufacturers who make the high priced, finely finished, elaborate guns, which sell at prices ranging anywhere from \$75 to \$300. The manufacturers sell those largely upon the reputation which they have established for them, but the manufacturers who make guns for the multitude will have to go to the wall.

Mr. HARRIS. Mr. President—

Mr. HOAR. I desire to occupy about thirty seconds only in reply to a particular remark by the Senator from Louisiana [Mr. BLANCHARD].

Mr. HARRIS. I am so grateful for the courtesies of the Senator from Massachusetts that I will yield to him thirty seconds.

Mr. HOAR. I should like to take thirty seconds more to say another thing, which I may as well say now.

Mr. HARRIS. The Senator shall have sixty-four seconds.

Mr. HOAR. Mr. President, I made an observation last night which I meant as a mere rallying jest, and which I know many persons on both sides of the Chamber so understood; but I have reason to suppose that it was taken in some quarters as seriously disrespectful to the Senator from Tennessee. I do not know whether the Senator will accept my assurance, but I wish to make it in the face of the Senate and the country.

I hold that Senator in the highest respect—I have served with him ever since I came into the Senate—not only for his kindness of heart and his absolute integrity, but his great intellectual capacity and clearness. He is in this country, in my judgment, the undisputed master and superior in that matter which is so important to the conduct of deliberative bodies—parliamentary law. He addresses us on this side sometimes pretty roughly in tone and sometimes pretty roughly in substance, but I never supposed that anybody would make an appeal, either to his sense of justice or his kindness of heart, unsuccessfully.

I hope the Senator from Tennessee will take this assurance as it is meant. If he does not I still hope and believe that the country will recognize the truth of what I say, and will accept it.

Mr. HARRIS. Mr. President, the kindest relations have existed between the Senator from Massachusetts and myself, so far as I have known. I confess that I felt a little stung at his conduct on yesterday evening, because when I asked him to yield I understood myself as acting in obedience to his request, and the manner in which he received my request that he should yield was not quite agreeable to me. I am greatly obliged to the Senator from Massachusetts for having done me more than justice in what he has just said, and I accept gratefully the statement he has made.

I did not rise, however, for the purpose of referring to that matter. I did rise to say that I have not much respect for the shotgun man, the scattering fellow. I like the rifle, that goes directly to its point. I move to lay the amendment of the Senator from Rhode Island on the table.

Mr. HOAR. I desire to say a word in reply to what was said by the Senator from Louisiana [Mr. BLANCHARD] if the Senator from Tennessee will pardon me for one moment.

Mr. HARRIS. Certainly.

Mr. HOAR. The Senator from Louisiana, in the beginning of the remarks just submitted to the Senate, conceded to the representatives of my own State and some of the other States of the East that they had generally, in regard to the particular, great industry of his State, been in favor of what he deems a just and liberal policy of protection; but he said that the representatives of the party which is in the ascendant there had departed from that particular policy lately in substituting for a protective duty upon sugar a bounty, thereby placing that great industry of the country in the precarious and temporary situation of being made an exception to the general public policy pervading the country, and depending upon a bounty, which was not only a disagreeable thing to do, but was pretty certain to fail in a short time.

I wish to remind the Senator from Louisiana and the persons

for whom he speaks, if they pay any attention to what is going on here, that that was done after almost the whole country, without distinction as to party, had come to the conclusion that the duty, whether you call it for revenue or protection, could not be supported any longer. It seemed to be doomed. In the first place, the Republican party all over the country had said it was not fair to put \$40,000,000 or \$50,000,000 on a necessary of life of the poor, costing them more than their flour, to protect an interest which is local, and, so far as concerns cane sugar at any rate, can not be very greatly extended. I am not saying whether it was right or wrong, but that was the Republican doctrine.

Now, it is the Democratic doctrine largely, perhaps not un-animously, as shown by the fact that at this very Congress the political associates of the honorable Senator from Louisiana in the lower House put sugar on the free list, I believe with substantial unanimity, or at least with a large preponderance, and sent the bill over to us—

Mr. BLANCHARD. Will the Senator from Massachusetts allow me for a moment?

Mr. HOAR. Certainly.

Mr. BLANCHARD. My party associates in the other House contributed to that result almost unanimously.

Mr. HOAR. That is what I mean to say. So the Senator will see that when the Republicans, and the Republicans of the East, took all the responsibility of putting the bounty on sugar they did not do it simply as substituting the precariousness of the bounty for the certainty of the duty, but they rescued sugar, for the time being at any rate, and I think permanently, so far as it depends on Government protection, by substituting a bounty for a policy of protection already doomed.

I do not know, but I predict that if the sugar bounty is destroyed, and destroyed by the vote of the honorable Senator from Louisiana, or without his vote, and a duty substituted, that duty will be temporary only, and the Louisiana industry must either sustain itself in full competition with sugars from abroad or it will go down in the course of a very few years.

Mr. President, I do not attach much weight to this prediction of mine. Prophecy is not one of the exact sciences, and I am neither a prophet nor the son of a prophet, and have had very little practice in the science in general, such as it is. The Senator's judgment on that subject is so much better than mine, as I agree, but I rose simply to say that when the representatives of Massachusetts, or of New England, in either House voted for the sugar bounty and free sugar they did not depart from their ancient loyalty to what they deem the interest of another part of the country, but were rescuing the sugar industry of the country from a doom which had overtaken it. They put a bounty on the product, and thereby created a policy under which the industry has grown and prospered within the last two years as never before.

Mr. HARRIS. I renew my motion to lay the pending amendment on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee to lay on the table the amendment of the Senator from Rhode Island.

Mr. PEPPER. I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out paragraph 143 as amended, and insert:

143. All double-barreled, sporting, breech-loading shotguns valued at not more than \$6 each, \$1.50 each; valued at more than \$6 and not more than \$12 each, \$4 each; valued at more than \$12 each, \$6 each; and in addition thereto on all the above 35 per cent ad valorem. Single-barrel breech-loading shotguns, \$1 each, and 35 per cent ad valorem. Revolving pistols, valued at not more than \$1.50 each, 40 cents each; valued at more than \$1.50, \$1 each; and in addition thereto on all the above pistols, 35 per cent ad valorem.

Mr. ALDRICH. I ask for the yeas and nays on the motion to lay the amendment on the table.

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

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were here I should vote "yea."

Mr. GORDON (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON], and withhold my vote.

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON]. If he were present I should vote "nay" and he would vote "yea."

Mr. MCLAURIN (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "yea."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present I should vote "nay" and he would vote "yea." As the Senator from South Carolina will be absent from the Senate during the day, I will now announce that I am paired with him on all the votes which may be taken.

Mr. GEORGE (after having voted in the affirmative). I desire to know whether the senior Senator from Oregon [Mr. DOLPH] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. GEORGE. I withdraw my vote, as I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. DUBOIS. I transfer my pair with the Senator from New Jersey [Mr. SMITH] to the Senator from Rhode Island [Mr. DIXON]. I vote "nay."

Mr. McLAURIN. Under that transfer I will vote. I vote "yea."

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE]. I should vote "yea" if he were present.

The result was announced—yeas 28, nays 22; as follows:

YEAS—28.

Allen,	Coke,	Jones, Ark.	Ransom,
Bate,	Faulkner,	Kyle,	Roach,
Berry,	Gibson,	Lindsay,	Turpie,
Blanchard,	Harris,	McLaurin,	Vest,
Brice,	Hunton,	Palmer,	Vilas,
Camden,	Irby,	Pasco,	Voorhees,
Cockrell,	Jarvis,	Pugh,	Walsh.

NAYS—22.

Aldrich,	Hale,	Morrill,	Sherman,
Allison,	Hansbrough,	Patton,	Shoup,
Chandler,	Hawley,	Peffer,	Teller,
Davis,	Hoar,	Perkins,	Washburn.
Dubois,	McMillan,	Pettigrew,	
Frye,	Mitchell, Oregon	Platt,	

NOT VOTING—35.

Blackburn,	Dolph,	Lodge,	Proctor,
Butler,	Gallinger,	McPherson,	Quay,
Caffery,	George,	Manderson,	Smith,
Call,	Gordon,	Martin,	Squire,
Cameron,	Gorman,	Mills,	Stewart,
Carey,	Gray,	Mitchell, Wis.	White,
Cullom,	Higgins,	Morgan,	Wilson,
Daniel,	Hill,	Murphy,	Wolcott.
Dixon,	Jones, Nev.	Power,	

So the amendment was laid on the table.

Mr. ALDRICH. For the purpose of enabling two or three Senators who wish to make a very short statement in regard to this item, I move to strike out "thirty" where it occurs in the paragraph and insert "forty-five."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 11, page 32, paragraph 143, strike out "30" and insert "45;" so as to read:

143. Sporting, breech-loading shotguns, combination shotguns and rifles and pistols, and parts of all the foregoing, 45 per cent ad valorem.

Mr. ALDRICH. The facility with which the junior Senator from Louisiana [Mr. BLANCHARD] disposed of the great questions which are troubling the Senate and the country shows, what I knew from service with that gentleman in the other House, how valuable is one of the recent acquisitions in the Senate. The Senator from Maryland startled the Senate and the country somewhat by the speech which he made day before yesterday in giving an outline of the principles upon which the bill is constructed. The Senator from Louisiana, who has come suddenly to the front as a leader of his party, has this morning outlined the method by which the bill is to be disposed of in the Senate.

I do not intend to be led into a discussion of the sugar question at this moment. The fervor with which the Senator from Louisiana defended the interest of his State would have had a little more force if he had not so recently voted in another place to put sugar of all kinds upon the free list and for the repeal of the bounty. If common rumor is of any value, that Senator is soon to follow the same course which he followed elsewhere; that he is likely to have to follow the same course, because I believe that when this question comes up for careful consideration by the Senate and we are confronted with the practical problems contained in the sugar schedule, the Senate will vote to put sugar upon the free list.

The sounding declarations of Senators as to their interests in their constituencies and the country generally have but little force in this Chamber in comparison with votes. If the bounty given by the act of 1890 is repealed and the contract which in my opinion was entered into by the provisions of that act is abrogated, it will be by the affirmative votes of the two Senators from Louisiana, and by no others.

As I said, I do not intend now to discuss the sugar question, but I will make one further remark. During my service in the Senate of fourteen years I have never heard a Senator from the

State of Louisiana rise in his place and defend the rates of duty imposed upon sugar as a protective duty. The Senator from Louisiana said he proposes to segregate sugar from the other protected industries. I should be glad to have that Senator or his colleague rise here and say that it is a protective duty. I have never heard any such claim on the part of any Senator from that State.

I made the motion which I did to give my friend from Connecticut [Mr. HAWLEY] a chance to make some remarks upon the pending amendment.

Mr. HAWLEY. Mr. President, I ask that the pending amendment be read.

The PRESIDING OFFICER (Mr. BRICE in the chair). The amendment proposed by the Senator from Rhode Island [Mr. ALDRICH] will be stated.

The SECRETARY. In line 11, page 32, paragraph 143, strike out "30" and insert "45;" so as to read:

143. Sporting, breech-loading shotguns, combination shotguns and rifles and pistols, and parts of all the foregoing, 45 per cent ad valorem.

Mr. HAWLEY. Mr. President, it is not merely that I might make some remarks—I do not care much for that kind of amusement—but because I am so well aware of the injustice that is being done by the pending paragraph, as well as many others in the bill, that I rise to address the Senate.

We claim, in New England, to know something about this business. We made some of the earliest improvements in small arms of all descriptions. The Colt patent was obtained by a Connecticut man, the Spencer patent by a Connecticut man, the Winchester patent and the Parker patent, all by Connecticut men; while Sharp obtained his patent while a resident of another State he came to us to form his manufacturing company. We have been more ingenious, have made more advances and general improvements in Connecticut than in any other part of the world I know anything about in proportion to our population. We do not manufacture such guns for common use as are sent from Belgium and Germany, no "cast-iron shotguns," cheap and dangerous trash. The workmanship is of the very highest and best-paid mechanical skill, and the material is of equal excellence.

Whenever you find upon a gun of any description one of the names I mention you may take it as a guarantee of the excellence of the material and the perfect workmanship of all exterior and interior parts. But we can not make perfect weapons for the wages paid gunsmiths in Belgium. A close examination made by one of our large manufacturers not long ago ascertained that where we pay a dollar to these skillful mechanics, in England they are paid 52 cents, in Germany 46 cents, in France 47 cents, and in Belgium 43 cents. That is why we think we ought to have a duty. The industry is now established, and we think in order to maintain it and give you revenue at the same time, the duties ought to remain somewhere near where they have been. I do not object to any modest reduction. Gentlemen will do as they think best after they have carefully studied this subject; but I do object to modifications that our best business men and manufacturers say will compel them to close out or partially close out the business, and heavily reduce wages.

The heavy reductions proposed by this bill are not in the interest of revenue, I think. If you wish to get under this reduction of duty a revenue equal to that you are now receiving you must expect to have a very greatly increased importation from abroad. Do you not see that? For example, suppose you levy 40 per cent upon \$100,000 worth of goods. If you reduce the duty to 20 per cent, it will require an importation of \$200,000 to net you \$40,000. Is it in the interest of economy and prosperity to banish to Europe \$100,000 worth of the work of skilled labor? The only alternative is a reduction of wages by 40 or 50 per cent, to the level of English, Belgium, German, or French gunsmiths.

In many of its provisions this is a bill to reduce the wages of labor and banish American industries. I say frankly that I am in such relation to employers and employed now doing little and threatened with still less work and wages, that I am grateful to the Democracy for every additional cent of duty where it is necessary to maintain an existing American industry.

There is a great temptation to proceed now with an argument upon the general issue between the doctrines of protection and free trade, but I postpone it, and I shall take an opportunity to do it by and by. I shall endeavor to show that when a country has every imaginable resource; somewhere in its broad area nearly every kind of soil and climate suitable for nearly every product needed for man's food or clothing, or every kind of wood; somewhere nearly everywhere or metal; immeasurable miles of ocean, lake or river navigation; 171,000 miles of railway; a nation of infinite skill in workmanship and invention—such a country, such a nation is imperatively commanded by the Almighty to develop its resources. I shall also try to show sometime, in the language of an English free-trade writer who burst out unawares

praising this country, "Blessed is the nation that is self-contained and need not be always asking what other peoples are doing."

It would be the ideal condition, if, having within our own borders everything we need to produce or consume, we had a market for all things here, and having every aptitude and capacity among our people we had for each the appropriate field of work. Only a diversified industry can make a truly prosperous and happy people.

It would be best for us also if we avoided or escaped so far as possible from what I call the calamity of transportation. I am amazed at what I think is supreme folly when I hear gentlemen measuring the prosperity of any country by the extent to which it carries things. What good is there in carrying a cargo of wool from Montana to Yorkshire that it may be made into coats to come back again and be put on the back of Montana shepherds?

It enters into our international traffic, and the free trader says, "Lo and behold, we have done so much business abroad!" But when woolen establishments start in Dakota and the wool is worked up into clothing, these figures disappear from international traffic, and the free trader lies down in dust and ashes and says, "Alas! we have lost our foreign trade!" whereas we are better off industrially. Anybody with a slate and pencil can tell you we have made two trades instead of one, and employed more than twice as many Americans. We have raised our wool and sold it, and there is a benefit in that, is there not? Then, the man who bought it has made cloth and sold that, and there is a benefit in that, wholly lost under the free-trade scheme. Each nation suffers in paying its share of that foolish transportation, that absolutely unnecessary transportation, that calamitous transportation. The nearer together you can bring the producer and the consumer, every man of common sense ought to see, the better off we are.

There is another supreme folly that I should like to take time to expose, and that is that the farmer has no interest in protection save as it may guard his own special product. Suppose in the coming ten years the proportion of the people engaged in manufacturing and all sorts of industrial pursuits should grow to such numbers that they would consume the wheat, the surplus corn, the beef, and the pork produced here, so that they need not be carried 3,000 unnecessary miles, would not that be a gain? Would it not reduce the competition in farming, if instead of 45 per cent of our people engaged in that pursuit we should have but 40, and still produce every pound we needed? By our wonderful and wholly unprecedented cheap sales and gifts of land we have tempted into farming a proportion far beyond the true economic proportion and balance. Is it not statesmanship to so guard our people against unjust and cruelly low wages that we may readjust by opening safe paths in all mechanical and manufacturing labors?

When it is said the farmers have no interest in protection another view is wholly overlooked. I brought out in previous discussions in 1883 and in 1890 a careful comparison of the States in the matter of the values of farms, and I assert again as the result of this study that precisely in proportion to the prevalence of manufactures is the value of farm lands. The more manufacturing there is in a State the higher stands the average price per acre. That of itself is an absolute demonstration. The inference is absolutely unavoidable.

I have a series of figures here. I will take some other time to present them in full. In these you will find in Mississippi, for example, with next to no manufactures beyond the blacksmith shop and the sawmill (though I am happy to say that there is a better prospect ahead), their farming land was reported in 1890 worth \$7.25 per acre. Their manufactured products average \$15 per capita; while in Connecticut, with much stony and unfriendly soil, our farm lands average \$42.16 an acre, and this by reason of the manufactures gathered into cities or villages, or scattered along the streams affording water power. So that our manufactured products show an average of \$332 per capita. The farmer has a near market.

In the free trade ideal condition of agriculture men raise a few things. They have no home market. Take a section of a State in the West filled with farmers of comparatively recent arrival and see how they live. They raise beef, corn, pork, and wheat, potatoes, perhaps, and send them abroad. They have no other share in the wide field of human exertion. They have no manufactures near by. Under modern processes such farmers have many easy months. Their chief work must be done by able-bodied men. There are no factories to offer light work for the weaker or older men or the women, and few chances for steady work at fair wages through the whole winter.

There are capacities intellectual and physical; there is skill of the eye and the hand, mechanical tastes and aptitudes that

find no opportunity for development in a solely agricultural country. But bring into such a region a vigorous man, trained in some mechanical or manufacturing pursuit, having some capital and selling some stock to the farmers, who would in most cases gladly give him land and water at low figures. Let him establish a factory, employing, say, one thousand hands, many of them women or young people of either sex. That would imply a total population of, say, four thousand, to which must be added all the incidental employments of shopkeepers, grocers, butchers, blacksmiths, tailors, carpenters, builders—a long catalogue. Behold a young city of seven or eight thousand. And other factories will follow.

All the people within 20 miles around then begin to carry their products to that town; and not merely their pork and beef, and wheat and wood, but there come demands for everything that can be produced out of the soil, the whole range of market gardening, for example. Then land goes up in value twofold or tenfold. Go within 100 miles of Philadelphia and see what the farmers get rich out of. They get rich out of every article that is consumed for food and for every one of which there is a ready market near by them. In the purely agricultural country of which I first spoke farmers will raise all the vegetables and poultry needed for their own tables, but no more, for each farmer does the same for himself. But when there springs up a manufacturing village or a great city within reach farming becomes greatly diversified; there is a market for any surplus, and little farms become worth what great farms could be bought for before.

As the mechanical village grows up there are boys in plenty who do not like farming, who have no aptitude for it, whose fathers think they are not worth raising because they see no fun in it; they get no intellectual pleasure in plowing away on the old farm for a generation. But when the new town grows up all the fine machine shops are built, and the country boy wanders in there and sees the exquisite workmanship in wood, steel, iron, brass, and bronze, or in the fine processes of spinning and weaving, or the building or running of engines, this new world brings him an inspiration. The boy goes home and says, "Dad, I want to leave the farm." He goes in as an apprentice at 50 cents a day. After a time he gets two, then three or four or five dollars, and by and by he begins to hire other men and have a shop of his own; and by and by, with old comrades and friends around him, he leads in organizing a manufacturing company, employs five hundred, and is transformed into that most odious of men, a robber baron. These are our robber barons. They create towns and enrich counties.

Now, I will give you an idea, without naming or coming too near a description of it, of a concern in my own State. It bears the name of two men. It is now a joint stock corporation. An ordinary Yankee boy came from Massachusetts and went to work in a shop requiring skilled workers in iron and steel. In due time he took subcontracts and employed five or ten or twenty other men. One of his comrades joined him in starting a shop of their own. They obtained good contracts, for they were admirable workmen and never permitted work to leave their hands that was not scrupulously perfected. Their judgment, their characters, and credit were unquestioned. So for many years they grew until now a great corporation with a capital stock of \$2,000,000 bears their name and is known throughout Europe. It has done some excellent work for the United States. It made for the arsenals of the Prussian Government \$3,000,000 worth of arms-making machinery.

These are our "robber barons." Scattered through their large shops are mechanics of their own age and younger who have grown up as their neighbors and friends. Passing through the long rooms you are introduced to men worthy of your esteem. They are intelligent, self-respecting citizens, not jealous of their chiefs but loving them, recognizing them as born captains of industry, noblemen of labor. If there should be hard times and trouble; if work should fall off, and the alternatives of no employment or lower wages should be present, the foreman and subchiefs understand the situation as well as the bookkeepers and directors. They are consulted. If need be they accept lower wages or fewer hours, knowing well that with better times wages and hours will be restored.

The creators of the noble industry probably live in comfortable houses and receive good salaries. If there are more than two millionaires in our State, among the heads of our corporations and firms that turn out two hundred and forty-eight million of products I do not know where to find them.

In a few cases brilliant inventions known throughout the world and worth to mankind uncounted millions laid the foundations of good fortunes and good investments swelled the figures.

Into the shops I had in mind I go frequently, ready to take off my hat to natural-born captains of American labor, the "robber

barons" of mischievous demagogism. There one is frequently finding some one of the new devices or patented processes that are steadily reducing the cost of products and raising the wages and social life of labor.

Mr. VILAS. Mr. President—

The PRESIDING OFFICER (Mr. BERRY in the chair). Does the Senator from Connecticut yield to the Senator from Wisconsin?

Mr. HAWLEY. I would rather not, but I will hear the Senator.

Mr. VILAS. I ask the Senator from Connecticut to tell us how much less they sold those arms to the Prussian Government for than they sold similar arms in their own country?

Mr. HAWLEY. I do not know anything about the price. My case did not rest upon that. There was no market in this country for \$3,000,000 worth of arms-making machinery. The foreign government doubtless made a generous contract, but after the machines were all at work a high officer of said government sent my neighbors a letter of praise and thanks for the excellence of the designs and construction.

I was about to repeat, when the Senator from Wisconsin interrupted me, if you could go through those shops with me, you would find there is no jealousy, no discomfort, no Coxeyism, no strikes. Owners, employes, and men live and meet upon the frank and free relations of neighbors, friends, and equals. The foreman would cordially acknowledge the skill, honor, and force that built the great manufactory which furnishes him the means of living and the opportunity to save.

The people who know nothing of free American mechanics and manufacturers picture the leaders as dominating and domineering men, regarded as oppressors, and surrounded by anarchistic and socialistic conspirators endeavoring to destroy them.

I call to mind other manufacturing towns and villages. In one place the third generation conduct the affairs of a great industry. They are widely known in the business world as gentlemen of culture and ability, and they have no enemies around them. The chief men employed under them were born and grew up in that neighborhood, were comrades at the district school or academy, comrades in the militia company, comrades in all sports and works, and many of them comrades in the great war. The chief of the whole brought his honorable scars from Antietam. Scattered in all directions are the comfortable homes, owned by the men who earned them. The books of the savings banks show much of their savings.

It is one of our many communities of free America. Neither in their politics nor their business are the people servants of any master. It is as likely to be the foreman as the director who goes to the Legislature or the city council. From the shops and the farms around come the many officers of our New England unit of democracy—the town government.

Mr. President, we should have little value in our farms in Connecticut if our market-furnishing factories were destroyed. The farmer blesses the factory and is just as much protected. For every new factory within 10 miles is an access of value to all productive lands.

There is another free-trade fallacy that I will briefly comment upon. It is said that protectionists profess a desire to build up infant industries, and we are asked, "Have you not built them? Is it not time to consider them established?" No, sir; this is but the very dawn and cock-crowing of American civilization and growth. In this current decade we are to have an addition of at least 17,000,000, perhaps 18,000,000 to our population. Those people are to be fed; they are to be clothed; they are to have 3,600,000 tenements or houses for their families to live in, and the three and one-half million houses are to receive furniture, carpets, bedding, tables, crockery; the implements of farming, the tools of trade. More roads and bridges and fences will be wanted. And for all those millions will be needed a due proportion of churches, libraries, halls, theaters, shops, machinery, clothing, books, pictures—all the outfit of modern civilization.

Every branch of manufacture in this country must increase its product 30 per cent in this decade in order to supply the people coming or to come between 1890 and 1900. Statisticians say the people are worth \$1,000 per capita. Then we are to have an accession of \$18,000,000,000 to our wealth in this decade. The Lord never made such a market as our own country affords.

Great Britain struggles by annexations and dominations to enlarge her markets. But in these ten years there is coming to us unsought a population equal to that of Spain.

No; there is no market in the world like the home market. The disregard of it in seeking to carry things all over the world is one of the supreme follies of free trade. Reasonable, wise, practical protection is nothing to be ashamed of nor to apologize

for. It is a poem, sir. It is the great American doctrine. Here we are to have 100,000,000 people making everything imaginable, and with every man finding his own proper sphere. In their upbuilding and glory we are to set the pace for the whole world. We are under no obligation to cut down the wages of our people because the wages of other people in other countries are so low. There is no doctrine of common sense, political humanity, or Christianity that invites or asks or permits us to do that. There is no selfishness in providing for your own nation. Let every nation do as we do—study what its own possibilities are and develop them. We go about like children, reading the books written by nations that have not our opportunities and thinking that we must do just as they do, though our problems are world-wide in difference. If I were in Great Britain, I should be in a great measure a free trader. I should be obliged to be a free trader or "fair trader." In the little area of the home Government they can not begin to feed and clothe themselves out of home resources. They must manufacture; they must keep on the sea; they must have an enormous fleet to protect their mercantile marine, that they may carry their goods, and they think they must be perpetually reaching out among civilized and uncivilized peoples that they may make a market.

Great Britain is the most persistently, industriously, vindictively protective government that ever existed. The whole energies of that government are directed to building up a navy, building manufactories, establishing new ocean lines of freight and travel, having in view external traffic, and spending great sums of money raised by taxation in order to extend trade in only protection in another form, compulsory for them, but folly for us. They take the form of protection that is imperatively imposed upon them. The same logic leads us into a different path. Each nation spends money and much labor to develop its industries and trade.

As I said, I only rose to say a few words about the shotgun business, because it furnishes one of many illustrations of what might be wisely devised protection. I shall perhaps take some other opportunity to more fully develop the fields over which I have only glanced.

Mr. HARRIS. I move to lay the pending amendment on the table.

The PRESIDING OFFICER (Mr. BERRY in the chair). The question is on the motion of the Senator from Tennessee, to lay the amendment of the Senator from Rhode Island [Mr. ALDRICH] on the table.

Mr. HAWLEY and Mr. ALDRICH called for the yeas and nays.

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

Mr. PALMER (when Mr. CULLOM's name was called). My colleague [Mr. CULLOM] is paired with the Senator from Delaware [Mr. GRAY].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPLE].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present, I should vote "yea."

Mr. HIGGINS (when his name was called). I again announce my pair with the senior Senator from New Jersey [Mr. MCPHERSON].

Mr. McLAURIN (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. CAFFERY. I am paired with the Senator from Montana [Mr. POWER]. I will transfer my pair to the Senator from West Virginia [Mr. FAULKNER] and vote. I vote "yea."

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON].

Mr. PASCO. I am requested by the Senator from South Carolina [Mr. BUTLER] to state that he is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. BATE (after having voted in the affirmative). Has the Senator from Vermont [Mr. MORRILL] voted?

The PRESIDING OFFICER. The senior Senator from Vermont has not voted.

Mr. BATE. I withdraw my vote, being paired with that Senator.

Mr. DANIEL (after having voted in the affirmative). I withdraw my vote. I observe that the Senator from Washington [Mr. SQUIRE], with whom I am paired, is not present.

Mr. McLAURIN. I transfer my pair with the Senator from Rhode Island [Mr. DIXON] to the Senator from South Carolina [Mr. IRBY] and vote "yea."

The result was announced—yeas 23, nays 18; as follows:

YEAS—23.			
Berry, Blanchard, Brice, Caffery, Camden, Cockrell,	Coke, Gibson, Hunton, Jarvis, Jones, Ark. Lindsay,	McLaurin, Martin, Palmer, Pasco, Ransom, Roach,	Smith, Vest, Vilas, Voorhees, Walsh.
NAYS—18.			
Aldrich, Allison, Chandler, Dubois, Frye,	Hale, Hansbrough, Hawley, Hoar, Lodge,	McMillan, Mitchell, Oregon Patton, Platt, Sherman,	Shoup, Teller, Washburn.
NOT VOTING—44.			
Allen, Bate, Blackburn, Butler, Call, Cameron, Carey, Cullom, Daniel, Davis, Dixon,	Dolph, Faulkner, Gallinger, George, Gordon, Gorman, Gray, Harris, Higgins, Hill, Irby,	Jones, Nev. Kyle, McPherson, Manderson, Mills, Mitchell, Wis. Morgan, Morrill, Murphy, Perkins, Pugh,	Pettigrew, Power, Proctor, Pugh, Quay, Squire, Stewart, Turpie, White, Wilson, Wolcott.

The PRESIDING OFFICER. No quorum has voted. The Secretary will call the roll.

Mr. HARRIS. Let the roll be called. I was about to make a motion, but the roll call is first in order.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich, Allen, Allison, Bate, Berry, Blackburn, Brice, Call, Cockrell, Coke, Daniel, Davis, Dubois, Frye,	George, Gibson, Gordon, Hale, Hansbrough, Harris, Hawley, Higgins, Hill, Hoar, Hunton, Jarvis, Jones, Ark. Kyle,	Lindsay, McLaurin, McMillan, Manderson, Martin, Mills, Mitchell, Oregon Murphy, Palmer, Pasco, Patton, Peffer, Platt, Pugh,	Quay, Ransom, Roach, Sherman, Shoup, Smith, Stewart, Turpie, Vest, Vilas, Voorhees, White.
---	---	--	---

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present. The Secretary will call the roll on the motion of the Senator from Tennessee to lay the amendment of the Senator from Rhode Island on the table.

The Secretary proceeded to call the roll.
Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR].

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. HIGGINS (when his name was called). I again announce my pair with the senior Senator from New Jersey [Mr. MCPHERSON].

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. TURPIE (when his name was called). I am paired with the senior Senator from Minnesota [Mr. DAVIS].

The roll call was concluded.
Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from West Virginia [Mr. FAULKNER]. I vote "yea."

Mr. ALDRICH. I suggest to the junior Senator from Mississippi [Mr. McLAURIN] that my colleague [Mr. DIXON] is absent, and understands he is paired with him.

Mr. McLAURIN (after having voted in the affirmative). Yes, sir; I withdraw my vote. The Senator from South Carolina [Mr. IRBY] has come into the Chamber since the last vote. However, I have the privilege of voting for the purpose of making a quorum. I withdraw my vote, as I understand there is a quorum voting.

Mr. MITCHELL of Oregon. I was requested to announce the pair of my colleague [Mr. DOLPH] with the senior Senator from Mississippi [Mr. GEORGE]. If my colleague were here, he would vote "nay" and the Senator from Mississippi would vote "yea."

The result was announced—yeas 32, nays 21, as follows:

YEAS—32.			
Allen, Bate, Berry, Blackburn, Blanchard, Brice, Camden, Cockrell,	Coke, Gibson, Gordon, Harris, Hunton, Irby, Jarvis, Jones, Ark.	Kyle, Lindsay, Martin, Morgan, Murphy, Palmer, Pasco, Pugh,	Ransom, Roach, Smith, Vest, Vilas, Voorhees, Walsh, White.

NAYS—31.			
Aldrich, Allison, Chandler, Dubois, Frye, Hale,	Hawley, Hoar, McMillan, Manderson, Mitchell, Oregon Morrill,	Patton, Peffer, Pettigrew, Platt, Quay, Sherman	Shoup, Teller, Washburn.
NOT VOTING—32.			
Butler, Caffery, Call, Cameron, Carey, Cullom, Daniel, Davis,	Dixon, Dolph, Faulkner, Gallinger, George, Gorman, Gray, Hansbrough,	Higgins, Hill, Jones, Nev. Lodge, McLaurin, McPherson, Mills, Mitchell, Wis.	Perkins, Power, Proctor, Squire, Stewart, Turpie, Wilson, Wolcott.

So the amendment was laid on the table.
Mr. ALDRICH. I suggest to the Senator from Tennessee that he passed over paragraphs 140 and 141 yesterday. I do not know whether the committee is ready to go on with those paragraphs or not.

Mr. VEST. I was about to ask the Senate to return to paragraph 140.

The PRESIDING OFFICER. Paragraph 140 will be read. The Secretary read the paragraph, as follows:

140. Table knives, forks, steels, and all hunting, kitchen, bread, butter, vegetable, fruit, cheese, plumbers', painters', palette, and artists' knives; also all carving, cooks', and butchers' knives, forks, and steels. All sizes of all of the above, finished or unfinished, 35 per cent ad valorem.

Mr. VEST. I move to strike out paragraph 140 and insert:

140. Table and carving knives and forks, valued at more than \$4 per dozen pieces, razor and razor blades, wholly or partly finished, and scissors and shears, 45 per cent ad valorem; all other table knives, forks, steels, and all hunting, kitchen, bread, butter, vegetable, fruit, cheese, plumbers', painters', palette, and artists' knives; also all cooks' and butchers' knives, forks, and steels, 35 per cent ad valorem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will read the next paragraph which was passed over.

The Secretary read the next paragraph, as follows:

41. Files, file blanks, rasps, and floats, of all cuts and kinds, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out, in line 2, "35 per cent ad valorem," and insert:

Four inches in length and under, 30 cents per dozen; over 6 inches in length and under 9 inches, 60 cents per dozen; 9 inches in length or over, \$1 per dozen.

Mr. ALDRICH. I suggest to the Senator from Arkansas that "four" ought to be inserted in place of "six" where it occurs the second time; so as to read: "over 4 inches in length, and under 9 inches."

Mr. JONES of Arkansas. I will so modify the amendment.

Mr. PLATT. How will it read as modified?

The Secretary read as follows:

Files, file blanks, rasps, and floats, of all cuts and kinds, 4 inches in length and under, 30 cents per dozen; over 4 inches in length and under 9 inches, 60 cents per dozen; 9 inches in length or over, \$1 per dozen.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. PEPPER. I move to strike out the different rates mentioned in the proposed amendment and insert just one-half as much.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Kansas to the amendment of the Senator from Arkansas.

The SECRETARY. Strike out in line 3 the word "thirty" and insert "fifteen," in line 4 strike out "sixty" and insert "thirty," in line 5 strike out "one dollar" and insert "fifty cents."

The amendment to the amendment was rejected.

The amendment was agreed to.

Mr. HOAR. I have proposed under this paragraph 138 to move in regard to razors and razor blades a small specific duty, for the reason that it is an article which is peculiarly subject to undervaluation by reason of the introduction of inferior and bogus articles.

Mr. HARRIS. What paragraph does the Senator refer to?

Mr. HOAR. The one hundred and thirty-eighth paragraph. I shall take but half a moment. I should like the attention of the Senator from Arkansas, and ask if the committee have considered that question?

The PRESIDING OFFICER. The Chair will state to the Senator from Massachusetts that paragraph 138 has already been agreed to.

Mr. HOAR. I understand; but I have no doubt the Senate will pardon me for half a minute. I do not propose to take any time. I understand from the Senator from Arkansas that the committee considered that question and decided that it was not expedient to add a specific duty there. For that reason I do not

care about moving an amendment and calling the yeas and nays, because I suppose the Senate would not, in opposition to the judgment of the committee, agree to the amendment. I merely wish to ask the Senator from Arkansas whether that is true.

Mr. JONES of Arkansas. Yes, sir; it is the opinion of the committee that razors and razor blades should best remain in paragraph 140, where they are now placed.

Mr. HOAR. Very well; then I shall not at this time detain the Senate by a discussion of the matter, but I will let it pass.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The Secretary read the next paragraph, as follows:

144. Sheets, plates, wares, or articles of iron, steel, or other metal, enameled or glazed with vitreous glasses, 35 per cent ad valorem.

Mr. PLATT. I call the attention of the committee to this paragraph, and also as compared with paragraph 120. As the bill was first reported the rate on sheet iron or sheet steel was, by paragraph 120, 35 per cent ad valorem, as were sheets of iron and steel enameled and glazed in this paragraph. In paragraph 120 the rate has been changed to a specific at 1½ cents a pound. I do not know whether that makes a higher duty under paragraph 120 than will be imposed under paragraph 144, but I suppose it does, and therefore I ask the Senator from Arkansas whether there ought not to be a specific duty of three-fourths of a cent a pound in this paragraph.

Mr. VEST. The ad valorem under the McKinley act is from 45 to 50 per cent. The Senator is talking about sheets, plates, wares, etc., enameled or glazed with vitreous glasses. The ad valorem under the McKinley act is 45 and 50 per cent.

Mr. PLATT. The point I am making now is that the rate on sheet iron or sheet steel which has not been enameled is by paragraph 120 made 1½ of a cent a pound. If that is a higher rate than is being imposed under paragraph 144 on the same article when it has been enameled, it strikes me that the change ought to be made in paragraph 144 to three-fourths of a cent a pound.

Mr. JONES of Arkansas. That is a totally different article. It has no connection whatever with this.

Mr. PLATT. It is the same sheets of iron or steel, only in paragraph 144 they are enameled, and in paragraph 120 they are not.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read the next paragraph, as follows:

Nails, spikes, tacks, and needles:
145. Cut nails and cut spikes of iron and steel, 25 per cent ad valorem.

The Committee on Finance reported to amend the paragraph in line 16, after the word "steel," by striking out "25," and insert "22½," so as to read:

Cut nails and cut spikes of iron and steel, 22½ per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. PEPPER. I move to amend the amendment by inserting "10 per cent" where "22½" occurs, so as to read "10 per cent ad valorem."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. ALLISON. This is the paragraph about which Mr. Tobey wrote us the other day, and I think his letter is found in the bulletins. I call the attention of the Senator from Arkansas having charge of the bill to the statement of Mr. Tobey, that he ought to have 35 per cent in addition to the duty upon the raw material, pig iron. Mr. Tobey will be greatly distressed if after increasing the duty on pig iron we reduce the duty on cut nails, which is a large part of his manufacture.

Mr. JONES of Arkansas. I should like to suggest to the Senator from Iowa that if more than 15,000,000 pounds of this article were exported last year I imagine the manufacturers can get along without a very largely increased duty.

Mr. ALLISON. The Senator from Arkansas will remember that the Senator from South Carolina [Mr. BUTLER] read here, with his approval and for the enlightenment of the Senate, the views of Mr. Tobey upon these subjects, and stated that his views ought to be respected. The other letter from Mr. Tobey being in the possession of the committee, I only desire to call attention to it.

Mr. ALDRICH. While it is true that we do export largely of cut nails, this paragraph covers a class of articles which are imported to some extent, namely, cut steel spikes. I do not know whether the committee insist upon the amendment they have already made or whether they intend to stand on the House rates.

Mr. JONES of Arkansas. Twenty-two and one-half is the rate proposed by the committee.

Mr. ALDRICH. I move to strike out "22½ per cent ad valorem" and insert "three-fourths of 1 cent per pound."

The PRESIDING OFFICER. The amendment of the Senator from Rhode Island to the amendment of the committee will be stated.

The SECRETARY. In line 17 of paragraph 145, strike out "22½ per cent ad valorem" and insert "three-fourths of 1 cent per pound;" so as to read:

Cut nails and cut spikes of iron or steel, three-fourths of 1 cent per pound.

Mr. HARRIS rose.

Mr. ALDRICH. I appeal to the forbearance of the Senator from Tennessee for a few moments.

Mr. HARRIS. I am forbearing, not patiently, but forbearing.

Mr. ALDRICH. The rate which I suggest is by the statistics before the committee less than the rate suggested by the committee, that is, the equivalent ad valorem of three-fourths of a cent a pound is less than 22½ per cent suggested by the committee. But it applies a specific rate which is more just and equitable and more consistent with the other provisions of the bill on similar articles. I appeal to the Senator from Arkansas, as this is a reduction, to consent to three-fourths of a cent a pound in place of the rate which the committee have suggested.

Mr. HARRIS. Let the question be taken on the amendment to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island to the amendment of the committee.

Mr. VEST. Mr. President, I wish to make a remark about the appeals to change ad valorem rates to specifics. The Senator from Rhode Island is very much mistaken if he does not know that we understand what is the effect of these changes.

Mr. ALDRICH. I thought the Senator did not.

Mr. VEST. The Senator from Rhode Island assumes a great deal for purposes of debate, but he understands this very well. I happen to have right before me here a specimen of the result of the specific duties to which our friends on the other side of the Chamber cling with such an amorous tendency. Take double-barreled shotguns, about which we have heard for the best part of two days. The Senator from Rhode Island and his colleagues in making the McKinley act put specific duties upon the different grades of double-barreled shotguns.

For instance, they put upon the first class, valued at not more than \$6 each—those were the cheap guns—\$1.50 each and 35 per cent ad valorem, which amounted to an equivalent ad valorem of 67.99 per cent. Upon the next, valued at more than \$6 and not more than \$12 each, they put on a specific duty of \$4 each and 35 per cent ad valorem, which produced an equivalent ad valorem of 80.30 per cent; upon the next, valued at more than \$12 each, a still higher grade, they increased the specific duty, making it \$6 each and 35 per cent ad valorem, or an equivalent ad valorem of only 46.49 per cent; and upon the highest-priced class, valued at more than \$12 each, of which 1,156 were imported, the unit of value was \$52.21. Upon that grade they imposed a duty of \$6 each and 35 per cent ad valorem; and upon single-barreled shotguns, the duty was \$1 each and 35 per cent ad valorem, and the equivalent ad valorem was 41.10 per cent.

The argument that was made at the time in favor of this schedule was that the highest duty was put upon the highest-priced guns; and yet when you work out the equivalents under the importations, the high duty is placed on the low-priced guns and the low duty is placed upon the high-priced ones. So we understand very well what is the meaning of the equivalent ad valorem. It is the ideal duty of protection. The Senator nods assent, that it is. While we are appealed to here to change these duties to specifics, we want the Senators on the other side to know that we understand the motives and the effects of such duties.

Mr. FRYE. Will the Senator allow me?

Mr. VEST. Certainly.

Mr. FRYE. As to those lowest-priced guns, it would be a tender mercy to the boys of America if you would put on them an absolutely prohibitory duty. They are utterly worthless, and the miserable guns furnished by Belgium has caused more mischief and harm than can be conceived of.

Mr. PLATT. Have we returned to the gun paragraph?

Mr. ALDRICH. Temporarily.

The PRESIDING OFFICER. Paragraph 145 is pending.

Mr. VEST. If anybody wants to buy such guns and they are brought into this country, I am in favor of the largest personal liberty. Let any man shoot with what he pleases, so that he does not violate the law. But one thing is very certain. We imported in 1893 \$282,000 worth of these sporting breech-loading and other shotguns, and we exported \$723,000 worth; in other words the imports were less than one-half the exports. That shows that the manufacturers of these sporting guns in the

United States are not by any means pauperized under the existing law.

Mr. HARRIS. I do not see that there is any very intimate connection between cut nails and shotguns, and I move to lay the amendment to the amendment on the table.

Mr. ALDRICH. I appeal to the Senator not to do that. It will only result in the offering of another amendment.

Mr. HARRIS. I shall not withdraw the motion on the appeal of any Senator.

Mr. ALDRICH. Then I shall have to move another amendment.

Mr. HARRIS. The Senator may move it, and he may move a thousand others, as he has a right to do, and filibuster in any way he chooses.

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee, which is not debatable.

Mr. PLATT. If the Senator from Tennessee will allow me, and I can have unanimous consent, I should like to say a word.

Mr. HARRIS. I have declined to withdraw, and I shall not withdraw my motion on the appeal of the Senator from Connecticut or any other Senator.

The PRESIDING OFFICER. The motion is not debatable under the rules of the Senate. The question is on the motion of the Senator from Tennessee to lay on the table the amendment proposed by the Senator from Rhode Island to the amendment of the committee.

Mr. ALDRICH. On that I call for the yeas and nays.

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

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE], otherwise I should vote "yea."

Mr. HIGGINS (when his name was called). I will announce for the last time to-day my standing pair with the Senator from New Jersey [Mr. MCPHERSON].

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

The roll call was concluded.

Mr. CALL. I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were present I should vote "yea."

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from West Virginia [Mr. FAULKNER], and I vote "yea."

The PRESIDING OFFICER. The Secretary informs the Chair that the Senator from West Virginia has voted.

Mr. GORDON. I did not know that. Then I withhold my vote, and stand paired with the Senator from Iowa [Mr. WILSON].

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "yea."

Mr. BLACKBURN. I am paired with the senior Senator from Nebraska [Mr. MANDERSON]. If he were present I should vote "yea."

Mr. CAFFERY. I am paired with the Senator from Montana [Mr. POWER].

Mr. HALE (after having voted in the negative). Is the senior Senator from North Carolina [Mr. RANSOM] recorded as voting?

The PRESIDING OFFICER. The Senator from North Carolina has not voted.

Mr. HALE. I am paired with that Senator, and withdraw my vote.

The result was announced—yeas 26, nays 19; as follows:

YEAS—26.

Allen,	Faulkner,	Murphy,	Turpie,
Bate,	Harris,	Palmer,	Vest,
Berry,	Hunton,	Pasco,	Voorhees,
Blanchard,	Irby,	Peffer,	Walsh,
Brice,	Jones, Ark.	Pugh,	White.
Cockrell,	Lindsay,	Roach,	
Coke,	Morgan,	Smith,	

NAYS—19.

Aldrich,	Hawley,	Patton,	Sherman,
Allison,	Hoar,	Perkins,	Shoup,
Dubois,	McMillan,	Pettigrew,	Teller,
Frye,	Mitchell, Oregon	Platt,	Washburn.
Hansbrough,	Morrill,	Quay,	

NOT VOTING—40.

Blackburn,	Davis,	Higgins,	Mills,
Butler,	Dixon,	Hill,	Mitchell, Wis.
Caffery,	Dolph,	Jarvis,	Power,
Call,	Gallinger,	Jones, Nev.	Proctor,
Camden,	George,	Kyle,	Ransom,
Cameron,	Gibson,	Lodge,	Squire,
Carey,	Gordon,	McLaurin,	Stewart,
Chandler,	Gorman,	McPherson,	Vilas,
Cullom,	Gray,	Manderson,	Wilson,
Daniel,	Hale,	Martin,	Wolcott.

So the amendment to the amendment was laid on the table.

Mr. ALDRICH. I move to strike out "22½ per cent ad valorem" and insert "seven-tenths of 1 cent per pound."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In line 17, after the word "steel," it is proposed to strike out "22½ per cent ad valorem" and insert "seven-tenths of 1 cent per pound."

Mr. ALDRICH. I should like to suggest to my friend from Tennessee [Mr. HARRIS] that he will not facilitate the disposition of this bill by moving to lay these amendments on the table with such hot haste.

In response to the suggestions made by the Senator from Missouri [Mr. VEST], I will say, as I frequently have had occasion to say in the Senate Chamber, that by the skillful use of figures any specific rate can be made to show a very large ad valorem equivalent.

The Senator calls attention to the fact that on guns valued at \$1.55 each, under the present law paying a duty of \$1.50 each, it is equivalent to 67.99 per cent. I agree fully with the suggestions made by Senators near me that if these \$1.55 shotguns were excluded from the country it would be a benefit to all the people who live in it. None of those shotguns are sold for less than ten or twelve dollars to the purchaser, and they are worthless, and should be excluded from the country by law, as the Senator from Maine [Mr. FRYE] suggested. If these shotguns were valued at \$1.50 each—and \$1.50 would produce about as good a shotgun as \$4.50—then the ad valorem rate would be 400 per cent.

Before we get through with this discussion, I think the Senator from Missouri will find that some of the specifics which are suggested in this bill will be susceptible of a transfer into some ad valorems that will be rather startling in their magnitude.

Mr. VEST. I have not any doubt of it.

Mr. ALDRICH. For instance, my attention was called to the fact that one of the manufacturers suggested that he knew of a specific duty whose ad valorem equivalent would be 4,000 per cent.

An importer of collars and cuffs wrote me a letter, in which he stated that the rate imposed on collars and cuffs of the poorer grades, used by the great mass of the people, was 150 per cent ad valorem. Any specific rate adopted in the best faith and with the idea of simply serving great public interests, can be made susceptible of showing a very large equivalent ad valorem, and yet it may be a perfectly just rate.

The case which I have now under consideration is entirely different from that of the rate which I have suggested of seven-tenths of a cent a pound, which, by the tables before the Senate, is less than 18 per cent ad valorem. The committee suggests 22½ per cent ad valorem.

It is true that ordinary cut nails do not need protection, but I doubt very much whether they ought to be associated with cut steel spikes in this paragraph, as they are. The average price of cut spikes is 4.2 cents, and, as I have said, the rate I have suggested is less than 18 per cent ad valorem.

Mr. VEST. How long will it stay there?

Mr. ALDRICH. It will stay there, I imagine, all the time. It will go lower, if anything. The tendency of the whole steel and iron manufacture in the United States is to go to lower prices; and I am simply appealing to the Senate not for any increase of duties—I ask no extravagant rate of duties—but to have a rate which is less in ad valorem than the majority propose, and which is about equal to the other rates which have been imposed upon other articles by the Senators on the other side.

Mr. HARRIS. In answer to the persuasive, eloquent, and almost conclusive argument of the Senator from Rhode Island I move to lay his amendment on the table. [Laughter.]

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee.

Mr. ALDRICH. On that I call for the yeas and nays.

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

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. TURPIE (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

The roll call was concluded.

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from West Virginia [Mr. FAULKNER], and vote "yea."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "yea."

Mr. GORDON (after having voted in the affirmative). I withdraw my vote, the Senator from West Virginia [Mr. FAULKNER] having come into the Chamber and voted, and I announce my pair with the Senator from Iowa [Mr. WILSON].

Mr. DANIEL. I beg leave to transfer my pair with the Senator from Washington [Mr. SQUIRE] to the Senator from Nebraska [Mr. ALLEN], who is absent, and I vote "yea."

The result was announced—yeas 30, nays 19; as follows:

YEAS—30.

Bate,	Daniel,	Lindsay,	Roach,
Berry,	Faulkner,	Martin,	Smith,
Blackburn,	Gibson,	Morgan,	Vest,
Blanchard,	Harris,	Murphy,	Voorhees,
Brice,	Hunton,	Palmer,	Walsh,
Camden,	Irby,	Pasco,	White.
Cockrell,	Jarvis,	Peffer,	
Coke,	Jones, Ark.	Pugh,	

NAYS—19.

Aldrich,	Hawley,	Morrill,	Quay,
Allison,	Hoar,	Patton,	Shoup,
Dubois,	McMillan,	Perkins,	Teller,
Frye,	Manderson,	Pettigrew,	Washburn.
Hansbrough,	Mitchell, Oregon	Platt,	

NOT VOTING—30.

Allen,	Dixon,	Hill,	Proctor,
Bntler,	Dolph,	Jones, Nev.	Ransom,
Caffery,	Gallinger,	Kyle,	Sherman,
Call,	George,	Lodge,	Squire,
Cameron,	Gordon,	McLaurin,	Stewart,
Carry,	Gorman,	McPherson,	Turpie,
Chandler,	Gray,	Mills,	Vilas,
Cullom,	Hale,	Mitchell, Wis.	Wilson,
Davis,	Higgins,	Power,	Wolcott.

So the amendment to the amendment was laid on the table. The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

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

The Secretary read as follows:

146. Horseshoe nails, hobnails, and all other wrought-iron or steel nails not specially provided for in this act, 30 per cent ad valorem.

Mr. ALDRICH. I move to strike out "30 per cent ad valorem," and insert "3 cents per pound."

Mr. PEPPER. I move to amend the amendment by striking out the amount proposed to be inserted by the Senator from Rhode Island and inserting "10 per cent ad valorem."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas to the amendment of the Senator from Rhode Island.

Mr. HOAR. I rise to a question of order.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. HOAR. My point of order is that neither amendment has been reported from the desk.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. In line 20, after the word "act," it is proposed to strike out "30 per cent ad valorem" and insert "3 cents per pound," to which an amendment is proposed to strike out "3 cents per pound" and insert "10 per cent ad valorem."

Mr. PEPPER. Mr. President, just a word, and then I shall not trouble the Senate any further upon this schedule. I believe that all the articles mentioned in paragraphs 145, 146, 147, and 148 ought to be, and might properly be, on the free list. I have proposed 10 per cent ad valorem in paragraph 146 simply because I assumed that I could not get a favorable vote to place these articles on the free list. The truth is that we are making a great many more of these articles than enough to supply the home demand, and that there is no need of a duty for any protection purposes whatever, unless it be to protect against the custom of bringing articles of this kind to our markets as ballast in ships, when it costs nothing to carry them or to receive them or to deliver them, except the labor in the handling of the articles twice. That being true, it would be more satisfactory to the people, if it did no other good, to know to an actual certainty that they were not paying any more than 10 per cent upon those articles.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas to the amendment of the Senator from Rhode Island.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Rhode Island.

Mr. ALDRICH. I will simply suggest that the rate proposed by me is a less rate ad valorem than that proposed by the committee. It is simply for the purpose of making the rate specific and preserving to some extent the consistency of the bill that I have moved the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Rhode Island.

So the amendment was rejected.

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

The Secretary read as follows:

147. Wire nails made of wrought iron or steel, 25 per cent ad valorem.
148. Spikes, nuts, and washers, and horse, mule, or ox shoes, of wrought iron or steel, 25 per cent ad valorem.

Mr. QUAY. I do not intend to move to amend this paragraph, but I desire again to call the attention of the members of the Committee on Finance in charge of this bill to the fact that "nuts and washers," in paragraph 148, as well as "rivets of iron or steel," in paragraph 153, are out of place. They are products which are cognate with the products embraced in paragraph 131, "bolts, with or without threads or nuts," etc., and seem to have straggled into the McKinley law, which this bill seems to follow to some extent. One is under the head of "Nails, spikes, tacks, and needles," where nuts and washers have no business; and the other is under the head of "Plates," where rivets of iron and steel have no more business than steel rails.

I trust the committee will look into this matter and place both products in paragraph 131.

Mr. ALDRICH. The motion I was about to make would answer the purpose desired by the Senator from Pennsylvania. I was about to move to strike out "25 per cent ad valorem" and make the rate "1½ cents per pound," which is the same rate proposed by paragraph 131. The Senator from Pennsylvania is quite right that these are entirely analogous products.

Mr. QUAY. They are in the wrong paragraph.

Mr. ALDRICH. They both should have the same rate of duty. I hope the Senator from Arkansas will admit that.

The PRESIDING OFFICER. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In line 24, after the word "steel," it is proposed to strike out "25 per cent ad valorem" and insert "1½ cents per pound."

Mr. ALDRICH. Mr. President, I desire to say just a word in regard to this amendment.

The articles included in this paragraph are even more important than those included in paragraph 131. They are both manufactured of wrought iron or wrought steel, and used for similar purposes, and there can be no reason given by any living man why the same rate should not be imposed upon both. If you impose 25 per cent ad valorem upon one and allow a cent and a half a pound upon the other, there will be many cases where the same articles will be liable to come in under either of those two paragraphs. For instance, "nuts" are in both paragraphs, in the one in relation to "bolts, with or without threads or nuts," and in the paragraph with "spikes and washers," and they would be dutiable under one or the other as it might be for the interest of the importer. It seems to me in the administration of the law there can be no question about the desirability of making this change, and I hope the Senator from Arkansas will consent in this case to have it made. There can be no reason why it should not be.

Mr. JONES of Arkansas. I do not think there is any conflict between the two paragraphs.

Mr. HARRIS. Let us have a vote on the amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

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

The Secretary read as follows:

149. Cut tacks, brads, or sprigs of all kinds, 25 per cent ad valorem.

Mr. ALDRICH. I move to strike out "25 per cent ad valorem" and insert "not exceeding 16 ounces to the thousand, 1½ cents per thousand; exceeding 16 ounces to the thousand, 1½ cents per pound."

Mr. President, it is extremely unfortunate for the persons employed in the industry represented in this group of four or five paragraphs that the industries are not located in some of the States represented upon this floor by the so-called Democratic conservative Senators. Their potent influence seems to have reached a large portion of the items in the paragraphs in this schedule; but here is a group of five or six or seven which do not seem to have been touched, and I can conceive of no reason except the one I have suggested.

This is one of the cases where an industry is to be absolutely destroyed by the imposition of a low ad valorem rate of duty.

I hold in my hand a statement upon this subject, which is so clear and convincing that I shall venture to take up the time of the Senate to read it. It is not long.

WASHINGTON, D. C., May 11, 1894.

Senator N. W. ALDRICH.

United States Senate, Washington, D. C.:

DEAR SIR: Under the present tariff the duty on cut tacks, brads, or sprigs not exceeding 16 ounces to the 1,000 is 2½ cents per 1,000; exceeding 16 ounces to the 1,000 is 2½ cents per pound.

The duty which was superseded by the present duty was one-fourth of a cent higher on each classification.

That act was the act of 1883—

The proposed duty is 25 per cent ad valorem.
The best quality of tacks is made from imported Swedes iron.
Under the proposed tariff the duty on Swedes iron is 30 per cent—

When this letter was written that was the duty; it has been raised since then, as I recollect, to about 50 per cent ad valorem—

the duty on cut tacks, brads, or sprigs is 25 per cent; the duty, therefore, on tacks, brads, or sprigs made from Swedes iron would be (as amended 3) 5 per cent less than the material from which they are made.

This would be inconsistent and unjust to American manufacturers, giving the foreign manufacturers 5 per cent advantage over domestic manufacturers, and cheap labor working the material into tacks.

That 5 per cent now should read 15 or 20—

The Canadian duty, which went into effect on the 27th of March last, on cut tacks, brads, or sprigs, is 1 cent per 1,000 on not exceeding 16 ounces to the thousand, and 1½ cents per pound exceeding 16 ounces to the thousand. The American duty ought not to be less than the Canadian duty.

There are three large tack manufacturers in Montreal, two in New Brunswick, and under the proposed duty Canadians could send their tacks into our market, while we would be shut out of theirs.

With a lower duty on their raw material and cheaper labor, the Canadians could enter our extensive markets under the proposed low tariff of 25 per cent and undersell the American manufacturers.

Under the proposed tariff the duty on 8-ounce tacks, the size most largely used, would not be over 1 cent per pound for the cheap Canadian tacks; while the Canadian duty at 1 cent per 1,000 would be 2 cents per pound (there being 2,000 8-ounce tacks in a pound), or double the duty the Canadians would have to pay to sell in the American markets.

The ad valorem duty would encourage importation of poor tacks and undervaluations to reduce the duty, the effect being to supply cheap and poor goods to the injury of American consumers as well as manufacturers.

This injustice is too apparent to need comment.

But our sharpest competition would come from German manufacturers who now use our Blanchard tack machine, an American invention not used in Europe until recently but to a limited extent. The use of this American invention by the Germans, with their cheap labor, enables them to produce tacks very cheap—cheaper than we can make them and pay present wages.

I will stop here to say that the experience in this particular case of the use within recent years by the Germans of American machinery and American inventions in every industry has been wonderful. The Germans have taken advantage of the cheaper methods, whenever such cheaper methods exist in the United States, and they are using American machinery in all the small manufactures, especially of iron and steel; and the conditions which existed two, three, four, five, or a half dozen years ago in regard to competition between Germany and the United States no longer exist.

The Germans are imitating the methods and manner of competing with the other countries of the world. They have made wonderful progress, compared with the United States and compared with Great Britain, in all mechanical industries in the past ten years. Our greatest competitor to-day all along the line of the miscellaneous manufactures of iron and steel is Germany. The low ad valorem rates imposed by a large number of paragraphs in this bill will inevitably drive out of existence a large number of these various industries.

It may be very well for the apparent benefit of the ironmasters of Alabama and Tennessee to impose prohibitive duties upon pig iron and upon iron ore, but what is to become of the market of the iron producers of Alabama and Tennessee if the miscellaneous manufactures of iron and steel located in New England, in New York, and New Jersey are to be driven out of existence? We can not export our pig iron to Great Britain or to Scotland, or to Germany, or to France. If you intend to secure the American market to American furnaces and to American mines, it can only be done by imposing adequate duties upon the miscellaneous manufactures of iron. This is one of the instances where a great injustice has been done to an industry of considerable importance.

The letter continues:

American manufacturers have heretofore sold a good many tacks in England, but during the past two years the Germans have been competing for that market at very low rates, lower than American manufacturers can afford to sell them.

The tacks sold there have been principally shoe tacks. Two-ounce shoe tacks are sold in England by German manufacturers as low as 8 cents per pound. At that price, and at the rate of 25 per cent duty, they could be sold here, even if there were no undervaluations, at 10 cents per pound, which would demoralize our markets, while the 8 and 10-ounce tacks, which constitute the bulk of the tacks used in this country, could be imported under a 25 per cent duty lower than we can possibly produce them in this country and pay present wages.

The wages in Germany are very low. Our skilled workmen in the tack business earn from \$2.50 to \$3 per day; our ordinary labor from \$1.50 to \$2.

If the duty should be only 25 per cent, our markets would be open to such foreign competition as would be ruinous to American manufactures, would encourage the importation of cheap and poor quality of goods which undervaluations would further permit.

Under the present tariff the American tack manufacturers are increasing the use of domestic material, using bituminous coal from Maryland and Virginia and pig iron from the South, which is supplanting Scotch iron for castings for machinery, while soft steel is being used in the place of imported raw material. If the duty on Swedes iron is reduced below the 25 per cent on tacks to give American tack manufacturers a duty to partially compensate for the difference in the labor of making tacks between foreign and home manufacturers, then the market for Southern pig iron will be affected

by the increased importation of foreign raw material if the duty on Swedes bars remain at 30 per cent—

As I have already stated, the committee have increased that to about 50 per cent—

and the duty on tacks is not advanced beyond the 25 per cent, then the foreign manufacturers have the advantage of lower duty on tacks than the domestic manufacturer on his raw material.

Under the operation of the present tariff the manufacturer of tacks, until recently confined to New England, has been extending to other parts of the country.

One factory has been started in Baltimore, one in Virginia, one in Tennessee, and one in Alabama, their continuation depends on the tariff.

The duty of 1½ cents per 1,000 on not exceeding 16 ounces to the 1,000, and 1½ cents per pound on exceeding 16 ounces to the 1,000 is as low as the business can endure.

The above specific duty (a reduction of nearly one-half of the present duty)—

The rates named in the letter are the rates which I have proposed in my amendment—

will be necessary for the Southern as well as New England manufacturers, insuring them the continuation of their business, while consumption of bituminous coal and of Southern pig iron will not be diminished by the importation of either raw material or the manufactured articles.

Respectfully,

C. D. HUNT.

Mr. Hunt, as his letter shows, is a very intelligent man, who has been connected with the manufacture of tacks for a great many years. His statement seems to me to be absolutely conclusive in this case, and if it were only a question, as I have occasionally hoped it might be, of imposing proper duties, and not of legislating for the benefit of sections, or discriminating against the interest of sections, then I should hope to appeal in this case with a certainty of relief on the part of the Senator from Arkansas.

Mr. HARRIS rose.

Mr. ALDRICH. I am admonished, however, by the threatening attitude of the Senator from Tennessee [Mr. HARRIS] that I have probably taken as much time as, in his opinion, I should upon this subject.

Mr. HARRIS. Very much more. Mr. President, in view of the eloquent argument of the Senator from Rhode Island, I move to lay his amendment on the table.

The PRESIDING OFFICER (Mr. WHITE in the chair). The question is on the motion of the Senator from Tennessee to lay the amendment proposed by the Senator from Rhode Island on the table.

Mr. PLATT. On that I ask for the yeas and nays.

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

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE], otherwise I should vote "yea."

Mr. McLAURIN (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON] and withhold my vote, unless it be necessary to make a quorum. I should vote "yea" if he were present.

The roll call was concluded.

Mr. FRYE. The senior Senator from Maryland [Mr. GORMAN] is detained from the Chamber by ill health. I am paired with him, but as my vote on these amendments will not change the result, and as it tends to give a quorum, I ordinarily to-day shall vote.

Mr. BLACKBURN. I am paired with the senior Senator from Nebraska [Mr. MANDRESON], who has been called from the Chamber by sickness. If he were present, I should vote "yea."

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON].

Mr. PASCO. I have been requested to announce by the Senator from South Carolina [Mr. BUTLER], who has been called from the Chamber, that he is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. McLAURIN. If it is satisfactory to the Senator from Maine [Mr. FRYE], I shall transfer my pair to the Senator from Maryland [Mr. GORMAN], and we can both vote.

Mr. FRYE. I have voted. I have no objection, however, to the transfer.

Mr. McLAURIN. I vote "yea."

Mr. DANIEL. I transfer my pair with the Senator from Washington [Mr. SQUIRE] to the Senator from Nebraska [Mr. ALLEN], and vote "yea."

Mr. GEORGE. I am paired with the Senator from Oregon [Mr. DOLPH]. Otherwise I should vote "yea."

The result was announced—yeas 30, nays 18; as follows:

YEAS—30.

Bate,	Daniel,	Lindsay,	Smith,
Berry,	Faulkner,	McLaurin,	Vest,
Blanchard,	Gibson,	Martin,	Vilas,
Brice,	Harris,	Murphy,	Voorhees,
Caffery,	Hunton,	Pasco,	Walsh,
Camden,	Jarvis,	Peffer,	White.
Cockrell,	Jones, Ark.	Pugh,	
Coke,	Kyle,	Ransom,	

NAYS—18.

Aldrich, Chandler, Dubois, Frye, Hansbrough,	Hawley, Hoar, McMillan, Mitchell, Oregon Morrill,	Patton, Perkins, Pettigrew, Platt, Power,	Shoup, Teller, Washburn.
--	---	---	--------------------------------

NOT VOTING—37.

Allen, Allison, Blackburn, Butler, Call, Cameron, Carey, Cullom, Davis, Dixon,	Dolph, Gallinger, George, Gordon, Gorman, Gray, Hale, Higgins, Hill, Irby,	Jones, Nev. Lodge, McPherson, Manderson, Mills, Mitchell, Wis Morgan, Palmer, Proctor, Quay,	Roach, Sherman, Squire, Stewart, Turpie, Wilson, Wolcott.
---	---	---	---

So the amendment was laid on the table.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

150. Needles for knitting or sewing machines, crochet needles and tape needles, knitting and all other needles not specially provided for in this act, and bodkins of metal, 25 per cent ad valorem.

Plates:

151. Steel plates engraved, stereotype plates, electrotype plates, and plates of other materials, engraved or lithographed for printing, 25 per cent ad valorem.

152. Railway fish plates or splice bars made of iron or steel 25 per cent ad valorem.

Mr. ALDRICH. I move, in paragraph 152, to strike out "25 per cent ad valorem" and insert "six-tenths of 1 cent per pound." I think that the rate on fish plates or splice bars should be made specific, and I suggest a large reduction of the present rate, which I hope will meet with the approval of the Senator from Arkansas.

Mr. VEST. The duty on this article is 72 per cent under the McKinley law, and is practically prohibitory.

Mr. ALDRICH. The amendment which I have proposed is only "six-tenths of 1 cent per pound," which is four-tenths of a cent less than present rate.

Mr. VEST. I suggest that nobody can tell what it will be in the next six months.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island.

The amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

153. Rivets of iron or steel, 30 per cent ad valorem.

The Committee on Finance reported an amendment after the word "steel," in line 15, to strike out "thirty" and insert "twenty-five;" so as to read "25 per cent ad valorem."

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Finance.

The amendment was agreed to.

Mr. ALDRICH. I move to strike out "25 per cent ad valorem" and insert "2 cents per pound."

The effect of the amendment is to fix a duty of 2 cents a pound. The unit of value of the importations for the last year was 12 cents a pound; therefore, the duty suggested by me would be only 16 2/3 per cent ad valorem. So I hope the Senators upon the other side will consent to this reduction of rate, or give some explanation why it should not be adopted.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Rhode Island.

Mr. ALDRICH. That amendment is a pretty important one, and I ask for the yeas and nays upon it.

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

Mr. DANIEL (when his name was called). I transfer my pair with the Senator from Washington [Mr. SQUIRE] to the Senator from Nebraska [Mr. ALLEN] and vote "nay."

Mr. FRYE (when Mr. GORMAN'S name was called). I am paired with the senior Senator from Maryland [Mr. GORMAN], who is detained from the Senate by illness, but at the request of the junior Senator from Mississippi [Mr. McLAURIN] that pair has been transferred to the junior Senator from Rhode Island [Mr. DIXON] and those two Senators now stand paired. I shall not repeat the announcement during the day.

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

The roll call was concluded.

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON].

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. BLACKBURN. I will state again that I am paired with the senior Senator from Nebraska [Mr. MANDERSON], who has

been called from the Chamber by illness. If he were present I should vote "nay."

The result was announced—yeas 16, nays 30; as follows:

YEAS—16.

Aldrich, Chandler, Dubois, Frye,	Hansbrough, Hawley, Hoar, McMillan,	Mitchell, Oregon Patton, Perkins, Platt,	Power, Shoup, Teller, Washburn.
---	--	---	--

NAYS—30.

Bate, Berry, Blanchard, Brice, Caffery, Camden, Cockrell, Coke,	Daniel, Faulkner, Gibson, Harris, Hunton, Irby, Jarvis, Jones, Ark.	Kyle, Lindsay, McLaurin, Martin, Murphy, Pasco, Peffer, Pugh,	Roach, Smith, Vest, Vilas, Walsh, White.
--	--	--	---

NOT VOTING—39.

Allen, Allison, Blackburn, Butler, Call, Cameron, Carey, Cullom, Davis, Dixon,	Dolph, Gallinger, George, Gordon, Gorman, Gray, Hale, Higgins, Hill, Jones, Nev.	Lodge, McPherson, Manderson, Mills, Mitchell, Wis. Morgan, Morrill, Pettigrew, Proctor,	Quay, Ransom, Sherman, Squire, Stewart, Turpie, Voorhees, Wilson, Wolcott.
---	---	---	--

So the amendment was rejected.

Mr. FRYE. I ask leave at this time to offer an amendment to the lumber schedule of the pending bill, in order that it may be printed.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. QUAY. I move to amend paragraph 153 by striking out the committee amendment and inserting in lieu thereof "1 1/2 cents per pound," which is a half cent lower than the duty proposed by the Senator from Rhode Island, and very much better than an ad valorem duty.

The PRESIDING OFFICER. The amendment will be stated:

The SECRETARY. In line 15, after the word "steel," it is proposed to strike out "25 per cent ad valorem" and insert 1 1/2 cents per pound."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Pennsylvania.

Mr. QUAY. On that I ask for the yeas and nays.

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

Mr. GEORGE (when his name was called). I make the announcement for the day, to save time, that I am paired with the Senator from Oregon [Mr. DOLPH] with the privilege of voting in order to make a quorum.

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

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

The roll call was concluded.

Mr. BATE (after having voted in the negative). I see that the Senator from Vermont [Mr. MORRILL] is not recorded, and I withdraw my vote, being paired with him.

The result was announced—yeas 17, nays 29; as follows:

YEAS—17.

Aldrich, Allison, Chandler, Dubois, Frye,	Hansbrough, Hawley, McMillan, Mitchell, Oregon Patton,	Perkins, Platt, Power, Sherman, Shoup,	Teller, Washburn.
---	--	--	----------------------

NAYS—29.

Berry, Blanchard, Brice, Caffery, Camden, Cockrell, Coke, Daniel,	Faulkner, Gibson, Harris, Hunton, Irby, Jarvis, Jones, Ark. Kyle,	McLaurin, Martin, Murphy, Pasco, Peffer, Pugh, Roach, Smith,	Vest, Vilas, Voorhees, Walsh, White.
--	--	---	--

NOT VOTING—39.

Allen, Bate, Blackburn, Butler, Call, Cameron, Carey, Cullom, Davis, Dixon,	Dolph, Gallinger, George, Gordon, Gorman, Gray, Hale, Higgins, Hill, Hoar,	Jones, Nev. Lindsay, Lodge, McPherson, Manderson, Mills, Mitchell, Wis. Morgan, Morrill, Palmer,	Pettigrew, Proctor, Quay, Ransom, Squire, Stewart, Turpie, Wilson, Wolcott.
--	---	---	---

So the amendment was rejected.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

Saws:

154. Crosscut saws, mill, pit, and drag saws, circular saws, hand, back, and all other saws, 25 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out that paragraph and insert what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The Secretary read as follows:

154. Crosscut saws, 6 cents per linear foot; mill saws, 10 cents per linear foot; pit and drag saws, 8 cents per linear foot; circular saws, 25 per cent ad valorem; hand, back, and all other saws, not especially provided for in this act, 25 per cent ad valorem.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary read as follows:

155. Screws, commonly called wood screws, 35 per cent ad valorem.

The Committee on Finance reported an amendment in the first line of the paragraph before the words "per cent," to strike out "35" and insert "30."

Mr. JONES of Arkansas. I move to strike out that paragraph and insert what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be read.

The Secretary read as follows:

155. Screws, commonly called wood screws, more than 2 inches in length, 3 cents per pound; over 1 inch and not more than 2 inches in length, 5 cents per pound; over one-half inch and not more than 1 inch in length, 7 cents per pound; one-half inch and less in length, 10 cents per pound.

Mr. HAWLEY. Mr. President, I welcome this amendment largely because it changes the duty from an ad valorem to a specific, but it is a very heavy reduction from the existing law, and I can only commend the manufacturers to the mercy of Heaven, for I do not know how they can get along with their business under this reduction; but it is better than the rate at first proposed, and I am thankful that the members of the Finance Committee kindly yielded that much. I wish, however, to put a little statement on record.

These screws, commonly called "wood screws," are not to be understood as a manufacture made of wood, because they are made from wire—either iron, steel, copper, brass, or bronze. The iron or steel screws may be further finished by being japanned in various colors, galvanized with zinc, coated with tin, or electro-plated with brass, bronze, nickel, or copper metal, and the copper, brass, and bronze screws may be electro-plated with nickel or silver, and all of these several kinds of screws may, and commonly have, either flat, round, oval, cone, or piano heads, each of which may have all of the different finishes enumerated.

A still further variation may be found in the different lengths upon the body of the screw to which the thread is cut; a felloe screw requiring the thread cut the entire length, while a chair screw requires a thread cut but a very short distance from the point. In the regular list there are two hundred and fifty different sizes and lengths, each and every one of which sizes is subject to the variations I have before mentioned, galvanizing, etc., the whole constituting a variety considerably exceeding 20,000 different individual screws in common use, all embraced under the general name of "wood screws."

The bill as it came over here from the House provided for a duty of 35 per cent ad valorem, and as it came from the Committee on Finance 30 per cent ad valorem upon the whole of them—upon screws as long as your finger and screws a sixteenth of an inch long, one class worth \$10 a pound and the other worth perhaps a dollar a pound. So I say I am very glad the Senators in charge of the bill have returned to the classification of the existing law, and put upon wood screws a specific duty.

It perhaps looks like an industry of little importance, but there are nearly \$9,000,000 invested in this industry in this country. In Rhode Island there is invested in it \$1,000,000; in Massachusetts, \$350,000; in Connecticut, \$2,700,000; in Pennsylvania, \$75,000; in Ohio, \$1,500,000, and in Illinois, \$200,000; a total of \$8,825,000.

I wish, Mr. President, partly as a matter of curiosity, to give my Southern friends an idea of what a manufacturing State is, and I should be very glad to have their attention. I wish to show how a people numbering 745,000 get their living. About one-fifth of them work in manufacturing establishments, and these are some of the establishments and industries:

In the matter of ammunition the total value of the product in the whole country is \$6,500,000—I now give the round numbers, but I shall print with my remarks a table giving the exact figures—of which Connecticut makes \$3,800,000 worth, being 59

per cent of the total product, and stands No. 1 in the manufacture.

In the manufacture of brass the entire country makes two and a half million dollars' worth, and Connecticut makes two and a quarter millions, being 87 per cent of the whole, and standing first in the brass manufacture.

In brass and copper rolled the whole United States makes \$8,381,000 worth, and Connecticut \$4,169,000 worth, being 50 per cent, and stands first in the list.

In brass casting and finishing the whole country makes \$24,341,000 worth, and Connecticut \$7,428,000 worth, being 31 per cent of the whole. I can not give at the moment her exact position in the list.

In brassware \$13,615,000 worth is the product of the whole United States, and that of Connecticut is \$10,711,000 worth, being 80 per cent of the whole, and standing No. 1 in that branch.

Of corsets, \$12,401,000 worth is the product of the entire country, of which Connecticut makes \$6,274,000 worth, being 51 per cent, and standing first in that industry.

In cotton goods the product of the whole country is \$267,981,000 worth, and Connecticut makes about \$15,500,000 worth, being 6 per cent of the whole, and she stands fifth on the list.

In firearms the rank is not given, but we make 38 per cent of the total quantity made in the country.

In hardware, not including cutlery and edged tools, or saddlery hardware, the whole country makes \$26,726,000 worth, of which Connecticut makes a little less than \$12,000,000 worth, being 45 per cent of the whole, and stands first in that line.

In hats and caps, not including wool hats, of the thirty-seven million dollars worth produced in the United States, Connecticut makes over seven millions and a half, or 20 per cent, and stands third in that.

In ivory and bone work, with a total of a little less than \$2,000,000, Connecticut makes about \$608,000 worth, being 31 per cent of the total, and stands first in that.

In plated and britannia ware, not including silverware, the entire country makes eleven and a half million dollars' worth, and Connecticut makes over seven and a half million dollars' worth, being 66 per cent of the total, and standing No. 1 in that.

In paper the entire United States makes over \$74,000,000 worth, of which Connecticut makes more than three and a half millions, being 4 per cent of the total product, and standing sixth in that.

In silk and silk goods Connecticut makes nearly \$10,000,000 worth out of a total of \$37,000,000 worth, being 11 per cent of the total, and standing fourth in that.

In woolen goods, not including carpets, rugs, felt goods, hosiery, and knit goods, the entire country makes \$133,000,000 worth and Connecticut \$9,000,000 worth, being 6 per cent of the whole, and standing fourth in that.

That is the way we get our living, sir, and that is the reason we take a little interest in the tariff. These trifling pennies that are mentioned in this bill bring either prosperity or the reverse to our people.

I say I shall make no objection to the amendment proposed; indeed I welcome it. It is a great deal better than it might have been, and I am glad that the committee has kindly proposed it.

Mr. HAWLEY. I now ask leave to insert with my remarks the table giving the precise figures.

The PRESIDING OFFICER. In the absence of objection it will be so ordered.

The table referred to is as follows:

	Value of product.		Connecticut's percentage of total product.	Rank of Connecticut compared with other States.
	United States.	Connecticut.		
Ammunition.....	\$6,538,959	\$3,838,774	59	First.
Brass.....	2,549,800	2,224,000	87	Do.
Brass and copper, rolled.....	8,381,472	4,169,938	50	Do.
Brass casting and finishing.....	24,344,434	7,428,011	31	
Brassware.....	13,615,172	10,711,945	80	Do.
Corsets.....	12,401,575	6,274,867	51	Do.
Cotton goods.....	267,981,724	15,409,476	6	Fifth.
Firearms.....	2,922,514	1,120,175	38	
Hardware*.....	26,726,463	11,993,023	45	First.
Hats and caps†.....	37,311,599	7,527,017	20	Thrd.
Ivory and bone work.....	1,918,607	607,874	31	First.
Plated and britannia ware‡.....	11,502,966	7,569,920	66	Do.
Paper.....	74,309,388	3,566,257	4	Sixth.
Silk and silk goods.....	37,298,454	9,788,951	11	Fourth.
Woolen goods§.....	133,577,977	9,062,493	6	Do.

* Not including cutlery and edge tools or saddlery hardware.

† Not including wool hats.

‡ Not including silverware.

§ Not including carpets, rugs, felt goods, hosiery, and knit goods.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to insert as a new paragraph, to be numbered 155, what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be read.

The Secretary read as follows:

155. Umbrella and parasol ribs, and stretcher frames, tips, runners, handles, or other parts thereof, made in whole or chief part of iron, steel, or any other metal, 50 per cent ad valorem.

Mr. PLATT. I must presume that while Connecticut makes a great many things, as shown by my colleague [Mr. HAWLEY], she does not make any of the articles mentioned in this new paragraph, because I see it has 50 per cent ad valorem, when guns and the articles we have been considering to-day only get 30 per cent.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. HAWLEY. I wish to offer here, though I fear it will be a useless experiment, an amendment to come in just before paragraph 156. I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert before paragraph 156:

Furniture of brass and iron, or brass and steel, 40 per cent ad valorem.

Mr. HAWLEY. I have named 40 per cent because I wished to coincide with the general idea of a reduction of the rates in the McKinley law. Under what is known as the basket clause, metals, not otherwise specially provided for, had 45 per cent ad valorem in that bill.

This industry is a very interesting one to those who care anything about manufacturing processes. Furniture of iron and brass, or steel and brass, handsomely designed and exquisitely executed, is becoming fashionable and cheap. I say for sanitary reasons as well as a matter of taste, such furniture is desirable. It was made in Great Britain very considerably and was imported.

Among the importers was one of my beloved Yankees. He said: "I think we can make those articles as well as anybody else." So he started to make them, and then another and another, until there are six or eight such manufacturing establishments, and the prices of the goods have been handsomely reduced to the American purchaser. This is the great market for them, and the manufacture will rapidly extend and it will become a very extensive industry if proper protection is given it.

There is no need of putting a cord of wood into a bedstead. We have got over that, and we make a graceful bedstead of steel rods and wire, with brass coverings and decorations, a clean, wholesome and cheap bedstead.

The industry promises well. New factories were building. I know where there is one that has not done a stroke of work, except the building of the factory, because Mr. Cleveland was elected President and a Democratic Congress came in, and they stopped to see what would be the result. Under the McKinley act they had a duty of 45 per cent and they were getting along very well, indeed. Why should they not have 40 per cent now? Just before I proposed to insert this amendment, a new amendment was inserted giving a duty of 50 per cent ad valorem to "umbrella and parasol ribs, and stretcher frames, tips, runners, handles, or other parts thereof, made in whole or chief part of iron, steel, or any other metal."

I propose to put a decent protection upon an article that is composed of costlier metal, steel and brass.

Paragraph 156, immediately following the paragraph I have just designated, is as follows:

156. Wheels, or parts thereof, made of iron or steel, and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, or other railway tires or parts thereof, wholly or partly manufactured, and ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture, 40 per cent ad valorem.

The articles there enumerated are comparatively rude stages of manufacture; they are among the earlier processes of manufacture; while the article as to which I have offered an amendment is a far more advanced article, requiring more skill, labor, and time to make it. I think we might be allowed 40 per cent upon that, as well as upon iron or steel wheels for railway purposes.

Mr. QUAY. Forty per cent is not half enough.

Mr. HAWLEY. The Senator says the rate is not half enough. Then, I am sure the 40 per cent I have proposed is not half enough for a brass bedstead.

Mr. QUAY. No, it is not.

Mr. HAWLEY. Besides that—I make no complaint of it—here are rude manufactures of iron of Alabama, which are very good for some purposes, but worth very little for others, which

have a duty of \$4 a ton. That is a protective duty of 50 per cent, estimating that iron to be worth \$8 a ton. Iron of that character can be bought at less than \$8 a ton in Alabama, as I happen to know positively. If the rude pig iron can have a duty of 50 per cent a ton, why can not a handsome brass bedstead have a duty of 40 per cent? I think I am very modest in that. I think it would be for the good of the country and I think it would promote a very great and growing industry if we have a fair rate of duty imposed on this article.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Connecticut.

Mr. QUAY. The amendment proposed by the Senator from Connecticut is very important, and I suggest that there is no quorum present.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dubois,	Jarvis,	Peffer,
Allen,	Faulkner,	Jones, Ark.	Perkins,
Allison,	George,	Lindsay,	Platt,
Bate,	Gibson,	Lodge,	Power,
Berry,	Gordon,	McLaurin,	Pugh,
Blackburn,	Harris,	McMillan,	Ransom,
Blanchard,	Hawley,	Martin,	Roach,
Brice,	Higgins,	Mitchell, Oregon,	Shoup,
Cockrell,	Hill,	Mitchell, Wis.	Vest,
Coke,	Hoar,	Murphy,	Vilas,
Daniel,	Hunton,	Pasco,	Walsh,
Davis,	Irby,	Patton,	White.

The VICE-PRESIDENT. Forty-eight Senators have answered to their names. A quorum is present. The question is on the amendment proposed by the Senator from Connecticut [Mr. HAWLEY].

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

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

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

Mr. CAFFERY (when his name was called). I am paired with the Senator from Montana [Mr. POWER].

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. GRAY (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM].

Mr. LODGE (when his name was called). I am paired with the Senator from New York [Mr. HILL], and therefore withhold my vote.

The roll call was concluded.

Mr. MITCHELL of Wisconsin. I transfer my pair with the Senator from Wyoming [Mr. CAREY] to the Senator from Tennessee [Mr. HARRIS], and vote "nay."

Mr. MILLS. I wish to state for the remainder of the day—I shall not call attention to it any more—that I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. GORDON. I transfer my pair with the Senator from Iowa [Mr. WILSON] to the Senator from South Dakota [Mr. KYLE], and vote "nay."

Mr. CALL. I announce my pair with the Senator from Vermont [Mr. PROCTOR]. If he were present I should vote "nay."

The result was announced—yeas 17, nays 30; as follows:

YEAS—17.

Aldrich,	Frye,	Morrill,	Shoup,
Allison,	Hawley,	Patton,	Teller.
Chandler,	Hoar,	Perkins,	
Davis,	McMillan,	Platt,	
Dubois,	Mitchell, Oregon,	Power,	

NAYS—30.

Allen,	Daniel,	Lindsay,	Roach,
Bate,	Faulkner,	McLaurin,	Smith,
Berry,	Gibson,	Martin,	Turpie,
Blanchard,	Gordon,	Mitchell, Wis.	Vest,
Brice,	Hunton,	Murphy,	Vilas,
Camden,	Irby,	Pasco,	White.
Cockrell,	Jarvis,	Peffer,	
Coke,	Jones, Ark.	Pugh,	

NOT VOTING—38.

Blackburn	George,	Lodge,	Sherman.
Butler,	Gorman,	McPherson,	Squire,
Caffery,	Gray,	Manderson,	Stewart,
Call,	Hale,	Mills,	Voorhees.
Cameron,	Hansbrough,	Morgan,	Walsh,
Carey,	Harris,	Palmer,	Washburn,
Cullom,	Higgins,	Pettigrew,	Wilson,
Dixon,	Hill,	Proctor,	Wolcott.
Dolph,	Jones, Nev.	Quay,	
Gallinger,	Kyle,	Ransom,	

So the amendment was rejected.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

156. Wheels, or parts thereof, made of iron or steel, and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, or other railway tires or parts thereof, wholly or partly manufactured, and ingots, cogged ingots, blooms, or blanks for the same, without regard to the degree of manufacture 30 per cent ad valorem.

Mr. ALDRICH. I suggest to the Senator from Arkansas that he allow this paragraph to go over for to-day. There will be considerable discussion about it, and I should be glad to have it passed over for the present.

Mr. JONES of Arkansas. We will consent to that. Let it go over.

The VICE-PRESIDENT. The paragraph will be passed over. The reading of the bill will be proceeded with.

The Secretary read as follows:

MISCELLANEOUS METALS AND MANUFACTURES OF.

157. Aluminum or aluminum, in crude form, alloys of any kind in which aluminum is the component material of chief value, 25 per cent ad valorem.

The Committee on Finance reported to amend paragraph 157, in line 12 of page 34, by striking out "aluminum or aluminum," and insert "aluminum."

The amendment was agreed to.

Mr. JONES of Arkansas. I move to strike out in line 14 the words "twenty-five per cent ad valorem," and insert "ten cents per pound."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Strike out "25 per cent ad valorem," in line 14, and insert "10 cents per pound," so as to make the paragraph read:

157. Aluminum, in crude form, alloys of any kind in which aluminum is the component material of chief value, 10 cents per pound.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

158. Argentine, albata, or German silver, unmanufactured, 15 per cent ad valorem.

159. Brass, in bars or pigs, old brass, clippings from brass or Dutch metal, and old sheathing, or yellow metal, fit only for remanufacture, 10 per cent ad valorem.

160. Bronze powder, metallics or fitters, bronze or Dutch metal, or aluminum, in leaf, 30 per cent ad valorem.

Mr. JONES of Arkansas. In paragraph 160, line 22 of page 34, before the words "per cent," I move to strike out "thirty" and insert "forty."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 22, page 34, strike out after the word "leaf" the word "thirty" and insert "forty;" so as to make the paragraph read:

160. Bronze powder, metallics or fitters, bronze or Dutch metal, or aluminum, in leaf, 40 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary read as follows:

Copper:

161. Copper in rolled plates, called braziers' copper sheets, rods, pipes, and copper bottoms, also sheathing or yellow metal of which copper is the component material of chief value, and not composed wholly or in part of iron ungalvanized, 20 per cent ad valorem.

Gold and silver:

162. Bullions and metal thread of gold, silver, or other metals not specially provided for in this act, 25 per cent ad valorem.

Mr. JONES of Arkansas. I move to amend paragraph 162 by inserting before the word "bullions," in line 6, page 35, the words "manufactures of;" so as to read:

162. Manufactures of bullions and metal thread of gold, silver, or other metals, not specially provided for in this act, 25 per cent ad valorem.

The amendment was agreed to.

Mr. QUAY. I move to amend the paragraph by striking out the word "silver," where it occurs after "gold," in the sixth line, and inserting after the words "ad valorem," in the eighth line, "of silver, 100 per cent ad valorem."

The VICE-PRESIDENT. The amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. Strike out "silver" in line 6, after the word "gold," and insert after words "ad valorem," in line 8, "of silver, to be 100 per cent ad valorem."

Mr. ALDRICH. Let the paragraph be read as proposed to be amended.

Mr. QUAY. The effect of my amendment will be to make the duty upon manufactures of gold 25 per cent, and of silver 100 per cent. It is in the interest of silver, as I take it.

The VICE-PRESIDENT. The Secretary will read the paragraph as proposed to be amended

The Secretary read as follows:

Manufactures of bullions and metal thread of gold, or other metals not specially provided for in this act, 25 per cent ad valorem; of silver, 100 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania.

Mr. QUAY. On that I call for the yeas and nays.

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

Mr. LODGE (when his name was called. I announce my pair with the Senator from New York [Mr. HILL]. If he were present I should vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I transfer my pair with the Senator from Wyoming [Mr. CAREY] to the Senator from Tennessee [Mr. HARRIS] and vote "nay."

The roll call having been concluded, the result was announced—yeas 10, nays 37; as follows:

YEAS—10.

Davis,	Morrill,	Platt,	Squire.
Dubois,	Patton,	Power,	
McMillan,	Perkins,	Shoup,	

NAYS—37.

Aldrich,	Daniel,	McLaurin,	Teller,
Allen,	Faulkner,	Martin,	Turpie,
Allison,	Frye,	Mitchell, Wis.	Vest,
Bate,	Gibson,	Murphy,	Vilas,
Berry,	Hale,	Pasco,	Voorhees,
Blanchard,	Hunton,	Peffer,	Walsh,
Brice,	Irby,	Pugh,	White.
Caffery,	Jarvis,	Ransom,	
Cockrell,	Jones, Ark.	Roach,	
Coke,	Lindsay,	Smith,	

NOT VOTING—38.

Blackburn,	Gallinger,	Hoar,	Pettigrew,
Butler,	George,	Jones, Nev.	Proctor,
Call,	Gordon,	Kyle,	Quay,
Camden,	Gorman,	Lodge,	Sherman,
Cameron,	Gray,	McPherson,	Stewart,
Carey,	Hansbrough,	Manderson,	Washburn,
Chandler,	Harris,	Mills,	Wilson,
Cullom,	Hawley,	Mitchell, Oregon	Wolcott.
Dixon,	Higgins,	Morgan,	
Dolph,	Hill,	Palmer,	

So the amendment was rejected.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary read the next paragraph, as follows:

163. Gold leaf, 35 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "thirty-five" and inserting "thirty;" so as to read:

Gold leaf, 30 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary read the next paragraph, as follows:

164. Silver leaf, 35 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "thirty-five" and inserting "thirty," so as to read:

Silver leaf, 35 per cent ad valorem.

The amendment was agreed to.

Mr. JONES of Arkansas. I move to insert the words "and silver powder" after the word "leaf."

The amendment was agreed to.

Mr. QUAY. I move to strike out the word "thirty" and insert "one hundred;" so as to make the paragraph read:

Silver leaf and silver powder, 100 per cent ad valorem.

The VICE-PRESIDENT. The Chair will call the attention of the Senator from Pennsylvania to the fact that the amendment reported by the committee has been agreed to.

Mr. QUAY. Can I not move to amend the paragraph as amended?

Mr. COCKRELL. That is not in order.

Mr. QUAY. I think it is.

Mr. ALLISON. The Senator from Pennsylvania can reach his object by a reconsideration if his amendment is not in order. I have no doubt if the Senator wants to test the sense of the Senate on the question there will be no objection to a reconsideration.

Mr. COCKRELL. Let a vote be taken on the amendment of the Senator from Pennsylvania.

Mr. VEST. Let the amendment of the committee be reconsidered.

The VICE-PRESIDENT. The Chair suggests to the Senator from Pennsylvania that it occurs to the Chair the proper mo-

tion would be to reconsider the vote by which the amendment was agreed to.

Mr. ALDRICH. Let it be done by unanimous consent.

Mr. JONES of Arkansas. I ask that it be done by unanimous consent, and that the Senator's amendment be considered.

The VICE-PRESIDENT. Is there objection? The Chair hears none. The question is on the amendment of the Senator from Pennsylvania to the amendment of the committee, which will be stated.

The SECRETARY. In line 10, page 35, paragraph 164, strike out "thirty" and insert "one hundred;" so as to read:

Silver leaf and silver powder, 100 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Pennsylvania.

Mr. QUAY. On that I call for the yeas and nays.

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

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. MITCHELL of Wisconsin (when his name was called). I will transfer my pair with the Senator from Wyoming [Mr. CAREY] to the Senator from Tennessee [Mr. HARRIS], and vote "nay."

The roll call was concluded.

Mr. GORDON. I am paired with the Senator from Iowa [Mr. WILSON], but in order to make a quorum I will vote. I vote "nay."

Mr. BATE (after having voted in the negative). I transfer my pair with the senior Senator from Vermont [Mr. MORRILL] to the Senator from South Dakota [Mr. KYLE], and will let my vote stand.

The result was announced—yeas 16, nays 34; as follows:

YEAS—16.

Aldrich,	Dubois,	Lodge,	Perkins,
Allison,	Frye,	McMillin,	Power,
Chandler,	Hale,	Mitchell, Oregon	Shoup,
Davis,	Hoar,	Patton,	Squire.

NAYS—34.

Bate,	Faulkner,	McLaurin,	Smith,
Berry,	Gibson,	Martin,	Teller,
Blanchard,	Gordon,	Mitchell, Wis.	Turpie,
Brice,	Hawley,	Murphy,	Vilas,
Caffery,	Hunton,	Pasco,	Voorhees,
Camden,	Irby,	Peffer,	Walsh,
Cockrell,	Jarvis,	Pugh,	White.
Coke,	Jones, Ark.	Ransom,	
Daniel,	Lindsay,	Roach,	

NOT VOTING—35.

Allen,	Gallinger,	Kyle,	Proctor,
Blackburn,	George,	McPherson,	Quay,
Butler,	Gorman,	Manderson,	Sherman,
Call,	Gray,	Millis,	Stewart,
Cameron,	Hansbrough,	Morgan,	Vest,
Carey,	Harris,	Morrill,	Washburn,
Cullom,	Higgins,	Palmer,	Wilson,
Dixon,	Hill,	Pettigrew,	Wolcott
Dolph,	Jones, Nev.	Platt,	

So the amendment to the amendment was rejected.

Mr. JONES of Arkansas. Now let the amendment of the committee which was reconsidered be agreed to.

The amendment was agreed to.

Mr. JONES of Arkansas. I suggest that the next succeeding paragraphs down to paragraph 168 be passed over.

The VICE-PRESIDENT. It will be so ordered without objection.

Mr. DUBOIS. I ask the Senator from Arkansas if he will allow me to offer an amendment to paragraph 135. I think there will be no objection to it.

Mr. JONES of Arkansas. It may be offered to lie over, to be considered when the paragraph is taken up.

The VICE-PRESIDENT. The amendment proposed by the Senator from Idaho will be stated.

The SECRETARY. At the end of paragraph 165, after the word "entry," in line 25, page 35, add:

The method of sampling and assaying to be that usually adopted for commercial purposes by public sampling works in the United States.

Mr. JONES of Arkansas. That amendment is to lie over, to come up when the paragraph is taken up for consideration.

The VICE-PRESIDENT. It will be so ordered. The amendment will be printed.

Mr. JONES of Arkansas. I ask that the Secretary begin at paragraph 168.

Mr. ALDRICH. I think the Senator from Arkansas has an amendment which is to come in as paragraph 167.

Mr. JONES of Arkansas. I prefer to let that go over with the lead and zinc paragraphs.

Mr. HILL. Will the Senator from Arkansas inform me when he proposes to bring up the paragraphs which are passed over?

Mr. JONES of Arkansas. To-morrow morning.

The VICE-PRESIDENT. Paragraph 168 will be read.

The Secretary read as follows:

168. Pens, metallic, except gold pens, 35 per cent ad valorem.

Mr. JONES of Arkansas. I move to strike out "35 per cent ad valorem," and insert "8 cents per gross;" so as to read:

Pens, metallic, except gold pens, 8 cents per gross.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Arkansas.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read as follows:

169. Penholder tips, penholders or parts thereof, and gold pens, 25 per cent ad valorem.

170. Pins, metallic, including hairpins, safety pins, and hat, bonnet, shawl, and belt pins, not commercially known as jewelry, 20 per cent ad valorem.

The Committee on Finance reported to amend paragraph 170, in line 22, of page 36, after the word "including," to insert "pins with solid or glass heads;" and in line 24, after the word "not," to strike out "commercially known" and insert "suitable for use."

Mr. JONES of Arkansas. The committee amendment is withdrawn in line 24, leaving the words "commercially known" remain.

Mr. ALLISON. I suggest to the Senator to have these amendments agreed to as we go along. The first amendment of the committee is in line 23, to insert after the word "including:"

Pins with solid or glass heads.

Mr. JONES of Arkansas. Let that be agreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment inserting the words "pins with solid or glass heads." The amendment was agreed to.

Mr. JONES of Arkansas. I withdraw the committee amendment in line 24, inserting the words "suitable for use," but leaving in the words as they came from the House, "commercially known." I move to amend by striking out the word "twenty" in line 1, page 37, and inserting "twenty-five."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 1, page 37, after the word "jewelry," strike out "twenty" and insert "twenty-five," so as to read:

Pins, metallic, including pins with solid or glass heads, hairpins, safety pins, and hat, bonnet, shawl, and belt pins, not commercially known as jewelry, 25 per cent ad valorem.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary read the next paragraph, as follows:

171. Type metal and new types, 15 per cent ad valorem.

Mr. ALDRICH. I suggest to the Senator from Arkansas that perhaps this paragraph had better go over to be discussed with lead products. Certainly there ought to be a different rate of duty imposed from 15 per cent ad valorem.

Mr. JONES of Arkansas. I have no objection to passing it over.

The VICE-PRESIDENT. It will be so ordered. The reading of the bill will be proceeded with.

The Secretary read as follows:

Watches:

172. Chronometers, box or ship's, and parts thereof, 10 per cent ad valorem.

173. Watches and clocks, or parts thereof, whether separately packed or otherwise, 25 per cent ad valorem.

Zinc or spelter:

Mr. JONES of Arkansas. I suggest that we pass over the zinc paragraphs, down to paragraph 177.

The VICE-PRESIDENT. Without objection, it is so ordered. The Secretary will read paragraph 177.

The Secretary read as follows:

177. Manufactured articles or wares, not specially provided for in this act, composed wholly or in part of any metal, and whether partly or wholly manufactured, 35 per cent ad valorem.

The Committee on Finance reported to amend the paragraph by striking out "35" and inserting "30," so as to read "30 per cent ad valorem."

Mr. JONES of Arkansas. The committee amendment is withdrawn and the paragraph will stand as it came from the other House.

Mr. HILL. The Senator from Arkansas does not propose to go on to-night with the wood schedule?

Mr. JONES of Arkansas. No; I will move an adjournment.

Mr. HAWLEY. I wish to say a few words upon the amendment to paragraph 177.

Mr. JONES of Arkansas. Very well, I withdraw the motion.

Mr. HAWLEY. Paragraph 177, which has just been read, attracts very little attention, but there are enormous importations under it. It affects very great interests. In the existing law the duty is 45 per cent. It is known as the basket clause, or omnibus clause, and by various names. It applies to "manufactured articles or wares not specially provided for in this act,"

and sweeps in in that way a great variety of manufactures. A reduction from 45 per cent to 35 per cent is a reduction of about 22 per cent; and it will have a very great influence on the industries of my State, as one may very well imagine. It will be a reduction of 22 per cent upon articles to the extent, perhaps, of forty or fifty million dollars out of the \$248,000,000 of our manufactures.

I wish to correct or perfect some statistics I gave hastily speaking a little while ago. I wish to put upon record a summary of the industries of my State. According to the census of 1890 we had then about 745,000 people. Of establishments there were 6,822, with a capital of \$227,004,496. The number of persons employed was 149,939, and with the superintendents and employes something over 151,000. More than one-fifth of the people of my State are recorded by the census as engaged in manufactures. The cost of the material was \$123,183,083; the value of the product, \$248,336,364. And I may add that the money in savings banks was \$133,000,000.

I am very sorry this great reduction is made. It is a very serious thing to many thousands of people in my State. I think we could have endured a reduction from 45 to 40 per cent, but a reduction from 45 to 35 per cent will inevitably discourage many industries and greatly enlarge the importation of articles that we ought to continue to make. This is all I care to say.

EXECUTIVE SESSION.

Mr. JONES of Arkansas. 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 ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 26, 1894, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate May 25, 1894.

UNITED STATES MARSHALS.

Berry Baldwin, of California, to be marshal of the United States for the northern district of California, vice William G. Long, whose term expired February 27, 1894.

Emory S. Harris, of Vermont, to be marshal of the United States for the district of Vermont, vice Rollin Amsden, whose term will expire June 24, 1894.

COLLECTOR OF INTERNAL REVENUE.

John A. Sullivan, of New York, to be collector of internal revenue for the second district of New York, to succeed Michael Kerwin, resigned.

NAVAL OFFICER.

C. C. Baldwin, of New York, to be naval officer of customs in the district of New York, in the State of New York, to succeed Theodore B. Willis, resigned.

COLLECTORS OF CUSTOMS.

William Mickler, of Florida, to be collector of customs for the district of St. Augustine, in the State of Florida, to succeed Henry J. Ritchie, whose term of office has expired by limitation.

Francis L. O'Reilly, of Rhode Island, to be collector of customs for the district of Providence, in the State of Rhode Island, to succeed Gorman P. Pomroy, whose term of office will expire by limitation June 8, 1894.

POSTMASTERS.

Sophie Choate, to be postmaster at Bentonville, in the county of Benton and State of Arkansas, in the place of William H. Conine, whose commission will expire June 10, 1894.

A. C. Fleming, to be postmaster at Lincoln, in the county of Placer and State of California, in the place of William Ingram, removed.

W. S. Leake, to be postmaster at Sacramento, in the county of Sacramento and State of California, in the place of James O. Coleman, whose commission expired May 10, 1894.

Edward C. Morgan, to be postmaster at Grass Valley, in the county of Nevada and State of California, in the place of Solomon B. Bosworth, whose commission expired February 25, 1894.

George M. Payne, to be postmaster at San Luis Obispo, in the county of San Luis Obispo and State of California, in the place of William S. Cannon, whose commission expired February 19, 1894.

Robert W. Smith, to be postmaster at Sterling, in the county of Logan and State of Colorado, in the place of James H. Scott, whose commission expired December 21, 1893.

Everett M. Arthur, to be postmaster at Telluride, in the county of San Miguel and State of Colorado, in the place of Charles F. Hilgenhaus, whose commission expired January 9, 1894.

John F. Eden, to be postmaster at Sullivan, in the county of Moultrie and State of Illinois, in the place of Addison W. McPheeters, whose commission expired April 19, 1894.

John Whalen, to be postmaster at Lincoln, in the county of Lincoln and State of Kansas, in the place of Charles M. Heaton, resigned.

William R. Hall, to be postmaster at Maynard, in the county of Middlesex and State of Massachusetts, in the place of George Flood, removed.

Eben Lothrop, to be postmaster at Provincetown, in the county of Barnstable and State of Massachusetts, in the place of Paron C. Young, whose commission expired February 28, 1894.

Asahel C. Braddock, to be postmaster at Portsmouth, in the county of Bay and State of Michigan, in the place of Harvey Barker, resigned.

William H. Phillips, to be postmaster at West Bay City, in the county of Bay and State of Michigan, in the place of Luther B. Edinborough, whose commission will expire June 2, 1894.

Philip B. Wachtel, to be postmaster at Petoskey, in the county of Emmet and State of Michigan, in the place of James Buckley, whose commission will expire June 27, 1894.

Harris Van Blarcom, to be postmaster at Ely, in the county of St. Louis and State of Minnesota, in the place of Herbert C. Kelley, removed.

John Marens, to be postmaster at Hamilton, in the county of Caldwell and State of Missouri, in the place of Nathan C. Clarkson, whose commission will expire June 10, 1894.

Cornelius P. Convery, to be postmaster at Perth Amboy, in the county of Middlesex and State of New Jersey, in the place of George H. Tice, whose commission expired January 20, 1894.

A. M. Jones, to be postmaster at Manchester, in the county of Adams and State of Ohio, in the place of Daniel R. Shriver, deceased.

Matthew A. Black, to be postmaster at Sheffield, in the county of Warren and State of Pennsylvania, in the place of Jerry Cray, resigned.

Robert McCann, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania, in the place of Eugene G. Webb, removed.

Abraham B. Stillwagon, to be postmaster at Ambler, in the county of Montgomery and State of Pennsylvania, in the place of Thomas Bitting, whose commission expired April 26, 1894.

John Toole, to be postmaster at Minersville, in the county of Schuylkill and State of Pennsylvania, in the place of Mary B. Higley, deceased.

George Weber, to be postmaster at Port Allegany, in the county of McKean and State of Pennsylvania, in the place of Reuben J. Mott, removed.

Ella Lewis, to be postmaster at Gallatin, in the county of Sumner and State of Tennessee, in the place of Thomas H. Prince, whose commission will expire May 27, 1894.

W. L. Jolley, to be postmaster at Honey Grove, in the county of Fannin and State of Texas, in the place of Eustace W. Walder, whose commission will expire June 2, 1894.

Ben F. McClinton, to be postmaster at Gatesville, in the county of Coryell and State of Texas, in the place of Clarence L. Bush, whose commission will expire June 2, 1894.

W. O. Blakey, to be postmaster at Gordonsville, in the county of Orange and State of Virginia, in the place of John T. Davenport, whose commission will expire June 2, 1894.

P. H. Bolger, to be postmaster at Waterloo, in the county of Jefferson and State of Wisconsin, in the place of Herbert M. Knowlton, removed.

C. W. Notbohm, to be postmaster at Oconomowoc, in the county of Waukesha and State of Wisconsin, in the place of Warham Parks, whose commission expired May 14, 1894.

PROMOTIONS IN THE ARMY.

Medical Department.

Lieut. Col. Joseph P. Wright, deputy surgeon-general, to be assistant surgeon-general, with the rank of colonel, May 16, 1894, *vice* Baily, deceased.

Maj. Alfred A. Woodhull, surgeon, to be deputy surgeon-general, with the rank of lieutenant-colonel, May 16, 1894, *vice* Wright, promoted.

Capt. William R. Hall, assistant surgeon, to be surgeon, with the rank of major, May 16, 1894, *vice* Woodhull, promoted.

CONFIRMATION.

Executive nomination confirmed by the Senate May 25, 1894.

COLLECTOR OF CUSTOMS.

A. McP. Hamby, jr., of South Carolina, to be collector of customs for the district of Georgetown, in the State of South Carolina.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 25, 1894.

The House met at 12 o'clock m. Rev. J. J. DOLLIVER, of Fort Dodge, Iowa, offered the following prayer:

Almighty God, the Giver of all our mercies! We look to Thee this morning for Thy blessing. Our lives have been preserved through the past night. Many have died; many this solemn moment are passing to their endless home. We are still the objects of Thy care and love. We ask Thy blessing to rest upon us. Prepare us for the labors and duties of the day on which we have entered. May the words of our mouths and the meditations of our hearts be acceptable in Thy sight; and may we spend this short revolving day as though it were our last.

Let Thy blessings rest upon all here assembled. Bless the Speaker of the House. Sustain him with Thy grace in the duties that are before him. Bless all the members of this body. We pray that Thy blessing may attend their labors; and may there be such things done here as shall meet the Divine approval and further the welfare of this people. We are exalted to the enjoyment of inestimable privileges. We have for our guidance line upon line and precept upon precept. O Lord, help us, as the days go by and as the hours pass from us, to lay up treasure in Heaven, where moth can not corrupt and where thieves can not break through and steal. Guard and direct us along life's checkered pathway. Whether we live long or die soon, may we feel in life's latest hour that all is well. And with the redeemed and bloodwashed at Thy right hand in heaven own and crown us Thine forever, in Christ Jesus. Amen.

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

PRINTING REPORT OF WEATHER BUREAU.

The SPEAKER laid before the House the following concurrent resolution of the House, with an amendment of the Senate:

Resolved by the House of Representatives (the Senate concurring). That there be printed 5,500 copies of the annual report of the Chief of the Weather Bureau for the year ending June 30, 1893, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House, and 2,500 copies for the use of the Bureau.

The amendment of the Senate was read, as follows:

In line 6, strike out "June 30" and insert "December 31."

Mr. RICHARDSON of Tennessee. I move to concur in the amendment of the Senate. It simply designates this report as the report for the calendar year, instead of the fiscal year; and that change is proper.

The amendment was concurred in.

LEAVE OF ABSENCE.

Mr. WILSON of Ohio obtained indefinite leave of absence, on account of sickness in his family.

LEAVE TO PRINT.

Mr. WEADOCK, by unanimous consent, obtained leave to print in the RECORD remarks on the repeal of section 40 of the Revised Statutes.

WITHDRAWAL OF PAPERS.

Mr. HARE, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, papers in the case of Jacob Falkar, Fifty-second Congress, no adverse report having been made thereon.

REPRINT OF BILLS.

On motion of Mr. CHICKERING, by unanimous consent, a reprint was ordered of House bills No. 4476 and 5931, the supply in the document room being exhausted.

NEWPORT BARRACKS, KY.

Mr. BERRY. I ask permission for the immediate consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 2586) granting certain property to the city of Newport, Ky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to the lots and parts of lots and the appurtenances and appendages thereunto belonging, comprising the old military post or barracks property situated at the confluence of the Ohio and Licking Rivers, in the city of Newport, in the county of Campbell and State of Kentucky, be, and is hereby, granted and conveyed to the said city of Newport, to have and to hold for public purposes forever.

Sec. 2. That whenever said city shall cease to use the said property for public purposes, or shall use the same or any part thereof for any other than public purposes, all the right, title, and interest hereby granted and conveyed to said city shall at once, and without any act whatever upon the part of the United States, revert to and become the property of the United States.

The amendments reported by the Committee on Military Affairs were read, as follows:

In line 10 of section 1, insert "a" before the word "public," and strike out the word "purposes" and insert "park."

In line 2 of section 2, strike out "public purposes," and insert "the purposes of a public park."

In lines 3 and 4, strike out "public purposes," and insert "for a public park."

Mr. BURROWS. Mr. Speaker, I desire to ask if this is a House bill with Senate amendments?

Mr. BERRY. It is a House bill.

Mr. BURROWS. How much land does this bill give?

Mr. BERRY. It gives between 5 and 6 acres of land which was originally given to the Government by Gen. Taylor, the owner of the property, in 1800. The land is now subject to overflow, and in 1884 there were 14 feet of water on the land. The United States Government found it necessary to select higher ground, above the water level, on which the barracks are now. We simply ask that it be given to the city of Newport for park purposes.

Mr. BURROWS. What is its value to-day?

Mr. BERRY. I do not know. It was 14 feet under water in 1884.

Mr. REED. I hope this dialogue will be made public, if not I shall object.

Mr. BERRY. Mr. Speaker, I am trying to make it as public as possible. Certainly the gentleman does not think I desire to conceal anything.

Mr. REED. I do not have the slightest idea of that kind, but the habit seems to be irresistible to have a conversation with the gentleman who seems to be opposed to a measure when unanimous consent is asked for its consideration.

Mr. BERRY. I will state for the information of the gentleman that this property is situated at the mouth of Licking River, at the confluence of the Ohio and Licking Rivers, and contains between five and six acres of ground. It was originally given by Gen. James Taylor to the United States Government in 1800.

For a number of years it has been subject to overflow. The Government declined to extend its barracks at that point, and bought a place three miles from the city of Newport, about 300 feet above the water level, which is now known as Fort Thomas. This old barracks site is to be abandoned, and the city of Newport asks, as the property cost the Government nothing originally, that it shall be given to the city of Newport to be used for a public park. It is recommended by the committee.

Mr. BURROWS. Now, I should like the gentleman to answer my question as to what is the value of this property.

Mr. BERRY. I expect \$3,000 or \$4,000 an acre. I expect it would be worth that. However, it is subject to overflow; and I do not know what its value would be.

Mr. BURROWS. Then it would be some \$18,000 or \$20,000.

Mr. BERRY. Yes, sir.

Mr. BURROWS. You say it is subject to overflow?

Mr. BERRY. It has been under water to the depth of 14 feet in 1884, and since that time the water has been up to the edge of it.

Mr. BURROWS. Has it been over it since that time?

Mr. BERRY. It has been up to it, and the Government determined to abandon it for the reason that it was subject to overflow, and has bought elsewhere.

Mr. BURROWS. If it is worth \$18,000 or \$20,000, can not the Government dispose of it?

Mr. BERRY. I suppose it could; but as it did not cost the Government anything, we thought it could donate it to the city.

Mr. PAYNE. How much did the new site cost the Government?

Mr. BERRY. Fifty thousand dollars.

Mr. BURROWS. Why would it not be well to sell the old site and apply it on the cost of the new one?

Mr. BERRY. If it had originally cost the Government anything I should think that would be a very good argument, but as the people have built up the ground around the Government property, I think it but fair that it should be given to the city of Newport for park purpose, and that it should revert to the Government should that city fail or discontinue to use it for such purpose.

Mr. OUTHWAITE. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. OUTHWAITE. It is impossible to hear the gentleman.

Mr. DALZELL. I would ask the gentleman if the Secretary of War recommended this bill?

Mr. BERRY. Yes, sir; that is expressed in the report.

Mr. DALZELL. I asked that question because I made an attempt to have a bill of the same kind passed for the city of Pittsburgh, but the Secretary of War reported that, as the property was not of any value to the Government, it ought to be sold and the money turned into the Treasury. I do not see why the same principle would not apply in this case.

Mr. GROSVENOR. I desire to ask the gentleman how did the Government acquire title to the new location?

Mr. BERRY. It acquired title to the new location by purchase. I want to say that since the new barracks have been es-

established the people of that county have constructed a magnificent highway to the barracks, and there has been an electric road put on, and the property of the Government to-day is worth \$5 to every dollar the Government paid for it, resulting from the enterprise of the people of that county. This piece of ground runs down to the water's edge, and is directly opposite the city of Covington.

Mr. GROSVENOR. I know the ground very well. It is immediately opposite the city of Cincinnati, right on the banks of both rivers, the Licking and the Ohio.

Mr. BERRY. Yes, sir.

Mr. GROSVENOR. And would be a very ornamental park.

Mr. BERRY. Yes, sir; and that is about all it is fit for.

Mr. CANNON of Illinois. Are these the premises that were occupied by the Government as a post and barracks twenty-five or thirty years ago?

Mr. BERRY. This land was ceded by the estate of Gen. James Taylor to the United States in 1800, and most of the buildings that are now on it were put there in 1820.

Mr. CANNON of Illinois. I know; but it was occupied by the Government from 1850 to 1860, or thereabouts, as a post and barracks?

Mr. BERRY. Yes, sir.

Mr. CANNON of Illinois. Then I have seen it.

Mr. BERRY. It is right at the forks of the Licking.

Mr. CANNON of Illinois. From what I recollect of its location, while it may be proper that this bill should pass, and while I am not prepared to say that I would antagonize it if it was in Committee of the Whole, I do not believe that it ought to pass by unanimous consent, and as this is Friday I hope we can reach it later in Committee of the Whole, where we can get full information on the subject.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky for the consideration of this bill?

Mr. CANNON of Illinois. For the present I shall have to object.

ORDER OF BUSINESS.

Mr. BUNN. I demand the regular order.

Mr. JOHNSON of Indiana. I ask the gentleman to withdraw that for a moment that I may ask for the consideration of a bill.

Mr. BUNN. I withdraw the demand temporarily.

JOHN C. NUSS.

Mr. JOHNSON of Indiana. I ask unanimous consent for the consideration of the bill which I send to the desk, a bill (H. R. 6926) for the relief of John C. Nuss, private, Company C, Sixth West Virginia Cavalry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to revoke the order dishonorably discharging John C. Nuss as a private in Company C, Sixth West Virginia Cavalry, and to grant him an honorable discharge as of the date of said order.

Mr. JONES. Mr. Speaker, has this bill been favorably reported from the Committee of the Whole?

Mr. JOHNSON of Indiana. It has been reported unanimously by the Committee on Military Affairs.

Mr. JONES. But has it been considered in Committee of the Whole?

Mr. JOHNSON of Indiana. It can not be. It is reported, not from the Committee on Pensions or the Committee on Invalid Pensions, but from the Committee on Military Affairs. It involves no expenditure on the part of the Government. It does not even involve the question of the removal of a charge of desertion. It involves merely the removal of a sentence of dishonorable discharge passed upon this soldier after the close of the war. I think that if the gentleman will hear the report read the case will commend itself to him at once.

Mr. JONES. Would not the removal of this charge enable the applicant to apply for a pension?

Mr. JOHNSON of Indiana. To be frank with the gentleman, I judge that it would. If he will hear the report read I am sure the bill will commend itself to him. It has been unanimously reported by the Committee on Military Affairs.

Mr. JONES. Reserving the right to object, I will hear the report read.

The report (by Mr. HULL) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6926) for the relief of John C. Nuss, have had the same under consideration, and report:

John C. Nuss enlisted as a private in Company I, Third West Virginia Volunteers, on the 6th day of July, 1861. After about one year's service the regiment was consolidated with the Sixth Regiment of West Virginia Cavalry, in which organization he continued to serve until the expiration of the three years for which he had enlisted. Thereupon he reenlisted in said regiment on the 1st day of February, 1864, as a veteran, and was transferred to Company C thereof. During all of this service the soldier was a faithful member of his regiment, performing all his duties punctually, and was never reprimanded, censured, or punished by any officer for any act whatever. He was never absent from his command except for a few days; was always

ready for duty, and participated in every engagement in which his regiment took part. All of these facts appear in the records of the War Department.

After the war was over, to wit, in July, 1865, his regiment was sent to St. Louis, Mo., and there took passage on the *Mollie Dozier*. During the voyage the soldiers discovered from the manifest of the boat that their destination was "Maximilian, City of Mexico," which caused great excitement among them, and they thereupon applied to the colonel of the regiment for an explanation, whose only answer was: "Don't you see what the manifest says?" Thereupon they made inquiry of one captain, who answered in the same language.

They then sought an explanation of another captain and informed him that they were not willing to go to Mexico to establish a monarchy, and that they had not enlisted for that purpose, and were told in reply that the officers could take the regiment where they pleased and that the men could not help themselves. When the regiment arrived at Fort Leavenworth, Kans., preparations were made for a long march, and the soldiers were under the sincere belief that their destination was Mexico. The command was given to march in the following language: "All who are going, get ready to go, and those who do not want to go will remain in camp in obedience to orders."

Very few men responded to the order to go, whereupon a large number of them were put in the guardhouse, and three soldiers, including Nuss, who had not been present and had not heard the order given, were selected and tried for mutiny before a general court-martial, which, according to his statement, refused to allow him to show that he was not present and did not hear the order, and hence did not disobey it.

This court-martial found him guilty, along with his two comrades, and sentenced them to be shot, which sentence was, however, commuted to dishonorable discharge from the service of the United States, with loss of all pay due and to become due, and imprisonment for five years in the Missouri penitentiary. Thereupon he was transported to Gratiot street prison, at St. Louis, where he was received August 29, 1865; and soon thereafter the door of the place of confinement was left open, and he walked out and rejoined his regiment shortly thereafter, on the day it was mustered out, on which day he saw and conversed with his officers, who promised to go with him to the governor's office to see if he could not secure a discharge, but who subsequently failed to do so.

The committee, in view of all the facts and circumstances of this case, respectfully recommend that the bill for the relief of the soldier be amended by adding at the conclusion of the bill the words "Provided no pay or emolument shall become due by the provisions of this act," and that when so amended the bill do pass.

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

Mr. JONES. I object.

Mr. JOHNSON of Indiana. Mr. Speaker—

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

Mr. JOHNSON of Indiana. Did the gentleman hear one word of that report read? He did not hear one word of it, not a word.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from North Carolina [Mr. BUNN] demands the regular order. The regular order is the call of committees for reports.

UNITED STATES COURTS, STATE OF WASHINGTON.

Mr. LANE, from the Committee on the Judiciary, reported back adversely a bill (H. R. 58) to amend an act entitled "An act to provide times and places to hold terms of the United States courts in the State of Washington;" which was laid on the table, and the accompanying report ordered to be printed.

APPRAISER'S WAREHOUSE, NEW YORK.

Mr. CAMPBELL, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation a bill (H. R. 4860) to amend an "Act for the erection of an appraiser's warehouse in the city of New York, and for other purposes," approved September 14, 1888; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

Mr. KYLE. Mr. Speaker, I am instructed by the Committee on Pacific Railroads to report back a resolution instructing the Judiciary Committee to investigate the question of the liability of certain stockholders, directors, and others of the Central Pacific Railway Company, and to ask that the committee be discharged from further consideration of the resolution, and that it be referred to the Committee on the Judiciary, as it is a matter which properly should go to that committee.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi.

Mr. REED. I ask that the resolution be read.

The resolution was read. The Committee on Pacific Railroads was discharged from further consideration of the resolution, and it was referred to the Committee on the Judiciary.

PUBLIC STREET THROUGH NAVAL OBSERVATORY GROUNDS.

Mr. CUMMINGS. I am directed by the Committee on Naval Affairs to report back the joint resolution (H. Res. 32) declaring Massachusetts avenue through the grounds of the Naval Observatory a public street, and to request that our committee be discharged and that the resolution be referred to the Committee on the District of Columbia.

The SPEAKER. In the absence of objection, that order will be made.

LEAVE OF ABSENCE.

Mr. CURTIS of New York, by unanimous consent, obtained leave of absence for to-day, on account of sickness.

ORDER OF BUSINESS.

Mr. BUNN. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering bills on the Private Calendar.

Mr. SPRINGER. I wish to state that I had expected to call up to-day what is known as "the Brawley bill;" but in view of the demand of numerous gentlemen that business on the Private Calendar be considered to-day, I will not call that bill up until to-morrow, immediately after the call of committees.

The motion of Mr. BUNN was agreed to.

The House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH in the chair.

The CHAIRMAN. The Clerk will report the title of the first bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 222) to remit the penalties on the dynamite-gun cruiser Vesuvius.

Mr. TALBOTT of Maryland. Mr. Chairman, I ask unanimous consent that this bill be passed over without prejudice, retaining its place on the Calendar.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland [Mr. TALBOTT]?

Mr. BURROWS. Why does the gentleman make this request? This bill stands at the head of the Calendar, and is from week to week passed over. It has now been passed over several times. I think I must object to the request. We had better take up the Calendar in regular order.

Mr. TALBOTT of Maryland. I hope the gentleman will not insist on his objection. I am a member of a subcommittee charged by order of the House with the making of an investigation, and witnesses are coming before us at 1 o'clock to-day. I can not remain here: I will try to have the bill taken up next Friday.

Mr. BURROWS. Well, under the circumstances, as the gentleman has an engagement elsewhere, I will not insist on my objection.

The CHAIRMAN. In the absence of objection, the bill will be passed over without prejudice, retaining its place on the Calendar.

HEIRS OF DR. NATHAN FLETCHER.

Mr. WHEELER of Alabama. I rise to a point of order. When the Committee of the Whole rose on Friday, April 27, the bill (H. R. 2767) for the relief of the heirs of Dr. Nathan Fletcher was under consideration. My point of order is that that bill is now the regular order of business.

The CHAIRMAN. The Chair will have the RECORD examined.

Mr. BUNN. The statement of the gentleman from Alabama [Mr. WHEELER] is correct. I believe the House was dividing on that proposition.

The CHAIRMAN. The Clerk will read the bill, which is now in order.

House bill 2767 was read.

Mr. LOUD. I rise to a parliamentary inquiry. Does the Chair decide that this bill is now before the Committee of the Whole?

The CHAIRMAN. This bill having been under consideration when the Committee of the Whole rose at its last session, it now comes over under the rules as unfinished business, and takes precedence.

Mr. LOUD. I do not think that rule has ever been followed.

The CHAIRMAN. Where the Committee of the Whole has entered upon the consideration of a bill and it has been left unfinished, such has always been the rule.

Mr. DINGLEY. I understand that general debate had not been closed at that time on the bill.

The CHAIRMAN. The Chair has just sent for the RECORD.

Mr. DINGLEY. I think I was occupying the floor, and gave way for adjournment.

Mr. KILGORE. I would like to know—and I make the inquiry—exactly what the status of this matter now is before the Committee of the Whole?

The CHAIRMAN. The Chair has been endeavoring to find that out. As soon as a copy of the RECORD can be obtained the Chair will state the parliamentary situation.

Mr. KILGORE. My recollection is, Mr. Chairman, that this was under consideration when the committee rose at the last Friday session, and I think that I was entitled to recognition by the Chair to make one of the speeches of my life against the bill. [Laughter.]

The CHAIRMAN. The Chair will certainly give the gentleman an opportunity to make his speech when the matter is under consideration again.

Mr. KILGORE. When the time comes I want to make a few patriotic observations.

The CHAIRMAN. The Chair will recognize the gentleman for that purpose at the proper time.

Mr. GOLDZIER. The status of this bill, Mr. Chairman, is that the general debate has not been exhausted.

The CHAIRMAN. That is the recollection of the Chair.

Mr. GOLDZIER. Pending the general debate the committee rose and the House adjourned.

Mr. BUNN. On page 4200 of the RECORD it will be seen that when the committee rose the gentleman from Maine [Mr. DINGLEY] was addressing the committee on this bill. He yielded to me for a motion that the committee rise. General debate had not been closed at the time.

Mr. DINGLEY. That is the fact, Mr. Chairman.

The CHAIRMAN. The Chair finds that to be the fact by reference to the RECORD. The gentleman from Maine [Mr. DINGLEY] had been recognized and was occupying the floor at the time the committee rose and the House adjourned.

Mr. DINGLEY. I reserve the remainder of the time, and let the gentleman from Texas take the floor now in order to make the "speech of his life."

The CHAIRMAN. The Chair will recognize the gentleman from Texas.

Mr. BURROWS. Will the gentleman yield to me for a suggestion?

Mr. KILGORE. I yield to the gentleman from Michigan.

Mr. BURROWS. I desire to ask the gentleman from Alabama [Mr. WHEELER] if he will not be willing to waive the point of order to-day for the consideration of this bill, and let it go over one week? There are some matters in connection with it that I would like to examine, and I am apprehensive, if discussed to-day, much time will be taken up. It will perhaps expedite matters to let it lie over for one week. In that case we can turn to the head of the Calendar and consider other matters that may probably be disposed of. But I am apprehensive if this bill is pressed to-day it will occasion some delay.

Mr. WHEELER of Alabama. The gentleman from Michigan knows that I always desire to yield to any request of my fellow members, whether the request is made as a matter of convenience to themselves or for the purpose of facilitating business, and I particularly desire to grant such a request when a fellow member states that a delay is asked to give an opportunity for a full and thorough examination into the matter under consideration.

The gentleman is aware that I have a great anxiety to secure the prompt passage of the bill, which, in the regular order of business, should now be taken up; but I am more than willing that it should be subjected to the closest scrutiny, and therefore on the mere suggestion of the gentleman from Michigan I will assent to letting this bill go over for the present, it being understood that it is not to lose the privilege that it now has, and with the further understanding that it will be called up one week from to-day.

Mr. BURROWS. I am greatly obliged to the gentleman from Alabama.

Mr. WHEELER of Alabama. I wish it to be understood that this bill does not lose its present status, and that it simply goes over for the present without prejudice.

Mr. BURROWS. The matter is one of very considerable importance, and I want time to examine it.

Mr. WHEELER of Alabama. I have no objection to its going over with that understanding.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama—

Mr. WHEELER of Alabama. The gentleman from Michigan—

The CHAIRMAN (continuing). That the consideration of this bill be postponed for one week from to-day, the bill not to lose its place on the Calendar or any right of consideration which it now has?

Mr. KILGORE. Before unanimous consent is given, I want to know what is to become of my speech?

The CHAIRMAN. The gentleman will simply hold it for another week.

Mr. KILGORE. I have already been carrying it around for a good long time. [Laughter.]

A MEMBER. Is it likely to spoil?

The CHAIRMAN. Does the gentleman from Texas object?

Mr. KILGORE. I think, at present, I will, Mr. Chairman, until I know something more about the object of this.

Mr. BUNN. I hope the gentleman will not object.

The CHAIRMAN. The Chair understands the gentleman from Texas to object.

Mr. KILGORE. I do, for the present.

Mr. McNAGNY. Will the gentleman yield to me for a moment, to offer a substitute? I do not want to be heard upon it.

Mr. KILGORE. I will.

Mr. McNAGNY. I send up a substitute for the bill, to be read for information. I do not desire to be heard upon it.

Mr. DINGLEY. It is simply read for information?

Mr. McNAGNY. Yes, sir.

Mr. DINGLEY. Because it is not now in order to offer an amendment, general debate not having been closed.

The CHAIRMAN. The Clerk will read the proposed substitute of the gentleman from Indiana, for information.

The Clerk read as follows:

Resolved, That the claim of the heirs of Dr. Nathan Fletcher for the proceeds of thirty-two bales of cotton which it is alleged are now in the Treasury of the United States, and which cotton it is alleged was taken by the United States forces in 1864 from the plantation belonging to said heirs, be, and is hereby, referred to the Court of Claims, which court is authorized to take due order in the premises and report its finding of facts to this House in all things as provided by law.

Mr. DINGLEY. That is read merely for information.

The CHAIRMAN. That is all.

Mr. KILGORE. I believe I will yield to the importunities of my friends and withdraw the objection to having the bill go over for one week.

The CHAIRMAN. Is there further objection to the request of the gentleman from Alabama?

There was no objection.

RALEIGH, N. C.

The next bill on the Private Calendar was the bill (H. R. 19) for the relief of the city of Raleigh, N. C.

The Clerk read the title of the bill.

Mr. BUNN. That is a bill for the relief of the city of Raleigh, N. C., and it involves a small appropriation, \$700 or \$800, but there are other cities in the United States interested in it, and my committee have instructed me, when the evidence is all before the committee, to report a bill that will raise the question as to whether the Government should pay for the improvements around Government buildings. That is a bill introduced by myself. I shall take no advantage of any member in regard to it, but shall put every claim of that character into one bill. I therefore request that this bill go over, to be considered along with the others. That is the reason I make the suggestion.

The CHAIRMAN. The gentleman from North Carolina [Mr. BUNN] asks unanimous consent that this bill be laid aside informally, retaining its place on the Calendar. Is there objection?

There was no objection.

EDWARD HURLEY.

Mr. BUNN. That same state of facts applies also to the next bill, and I ask that the same order be made with reference to it.

The CHAIRMAN. The gentleman makes the same request as to the next bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 903) to provide for the claim of Edward Hurley for paving Second street in Sedalia, Mo., in front of the Sedalia post-office building.

The CHAIRMAN. Without objection, the same order will be made in this case. The Chair hears no objection, and the Clerk will report the next bill.

DAMAGES TO CITIZENS OF PENNSYLVANIA.

The Clerk read as follows:

A bill (H. R. 286) to authorize the payment of damages sustained by citizens of the State of Pennsylvania from Union and Confederate troops during the late war, as adjudicated and liquidated by the State of Pennsylvania under the provisions of an act of the General Assembly of the said State of Pennsylvania, approved the 22d day of May, A. D. 1871.

Mr. STONE of Kentucky. Mr. Chairman, the gentleman from Pennsylvania [Mr. BELTZHOVER], who is in charge of that bill, is not here, and I ask unanimous consent that it be passed over without losing its place on the Calendar.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that this bill be passed over without losing its place on the Calendar, stating that the gentleman who reported it is not present. Is there objection?

There was no objection.

WILLIAM E. WOODBRIDGE.

The next bill on the Private Calendar was the bill (H. R. 1125) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852.

The CHAIRMAN. The gentleman from North Carolina [Mr. BUNN] is recognized.

Mr. BUNN. That bill comes from the Committee on War Claims and not from the Committee on Claims?

Mr. STONE of Kentucky. The gentleman from Ohio [Mr. RITCHIE] has charge of the bill.

Mr. BUNN. It does not come from our committee.

Mr. STONE of Kentucky. Mr. Chairman, if the gentleman

from Ohio [Mr. RITCHIE] is not here, I ask unanimous consent that the bill be passed over without losing its place on the Calendar.

The CHAIRMAN. The gentleman from Kentucky [Mr. STONE] asks unanimous consent that this bill be passed over informally, retaining its place on the Calendar.

THOMAS B. REED.

The next business on the Private Calendar was the bill (H. R. 3150) for the relief of Thomas B. Reed.

The CHAIRMAN. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the claim of Thomas B. Reed, who served as sergeant, first sergeant, and first lieutenant Fifth Pennsylvania Reserve Corps, and captain Two hundred and fifth Pennsylvania Volunteers of the United States Army, in the late war of the rebellion, for a balance of wages earned by him in the suppression of said rebellion, and during his entire time of service in the said Army, and not paid to him, be, and the same is hereby, referred to the Court of Claims for due investigation; and jurisdiction is hereby conferred upon said court to render a judgment, irrespective of the lapse of time, for the amount, if any, found due by it of the United States upon the said claim.

Mr. LIVINGSTON. Mr. Chairman, I should like to have the gentleman from Maine explain that bill. [Laughter.]

Mr. TATE. An explanation from the gentleman from Maine seems to be in order.

Mr. REED. Mr. Chairman, I understand that that bill only carries \$600. I shall not accept it unless two ciphers are added to it. [Laughter.]

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. MAHON) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 3150) for the relief of Thomas B. Reed, report as follows:

This claim was presented in the Fifty-second Congress and was favorably reported upon by the House Committee on War Claims, to whom it was referred. After a careful investigation of the facts involved, your committee adopt the report of the Fifty-second Congress, a copy thereof being hereto attached and made a part of this report, and recommend that the bill do pass.

[House Report No. 1192, Fifty-second Congress, first session.]

The Committee on War Claims, to whom was referred the bill (H. R. 6007) for the relief of Thomas B. Reed, report:

Reed served as an enlisted man in the Fifth Pennsylvania Reserve Corps Volunteers, United States Army, from June 5, 1861, to March 5, 1863, when he was honorably discharged for promotion and commissioned first lieutenant in said corps and served therein till June 2, 1865; next he was commissioned second lieutenant Twenty-ninth Infantry, United States Army, July 23, 1867, and from then to June 18, 1878, he served as a commissioned officer in the United States Army. During the whole time he served as such commissioned officer the following provisions of law were, respectively, in force:

"That every commissioned officer of the line or staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States." (5 United States Statutes, section 15, page 258, act of July 5, 1838.)

"There shall be allowed and paid to each commissioned officer below the rank of brigadier-general, including chaplains and others having assimilated rank or pay, 10 per cent of their current yearly pay for each term of five years of service." (Act of July 15, 1870, now section 1282 of the Revised Statutes.)

He was paid for his services in the said intervals of time between March 5, 1863, and June 18, 1878, merely what other officers of his grade were generally paid; and he was paid or allowed nothing whatever in these two intervals of time on account of his said prior length of services in the United States Army as an enlisted man. For this reason he alleges he was short paid for his services rendered during these two intervals between March 5, 1863, and June 18, 1878, partially in the suppression of the late rebellion, and requests the passage of this bill, the sole object of which is to remove any statutory limitation bar that exists, or may exist, to prevent the Court of Claims from hearing and determining his demand in the premises as if it accrued within six years.

The commutation value or price thus put in controversy, of the one additional ration per diem for every five years of prior service, computes to about the sum of \$600, and your committee, having fully considered the matter, can see no reason why the question involved should not be heard and determined, as this officer requests, in the Court of Claims.

Your committee would further observe that this bill nowise asks Congress to determine the justness of this claim (which is for a balance of wages for military services rendered by a distinguished officer); it only asks Congress for what is frequently granted by it to the capitalists and property claimant, and that is, "that the claimant may go before a competent tribunal and prove the justness of his claim if he can."

The committee recommend that the bill do pass.

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported to the House with the recommendation that it do pass? The gentleman from Pennsylvania [Mr. MAHON] is entitled to the floor.

Mr. SAYERS. I would like to have some explanation of this bill.

Mr. MAHON. This claimant claims there is due him the sum of \$600, under an act of Congress which allows additional pay and rations for extended service. This officer was in the service about ten years. He was first an officer in the Pennsylvania Reserve Corps. Soon after the war began he entered the regular Army. He simply asks that he be allowed to go into the Court of Claims to establish his claim.

Mr. LIVINGSTON. If he is entitled to it under an act of Congress, why has he not got the money?

Mr. MAHON. The War Department do not care about construing this act of Congress.

Mr. LIVINGSTON. Then the difficulty is as to the construction of the act?

Mr. MAHON. Simply on the construction of the act. They do not deny the claim if he is entitled to it under the act.

Mr. LIVINGSTON. Have you the act there?

Mr. MAHON. No; I have not the report.

Mr. McMILLIN. Mr. Chairman, the gentleman may have explained the bill, but in the confusion I was unable to hear his explanation. I desire to know why it was that this money was not paid to him at the time.

Mr. MAHON. Because in claims of this kind the War Department claims that this officer is not under the act. I will read the clause of the act.

That every commissioned officer in the line or staff, exclusive of general officers, shall be entitled to receive one additional ration per diem for every five years he may have served or shall serve in the Army of the United States. (5 United States Statutes, section 15, page 258, act of July 5, 1838.)

That is the act of July 5, 1838. Now, the mustering-out office of the War Department claims that this officer was not under this act of Congress. We claim that he is, and he simply asks to have this matter referred to the Court of Claims to determine that one question alone. If the court says that he is not under the act, that settles the matter.

Mr. KILGORE. What fact do I understand the Court of Claims is to ascertain?

Mr. MAHON. It is simply to ascertain whether he is under the act of 1838. That is all.

Mr. KILGORE. Is there any controversy about that?

Mr. MAHON. That is the controversy with the War Department.

Mr. KILGORE. They say he is not.

Mr. MAHON. They think he is not. They are not sure about it.

Mr. KILGORE. Does this bill authorize the rendering of a judgment, or only the ascertaining of the facts?

Mr. MAHON. To ascertain the facts, in their judgment, as to whether he is under the act or not.

Mr. BRETZ. This simply involves the construction of a statute?

Mr. MAHON. It simply is to ascertain whether he is under the act of 1838. If the Court of Claims finds that he is under that act he will be entitled to \$590; if not, that is an end of it. I ask that the bill be laid aside with a recommendation that it do pass.

The bill was ordered to be laid aside with a recommendation that it do pass.

PAVEMENT IN FRONT OF PUBLIC BUILDING AT LINCOLN, NEBR.

The next business on the Private Calendar was the bill (H. R. 23) directing the Secretary of the Treasury to pay to the city of Lincoln, Nebr., one-half of the cost of constructing certain pavements in front of the Government square.

Mr. BUNN. Mr. Chairman, I ask that that bill go over. It is a similar bill to those which I requested be passed over a little while ago. There will be an omnibus bill covering that and the other bills I refer to.

The CHAIRMAN. Without objection that order will be made.

There was no objection, and it was so ordered.

WILLIAM E. WOODBRIDGE.

Mr. STONE of Kentucky. Mr. Chairman, the bill H. R. 1125 was passed over by unanimous consent, without losing its place on the Calendar, a few moments ago. I ask that we return to that bill, and that it be taken up.

The title of the bill was read, as follows:

A bill (H. R. 1125) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852.

The CHAIRMAN. This bill was laid aside by the committee a few moments ago. The gentleman who introduced the bill has come in since, and asks that the bill may be taken up for consideration. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. What bill is that?

The CHAIRMAN. The Clerk will report the title again.

The title was again reported.

Mr. LOUD. Mr. Chairman, I would like to reserve the right to raise the question of consideration on that bill when it is read in full.

The bill was read, as follows:

Be it enacted, etc., That the claim of William E. Woodbridge for compensation for the use of his alleged invention relating to projectiles for rifled cannon, for which letters patent were ordered to issue March 25, 1852, by the United States Government, be, and the same is hereby, referred to the Court of Claims of the United States, which court is hereby vested with jurisdiction

in the premises, and whose duty it shall be to hear and determine, according to its usual rules of procedure—

First. Whether the said Woodbridge was the first and original inventor of the said invention and entitled to a patent therefor.

Second. To what extent the said invention has been used by the United States Government and what amount of compensation, if any, the said Woodbridge ought to receive in equity and justice from the United States Government for the past use of said invention. And in considering and determining the compensation to be made, if any, the said court shall, if it find that the said Woodbridge was the first and original inventor of said invention, and entitled to a patent at the time of its order to issue, namely, March 25, 1852, proceed and be guided in all respects as though the aforesaid letters patent had been actually issued for the term of seventeen years from the date of the aforesaid order to issue; the court to render judgment, irrespective of lapse of time, in favor of the claimant, with the same effect as judgments generally of said court, and all persons having a claim or interest adverse to that of said Woodbridge may appear and defend in said proceedings in said court.

Mr. LOUD. I raise the question of consideration on this bill upon this ground: This bill was reported from the Committee on War Claims. I say that the bill contains nothing to indicate that this is a war claim. It has been improperly referred to that committee and improperly reported from that committee. This case originated in 1852. It may be a question for the Committee on Patents to consider, or a question for the Committee on Claims to consider; but I hold that in no case can it be held to be a war claim. It is not a claim growing out of the war.

The CHAIRMAN. The gentleman from California, as the Chair understands, raises the question of consideration, because this bill has been improperly reported by the Committee on War Claims.

Mr. LOUD. Yes, sir.

The CHAIRMAN. The Chair will have to overrule the point of order in committee. This bill is upon the Calendar by order of the House, and the committee can not change the order of the House.

Mr. LOUD. Then I will move that it be recommitted to the Committee on Claims.

The CHAIRMAN. That can come up later. The gentleman can move at the proper time that the bill be reported to the House, with the recommendation that it be referred to the Committee on Claims.

Mr. LOUD. I will move that the bill be laid aside and that it be referred to the Committee on Claims.

Mr. MCCALL. Mr. Chairman, this bill is reported from the Committee on War Claims. The member who reported the bill is not now in the House, and I do not think any action should be taken until he comes. I do not know much about this bill, but I introduced it; and I have every reason to believe that the claim is a just one, and that it should be sent to the Court of Claims; but I hope the bill will be left just where it is on the Calendar until the gentleman who has it in charge, and who represents the committee, is here and can be heard upon it.

Mr. STONE of Kentucky. The gentleman who is in charge of the bill [Mr. RITCHIE] is now in the Hall. Mr. Chairman, can I be recognized to make a motion with regard to this bill?

The CHAIRMAN. The Chair will recognize the gentleman to make his motion, but the Chair will have to determine whether the motion is in order after he hears it.

Mr. STONE of Kentucky. Well, Mr. Chairman, a bill exactly like this, the same in language, passed the Senate two months ago without a single solitary objection. That Senate bill is now here, and I move that it be substituted for the House bill.

Mr. DINGLEY. Can not we have the report read?

The CHAIRMAN. It can be done by unanimous consent.

Mr. DINGLEY. When the gentleman concludes I will take the floor and have the report read in my time.

Mr. STONE of Kentucky. I have no objection to the reading of the report, but what I was going to suggest was, that the Senate bill being exactly the same as the House bill, we should let it take the place of the House bill and take action upon it at once.

Mr. DINGLEY. Let us first know what the case is. Mr. Chairman, if no one else claims the floor I ask to be recognized.

Mr. HULL. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HULL. The gentleman from California [Mr. LOUD] has moved that this bill be laid aside with the recommendation that it be referred to another committee. Should not that question be decided before we go into the merits of the bill?

The CHAIRMAN. The gentleman from Pennsylvania has submitted a request for unanimous consent that the bill be laid aside informally, retaining its place on the Calendar.

Mr. DINGLEY. I have no objection to that.

The CHAIRMAN. The Chair will state the parliamentary status of this bill. When it was first read in regular order the gentleman from Kentucky [Mr. STONE] asked that it be laid aside, for the reason stated by him that the gentleman who reported it was not present, and the committee without objection ordered that it be laid aside. Subsequently the gentleman from

Pennsylvania appeared, and the gentleman from Kentucky [Mr. STONE] again asked unanimous consent to take the bill up for consideration. To that there was no objection. Then the gentleman from California [Mr. LOUD] raised the point that the bill was improperly reported by the Committee on War Claims, which point the Chair overruled. Then the gentleman from California [Mr. LOUD] submitted his motion that the bill be laid aside, to be reported to the House with the recommendation that the Committee of the Whole be discharged from its further consideration, and that it be committed to the Committee on Patents.

Mr. DINGLEY. That may be done by unanimous consent, but general debate has not yet taken place.

The CHAIRMAN. No. The Chair was going to state that the motion of the gentleman from California is pending, but the Chair can not put it to the committee until general debate has been closed.

Mr. DINGLEY. If it is desired that this bill be passed over without prejudice, I have no objection to that.

The CHAIRMAN. The gentleman from Pennsylvania on the left asks unanimous consent that the bill be laid aside, retaining its place on the Calendar. Is there objection?

There was no objection, and it was so ordered.

The CHAIRMAN. The Clerk will report the next bill.

The Clerk read as follows:

Miscellaneous Document No. 32. Resolution as a substitute for House bills 1414 to 1450, both inclusive.

The resolution was read, as follows:

Resolved, That the following bills (H. R. 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, and 1450) for the relief of the heirs of Robert J. Smith; Octavius A. White, trustee; John P. Werner; William Wilson; heirs and devisees of Henry McKee; Evalina Ann E. Frapp; John Duncan, survivor; heirs of Benjamin Chapin; Thomas White, executor and testamentary trustee of the last will and testament of Joseph D. Edings, deceased; Edward M. Capers; heirs of Stephen Whitehead; William H. Connerat and Clarence S. Connerat; Samuel A. Nelson; heirs of Richard N. Kittles; Frederick W. Claussen; Mortimer W. Venning; Stockton E. Slawson; heirs of Charles B. Capers; C. L. Slawson; William Neyle Habersham; William R. Herron; Louisa G. Heyward and others; James D. McDowell, administrator of William D. McDowell, deceased; Francis T. Capers; Joseph S. Baynard and others; Daniel T. Pope; heirs of James Wells; heirs of Joseph James Pope, sr.; heirs of Franklin P. Pope, deceased; heirs of James B. Seabrook; heirs of John A. P. Scott; heirs and devisees of John J. T. Pope; heirs of Robert W. Fuller; George W. Williams & Co.; Robert G. Lamar; George Jacob Huthmacher; and the heirs of Isaac Newman, deceased, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims to find the amount due, and report the same to Congress.

Mr. McMILLIN. Mr. Chairman, I reserve the point of order on that resolution until I understand how these claims come to be together in this way; the point being (until I hear further) that these being separate claims so far as we see on their face, they are not a fit subject for combination in this way. I do not know the nature of these claims. I do not know out of what they grow, as they have not been read. So, till we can hear them, I reserve the point.

Mr. BURROWS. Mr. Chairman, in the line of what the gentleman from Tennessee suggests, it appears that this resolution was never referred to the Committee on War Claims. Thirty-seven separate bills were referred to that committee, and instead of reporting the bills back separately with some recommendation, the committee report a resolution embracing these thirty-seven war claims. Claims covering a million dollars are reported in a single resolution by which it is proposed to refer them all to the Court of Claims. I desire to submit to the Chair the question whether, under the rules, that proceeding is regular?

The CHAIRMAN. The Chair will hear the gentleman from Tennessee on the point of order.

Mr. McMILLIN. Mr. Chairman, I am not familiar with the claims that are involved here, and as it is suggested by the gentleman near me [Mr. McNAGNY] that he intends to ask unanimous consent to have this resolution laid aside until the gentleman who has charge of it comes in, I am entirely willing to forego for the present the discussion of the point of order.

Mr. McNAGNY. Mr. Chairman, these bills involve some important matters, and I ask that they be laid aside until the gentleman from South Carolina [Mr. McLAURIN] comes in.

The CHAIRMAN. The gentleman from South Carolina is present.

Mr. KILGORE. Mr. Chairman, I would like to make an inquiry about this. I understand that there are thirty-seven different bills here. Now, any member would have a right to demand the reading of each of those bills, and I shall insist upon the reading of the bills so that we may know what is in them.

Mr. McLAURIN. The claims that are embraced in this report are for cotton captured in South Carolina in the late war. There were several bills introduced and referred to the committee, and after discussion in the committee it was agreed to embody them all in one report, so as to save time and have the

cases referred to the Court of Claims. It would be almost impossible for us to take up each of those bills here and ascertain the facts in each case; it would be an unending job. As a representative of the committee, I went over the bills as well as I could, and it seemed to me that the cases were of such a character that the claimants ought to be permitted to go to the Court of Claims and have their rights investigated and the facts reported to the House. As I have said, it would be impossible to investigate the facts in all these cases in the House without occupying more time than we can spare.

Mr. BURROWS. Will the gentleman explain to the Chairman, who has to pass upon the question, under what rule the committee claim the right to consolidate thirty-seven different bills and report a resolution, which was never referred to the Committee on War Claims, referring all these cases to the Court of Claims?

Mr. McLAURIN. I was told that that had been the practice of the committee heretofore. The legal questions governing each one of these claims are the same, the claim in each case depending upon the loyalty of the claimant and the question whether the property was captured and destroyed. The legal principle is the same in all the cases, and the facts are very nearly the same.

Mr. BURROWS. But that does not touch the question of practice. If it was the desire of the House to have the committee refer these cases to the Court of Claims, it would be necessary for the committee to report each case separately with a recommendation that it be so referred. The committee could not consolidate thirty-seven claims any more than they could consolidate the whole number of claims, over two thousand, now pending before the Committee on War Claims and refer them by a single resolution to the Court of Claims. That is the point that I make.

Mr. McLAURIN. There is a bill for each claim, and each case went before the Committee on War Claims, and was investigated there; and as they all depend upon the same legal principle, the facts being substantially the same in all the cases, and the Court of Claims being a tribunal instituted for the purpose of investigating matters of this kind, we thought we might properly embody them all in one resolution and let them come before the House together.

Mr. KILGORE. The gentleman from South Carolina will allow me to suggest that while the same principle may obtain through all these bills and a similar set of facts exist, yet the facts must be established by entirely different sets of witnesses.

Mr. McLAURIN. That is very true; but the Court of Claims is much more able to examine the witnesses and obtain the facts than this House sitting in Committee of the Whole.

Mr. HEARD. I see that this resolution embraces a number of claims—forty-odd perhaps.

Mr. McLAURIN. Thirty-seven.

Mr. HEARD. I wish to inquire whether the resolution embraces all claims of this character now pending before the committee?

Mr. McLAURIN. No, sir; I do not think so.

Mr. HEARD. Why pick out these particular claims and leave other claims of the same character pending and unattended to?

Mr. McLAURIN. I am not responsible for the other claims. These were placed in my hands by the War Claims Committee for investigation and report. As a subcommittee I investigated the claims submitted to me. When others are submitted to me I will try to pass upon them in the same way.

Mr. HEARD. I wanted to know the reason for this discrimination.

Mr. McLAURIN. Well, sir, I have nothing to do with the other claims; I simply passed on what were put in my hands. It matters very little to me what disposition may be made of these matters. I was simply trying to save the time of Congress. For the House to take up each of these cases and act on it separately would occupy the balance of the session.

I will add that I have no interest in these claims; none of them come from my section of the State, nor do I know any of the parties concerned. My idea in embodying all these claims in one resolution was to save time. I move that this resolution be reported to the House with a favorable recommendation.

Many MEMBERS. Oh, no.

The CHAIRMAN. The Chair will state to the gentleman from South Carolina [Mr. McLAURIN] that no motion can be entertained with reference to this matter until the point of order raised by the gentleman from Michigan [Mr. BURROWS] is decided.

Mr. BURROWS. One word in reply to the gentleman from South Carolina. He has stated that all these claims are cotton claims. As to that he is in error. Several bills embraced in this resolution are for rent and occupation of premises, for the use of property. Bills of the latter class, carrying several hun-

dred thousand dollars and in no way relating to cotton claims, are embraced in the resolution.

Mr. KILGORE. Is it not a fact that these different classes of claims would have to be referred to the Court of Claims under two different acts—the Bowman act and the Tucker act?

Mr. BURROWS. I think so.

Mr. BUNN. What does the resolution propose in that respect?

Mr. BURROWS. It proposes to refer them all to the Court of Claims.

Mr. BUNN. The gentleman from Michigan raises the question that these claims can not be consolidated. Now, I do not know anything about these bills, as they do not come from my committee; but on that point I wish to inquire why bills can not be consolidated in a resolution of this kind. Undoubtedly Congress can pass an act referring one claim or any number of claims to the Court of Claims, unless there is something in the Constitution to prevent it. I ask the gentleman, why can not the House of Representatives include any number of claims in one resolution of reference to the court, provided the claims have been examined and such action is considered proper? I do not know anything about the merits of these cases.

Mr. BURROWS. I answer the gentleman, because the House of Representatives in this case never had control of the resolution reported. I do not think the committee had control of the matter for any such purpose. If a resolution had been introduced in the House referring to the Court of Claims these different bills by name or designation, and that resolution has been referred to the committee, so as to confer upon the committee jurisdiction, then possibly they might make such a report.

Mr. BUNN. Then the gentleman is not questioning the right of the House of Representatives to make a reference in this way?

Mr. BURROWS. These bills, thirty-seven in number, having been introduced as separate measures and separately referred to the committee, I claim there is no authority on the part of the committee to do anything but report the bills back separately with a separate recommendation in regard to each.

Mr. BUNN. You think the committee can not make a consolidated report?

Mr. BURROWS. I think they can not, any more than they could report a resolution to refer to the Court of Claims the 2,200 war claims now pending before that committee.

Mr. McLAURIN. In reply to the point made by the gentleman from Michigan [Mr. BURROWS], I wish to say that I examined each one of these claims and that the bulk of them are for cotton, though some of them may be for use or occupation of property.

Mr. BURROWS. I agree with the gentleman that the bulk of these claims are for cotton; but I understood the gentleman to say they were all for cotton.

Mr. McLAURIN. Well, that is a mistake on my part. I wish to say, however, that the legal principle underlying these claims, and the facts necessary to establish them, are very much the same; and as they all come from the same locality, it seemed to me it would be not only a saving of time, but good common sense and good business practice, to embody them in one resolution and let them go to the Court of Claims, where the facts can be fully adjudicated.

Mr. BURROWS. Oh, yes; and it would save time to pass the bill this afternoon and allow this \$1,030,000 of claims.

Mr. McLAURIN. I do not ask for that. All I ask is—

Mr. BURROWS. But time is not the essence of the question here.

Mr. McLAURIN. I do not care whether a cent is allowed by the court or not. I simply desire to get them off of my hands, off of the hands of Congress and the committee in the most expeditious way.

Mr. BURROWS. Oh, certainly.

Mr. DINGLEY. Will the gentleman pardon me for an inquiry? But do I understand that all of these claims come from one locality?

Mr. McLAURIN. I think so.

Mr. DINGLEY. Over a million dollars in one particular locality of claims of this character?

Mr. McLAURIN. They embrace the claims mainly from the coast of South Carolina.

Mr. DINGLEY. What will they amount to, from all other parts of the country and from all other localities, at this rate?

The CHAIRMAN. The Chair desires to state the condition of the question.

The Chair finds that a resolution is reported to the House by the Committee on War Claims, which was not referred to that committee by any action of the House, but appears to be a resolution originating in the committee itself. It is entitled, "A resolution as a substitute for House bills 1414 to 1450, inclusive."

The Chair, upon an examination of some of these bills, finds that here, for instance, is a bill introduced by the gentleman from South Carolina [Mr. SHELL], "House bill 1414, for the relief of the heirs of Robert J. Smith," which was referred to the Committee on War Claims and ordered to be printed; and so on with each one of the bills from 1414 to 1450 inclusive, each separate bill having been introduced and referred to the committee in the ordinary way. No report is made from the committee on either bill separately. No bill is reported as a substitute for any one of them, but the entire number of bills referred to in the resolution is simply combined together in one resolution, originating in the committee, and in that manner they report the bills with the accompanying papers back to the House, with the recommendation that they be referred to the Court of Claims for examination and report.

The report accompanying the resolution in question is a very short one, and simply recommends that these bills be referred to the Court of Claims.

Now, the Chair would be very glad to hear from any gentleman on the floor as to whether it is in order for the committee, when separate and distinct bills are referred to it for investigation and report, to gather them into one omnibus resolution—not even a substitute bill—and in that manner report them to the House for its action. That is the point of order, and the Chair desires to hear any gentleman upon it.

Mr. STONE of Kentucky. Mr. Chairman, I am clearly of the opinion that the Committee on War Claims not only has that right but that it is a right which has been recognized by Congress heretofore.

In the Fifty-first Congress there was referred to the Committee on War Claims an omnibus bill, composed of a large number of separate bills, which had been passed on by the Court of Claims and reported by that court to the House of Representatives and by the House referred to the committee.

The CHAIRMAN. The Chair desire to ask if there is not a special provision in what is known as the Bowman act under which such bill are referred to the Court of Claims.

Mr. STONE of Kentucky. None whatever by which they are reported by the Committee on War Claims. The law simply provides that when the court has passed on these claims they shall be reported to the House and continued from Congress to Congress until disposed of. But it has no reference to the action of the Committee on War Claims or to any other committee.

But not only have such claims been reported from the Committee on War Claims after such reference and passed by the House, but claims of this character have been reported by the committee back to the House in a body, and the whole number together passed upon by the House.

Now, these claims were referred to the committee; and under the authority of the act of March 3, 1887, known as the Tucker act, the Committee on War Claims felt that with the precedent before them which had been established by the Congress in endorsing the action of the committee in the past, that they had the right to group these claims together and report a resolution to the House covering the whole of them and providing for their reference to a Court of Claims. The act known as the Tucker act gives each House the power to refer by resolution any claim pending before it to the Court of Claims.

Now, the only question presented to my mind is as to whether or not the committee had the power to report the claims back together.

The CHAIRMAN. That is the particular point to which the Chair desires the gentleman to address himself.

Mr. STONE of Kentucky. That is the point raised here, or whether the committee was required to report each one back separately. That seems to have been the only question raised in the committee, and the only question now raised as to the pending resolution as well. That question I claim is clearly settled by the precedents now existing that were made in the Fifty-first Congress, the first Congress at which any of these claims came back from the Court of Claims and were acted upon in an omnibus bill. So I think there can be no question about the right of the committee to put the claims in the one resolution and so report it.

Furthermore, I think if the question could have been raised at all it should have been when the reports were made to the House. It will not do to say that these reports were not made publicly to the House, because the rules provide that the reports may be filed with the Clerk, and if the House had any desire to take cognizance of the reports when they were made, that rule should not have been adopted.

So to my mind, Mr. Chairman, it is perfectly clear that for the expedition of the business of the House, and to keep these matters from being continually before the House and cumbering its Calendars, the committee took the proper course of referring all of these bills in one resolution to the Court of Claims, there

to be investigated in the manner in which they can not be investigated by the House of Representatives.

The CHAIRMAN. The Chair desires to state to the gentleman from Kentucky [Mr. STONE] that the Chair does not question the right of the committee to report a resolution to refer each one of these bills to the Committee on Claims; but the point that the Chair is in doubt about is as to the right of the committee to report this number of bills in an omnibus resolution. Now, will the gentleman from Kentucky please cite the Chair to any precedent where bills of this character, having their first consideration in the committee, have ever been reported from that or any other committee of the House in an omnibus resolution?

The Chair understands that these bills, when once considered by the House and sent to the Court of Claims and reported back from the Court of Claims with their recommendation, have been embraced in an omnibus bill; but that is not their first consideration by the House. The Chair will be obliged to the gentleman from Kentucky if he can cite the Chair to any precedent similar to the one now before the committee for consideration.

Mr. STONE of Kentucky. Mr. Chairman, I do not call to mind just at this time any date at which such things have been done, but in the Congresses that have gone before us, in the Fifty-first and Fifty-second Congresses resolutions like this were passed by the House of Representatives, referring to the Court of Claims this very character of claims, possibly not so many in any one resolution; but resolutions did pass the Fifty-second Congress, and also the Fifty-first Congress, coming from the Committee on War Claims, by which claims of this very character were referred to the Court of Claims by resolution of the House. I had not expected the question to be raised and consequently have not prepared myself with the references, in order that I might be able to turn to them.

This is a new question with regard to this character of resolution. When they have been called up before they have been passed simply by unanimous consent. During the Fifty-first Congress members on the floor obtained unanimous consent to pass resolutions of this character, including two or three or half a dozen claims, and they have passed and the claims have gone to the Court of Claims. Those things occurred as I know by having been here and witnessed them, but, as I have said, I cannot turn to the page of the RECORD because it would be a matter of some considerable work. I had not expected the point to be made. Now, the question as to the right of the committee to report an omnibus bill, to report findings of the Court of Claims, was referred to the Fifty-first Congress and was discussed for several days, and it was decided that the committee had a right to do it and the House sustained the decision and the bill was passed.

Mr. STOCKDALE. I should like to make a remark on that proposition, if the Chair has not already formed his decision.

The CHAIRMAN. The Chair will hear the gentleman from Mississippi on the point of order.

Mr. STOCKDALE. It occurs to me in the first place, as stated by the Chair, that these bills were properly referred to the Committee on War Claims. There is no question but that the Committee on War Claims has a right to report back, either by bill or resolution, a substitute for any one bill. The question recurs, can they report back a substitute for two bills in the same resolution, seeking the same purpose that the two separate resolutions would accomplish? For instance, the War Claims Committee make a report upon a bill, and return to the House a substitute for that bill, or a resolution that that bill be sent to the Court of Claims for further consideration. The committee immediately make a precisely similar report upon another bill, properly before the committee. Now, the committee conclude to consolidate those two bills, or three or four bills of the same sort, the resolution referring the claims to the Court of Claims for final disposition of these bills. It simply sends them out for information as to loyalty and amount and brings the bills back into the House for further consideration. Now, the question would recur, if these were brought in by separate resolution, could the House consolidate them and send them by one motion to the Court of Claims? It is a resolution that the Committee on War Claims submits to the House for the action of the House.

The question raised by the point of order is, is this such a resolution as the House or the committee can consider, or is it in such violation of any rule of this House as to require the Chair to withhold it from the consideration of the House? The point of order is that the Chair shall not present this resolution for the action of the House. If that be a good point of order, there must be some rule that will prohibit the Chair from simply submitting this resolution to the House for its action. Now as far as I know there is no such rule of this House. The House is controlled by its rules, and the Chair would not hold that it was restrained from taking action, except so far as restrained by affirmative authority in the rules.

The House has the right to do all things under general parliamentary law that our present rules do not prohibit. Therefore, I say that before the Chair can refuse to submit a resolution to the House for consideration, the Chair must see some rule that will prevent the submission of the resolution of the Committee on War Claims to this committee; and I say that that rule does not exist. As to the number, we often adopt here any number of amendments on one motion. By one motion we may include any number of amendments that are reported from the Committee of the Whole House and we find a large number of amendments coming in conference reports. So that the multifariousness has nothing to do with it. It is simply a consolidation that courts may do. Any tribunal may consolidate similar cases; and it can be done in this House unless the rules of the House prevent this body from doing so; and there is no such rule.

Mr. DINGLEY. A single word on the point of order made by the gentleman from Michigan [Mr. BURROWS]. It is a well-established parliamentary rule, as well as a rule of this House, that no private bill can, even by the House itself, be amended by adding to it another private bill. What the House can not do a committee of the House can not do. There is nothing better established than that.

Mr. STOCKDALE. I would suggest that this is not disposing of the bill, but a mere reference of it, for consideration, to the Court of Claims.

Mr. DINGLEY. Thirty-seven separate private bills were referred by the House to the Committee on War Claims. The Committee on War Claims has no jurisdiction over anything that has not been referred to it. It obtains its jurisdiction by action of the House in referring matters to it.

Thirty-seven private bills, each involving a separate claim, resting upon a different state of facts, have been referred to the Committee on Claims, and that committee can not consolidate those bills and report them. In this case they report back a resolution sending these bills to the Court of Claims, and it is shown by the Calendar that this resolution never was referred to that committee. If such a resolution had been referred to the committee, the committee would have obtained jurisdiction of it and could have reported on it; but there having been no such resolution referred to that committee, the only jurisdiction they have is over thirty-seven different private bills, on which they must make a separate report. They have not done so, but they have taken and bunched the whole thirty-seven bills in one report, and that a resolution to refer them, consolidated, to the Court of Claims.

Now, in reference to the suggestion of the gentleman from Kentucky [Mr. STONE] that under the Bowman act the House may refer any number of bills to the Court of Claims for consideration. There is no doubt about that; if there was a bill or resolution properly before this House for the reference of any number of bills, they could do it; but the House must act under its rules. The House can not, except by unanimous consent, at any time take up a resolution referring thirty-seven bills to the Court of Claims. That resolution must have been introduced, referred to a committee, considered by a committee and reported back favorably. It is not claimed that such a resolution has been introduced and reported here.

I think what has been stated by the Chair clearly covers the whole case, and certainly establishes the point made by the gentlemen from Michigan, that this committee had no right to report such a resolution, and that they must report on the separate bills that are referred to them.

Mr. SAYERS. Mr. Chairman, I do not know that I can add anything to what has been already said by the gentleman from Maine; but it does occur to me that inasmuch as this resolution which has been reported from the Committee on War Claims was never introduced in the House, if it can come here at all it must come in the shape of a substitute for the different bills that have been introduced and referred to the committee and upon which it is based. We have no evidence that these bills have been reported back with this substitute.

I think it comes in, as was stated by the gentleman, as an original proposition from the Committee on War Claims. But there is another reason, Mr. Chairman, which is not a technical reason, that should influence the Chair in its decision, and that is whether or not it is sound policy, in the absence of any precedent upon this subject and of any positive rule upon the subject, to permit any committee to group together a series of bills or resolutions upon different subjects and bring them into this House thus thrown together.

Mr. DINGLEY. Private bills.

Mr. SAYERS. Private bills. Now, what would be the effect? Suppose there are twenty gentlemen who have separate bills—each one a separate bill. Each bill is referred to the Committee on War Claims, or to the Committee on Claims, or to any other committee of the House that may have jurisdiction. Sup-

pose we find that separately these bills can not pass the House, or that there will be trouble in the way of their passage. The bills are then consolidated, with a view of passing them through the House. Now, without stating it, everyone will at once appreciate the influence bills will have in the House when thus grouped together and brought in under one resolution.

A sound policy would, therefore, direct us not to establish the precedent which is sought to be established by the gentleman in charge of this resolution.

Mr. BYNUM. I remind the gentleman that under our rules private bills can not be combined at all, nor can one be offered as an amendment to another.

Mr. SAYERS. As suggested by the gentleman from Indiana, private bills can not be combined, nor can one private bill be amended by adding to it another private bill; and it makes no difference whether an appropriation is carried or not. The resolution calls for action by the House, and the fact that it contains no appropriation should not affect the decision of the Chair in any way.

Mr. McLAURIN was recognized and yielded to Mr. STONE of Kentucky.

Mr. STONE of Kentucky. Mr. Chairman, in reply to the gentleman from Texas [Mr. SAYERS]—who is usually so very lucid on all subjects, whose opinion carries so much weight in this House, and who is scarcely ever wrong on a question of parliamentary law, aided and abetted by the gentleman from Indiana [Mr. BYNUM] and the gentleman from Ohio [Mr. OUTHWAITE] [laughter]—I want to say that he has entirely mistaken the situation. He says there is no evidence that these bills have been reported to the House. In fact, every one of them has been reported to the House. The resolution itself is a report on every one of those bills.

Mr. SAYERS. Will the gentleman permit me to interrupt him?

Mr. STONE of Kentucky. Yes, sir.

Mr. SAYERS. The Calendar is the only evidence as to whether they were reported or not.

Mr. STONE of Kentucky. No, sir; it is not. The resolution itself is evidence. Each bill is set out in the resolution, and no one bill is offered as an amendment to another, and if there is any bill included in that report which the gentleman does not desire to have referred to the Court of Claims he can move to amend the report by striking that one out. So, I repeat, the gentleman has entirely misapprehended the situation.

Mr. SAYERS. Does the gentleman concede the point that, in the consideration of this resolution, we can call for a separate vote upon each bill?

Mr. STONE of Kentucky. You can move to amend the resolution. Can not you amend an appropriation bill?

Mr. SAYERS. Certainly; but this is not an appropriation bill.

Mr. STONE of Kentucky. Any number of matters are referred to your Committee on Appropriations, and the names of the beneficiaries are not even mentioned. Every year there comes down from the Departments a great mass of matters that are referred to the Committee on Appropriations, and you bunch them together in a bill and do not even give the names of the individuals concerned. Your committee violates the very rule which you invoke—if violation it is, which I deny. Now, the truth is that the Committee on War Claims have reported back every one of these bills, have named them specially in the report and in the resolution, and have made a report accompanying them.

Mr. ELLIS of Kentucky. As I understand, all that is asked is that these claims shall be referred to the Court of Claims.

Mr. STONE of Kentucky. Merely that they shall be referred to the Court of Claims, and it has been done time and again by the House.

Mr. ELLIS of Kentucky. What objection can there be to that?

Mr. STONE of Kentucky. There can be no objection except for the purpose of delaying action on these claims.

Mr. ELLIS of Kentucky. When the court passes upon these cases they come back to the House, as I understand?

Mr. STONE of Kentucky. Certainly; they come back to the House.

Mr. ELLIS of Kentucky. And even then the House is not obliged to make an appropriation?

Mr. STONE of Kentucky. Certainly not. The court investigates the facts and reports the cases to the House, favorably or adversely, according to its judgment. Now, Mr. Chairman, in reporting this resolution we have set out every separate bill, so that objection is removed. Again, we have not attempted to amend any one bill by adding any other to it. Each bill stands out distinctly in the report, and if anyone objects to any one of

these claims he can move to amend the resolution by striking out that case.

Mr. McLAURIN. Mr. Chairman, it seems to give a good many gentlemen here a fit of cold shivers when it is proposed to establish a new precedent, but I submit that if the precedent is a good one, which will save the time of this House and facilitate the dispatch of business, it ought to be established. The gentleman from Texas [Mr. SAYERS] says there is nothing to show that the committee has ever acted upon these bills. I hold in my hand the report from the Committee on War Claims which says: "The Committee on War Claims, to whom was referred House bills (giving the number of each bill), have had the same under consideration and beg leave to report as follows." Gentlemen on the other side utterly fail to discriminate between a bill appropriating money to pay a claim, thus finally disposing of the case, and a bill under the Bowen act or the Tucker act, which does no more than send the claims to the Court of Claims to have the facts investigated and reported by that court back to the House.

Now, I do submit that when a large number of bills came before our committee, each one based upon the same legal principle, with the facts in all the cases almost identical, it was within our power and our right to take up those bills, consider them, and report them back to the House, as we have done in this case, each bill being set forth by number in the report, thus giving ample opportunity to any gentleman who objects to any particular claim to move to strike it out.

I have failed to find any rule of this House which forbids it. And if there is no rule forbidding it, I submit it is good business sense to bunch these claims together, because everybody knows that if one of these bills were brought up here as a separate measure it would not be considered with anything like the degree of certainty that it will be by the Court of Claims. All that these people ask is simply an opportunity to go before a court established by law and produce the necessary proof to establish their claims.

Mr. COOMBS. Referring to the remarks of the gentleman from South Carolina [Mr. McLAURIN], it seems to me that he omits one very important factor. This House before putting the rights of the Government in jeopardy by referring these claims to a court is certainly entitled to have full consideration of each one of them separately by the committee to which it is referred.

Mr. McLAURIN. Allow me to ask the gentleman whether the Court of Claims is not a court established by the Government, and whether the Government puts itself in jeopardy by referring a claim to its own court?

Mr. COOMBS. Yes, it does.

Mr. McLAURIN. Then we had better abolish the court.

Mr. COOMBS. The very fact that the House insists on the right to refer these claims to the Court of Claims is evidence that it expects they shall be examined here before sending them to the court. And we have no evidence that this committee has done anything else than take these claims, bunch them together, and report this resolution sending them to the court for adjudication.

Mr. BUNN. The report of the committee shows the contrary.

Mr. McLAURIN. The gentleman from New York [Mr. COOMBS] can not have examined the report or he would not make such a statement.

Mr. COOMBS. The gentleman in his opening remarks said that this reference to the court was the best way of securing an examination of the claims, intimating that the committee had made no examination on their own account.

Mr. McLAURIN. I said also in my opening remarks that I had examined each one of these claims as a subcommittee appointed by the War Claims Committee.

Mr. BYNUM. Have you stated to the House the result of your inquiries? Is there anything here from which we can have knowledge of what may have been ascertained by the committee?

Mr. COOMBS. We find that the House is entirely without information in relation to these various claims.

Mr. MEREDITH. I want to ask the gentleman from New York this question: Does he undertake to say that he is afraid to trust this court appointed by the Government for the special purpose of passing upon claims of this kind? Is it not right that these claims should go there?

Mr. COOMBS. I do not think that is a proper question. If the House of Representatives has provided that this committee shall examine claims of this character before they are sent to the court, I claim the committee should perform that duty.

Mr. STONE of Kentucky. Will the gentleman produce any rule or authority showing that the committee must examine all the facts in these matters before proposing to refer them to the court?

Mr. COOMBS. As I understand, the object of the formation of committees is that they may give examination to the subjects

referred to them. Why have a committee at all, unless it is to ascertain whether or not there is a probable case for the action of the court? There must be some reason for the existence of the committee.

Mr. HOOKER of Mississippi. Mr. Chairman, those of us who have served in this House for some years know that a resolution of this kind is not introduced to-day for the first time. On the contrary, under the Bowman act and under the Tucker act (an amendment to the Bowman act), it has been very common for the Committee on War Claims to present to the House—not each claim seriatim, but a number of cases which have been referred by the House to that committee for consideration. Under the law the committee has the right to refer those cases to the Court of Claims—for what purpose? In order that the court may investigate the facts and ascertain what are the conditions or circumstances upon which each claim against the Government is founded, and report the case back to this House, which at last must have the right to approve the finding of the court as to the amount which may be due in each case. I say this is not the first time this has been done.

Mr. ELLIS of Kentucky. Will the gentleman from Mississippi state the jurisdiction of the Court of Claims in these matters, in order that there may be no mistake as to what can or can not be done if claims be referred to that court?

Mr. HOOKER of Mississippi. The jurisdiction of the court is defined in the Bowman act primarily, and also in what is known as the Tucker act, which was an amendment to the Bowman act. Congress, in conferring jurisdiction on that court, intended to give it power to ascertain the facts in reference to each particular claim. When a claim is thus referred, the Government is represented before the court by its attorney—one of the assistant attorneys of the Department of Justice—and that position is now filled by a very distinguished gentleman from my own State, whose fidelity to the interests of the Government will not, I presume, be contested, but will be most cheerfully acknowledged by the present Attorney-General, Mr. Olney, whose immediate assistant he is.

These cases are referred to the Court of Claims that the facts may be ascertained. The Bowman act and the Tucker act grew out of the fact that no committee of the House, however able as to its chairman and its membership, could have such appliances for ascertaining the facts in cases of this kind as a court has. This tribunal has been organized as courts ordinarily are, with power to take depositions, with power to receive proofs pro and con, which is very difficult for a committee to do; to make a precise and accurate finding as to the character of the case, and, as the act was originally construed, as to the loyalty of the claimant, and to make report back to the House showing the amount justly due in each case and the facts under which the claim accrued. And if this court is not to exercise its functions, then, as has been well said by the gentleman from South Carolina, we should repeal the act organizing the court and clothing it with this jurisdiction, and leave the matters for determination by the House.

Mr. COOMBS. Will the gentleman allow me a question?

Mr. HOOKER of Mississippi. Certainly.

Mr. COOMBS. I wish to ask if it is necessary that these claims should be first presented to Congress before they are referred to the Court of Claims?

Mr. HOOKER of Mississippi. Certainly; they can not be referred without pursuing that course.

Mr. COOMBS. Then is there not some reason why they should be first investigated by the House before their reference?

Mr. HOOKER of Mississippi. Not at all.

Mr. COOMBS. Is there not some implied reason?

Mr. HOOKER of Mississippi. Not at all. There is no reason either expressed or implied why they should be, and nothing in the terms of the law to warrant that conclusion. The law gives the committees of the House the power to refer these cases to the Court of Claims for a hearing and determination of the facts.

What is the purpose of such a reference? Why, to ascertain whether or not the party has a just claim against the Government; and report the particular facts and circumstances gathered by the Court of Claims in its hearing of the case to the House for the subsequent action of the House. That is the method. The court was established for that purpose. Why, it was well said by one of the most distinguished jurists who ever presided in a tribunal in this country, and who was long distinguished as an associate justice of the Supreme Court of the United States, before the creation of the Court of Claims with its qualified jurisdiction, Judge Storey of Massachusetts said, that while in the most despotic countries of the Old World a citizen could go into court and establish his claim against the Government, yet here in this free and enlightened country no such power was given to a citizen. And this led, among other things, to the establishment of the Court of Claims with its qualified jurisdiction, and led to the

passage of the Bowman act to enlarge its jurisdiction to the extent that it did enlarge it, as well as to the Tucker amendment to that act, which still further increased it.

Judge Storey said it was a disgrace to this great Government, which claimed to be the freest on earth, that it made no provision whereby a citizen of the Government could have a proper hearing of his case before any tribunal.

Mr. ELLIS of Kentucky. Will the gentleman state what the provisions of the Tucker act were?

Mr. HOOKER of Mississippi. I have not the act before me and have not had occasion to examine it for some time; but in a general way it made provision for the reference of these claims to the Court of Claims by the committees of the House.

The CHAIRMAN. Will the gentleman from Mississippi cite to the Chair any precedent where the Committee on War Claims, or any other committee of the House, has reported back a large number of bills in an omnibus resolution for such reference as here proposed to the Court of Claims?

Mr. HOOKER of Mississippi. I think, Mr. Chairman, that it has occurred quite frequently.

The CHAIRMAN. But will the gentleman please cite the Chair to any instance where it has been done? The Chair would be glad to have the record produced.

Mr. HOOKER of Mississippi. I understand what the Chair means. Of course I have not had occasion to examine the record, and can not cite the Chair to any specific instance; but while the gentleman from Kentucky [Mr. STONE] was chairman of the Committee on War Claims similar claims were reported in a body for reference to the Court of Claims, and when they all together came back for the consideration of the committee, I remember well objection was made that the House had to again go into an investigation of the matters and they objected to the fact of the certification or return from the Court of Claims of a multitude of cases. I have a distinct recollection of the circumstance, and I think it is well remembered by gentlemen present.

Mr. BYNUM. But that I think was a bill embodying all of the claims that had been reported from the court.

Mr. HOOKER of Mississippi. Yes; it embodied all that had been decided. The same principle was involved. It involved the question of the right of the committee to embody all of these bills together in one general bill.

The Tucker act expressly says that the committee shall have power to refer these bills, and ever since the passage of the Tucker act this has been going on, and I can not see any difference in the principle of reporting one bill or two or three or twenty or thirty-seven. The same principle would cover each. If the principle gives the right to refer one it gives the right to refer many. The action of the committee is taken in regard to the matter of reference simply on the ground that these cases should go to the court for adjudication, because the court is possessed of the paraphernalia for properly considering and investigating the claim.

The court, for instance, has the means of taking depositions pro and con, and giving notice of its hearings, and obtaining the necessary testimony on which to substantiate or refute the claim. I do not see, therefore, why a number of cases should not be referred as well as one case.

Mr. BURROWS. Will the gentleman allow a question?

Mr. HOOKER of Mississippi. Certainly.

Mr. BURROWS. I desire to call the attention of the gentleman to the exact point in controversy. He is so clear on this question that I should be glad to hear from him on that.

Now, it is a well settled principle of parliamentary law, which the gentleman will not controvert, that you can not amend a private bill by adding the substance of another bill for the relief of another party. That is a settled principle of law, so that you can not report the thirty-seven bills back in a single bill carrying relief to each one of the beneficiaries.

Mr. HOOKER of Mississippi. You mean reported back from the committee?

Mr. BURROWS. You can not report them all back as one bill. That is a well-established parliamentary principle. If that be so, how, under the Bowman act, and before a resolution is introduced in the House for that purpose, can you report a resolution from the committee by which the bills are bunched together, any more than you can report a single bill bunching them?

Now, remember the language of the act:

That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts—

The same may be referred to the court.

Mr. BUNN. What act is the gentleman referring to?

Mr. BURROWS. Now, I contend if a resolution has been introduced in the House, and the jurisdiction of the House invoked

to refer certain claims pending before the Committee on War Claims to the Court of Claims, then the committee would have had jurisdiction; but no such resolution having ever been introduced in the House, the Committee on War Claims had no jurisdiction of any such resolution, and they could no more report a resolution referring all the claims to the Court of Claims than they could report all the bills.

Mr. HOOKER of Mississippi. If my distinguished friend will send me the book, I will give him an answer to what he has suggested.

Mr. BURROWS. I would be very glad to have you give an answer.

Mr. HOOKER of Mississippi. Mr. Chairman, I can not see that what the gentleman from Michigan has suggested makes any difference in what I have stated to the Chair. The act commonly known as the Bowman act, that was approved March 3, 1883, the act I have read, was to relieve the Congress and the Executive Departments of the investigation of claims and demands against the Government. That was the title; that was the object; that was its purpose.

That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts, the committee or House may cause the same, with the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the Court of Claims of the United States; and the same shall be proceeded in under such rules as the court may adopt. When the facts shall have been found the court shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration.

Now, it will be observed, therefore, that the power to refer to the Court of Claims exists not only in the House itself, but exists in the committee by the very terms of the act. By the very terms and stipulations expressed in it the power is expressly given to the committee as well as to the House; and therefore the point made by my distinguished friend from Michigan is not a good one. If it was simply a power given to the House, then the committee would have to ask leave of the House to do it; but there is no such necessity, for the law clothes the committee with power to refer every one of these cases before the Committee on War Claims to the Court of Claims.

Mr. BURROWS. But it must have the leave of the House.

Mr. HOOKER of Mississippi. It does not require to have the leave of the House at all, because the power is given by express terms of the act to the committee as well as to the House.

Mr. BURROWS. But the gentleman does not undertake to say that the committee, of its own motion, can refer all these claims to the Court of Claims, without coming into the House, under a resolution referring thirty-seven bills, which resolution never was introduced into the House and never referred to the committee.

Mr. HOOKER of Mississippi. I say that my understanding is that each one of these bills was introduced in the House. Each one was presented to the House, and each one referred to the Committee on Claims. What for? When each claim is referred to the Committee on War Claims, the distinguished gentleman himself says that Committee has the right to refer them to the Court of Claims; but instead of doing that the committee refers a number of claims back to the House, and asks the House to adopt this resolution referring them to the Court of Claims. In other words, it has done what is proposed now. It calls upon the House to adopt this resolution. The law gives the power both to the committee and to the House. Now, section 2 reads as follows:

That when a claim or matter is pending in any of the Executive Departments which may involve controverted questions of fact or law, the head of such Department may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said court, and the same shall there be proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall not enter judgment thereon, but shall report its findings and opinions to the Department by which it was transmitted for its guidance and action.

So that this act was designed and intended to relieve Congress in this matter, which they could not investigate. I have long since believed, Mr. Chairman, that we ought to have a court which would have original and absolute jurisdiction over claims against the Government; and this was intended to that extent to accomplish that fact. And if the Chairman will read the whole of this act, he will see that its purpose, its object, the very reason why it was presented and adopted by the Congress of the United States and made a part of the statutes, or the law of the land, was to do what this bulky body can not do of itself.

Mr. STOCKDALE. It is stated that this committee could have transmitted these cases to the court, and that that would have given the court jurisdiction. Now, this resolution simply asks the House to do what the committee could do under the law and which it is said by our rules we can not do. I would like to hear my colleague on that proposition.

Mr. HOOKER of Mississippi. If the committee could have

referred one case, it could have referred two; and if it could have asked the House to refer two, it could have asked the House to refer many cases. The act by specific terms gives the committee absolute jurisdiction, and they could have referred them all. Now, they have exercised the precaution to refer these cases back in bulk, 37 in number, and ask that they be referred to the Court of Claims for the purpose of reporting all the facts, in order that the House, before it finally passes upon the questions, may have the findings of facts after the court shall have made the investigation; and that was the design and intent of the act, that the court should make a report of their findings of fact and the liability of the Government.

Mr. ELLIS of Kentucky was recognized.

The CHAIRMAN. The Chair will ask the gentleman to address himself to the point of order. The Chair is ready to rule.

Mr. BURROWS. I want to say one word before the gentleman begins.

The CHAIRMAN. The Chair has recognized the gentleman from Kentucky.

Mr. BURROWS. I simply want to state to the gentleman what claims against the Government can be referred by the committee. The only cases that can be referred are for stores and supplies; and these claims are for cotton, and can not be referred. I ask the gentleman to bear in mind that they can not be referred by the committee, and that the only way the court can have jurisdiction is for the House to refer them, and that is what this is for.

Mr. ELLIS of Kentucky. Mr. Chairman, I only wish to make two suggestions with reference to this point of order. The first is in response to the point raised by the gentleman from New York, that it was necessary for the House, or for a committee of the House, to consider and pass upon these claims before they can properly be referable to the Court of Claims. An examination of the Bowman act discloses the fact that no examination or consideration of the claims is necessary, either by a committee of the House or by the House itself, before they can be referred. The first section of the Bowman act provides that on the motion of the committee these claims are referable to the Court of Claims, so that the point made by the gentleman from New York is unsound.

The second suggestion I desire to make is in response to the question propounded by the Chair as to whether or not these claims could be grouped and referred to the Court of Claims. I discover nothing in this act which prohibits the House from referring any number of claims at one and the same time. There is nothing in the act which, even by implication, raises a presumption that only one claim may be referred at a time. The provision in the first section of the Bowman act broadly and expressly says that these claims may be referred, one claim or many claims; so I take it for granted that no valid objection can be raised to the proposition submitted by the Committee on War Claims to refer a number of these claims together.

Reference has been made to the Tucker act, which seems to be an amendment of the Bowman act. Under section 14 of the Tucker act these claims are referable to the Court of Claims. And how can it be argued that if the committee or the House has jurisdiction to refer a single claim, it may not, at one and the same time, refer many claims? I take it for granted that there is nothing in any of the provisions of either of these acts which will prevent the House from referring a number of these claims at one and the same time. Moreover, in conclusion, it certainly is desirable that these claims should be investigated by a court. A court can investigate them more accurately and thoroughly than the work can possibly be done in this House. An investigation and determination by the Court of Claims neither establishes nor adjudicates the claims in such a way as to make them a charge on the Government, or to bind the Government to provide for their payment.

Mr. BARTLETT. Mr. Chairman, as I understand the question, it is whether this resolution which has been submitted by the Committee on War Claims can be adopted. I desire to submit one specific reason to the chairman and to this committee why the resolution should not be adopted, and that is that it fails to comply with the provision of Rule XVIII, which requires a report to be submitted in writing on the return of any bill to the House, and that that report shall be printed. I submit that the so-called "report" in reference to these bills, this omnibus proposition, is not in any proper sense such a report as is contemplated by the rule.

It is not a full and fair compliance with the terms of Rule XVIII, and I desire to give notice that I shall ask for a vote on that question. I contend that this "report," not being in full and fair compliance with Rule XVIII, we have a right to decide that it is no report. What is a report? A report in cases of this kind is a statement of the facts and circumstances under which each particular claim arose, terminating with some rec-

commendation. In this case we have no statement of facts or circumstances—none whatever. We have simply a recommendation, in one line at the end of this so-called report.

Mr. HOOKER of Mississippi. Will the gentleman permit a question?

Mr. BARTLETT. Yes, sir.

Mr. HOOKER of Mississippi. The gentleman says it is the duty of the Committee on War Claims to report the facts to the House—

Mr. BARTLETT. I say it is their duty, under Rule XVIII, to submit a report in each case.

Mr. HOOKER of Mississippi. If it is the duty of the committee to report the facts and circumstances, what is the use of referring the cases to the Court of Claims? I thought the reference to the Court of Claims was in order that that court might ascertain the facts.

Mr. BARTLETT. I am against any such proposition as this.

Mr. HOOKER of Mississippi. Then you are against the law.

Mr. BARTLETT. I am against any proposition to forestall the action of this House by grouping together a lot of claims arising under various circumstances and rushing them through in one measure, and thus getting a snap judgment against the United States. I am opposed to any such legislation.

Mr. HOOKER of Mississippi. Then you ought to repeal the law which authorizes it.

Mr. BARTLETT. But the point of order that I make, Mr. Chairman, is that this so-called report is no report, that it is merely a general recommendation. When Rule XVIII was adopted it was evidently the intention of the House that the facts and circumstances of each claim should be set forth in a written report to the House.

Mr. CULBERSON. Mr. Chairman, I only wish to call attention to the fact that this resolution is not a proposition to refer these bills to the Court of Claims for the purpose of getting information. The proposition is to refer them to the Court of Claims for the purpose of getting a judgment, for the purpose of having that court adjudicate the claims under section 1059 of the Revised Statutes, which is especially referred to in the report. That section gives the Court of Claims jurisdiction to hear and determine a certain character of claims against the Government of the United States, claims of a class to which these do not belong. Most of these are old war claims. Some of them are twenty-five or thirty years old; some of them arose during the first year of the war.

Now, the section of the Revised Statutes which is expressly referred to in this report provides that no suit shall be entertained by the Court of Claims which is over six years old. The committee, under the Bowman act, might very well have referred these bills from the committee room to the Court of Claims in order to find out what the facts were—in order that a report of the facts might be made to the House by the Court of Claims. But the committee understood exactly what it was doing. It did not want the facts. [Laughter.] It wanted the case referred from Congress in order that there might be a judgment.

Mr. BURROWS. Will the gentleman allow me a question? I understood the gentleman to say that these cases might have been referred by the Committee on War Claims under the Bowman act—

Mr. CULBERSON. To ascertain the facts.

Mr. BURROWS. My recollection is that the claims of which the court may take cognizance under the Bowman act are restricted simply to stores and supplies—

Mr. CULBERSON. No, sir; I do not understand it that way. I understand that whenever a proposition is pending before the House or any committee of the House, it is in order for the House or the committee to refer the claim to the Court of Claims for the purpose of getting information.

Mr. McNAGNY. I have here the section limiting the jurisdiction of the court.

Mr. CULBERSON. Any one who wishes to refer to the law will find it on page 290 of the Digest.

Mr. McNAGNY. May I interrupt the gentleman a moment?

Mr. CULBERSON. Yes, sir.

Mr. McNAGNY. The section of the Bowman act conferring jurisdiction upon the Court of Claims is as follows:

SEC. 3. The jurisdiction of said court shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army or Navy during the war for the suppression of the rebellion, or for the use and occupation of real estate by any part of the military or naval forces of the United States in the operations of said forces during the said war at the seat of war; nor shall the said court have jurisdiction of any claim against the United States which is now barred by virtue of the provisions of any law of the United States

Mr. CULBERSON. What date is that?

Mr. McNAGNY. That is the act of March 3, 1883.

Mr. CULBERSON. That is not the section to which I re-

ferred. Will the gentleman please read the other section—the section which authorizes the reference of claims to that court?

Mr. McNAGNY. I presume that the provision to which the gentleman refers is the following:

That whenever a claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts, the committee or House may cause the same, with the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the Court of Claims of the United States.

Mr. CULBERSON. That sustains what I said. The language of the provision is, "whenever a claim or matter is pending," etc.

Mr. MAHON. Mr. Chairman, as a member of the Committee on War Claims I wish to state, pending this point of order, why this resolution was reported, as the statement may throw some light on the subject. The first question presented is, whether the committee could refer cotton claims to the Court of Claims. Now, I read from a compilation of notes and decisions on the Bowman and Tucker acts:

The first section provides that when any claim or matter is pending before any committee of the Senate or House of Representatives, or before either House of Congress, which involves the investigation and determination of facts, the same may be referred to the court and be proceeded in under such rules as the court may adopt. It will be seen that the power of a committee of either House to refer to the determination of the court a claim made to Congress is broad and comprehensive. The word "matter" was intended and by construction is determined to embrace every possible interest in the citizen which is comprehended in the broad limits of the right of petition, which may be redressed in and by compensation.

The committee has held that this word "matter" covers every claim that a citizen of the United States may have against the General Government. Now, these claims embraced in a number of bills before the committee involved an outlay (if judgment be found sustaining them) of a million dollars. I contended that the question was of so much importance that the Committee on War Claims should not send these claims directly to the court, but that in view of the magnitude of the question, we should report this resolution to the House so that the Committee of the Whole House might say whether these claims should be referred or not.

If this point of order is to be sustained by the Chair, the result will be that these claims will remain in the committee, and I presume that the committee, under the provision of law which has been cited, will refer these claims to the Court of Claims. I say it is better that the question as to the reference of these matters should be settled here on the floor of the House.

Mr. DINGLEY. If I understand the gentleman, it has been held by the Committee on War Claims that any "claim or matter" pending before that committee may be referred by the committee to the Court of Claims under the Bowman act, notwithstanding section 3 of that act declares that "the jurisdiction of said court shall not extend to or include any claim against the United States growing out of the destruction or damage to property by the Army and Navy during the war for the suppression of the Rebellion."

Now, if it is true that the committee is construing this act without any reference to section 3, and referring to the court all matters coming before them, notwithstanding the bar of section 3 of the Bowman act, of course that is a very serious matter, and one which calls for some action by the House to make clear the intention of the Bowman act. I happen to have been in the House at the time that act was passed; and I know it was distinctly argued that section 3 would operate as a limitation upon the language of section 1, that the whole act was to be construed together. But if I understand correctly the statement made here, thousands of cases are now being sent to the Court of Claims by the Committee on War Claims, although not embraced in the intention of the framers of the Bowman act. If the act is being construed in that way, the sooner an amendment is adopted by Congress the better.

Mr. MAHON. I desire to suggest to the gentleman, take a case where time is an element, there may be a question as to whether the statute of limitations runs or not. That is a fact which is found by the court.

Mr. DINGLEY. But take the case of some of these items which the jurisdiction of the court does not include; as, for instance, "the destruction or damage to property by the Army or Navy during the war for the suppression of the rebellion, or for the use and occupation of real estate by any part of the military or naval forces of the United States."

Supposing the things mentioned, as excluded from the jurisdiction of the court, are there referred? What I wish to know is if the Committee on War Claims have referred matters that may come before them under the act, notwithstanding that they are excluded by the language of the law from consideration by the Court of Claims at all.

The CHAIRMAN. These are matters of law which will come up on investigation of the merits of the question.

Mr. BUNN. I desire, Mr. Chairman, to send up one authority on this question.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mr. WISE. I call up the bill (H. R. 8002) providing for certain light-houses and other aids to navigation.

The bill was read, as follows—

The CHAIRMAN. It is not necessary for the Clerk to read the bill, as the Chair is familiar with it and does not desire to hear further on that particular point.

Mr. BURROWS. That, however, was a bill introduced covering all of these light-houses.

Mr. DINGLEY. And a public matter, too.

Mr. STONE of Kentucky. I would like to call the attention of the Chair to the fact that on the 16th day of September, 1890, Fifty-first Congress, the House passed a resolution exactly like this one now under consideration, on which the point of order was made. It will be found by reference to the RECORD of that date that—

On motion of Mr. MORGAN, by unanimous consent, the Committee of the Whole House was discharged from the further consideration of House Miscellaneous Document No. 183, viz:

Resolved, etc., That the claims of Calvin Chairs, Louis F. Morat, C. C. Farfar, administrator of Gray W. Smith, deceased; R. H. Parham, administrator of George Gorman, deceased; Sarah C. McLemore, administratrix of John C. McLemore, deceased; Lucy E. Dowdy, E. G. Tomlinson, executrix of W. E. Tomlinson, and W. A. Galloway, in which the Court of Claims has found the preliminary question of loyalty to the United States Government during the war of the rebellion in favor of the claimants, be, and they are hereby, referred to the Court of Claims to find and report the facts in each case as provided in the act of March 3, 1883, known as the "Bowman act," and as amended by section 14 of "An act to provide for bringing suits against the Government of the United States," approved March 3, 1887.

Again, on June 4, 1892, the House, on motion of Mr. BOATNER of Louisiana, passed a resolution of the same character, in the following terms:

Resolved, That the following bills, H. R. 777, 783, 1951, 1961, and 1970, for the relief of I. B. Beard, the estate of T. M. Tucker, Sarah Powell, William Lawhead, administrator of John Lawhead, and Mary E. Monahan, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, under the provision of the act of Congress to provide for the bringing of suits against the Government of the United States, approved March 3, 1887.

Mr. KILGORE. I would like to ask the gentleman a question right there.

Mr. STONE of Kentucky. Yes, sir; I yield.

Mr. KILGORE. Was there any point of order made on either resolution?

Mr. STONE of Kentucky. There was not. It was done by unanimous consent, when everybody had a chance to make a point of order and nobody thought it necessary.

Then, Mr. Chairman, I find further—

Mr. STOCKDALE. Let me ask if the court regarded their jurisdiction over the cases, and considered and decided them?

Mr. STONE of Kentucky. They did; they took them under cognizance and into consideration.

I find, further, that the House of Representatives itself justified the action of the committee in bringing in a report including a number of claims, because in the Fifty-second Congress, second session, as will be seen by reference to Miscellaneous Document No. 29, entitled a—

Communication from the Court of Claims, transmitting copies of the findings of the court in the cases of the following-named persons against the United States: W. S. Bewley, v. Y. Fain, W. A. Galloway, B. M. Parham, deceased; J. C. Scroggins, deceased; A. T. Phelan, S. B. Thrift, deceased; Robert Chism, deceased; J. T. Bone, deceased; Jaber Russell, Peter Crosby, deceased; Henry Gallaher, deceased.

The House took similar action, these claims having been introduced, referred to the Committee on War Claims, and ordered to be printed.

Now, there is one other matter I wish to call the attention of the Chair to. The gentleman from Texas, and I deem him the greatest lawyer in the House, his name is CULBERSON, made a statement to this House that if allowed to have its due weight would carry out the idea of an insinuation against the Committee on War Claims that they were attempting to take advantage of the fact that the claims were before them, and were in favor of referring them to the court for the purpose of finding a judgment by this very resolution.

I only want to state that that is entirely incorrect. The reference to the resolution will show that it is not correct. The resolution starts out that the said claims, mentioning them, shall be referred to the Committee on War Claims, together with the accompanying papers, "to find the amount due, and report the same to Congress."

We did know what we were doing, Mr. Chairman.

Mr. ELLIS of Kentucky. And did not ask for a judgment?

Mr. STONE of Kentucky. No, sir, we did not. We knew what we were doing, and did not refer the claims to the court for a judgment. That committee has never attempted to take advantage of the House nor of its position, nor to use any sort of cover to get any advantage in the legislation proposed by that committee, and this resolution expressly states that these claims are to be referred to the Court of Claims for the purpose of finding the facts and reporting them back to Congress.

Mr. CULBERSON. I wish to say a single word. I did not mean to say that the Committee on War Claims had attempted any such thing as the gentleman intimated. I said that the Committee on War Claims had brought in a resolution here, which did not ask the Court of Claims to find the facts, but which asked the Court of Claims to adjudicate these claims, and to do so under sections 1059, 1060, 1061 of the Revised Statutes.

Mr. STONE of Kentucky. Mr. Chairman, I want to say, in reply to that, the resolution says distinctly that these are referred to the Court of Claims to find the amount due, and report that amount to Congress.

Mr. CULBERSON. That is not the language of the resolution which I have.

Mr. STONE of Kentucky. You have not got the right one then.

The CHAIRMAN (Mr. HATCH). The committee will please be in order. The Chair is ready to rule on this point. The Chair does not desire to hear any more argument.

The resolution on the Calendar is reported by the Committee on War Claims as a substitute for the bills H. R. 1414 to 1450, both inclusive, a large number of bills relating to different subjects. The Chair will direct the Clerk to read three of the bills.

The Clerk read as follows:

A bill (H. R. 1414) for the relief of the heirs of Robert J. Smith.

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Julia A. Smith, widow, James P. Smith, Robert C. Smith, Murdock F. Smith, and Constance B. Smith, the widow and children of Robert J. Smith, deceased, being his heirs at law, the sum of \$40,000, in full payment and satisfaction of all claims due and arising to the said Robert J. Smith or his heirs by reason of the seizure and sale of cotton belonging to the said Robert J. Smith, by the United States.

A bill (H. R. 1420) for the relief of John Duncan, survivor.

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to John Duncan, surviving partner of the firm of Archibald Duncan & Son, the sum of \$8,103, in full payment and satisfaction of all demands due and arising to the said firm of Archibald Duncan & Son for the use and occupation of workshops and material in the city of Charleston by the United States.

A bill (H. R. 1434) for the relief of William R. Herron.

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to William R. Herron, out of any money in the Treasury not otherwise appropriated, the sum of \$3,143.43 in full payment and settlement of all demands arising to the said William R. Herron, on account of services rendered to the United States.

The CHAIRMAN. These bills, while of the same general character, do not in every instance relate to the same species of property; and when the gentleman from Michigan [Mr. BURROWS] made the point of order that the committee had no authority under the rules to report, in a single resolution, this large number of bills, with the recommendation that they be referred to the Court of Claims under existing law, the Chair was very strongly inclined to the opinion that the point of order was not only well taken, but the Chair had no recollection of ever having seen a report considered by the House, reported from that committee of exactly this character.

But the Chair finds on investigation that in the Fifty-second Congress, in reports 648 and 649, Mr. STONE, from the Committee on War Claims, reported two resolutions embodying quite a number of bills to be referred to the Court of Claims, in almost similar terms to the resolution now before the committee. Neither of the reports was acted upon by the Committee of the Whole or the House of Representatives, but on June 3, 1892, in the House itself, on motion of Mr. BOATNER, that the Committee of the Whole be discharged from the further consideration of a similar resolution reported from that committee, it was, without objection, considered and passed by the House. The Clerk will read the proceedings which took place:

The Clerk read as follows:

On motion of Mr. BOATNER, by unanimous consent, the Committee of the Whole House was discharged from the consideration of the following resolution:

Resolved, That the following bills (H. R. 777, 783, 1951, 1961, and 1970) for the relief of I. B. Beard, estate of T. M. Tucker, Sarah A. Powell, William Lawhead, administrator of John Lawhead and Mary E. Monahan, together with all accompanying papers, be, and the same are hereby, referred to the Court of Claims under the provisions of the act of Congress to provide for the bringing of suits against the Government of the United States, approved March 3, 1887.

The same was considered, and agreed to.

In the other case, cited by the gentleman from Kentucky [Mr. STONE], similar action was taken by the House, and the Chair feels constrained to follow the precedent set by the House itself, and the Chair overrules the point of order.

Mr. BURROWS. Mr. Chairman, the pending motion, I believe, is that this bill be laid aside and reported favorably to the House.

The CHAIRMAN. That motion was made by the gentleman from South Carolina, pending the consideration of the point of order. The Chair did not entertain the motion, but that will follow as the pending motion.

Mr. BURROWS. I desire to be heard upon this matter.

The CHAIRMAN. Of course the Chair, in overruling the point of order, lays the resolution before the Committee of the Whole for its consideration. It is open for debate, and the gentleman from South Carolina will first be recognized, he being in charge of the bill.

Mr. McLAURIN. I reserve my time, Mr. Chairman. I think the House understands this matter fully.

The CHAIRMAN. The Chair will recognize the gentleman from Michigan.

Mr. BURROWS. Mr. Chairman, the resolution now under consideration comes from the Committee on War Claims, and invokes the judgment of this House upon a proposition to refer to the Court of Claims, for its consideration and adjudication, thirty-seven separate bills.

The first bill, for the relief of the heirs of Robert J. Smith, claims an allowance of \$40,000 for cotton taken in the State of South Carolina.

The bill H. R. 1415 is a claim for cotton, stated to be for \$15,000.

The bill H. R. 1416 is a claim for cotton amounting to \$1,250.

The bill H. R. 1417 is a claim for cotton aggregating the sum of \$15,650.

The bill H. R. 1418, also embraced in the resolution, is a claim for cotton amounting to \$28,000.

House bill 1419 is a claim for cotton, amounting to \$18,000.

House bill 1420 is a claim for the use and occupation of a workshop, and material used and occupied by the Federal forces in the city of Charleston, amounting to \$18,100.

House bill 1421 is a claim for cotton, amounting to \$7,000.

House bill 1422 is a claim for cotton, demanding \$21,000.

House bill 1423 is a claim for cotton, amounting to \$7,200.

House bill 1424 is a claim for cotton, amounting to \$12,000.

House bill 1425 is a claim for the seizure and sale of certain property, amounting in the total to \$153,000.

House bill 1426 is a claim for cotton of \$9,000.

House bill 1427 is a claim for cotton of \$12,000.

House bill 1428 is a claim for cotton, amounting to \$51,558.11. The computation seems to have been made in this case with great particularity.

House bill 1429 is a claim for cotton amounting to \$8,800.

House bill 1430 is a claim for cotton of \$25,000.

House bill 1431 is a claim for cotton of \$30,000.

House bill 1432 is a claim for cotton of \$18,000.

House bill 1433 is a claim for cotton of \$28,000.

House bill 1434 is for services rendered the United States Government by William R. Herion, amounting to \$3,143.43.

House bill 1435 asks the Government to pay to the beneficiary therein named, which bill is embraced in this resolution, for cotton, \$40,000.

House bill 1436 is a claim of \$17,000 for cotton.

In House bill 1437, the beneficiary asks \$8,000 for cotton.

In House bill 1438, the beneficiary seeks \$50,000 for some cotton.

House bill 1439 is a claim of \$33,000 for cotton.

House bill 1440 is a claim of \$35,000 for cotton.

House bill 1441 is a claim for cotton aggregating \$49,000.

In House bill 1442 the claimant asks \$42,000 for cotton.

In House bill 1443 the claimant demands \$46,000 in payment for cotton.

In House bill 1444 the claimant asks \$45,000 for cotton.

In House bill 1445 the claimant demands \$35,000 for cotton.

In House bill 1446 the claimant asks to be paid the amount of \$50,000 for cotton.

In House bill 1447 the claimant seeks to recover \$19,727 for cotton.

In House bill 1448 the claimant wants \$31,000 for cotton.

In House bill 1449 the claimant desires \$3,800 for cotton.

And in House bill 1450 the claim is made for property appropriated and destroyed by troops of the Union Army amounting to \$23,150.

Mr. SAYERS. Will the gentleman state what is the sum total?

Mr. BURROWS. Yes, sir. These are the bills, Mr. Chairman, enumerated and embraced in the resolution under consideration, which it is proposed to refer to the Court of Claims for

final judgment. The aggregate of these claims is \$1,040,000 in round numbers.

Mr. KILGORE. Where do all these claims come from, can the gentleman tell me?

Mr. BURROWS. The bills do not disclose in every case, but I understand from some gentlemen in the course of debate that they come from a single locality in South Carolina or North Carolina.

Mr. McLAURIN. From the coast of South Carolina.

Mr. BURROWS. These bills aggregate the sum of \$1,040,000, and it is proposed, without consideration or examination into the merits, to refer these bills to the Court of Claims, and authorize that court to at once enter upon their consideration and proceed to final determination and judgment.

Mr. COOPER of Texas. It is not the design of the bill that they shall be finally determined. They are to be referred to the Court of Claims to find the amount due and to report the same to Congress.

Mr. BURROWS. It is immaterial. I took the statement of the gentleman from Texas [Mr. CULBERSON], who said that judgment was to be entered.

Mr. CULBERSON. I have here the report of the committee and I will read it if the gentleman desires.

Mr. BURROWS. It is immaterial. The court is to find the amount due, and whether it is to render judgment or to report the facts back to Congress makes no difference.

Mr. CULBERSON. Let me read from the report of this committee:

The Committee on War Claims, to whom was referred House bills 1414-1450, have had the same under consideration, and beg leave to report as follows:

Your committee are of opinion that these claims should be referred to the Court of Claims for adjudication in accordance with the provisions of sections 1059 and 1060 and 1061 of the Revised Statutes.

Which sections authorize trial and judgment.

Mr. BURROWS. It seems, then, that it is the intention, or if not the intention, the effect will be to authorize the court to enter final judgment.

Mr. SAYERS. Do I understand my colleague [Mr. CULBERSON] to say that the provisions of those sections of the statute authorize trial and judgment?

Mr. CULBERSON. Certainly.

Mr. MADDOX. That is the report of the committee, but the resolution on which the report is based only refers the claims to the Court of Claims for the purpose of ascertaining the amounts due and reporting them back to Congress—not for judgment.

Mr. BURROWS. It is of no consequence. The purpose of this resolution is to secure \$1,040,000 out of the Treasury of the United States for cotton destroyed and for the use of certain property in the late seceded States. Now, Mr. Chairman, upon the very threshold of this discussion I wish to say that I think this House ought to make a stand against these claims.

The House—and if not the House, the country—ought to be alarmed at the pendency of these claims for property destroyed, used, or taken thirty years ago in the prosecution of the civil war. When we consider the number of claims pending in the various Departments of this Government, when we contemplate the number of claims pending before the Committee on War Claims, when we consider the number of claims pending before the Court of Claims, we ought to call a halt, unless we are prepared to bankrupt the Treasury and, instead of reducing taxation, to enter on a scheme for greatly increasing taxation.

Gentlemen will say in reply: "This is simply referring the matter to the Court of Claims. That is a very harmless procedure. That is one of our own courts. Let the court pass upon these matters, and then let Congress take such action as it shall deem wise and prudent."

Senator Spooner, in the Senate of the United States, speaking on this question on the 20th day of August, 1888, said:

The state of facts out of which grows the necessity for this information is one which perhaps I may properly bring to the attention of the Senate.

This was on the consideration of a resolution to inquire into the pendency of claims in the various Departments.

The Senator from Missouri states correctly, and his statements are usually accurate, that there have been rejected by the Quartermaster's Department about 45,000 of these Southern claims.

There were rejected also by the commissary of subsistence about 10,000 of these claims. That makes 55,000 claims made by alleged loyal claimants in Tennessee and other States called noninsurrectionary States, which have been carefully investigated by the Department and rejected. Under the law as it stands to-day bills for the payment of these rejected claims are introduced in Congress, accompanied by petitions very simple in form. They are referred to the committee, and referred by the committee to the Court of Claims for investigation.

Sixteen hundred of these claims were referred to the Court of Claims by the War Claims Committee of the House of Representatives, or Claims in the Senate in the last Congress, and four thousand of them have been referred to the Court of Claims at this session of Congress, mostly by the committee in the House of Representatives. It will happen, unless some means

are taken to prevent it, that every one of these claims, presented under the law to the Department, investigated by the Department and decided upon adversely by the Department will be referred to the Court of Claims by Congressional committees, and bills passed upon the report from that court by Congress, so that, notwithstanding the adverse action of the Department, they will all be paid.

Mr. ENLOE. I would like to ask the gentleman a question.

Mr. BURROWS. I shall not have time to yield.

Mr. ENLOE. I wish to ask him just one question.

Mr. BURROWS. Is it in connection with this point?

Mr. ENLOE. Yes, sir.

Mr. BURROWS. Very well.

Mr. ENLOE. I wish to ask the gentleman if he is aware of the fact that that prediction has been contradicted by the record of the court, which shows that only about 8 per cent of these claims are allowed?

Mr. BURROWS. The gentleman can make his answer to this declaration of Senator Spooner in his own time. I can not yield now for that purpose. The Senator proceeds:

I have looked somewhat into the record by which these claims are investigated in the Court of Claims. What I say on this point does not reflect at all upon the court, because the court must pass upon the evidence which is presented here. It is not the function or the duty of courts to hunt up witnesses or superintend the taking of testimony.

In many cases which I have examined, cases which have been reported upon by the court, I have gone to the trouble to go through all the testimony, which in some cases is very elaborate, and have given attention to the method in which the witnesses were examined and cross-examined, so as to see to what extent and with what efficiency the interest of the Government was represented, and I will venture to say that no citizen of the United States would be willing to pay a claim adjudicated against him upon such testimony. Testimony so produced, elicited by such methods of examination and cross-examination as that which in most of the cases I have examined, is the foundation of large claims against this Government.

Some of these claims have been investigated by the Quartermaster's Department and by the Commissary Department and reported adversely, which probably are just claims; and they ought perhaps to have some method of reviewing the action of these departments upon them. But today the House of Representatives hold that as the Government has established a tribunal before which it invites its citizens to go, it ought to be bound by the decision, and that if therefore the Court of Claims finds in favor of the claimant he should be paid.

I have read this much of the remarks of Senator Spooner in anticipation of and in answer to the statement which will be made that it is entirely safe and harmless to refer these rejected claims to the Court of Claims.

In February, 1893, a little over a year ago, the following resolution was introduced in the House of Representatives and passed:

Whereas claims amounting to many millions of dollars growing out of the late war for the suppression of the rebellion have been and are now pending before Congress, the Executive Departments, and the Court of Claims; and

Whereas it has been asserted in the public press and charged upon the floor of this House that many claims of this character, some of doubtful validity, have been allowed and paid, while others of equally doubtful validity have been allowed but not paid; therefore,

Resolved, That the Secretaries of the Treasury, War, Navy, and the Attorney-General be directed to report to this House with as little delay as possible the number, amount, and particulars, including the place of origin and whether presented by States or individuals, of claims growing either directly or indirectly out of the late war for the suppression of the rebellion pending before said Departments respectively and the Court of Claims.

Mr. Chairman, I hold in my hands the report of the Secretary of the Treasury Mr. Foster, in response to that resolution; and I ask leave to embody it in my remarks.

The CHAIRMAN (Mr. BYNUM). If there be no objection, the gentleman will have that privilege.

There was no objection.

Mr. BURROWS. I will then embody this report entire in my remarks:

WAR CLAIMS IN THE TREASURY DEPARTMENT.
TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 28, 1893.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

SIR: I have the honor to acknowledge the receipt of the following preamble and resolution adopted by the House of Representatives on the 16th ultimo, to wit:

"Whereas claims amounting to many millions of dollars, growing out of the late war for the suppression of the rebellion, have been, and are now, pending before Congress, the Executive Departments, and the Court of Claims; and whereas it has been asserted in the public press and charged upon the floor of this House that many claims of this character, some of doubtful validity, have been allowed and paid, while others of equally doubtful validity have been allowed but not paid; therefore,

Resolved, That the Secretaries of the Treasury, War, and Navy, and the Attorney-General, be directed to report to this House, with as little delay as possible, the number, amount, and particulars, including the place of origin, and whether presented by States or individuals, of claims growing, either directly or indirectly, out of the late war for the suppression of the rebellion, pending before said Departments, respectively, and the Court of Claims."

The foregoing preamble and resolution were referred to the heads of bureaus and divisions in which "claims growing, either directly or indirectly, out of the late war for the suppression of the rebellion," were believed to be pending, with instructions to report the facts shown by their office records, and the letters or reports of the First Comptroller, Second Auditor, Third Auditor, Sixth Auditor, and the chief of the miscellaneous division of the Secretary's office, are hereto annexed.

The letters from heads of other bureaus, reporting that no claims which might be strictly defined or classed as "war claims" were pending in their respective offices, are not given, for the reason that no information was furnished.

The letters or reports of the officers named are as follows:

TREASURY DEPARTMENT, FIRST COMPTROLLER'S OFFICE,
Washington, D. C., January 27, 1893.

SIR: I have the honor to return herewith copy of House resolution, dated January 16, 1893, and submit the following report:

The claims growing out of the late war now pending or unsettled, that are known to this office, are claims arising under the direct-tax refunding act, approved March 2, 1891.

(1) The direct tax collected from the following-named States, claims for which have not yet been presented for payment:

Connecticut.....	\$261,981.90
Dakota (North and South).....	3,241.33
Nebraska.....	4,281.60
Nevada.....	4,592.67
Oregon.....	35,140.67
Washington.....	4,288.16
Total.....	313,506.33

(2) The amount suspended and withheld in the settlement of the direct-tax claims of the following-named States and the District of Columbia, on account of charges standing against them on the books of the War Department for the value of arms, etc., overdrawn by them under section 1661, Revised Statutes, prior to February 12, 1887:

Illinois.....	\$17,807.94
Massachusetts.....	4,786.26
California.....	8,110.98
New Hampshire.....	3,754.05
Michigan.....	5,633.17
Rhode Island.....	11,925.77
Wisconsin.....	5,201.74
Minnesota.....	5,321.68
District of Columbia.....	20,354.31
Total.....	82,896.50s

(3) The amount of penalties and interest and the surplus arising from sale of land for direct taxes in excess of the charges against the same in the following-named States, which is intended to be paid to the governors of said States for the benefit of the persons from whom the same were collected or their legal representatives when the amount can be ascertained from the accounts of the direct-tax commissioners and the records of this Department: Arkansas, Florida, Mississippi, South Carolina, Tennessee, Texas, Virginia. The amount can not be stated, but probably will not exceed \$175,000.

(4) Claim of the State of West Virginia for the amount deducted in the settlement of her direct-tax account as a set-off against her proportion of the undivided indebtedness of Virginia for Indian trust funds invested in Virginia State bonds prior to the division of the State, \$153,978.75.

Total, \$725,381.58.
Very respectfully,

A. C. MATTHEWS, Comptroller.

Hon. CHARLES FOSTER, Secretary of the Treasury.

TREASURY DEPARTMENT,
OFFICE OF THE SECOND AUDITOR,
Washington, D. C., February 4, 1893.

SIR: By your reference of the 26th ultimo, I am in receipt of a copy of a resolution adopted by the House of Representatives on January 16, calling for a report as to "the number, amount, and particulars, including the place of origin, and whether presented by States or individuals, of claims growing, either directly or indirectly, out of the late war for the suppression of the rebellion," pending before certain Departments and the Court of Claims.

In reply I have the honor to say that the claims pending in this office, growing out of the war of the rebellion, may be classed as follows:

1. Claims of soldiers and their heirs for arrears of pay and bounty. The particulars and place of origin of these claims can not very well be given; neither can the amount be stated, for the reason that, as a rule, claimants do not and can not specify the amount claimed. They usually ask for bounty under various acts of Congress and for any arrears of pay and allowances to which they may be entitled under existing laws. A formal settlement is therefore necessary to determine the amount involved. I have, however, made an estimate of the amount of unsettled claims of this class now before the office.

2. Claims connected with collecting, drilling, and organizing volunteers. These claims originated in States where volunteers were raised. They are for subsisting, transporting, and drilling recruits, advertising, rent of rendezvous, and other expenses of recruiting.

3. Claims for medical services, medical and hospital supplies, care of sick and wounded soldiers, etc. These claims originated in various places, but none of them belong to the class of what are commonly called Southern war claims.

4. Claims of heirs of deceased soldiers for commutation of artificial limbs and appliances which accrued prior to the death of the soldiers and belong to their estates.

5. Claims for refundment of bounty taken from soldiers under the provisions of General Orders, No. 305, of 1864.

6. Claim of Schuylkill County, Pa., for repayment of money advanced on allotments of soldiers from said county. (Act February 14, 1891.)

7. Miscellaneous claims for pay as scouts and guides, extra-duty pay, etc. The following statement shows the number of claims pending and the amount involved:

Class of claims.	No.	Amount.
Arrears of pay and bounty in current files. Amount estimated (see note A).....	43,794	\$1,790,591.42
Arrears of pay and bounty in suspended files. Amount estimated (see note B).....	100,000	4,000,000.00
Volunteer recruiting claims in current files.....	9	2,749.50
Volunteer recruiting claims in suspended files (see note B).....	105	32,454.49
Medical services, supplies, etc. claims in current files.....	25	4,443.78
Medical services, etc. claims in suspended files (see note B).....	115	6,506.89
Commutation of artificial limbs, etc.....	15	978.00
Refundment of local bounty—current files.....	2	160.00
Refundment of local bounty—in suspended files (see note B).....	13	2,854.50

Class of claims.	No.	Amount.
Claims of Schuylkill County, Pa.....	1	\$37,000.00
Miscellaneous claims. Amount stated in one case only.....	5	52.85
Total	144,085	5,877,791.43

There are no State claims before this office.

NOTE A.—The actual number of pay and bounty claims in the current files is 44,294, of which probably 1 per cent, certainly not more than 500 in all, originated either prior or subsequent to the late war. To fix the exact number of claims originating during said war would require the handling of all the 44,294 claims and involve more labor than would be justified by the result. The estimate of the amount of these claims is based on the following figures: During the last five years 128,518 claims for arrears of pay and bounty have been disposed of, including cases disallowed, and the amount paid to claimants was \$5,196,547.25, an average of \$40.43 per claim. At this rate the 43,794 claims on hand will amount to \$1,790,561.43. The amount claimed, however, or the amount to which the claimants think themselves entitled, may be several million dollars in excess of these figures.

NOTE B.—Prior to 1882 the Auditor summarily disallowed claims in cases where it was not apparent that arrearages were due. The papers were then sent to the disallowed or suspended files, and no further action was taken unless claimants requested that their cases be referred to the Second Comptroller. It has been for many years and still is the practice to send all claims to these files in cases where the claimants fail or neglect to furnish necessary evidence within three years after such evidence has been called for. There are now in these files about 100,000 informally disallowed and dormant cases which may be called up and placed in the current files at any time. In fact, such cases are being called up almost every day. For that reason I have included them in this report. At the rate of \$40.43 each these claims would involve in round numbers \$4,000,000. I have also included all miscellaneous claims which have been summarily disallowed or laid aside because they have not been completed within three years. These claims are liable to be called up at any time.

Respectfully yours,

J. N. PATTERSON, Auditor.

The SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT, OFFICE OF THE THIRD AUDITOR,
Washington, D. C., February 8, 1893.

SIR: In response to the resolution of the House of Representatives, passed January 16, 1893, and your communication of February 2, 1893, I submit a report of claims in this office, either pending or disallowed, which originated during the late war.

For the purpose of the resolution it seems proper to consider claims of officers and soldiers and Army employes, and claims growing out of the hire or loss of boats in the military service, as originating "in the Army."

Pending claims.

	Number of claims.	Amount claimed.
Claim of officers and soldiers for their horses lost or bought by the Government, for commutation of rations to prisoners of war, and for other Army allowances.....	4,974	\$439,683
Charter of boats, balances claimed.....	25	157,480
Loss of boats in service (claims for insurance).....	7	31,500
Total	5,006	628,663

Amounts pending in State war claims:

New York.....	\$65,624.24
Pennsylvania.....	14,431.79
Total.....	80,056.03

Pending claims for army supplies bought or taken, hire or use of property, etc.

	Number.	Amount claimed.
Tennessee.....	482	\$71,368
Kentucky.....	440	68,419
Maryland.....	222	181,930
Missouri.....	508	241,322
Virginia.....	282	22,845
West Virginia.....	81	24,567
Alabama.....	105	15,618
Pennsylvania.....	45	31,640
District of Columbia.....	12	21,233
Louisiana.....	20	14,327
Texas.....	46	50,541
Georgia.....	54	3,845
Kansas.....	55	4,244
Colorado.....	14	4,942
New York.....	22	2,061
Indiana.....	19	2,940
New Mexico.....	24	524
Nebraska.....	24	690
Mississippi.....	3	2,411
Michigan.....	13	539
North Carolina.....	12	864
South Carolina.....	13	228
Minnesota.....	7	609
Iowa.....	7	1,828
Illinois.....	8	991
Maine.....	7	818
Indian Territory.....	6	243
Total.....	2,521	811,558

Summary of pending claims.

	Number.	Amount claimed.
By officers, soldiers, and army employes.....	4,974	\$439,683
Balances claimed on charters of boats.....	25	157,480
Losses of boats—claims by insurance companies.....	7	31,500
Amounts in State war claims—New York and Pennsylvania.....	2	80,056
Individual claims in various States.....	2,511	811,558
Total.....	7,529	1,520,282

DISALLOWED CLAIMS.

It is possible to state with precision in respect to claims for the value of horses, boats, etc., lost in the military service and in respect to the war claims of States. Being governed by special statutes, they have been kept each as a distinct class; moreover, the latter class originated exclusively during the war, and the former in a great proportion. But, in respect to the great number and variety of miscellaneous claims, a distinction as between those which originated during the period of the war, and those which have originated subsequently, could be made only by a great expenditure of labor, involving a delay which I understand could not be allowed. I can submit, therefore, in respect to them only an approximate estimate.

	Number.	Amount claimed.
Claims for horses lost in the military service.....	10,791	\$1,623,819
Claims for boats lost in the military service.....	94	1,070,063
Total.....	10,885	2,693,882

Disallowed amounts in State war claims (including interest claims).

Maine.....	\$303,356.01	Ohio.....	\$649,334.58
New Hampshire.....	401,299.03	Michigan.....	356,170.42
Vermont.....	66,920.16	Illinois.....	526,527.45
Massachusetts.....	345,633.38	Wisconsin.....	70,902.87
Connecticut.....	130,675.79	Indiana.....	1,050,249.32
New York.....	1,003,908.64	Minnesota.....	2,832.00
New Jersey.....	26,941.10	Iowa.....	32,849.25
Pennsylvania.....	331,388.50	Missouri.....	60,190.99
Delaware.....	46,196.87	Nebraska.....	123.09
Rhode Island.....	5,208.80	Kansas.....	28,423.34
Maryland.....	42,844.85	Nevada.....	341,137.88
Virginia.....	5,642.50	Oregon.....	390,820.10
West Virginia.....	221.00		
Kentucky.....	1,273,405.27	Total.....	7,593,247.22

Summary of disallowed claims.

	Number.	Amount claimed.
For horses lost in military service.....	10,791	\$1,623,819
For boats, etc., lost in military service.....	94	1,070,063
Disallowances in State war claims.....	26	7,593,247
Estimated in miscellaneous claims.....	35,000	13,000,000
Total.....	45,811	23,287,129

Very respectfully,

W. H. HART, Auditor.

The SECRETARY OF THE TREASURY.

TREASURY DEPARTMENT,
OFFICE OF THE AUDITOR OF THE TREASURY
FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., February 14, 1893.

SIR: In compliance with a resolution of Congress dated January 16, 1893, as construed by your letter of the 2d instant, a copy of which was received at this office on the 9th instant, in which you direct, "so far as the same may be practicable, to state the number of war claims presented and the amounts involved now on file in your office, which have been disallowed, in whole or in part," I have the honor to state that I am somewhat in doubt whether or not claims for the transportation of the mails prior to May 31, 1861, can properly be classed as claims growing out of the late war.

Reports concerning these claims have frequently been made to Congress, and on the 3d of March, 1877, an appropriation of \$375,000 was made for their payment.

Hon. John Sherman, Secretary of the Treasury, construed the act making said appropriation as follows: "The appropriation should not be drawn upon in excess of accounts stated and payable under the provisions of the law, nor should money be paid out of this appropriation until the whole of the claims are received and adjusted, and if the appropriation is insufficient they should then be paid pro rata." The result was that but few of the claimants complied with that provision of the act requiring proof of non-payment by the Confederate States government, consequently no payments were made out of said appropriation, and the same was covered into the Treasury.

The above action was not considered by this office as a disallowance of said claims, and they still remain on the books of this office as unsettled. The amount standing to the credit of *ante bellum* mail contractors for service performed prior to May 31, 1861, is estimated at \$450,000, but I am clearly of the opinion that nearly, if not all, of said service has been paid for by the Confederate States government, as there is evidence on file in this office that \$564,544.22 was actually expended for that purpose by that government. In the absence of a record of payments of individual claims by the Confederate States government, it is impossible to determine which of these claims are valid and which are not.

There is such a record in the hands of private parties, as you have already been advised, and it is understood that Congress has made provision for its purchase. As soon as this office is put in possession of said record, measures can at once be taken to ascertain what claims remain unpaid and the num-

ber and amount of those which have already been paid by the Confederate States government, and which will, of course, be disallowed in this office.

Very respectfully,
Hon. CHARLES FOSTER,
Secretary of the Treasury.

T. B. COULTER, Auditor.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 19, 1893.

SIR: Pursuant to House resolution of the 16th ultimo and the Secretary's instructions of the 2d instant, I have the honor to furnish the following statement of cotton claims (of which papers are on file in this division) "which have been disallowed, either in whole or in part."

Statement of cotton claims presented to and rejected by the Department prior to the act of May 19, 1872.

Origin.	Claimants.	Number of claims.	Number of bales claimed.
Unknown	By individuals	10	6,097
Alabama	do	23	1,682
Arkansas	do	10	915
Florida	do	4	77
Georgia	do	14	904
Louisiana	do	20	2,861
Mississippi	do	2	2,576
North Carolina	do	1	1,319
South Carolina	do	6	1,199
Tennessee	do	10	333
Texas	do	7	928
Total		130	18,821

Statement of cotton claims (of which papers are on file in this division) "which has been disallowed, either in whole or in part," under the act of May 19, 1872.

Origin.	Claimants.	Number of claims.	Number of bales claimed.
Alabama	By individuals	323	22,614
Arkansas	do	95	19,793
Florida	do	2	489
Georgia	do	29	8,391
Louisiana	do	257	22,369
Mississippi	do	453	32,175
North Carolina	do	4	98
South Carolina	do	17	1,226
Tennessee	do	1	387
Texas	do	103	25,585
North Carolina	North Carolina	2	522
Total under act of May 19, 1872.		1,287	133,649
Total prior to act of May 19, 1872.		130	18,821
Total		1,417	152,470

These claims are for the proceeds of sale of cotton seized and sold by the Government, the money value not being given. About the lowest estimate of the value of the cotton has generally been conceded to be \$100 per bale. At this rate the claims would aggregate \$15,247,000.

The tenth and final report of the Southern Claims Commission shows that 22,298 claims were presented to it for adjudication, amounting in the aggregate to \$90,258,150.44. The amount allowed was \$4,636,920.69, leaving disallowed, \$85,621,229.75.

From the so-called "captured and abandoned property records" it is apparent that a class of claims exist which are not identical with "cotton" and "stores and supplies," above mentioned, consisting of rents for property in New Orleans, La., Memphis, Tenn., and other places, and for seizure and sale of miscellaneous personal property. It is believed that of the \$10,000,000 of captured and abandoned property found in the Treasury at least one-fourth was realized from these miscellaneous sources, say \$2,500,000.

The cotton tax levied by the act of July 1, 1862, an act to provide internal revenue, etc., was entirely under the control of the Office of Internal Revenue. Assistant Secretary C. S. Fairchild, in a letter dated April 23, 1885, in reply to some inquiry concerning the tax, says:

"By the report of the Commissioner of Internal Revenue, it is found that the sum of money realized to the Government was as follows:

For the year ending June 30—	
1863	\$351,311.48
1864	1,268,412.56
1865	1,772,983.48
1866	18,409,654.90
1867	23,769,078.80
1868	22,500,947.77
Total	68,072,388.99

This is all this data in this division relative thereto.

SUMMARY.

Cotton claims	\$15,247,000.00
Stores and supplies	55,621,229.75
Miscellaneous	2,500,000.00
Cotton tax	68,072,388.91
Total	141,440,618.66

Respectfully, yours,

J. W. THOMPSON,
Chief Miscellaneous Division.

The SECRETARY OF THE TREASURY.

From the foregoing letters or reports from the First Comptroller, Second, Third and Sixth Auditors, and the chief of the miscellaneous division of the Secretary's office, it appears that the total number and amount of claims "pending" in the Treasury Department "growing, either directly or indirectly, out of the late war for the suppression of the rebellion," is as follows, namely:

Office of First Comptroller: Number not stated; amount, \$725,381.58.
Office of Second Auditor: Number 144,065; amount, \$5,877,791.43.
Office of Third Auditor: Number 71,752; amount, \$23,327,688.25. The foregoing includes twenty-six State war claims disallowed, amounting to \$7,593,247.22 (including interest), but which, like other disallowed claims, are subject to revision (or reopening) and allowance in whole or part.
Office of the Sixth Auditor: Number not stated; amount (estimated), \$450,000. These claims are for transportation of the mails prior to May 31, 1861, and have been classed both as *ante-bellum* and "war claims." The act of March 3, 1877, appropriating the sum of \$375,000 for their payment (Statutes at Large, volume 19, page 362) states that it was for "mail service performed in certain Southern States (named) in the years 1859, 1860, and 1861, before said States engaged in war against the United States."

The treaty of Washington fixes April 13, 1861, as the commencement of the civil war, and the Supreme Court, in the prize cases (2 Black, page 636), held that the war commenced in April, 1861, so that, at least, a small portion of the service performed was prior to May 31, 1861. The said appropriation of \$375,000 was covered into the Treasury and the claims remain on the books of the Sixth Auditor's Office as "unsettled."

Secretary's office, miscellaneous division: Cotton claims, \$15,247,000; cotton tax, \$68,072,388.91; miscellaneous, \$2,500,000; stores and supplies, \$55,621,229.75; total, \$141,440,618.66.

As stated in the report of the chief of the miscellaneous division, 130 cotton claims, aggregating 18,821 bales of cotton, were presented to and rejected by the Treasury Department prior to the act of May 19, 1872; under said act, 1,287 cotton claims were presented, aggregating 133,649 bales of cotton, which have been disallowed, either in whole or in part, are now on the files of said division.

These claims are for the proceeds of sale of cotton seized and sold by the Government, the money value not being stated. As the lowest estimate of the value of cotton has been quite generally conceded to be \$100 per bale (a very moderate estimate), the claims would thus aggregate but \$15,247,000, whereas the actual value was undoubtedly considerably more.

The cotton tax levied by the act of July 1, 1862, entitled "An act to provide internal revenue," was rendered necessary by the action of the so-called "seceding States," and was imposed like other taxes to secure means to suppress the rebellion then threatening the nation's life, and like them was distinctively a "war tax."

It was absolutely necessary to meet the steadily increasing cost of the war, to meet the rapidly augmenting public debt, and to preserve the public credit at home and abroad. It was but a tithe of the taxation imposed on the people of the "loyal States," who bore their burdens uncomplainingly and loyally, and, like most of the taxes imposed by said act, was swept away when the authority of the Government had been fully established, its liabilities determined, and its financial capacity and responsibility fully proven to the world. It was imposed and collected as a "war tax," and was so considered when it was repealed. Whatever may be the future policy of the Government with respect to its refund, it was, and is clearly a "war tax," and is so reported.

The item of \$2,500,000, stated as "miscellaneous claims," grew out of what is known as "captured and abandoned property," which are distinct from "cotton claims" and "stores and supplies." They comprise rents for property mostly in New Orleans and Memphis, and for seizure and sale of miscellaneous personal property.

The tenth and final report of the Commissioners of Claims (known as the Southern Claims Commission) shows that 22,298 claims were presented to it for adjudication, amounting in the aggregate to \$90,258,150.44.

The amount allowed was \$4,636,920.69, leaving the sum of \$85,621,229.75 as "disallowed." Of this last-named amount, a considerable portion has been paid by Congress, estimated at \$3,000,000, as the exact amount can not be accurately ascertained. A considerable number of these claims have been referred to the Court of Claims under the so-called "Bowman act," and will be stated or accounted for probably by the Attorney-General in his report to the House of Representatives.

Office of First Comptroller: Direct tax, including surplus from sales of land	\$725,381.58
Office of Second Auditor	5,877,791.43
Office of Third Auditor	23,327,688.25
Office of Sixth Auditor	450,000.00
Office of Secretary, miscellaneous division:	
Cotton claims	\$15,247,000.00
Cotton tax	68,072,388.91
Miscellaneous	2,500,000.00
Stores and supplies	55,621,229.75
Total	141,440,618.66

Total 174,821,509.92
Less claims allowed and paid by Congress (estimated) 3,000,000.00

Total 171,821,509.92

In view of the importance of the subject, involving as it does the possible, if not probable, expenditure of hundreds of millions of dollars for the payment of "war claims," by a reversal of the well-established policy of the Government in respect to that class of claims, I deem it proper to cite what was said by President Grant in three annual messages, and by several of my predecessors on this subject in their reports to Congress.

In his fifth annual message to Congress, made December 2, 1873, President Grant, in respect to the subject of claims against the Government (especially war claims) and the facilities afforded by existing laws for their prosecution, said as follows, viz:

"Each of the Departments of State, Treasury, and War have demands for many millions of dollars upon their files, and they are rapidly accumulating. To these may be added those now pending before Congress, the Court of Claims, and the Southern Claims Commission, making, in the aggregate, an immense sum. Most of those grew out of the rebellion, and are intended to indemnify persons on both sides for their losses during the war, and not a few of them are fabricated and supported by false testimony. Projects are on foot, it is believed, to induce Congress to provide for new classes of claims, and to revive old ones through the repeal or modification of the statute of limitations by which they are now barred.

"I presume these schemes, if proposed, will be received with little favor by Congress, and I recommend that persons having claims against the United States, cognizable by any tribunal or department thereof, be required to present them at an early day, and that legislation be directed so far as practicable to the defeat of unfounded and unjust demands upon the Government; and I would suggest as a means of preventing fraud, that wit-

nesses be called upon to appear in person to testify before those tribunals having said claims before them for adjudication.

"Probably the largest saving to the national Treasury can be secured by timely legislation on these subjects, of any of the economic measures that will be proposed."

In his seventh annual message, made December 7, 1875, he further said: "I will suggest or mention another subject bearing upon the problem of 'how to enable the Secretary of the Treasury to accumulate balances.' It is to devise some better method of verifying claims against the Government than at present exists through the Court of Claims, especially those claims growing out of the late war.

"Nothing is more certain than that a very large percentage of the amounts passed and paid are either wholly fraudulent or are far in excess of the real losses sustained. The large amount of losses proven—on good testimony, according to existing laws, by affidavits of fictitious or unscrupulous persons—to have been sustained on small farms and plantations are not only far beyond the possible yield of those places for any one year, but, as every one knows who has had experience in tilling the soil, and who has visited the scenes of these spoliations, are, in many instances, more than the individual claimants were ever worth, including their personal and real estate.

"The report of the Attorney-General, which will be submitted to Congress at an early day, will contain a detailed history of awards made and of claims pending of the class here referred to."

In his eighth (and last) annual message, made December 5, 1876, appears the following, viz:

"I invite your special attention to the following recommendation of the Secretary of War:

"That the claims under the act of July 4, 1864, for supplies taken by the Army during the war, be removed from the offices of the Quartermaster and Commissary Generals and transferred to the Southern Claims Commission. These claims are of precisely similar nature to those now before the Southern Claims Commission, and the War Department Bureaus have not the clerical force for their examination, nor proper machinery for investigating the loyalty of the claimants."

The following extract from the annual report of Secretary Bristow, made to Congress on December 6, 1875, states so fully and clearly the state of the law respecting claims against the Government (mainly relating to war claims) that it is quoted entire as containing pertinent and valuable information on the subject of the inquiry of the House of Representatives, viz:

CLAIMS AGAINST THE GOVERNMENT.

"The state of the law relating to the examination and payment of certain classes of claims against the Government should receive the attention of Congress.

"The Third Auditor and Second Comptroller, accounting officers of the Treasury Department, are required by law to adjudicate and settle claims upon the United States for the value of property lost or destroyed while in possession of the Government, either by contract or impressment, and claims for stores received or taken and used by the Army. The power conferred upon these officers is an anomalous one. Before the year 1816 claims of this nature were presented directly to Congress, and when found to be just and proper, were provided for by special legislation. By the act approved April 9, 1816, provision was made for payment to owners of property lost or destroyed in the war between the United States and Great Britain.

"Pursuant to this act, a commissioner was appointed by the President, with the advice and consent of the Senate, whose duty it was to decide all cases arising under the act, and upon his adjudication the amount found due the claimant was paid out of the Treasury. By an amendment to this act, made the next year, the commissioner was required to report the facts in each case to Congress, to the end that provision might be made for the relief of the claimant, and all cases in which the amount allowed exceeded \$200 were required to be revised by the Secretary of War and confirmed by him before payment.

"By the act approved April 20, 1818, all claims under the act of 1816 and its amendment not acted on by the commissioner were transferred to the Third Auditor, who, in his adjudications, was to be governed by the rules prescribed for the commissioner. Again, in 1822, it was enacted that the accounting officer of the Treasury Department should audit and settle, without limitation, claims of officers, volunteers, and other persons in the campaign against the Seminole Indians, under rules to be prescribed by the President. When, however, in 1833, Congress passed a similar act for the settlement of claims for property lost in expeditions against the Indians on the frontier of Illinois and Michigan, the Third Auditor of the Treasury was required to examine, allow, and pay them, whatever the amount, as similar claims were required to be allowed and paid under the acts of 1816 and 1817.

"But again, by the act of June 30, 1834, if a claim of this character exceeded \$200, instead of deciding the same, the Third Auditor was required to report the whole proof to Congress. By the subsequent acts of January 18, 1837; March 2, 1847, and March 3, 1849, all of which were enactments in relation to property lost or destroyed in the military service of the United States, the Third Auditor had the power to decide and pay, without provision, under rules prescribed by the Secretary of War, with the assent of the President, all claims, whatever the amount. By an amendment to the act of 1849, made July 28, 1866, the Third Auditor was required to transmit his adjustment to the Second Comptroller for his decision.

"By the act of July 4, 1864, as amended by the acts of February 21, 1867; December 23, 1869, and March 3, 1871, and section 300, Appendix to Revised Statutes, the jurisdiction of the Court of Claims was declared not to include any claim against the United States growing out of the destruction, or appropriation of, or damage to property by the Army or Navy engaged in the suppression of the rebellion, but claims of loyal citizens, in States not in rebellion, for quartermaster stores and subsistence received or taken for the use of the Army are to be reported to the Third Auditor by the Quartermaster-General or Commissary-General, with a recommendation for settlement.

"While no uniform rule has been adopted in the settlement of these claims, it is not easy to perceive the reasons which induced Congress to depart from that first established in the act of 1816. But whatever may have been the reason, experience has shown that the accounting officers of the Treasury are not the proper persons to have the duty of passing upon such claims. In almost every case these settlements require an investigation which properly belongs to a court of law. In practice, this investigation is often not made either by the Third Auditor or the Second Comptroller, but is necessarily intrusted to subordinates not accustomed to consider and weigh evidence. Thus great injustice is done the Government by the allowance of claims upon evidence taken *ex parte*, which would not be admissible in a court of law organized for the ascertainment of truth.

"The act of March 30, 1868, reproduced in section 191, Revised Statutes, makes it at least doubtful whether the Secretary of the Treasury has power to prevent this evil, unless he should take upon himself the questionable responsibility of refusing to sign warrants for the payment of adjudicated claims.

"Claims against the Government have been permitted to sleep until the

officers connected with the transactions out of which they arose have died, or gone out of service, and then been revived and supported by *ex parte* testimony of such character as to cause their allowance by the accounting officers.

"As a partial remedy for this evil, it is recommended that all such claims be barred if not presented within a specified time. There is, practically, no limitation now. It will be seen that the act of 1816 barred claims not presented within two years. Perhaps this period is too short. Six years is adopted in the legislation of most of the States as the time in which actions on simple contracts are barred.

"Claims against the Government should not be valid for a longer time than this, and there are strong reasons for requiring them to be presented in a shorter time. But a better and more effectual remedy for the evil would be the enactment of a law requiring all such claims to be presented in the United States circuit courts of the districts where they arise, by proceedings in the nature of suits against the United States, under such limitations and restrictions, both as to the right to institute the suit and as to the mode of procedure, as Congress may see proper to impose.

"It may be said that such a course would be at variance with the idea that the sovereign should not be subject to suit. The United States, as a sovereign power, however, has practically subjected itself to suit by the legislation already cited, as well as by the establishment of the Court of Claims. The theory of exemption from suit has been long since abandoned in England by the allowance of the petition of right in any one of the superior courts of common law or equity at Westminster.

"Besides, no just government can now afford to withhold from its citizens the right to present and prosecute their proper demands upon it in some form or other; and it is better both for the Government and the honest claimant that the claim should be passed upon by a competent tribunal, armed with power to ascertain the truth and to prevent fraud. The advantage to the Government of such a course is manifest. Claims, instead of being paid on partial and *ex parte* testimony, would be subjected to thorough examination by a court and jury, and the interests of the Government would be protected by its attorneys.

"The highest test of the credibility of a witness consists in cross-examination by opposing counsel in the presence of the tribunal which is to weigh the evidence.

"Experience has shown that as a rule no claim subjected to the scrutiny of a court in the vicinity where it arises is likely to be sustained if it is unfounded in fact, while on the contrary such claims are often carried through the Department without attracting the attention of those who either know them to be false or have the means of proving them to be so, and not until they are made public after payment is the evidence of their fraudulent character produced. It has happened that claims have been passed by the accounting officers which were subsequently ascertained to be fraudulent and fictitious, and the Government has felt called upon to proceed by civil action to recover the money and to institute criminal prosecutions against parties engaged in the fraud.

"In England, by an act passed in 1860 to amend the petition of right against the Government, it is provided that, so far as applicable, the course of procedure in the trial of suits between subject and subject should be extended thereto.

"Trial in the vicinage is no less important to the Government than to the honest claimant. Requiring a citizen from a distant part of the Union to come to Washington and bring his proofs with him to try his claim against the Government often operates oppressively on him, and is without corresponding benefit to the Government. It is difficult to perceive why such a case should not be tried in the vicinity where it arises, and where, as has been before said, if tried with the publicity attending a jury trial, with the witnesses present to undergo cross-examination, the establishment of false and fraudulent claims would certainly be rendered more difficult.

"The Government would be placed at no disadvantage by the remoteness of the place of trial from the Departments where the public records are kept, for the statute already makes certified copies of such records competent evidence, and they could as well be sent to distant parts of the country as to the courts sitting in Washington City. In rare and exceptional cases the production of original records may be required, but those could be sent in the charge of a proper custodian."

In his annual report to Congress, made December 3, 1877, Secretary Sherman said, in respect to claims against the Government, as follows:

"The attention of Congress is called to the laws imposing upon this Department the adjudication of a multitude of claims. Its organization is admirably adapted for the investigation and statement of accounts accruing in the ordinary course of current business, but it is not adapted to the investigation of claims long since accrued, and supported, in most cases, by *ex parte* affidavits."

The Department has no authority to cross-examine witnesses, no agents to send to examine into alleged facts, and no facilities, such as are in common use by courts, to ascertain truth and expose falsehood. It is respectfully suggested that this class of claims not already acted upon be transferred from the Treasury Department, and its business of accounting be confined to current accounts, payable from appropriations made within a short period of time.

Most of these claims are paid out of what are classed as "permanent annual appropriations," contained in section 3689, Revised Statutes, which do not come under the annual supervision of Congress. These appropriations, though declared to be annual, have been used for the payment of claims, however old, including nearly every case of fraudulent or exaggerated claims paid by this Department. It is respectfully urged that this important section be carefully revised; that the appropriations contained therein be made annually; and that only such claims as accrue within a brief period be paid by the Department, unless proper evidence in their favor appears upon the public records, as in the case of the principal or interest of the funded debt.

Under the act of July 4, 1864, and acts amendatory thereof, and section 300, Appendix to Revised Statutes, claims of loyal citizens, in States not in rebellion, for quartermaster's stores and subsistence supplies received or taken for the use of the Army, are to be reported by the Quartermaster-General or Commissary-General, if satisfied that they are just, to the Third Auditor for settlement. The action of the accounting officers of the Treasury Department upon this class of claims is required by the act of June 16, 1874, to be reported by the Secretary to Congress at the commencement of each session for consideration before payment by appropriation. The number of claims of this character is very large, and the amount allowed thereon and reported in the Digest of Appropriations for 1877 is \$270,357.22.

Other classes of claims under the jurisdiction of the same accounting officers, but not required by statute to be reported for specific appropriation, include those for compensation for horses and equipments lost in the military service, and for use and loss of steamboats and other vessels, railroad engines, etc., under the act of March 3, 1849, amended and construed by the acts of March 3, 1853, and June 22, 1874, and sections 3482 to 3489, Revised Statutes. These claims are numerous and involve a large amount in the aggregate.

By the act of May 18, 1872, section 5, the Secretary of the Treasury was authorized and directed to pay to the lawful owners, or their legal representatives, the net proceeds actually paid into the Treasury of all cotton seized after the 30th day of June, 1865, by agents of the Government unlawfully and in violation of their instructions. The Secretary was invested with sole jurisdiction as to the construction of the act, and the methods by which the facts should be ascertained.

Under certain regulations of the Department, 1,333 claims were filed, claiming the proceeds of 135,000 bales of cotton, the estimated value of which is \$13,500,000.

These claims have been acted on as follows:

Number of claims rejected.....	1,189
Number of claims dismissed.....	90
Number of claims allowed.....	49
Number of claims pending.....	7
The amount paid on allowed claims is.....	\$194,801.72

The act is strictly limited in its scope, and was apparently intended to afford relief in a comparatively small number of cases not disposed of by the Secretary before the proceeds of captured property was covered into the Treasury, under the joint resolution of March 30, 1865, and in which wrongful or erroneous seizures were made by the agents of the Government engaged, after the close of active hostilities, in collecting and securing the many thousand bales of cotton scattered through the Southern States, which had been sold by its former owners to the Confederate States.

"The amount of cotton taken was known to be greatly in excess of that which came into the hands of authorized agents of the Government subsequent to June 30, 1865; and in view of the facts that almost all of the 50,000 bales of cotton collected after that date, the proceeds of which reached the Treasury, had been sold to the Confederate States during the war, or was unlawfully acquired by companies formed for the purpose of running the blockade, and that the restrictions of the act whereby the power of the Secretary to grant relief was confined within very narrow limits, the reason for the payment of so small an amount, as contrasted with the vast sum demanded, is apparent.

"Upon the summary statement thus made, the Secretary respectfully recommends that all authority or power in this Department to pass upon claims that do not accrue within a brief period before they are presented, and which are not steadily prosecuted by the claimants, be taken away; that no claim once passed upon by the Department shall be reopened, and that the decisions heretofore rendered shall be final.

"It is possible that, in acting upon the multitude of claims growing out of a great war, injustice has in some cases been done, and that honest claims have not been paid, while some fraudulent claims have been paid. But greater injustice would be done by reopening claims growing out of the war. It is the best policy to consider all such claims not heretofore paid as closed, unless Congress, by special acts in particular cases, shall extend appropriate relief.

"There should be a limitation of time within which a claim should be presented, and a like limitation within which a suit in behalf of the United States should be commenced. Such a limitation is especially needed as to suits brought by the United States against sureties on official bonds. In some cases, claims against the principal debtor, long delayed by the neglect of the Government, are unjustly pressed against the surety. Nearly all the fraudulent and exaggerated claims that have been presented to this Department are alleged to have accrued long since, and the evidence of the facts that would be a complete defense is lost by time. Such claims are supported by plausible affidavits, and in some cases by forgery, and perjury. A statute of limitations in all cases would be a proper measure, not only as to claims between citizens, but as to claims for or against the Government.

"The Secretary recommends this subject to the attention of Congress." In his annual report for 1878, Secretary Sherman further said: "The attention of Congress is again called to the necessity of some legislation as to the adjudication of claims which are now within the jurisdiction of this Department.

"While the Department is well organized for the investigation of accounts accruing in the ordinary course of current business, it is not adapted to the examination of old and disputed claims of a different character.

"For the proper investigation of such claims the methods adopted in all our courts for ascertaining the truth are undoubtedly the best. For this purpose a tribunal which will require the best evidence of which the nature of the case will admit, the production of original papers rather than pretended copies, the sworn statement of the witness himself, to facts in his own knowledge and not the hearsay of third parties, the examination and cross-examination of the witness, not his *ex parte* statement privately taken, a public hearing, and a public record of proceedings open to inspection, is essential.

"These are some of the safeguards which the experience of the wisest legislators has placed around the judicial investigation of questions of law and fact.

"It is evident that this Department can not furnish those safeguards; and a provision of law which will relieve the Department of all important disputed questions of law and fact is recommended. The Court of Claims is a tribunal well qualified for such jurisdiction. It has the prestige of a court of justice; its judges are appointed for life, and transact their business deliberately, systematically, and publicly. They are governed by the ordinary rules of law, and their decisions are of record, with an appeal in proper cases to the Supreme Court of the United States.

"In this connection, your attention is invited to the importance of providing some limitation of time within which claims against individuals and against the Government shall be prosecuted, or, for want of such prosecution, be forever barred. Such limitations, which form part of the codes of all civilized nations, rest partly upon the theory that public peace demands an end of litigation, but mainly upon the well-founded assumption that a delay beyond a reasonable time to prosecute a claim furnishes a presumption that it is unfounded.

"All legislation upon this subject should look to the quieting of old claims, whether against or in favor of the Government. A decision, made as final by the accounting officers, or by the Secretary or other officer of this Department having jurisdiction, should be regarded as final, both in the Department and in all other tribunals; and all propositions providing for the revision, in the Court of Claims or elsewhere, of such decisions are opposed to the true principles of legislation."

In his annual report made to Congress December 6, 1880, Secretary Sherman further said:

"The necessity of legislation for the adjudication of claims now within the jurisdiction of this Department has been called to the attention of Congress in several former reports. It is deemed unnecessary to repeat in detail the reasons which exist for the enactment of the measures which have heretofore been recommended. It will be sufficient to call the attention of Congress, in a condensed statement, to the objects which it is proposed to accomplish.

"As suggested in a former report, the great object of legislation on the

subject of claims is, to render their adjustment speedy and final and to discourage the allowance of old demands or the reexamination of those already settled. A general provision of law by which all important disputed questions of law or fact may be referred to the Court of Claims for trial would greatly relieve the officers of this Department, and tend to promote the ends of justice.

"That tribunal adopts the methods used by all courts of justice for ascertaining the truth, which include the requirement of the best evidence which the nature of the case admits, the cross-examination of witnesses instead of *ex parte* statements, and public hearings and public record of proceedings. In such legislation express provision should be made against the rehearing of claims which have been once adjudicated in any court, or by Congress, or by the accounting officers of the Treasury, or that have been barred by any statute of limitations.

"The former recommendation that some limitation of time within which claims against the Government shall be prosecuted, or, for want of such prosecution, be forever barred, is renewed. For the reasons which have introduced statutes of limitation into the codes of all civilized nations, it is again recommended that it be provided by law that no claim pending in any of the Executive Departments shall be allowed unless presented for payment within six years after such claim has accrued, with the usual exception in the case of those prevented by infancy or otherwise from presenting their claims within such time, and that provisions of a similar character in favor of those against whom the Government holds claims may be enacted.

"The Department is well organized for the investigation of claims accruing in the ordinary course of current business, and decisions thereon by the accounting officers made final by existing laws should not be referred to the Court of Claims or any other tribunal for examination."

In his annual report made to Congress December 7, 1885, Secretary Manning said, as follows:

"The necessity for a general statute of limitation upon the presentation of demands against the United States becomes every year more apparent.

"The policy of all enlightened nations protects the individual against demands set up under cover of obscurity created by lapse of time. But the Government has even more need of such protection. Usually the individual has such personal knowledge of his business as will warn him against unjust claims and guide him to the evidence which may protect him.

"The vast business of the Government is carried on entirely through agents, and many causes tend to produce frequent changes among them. Even when an ex officer can be reached, his memory is likely to be imperfect in respect to some long past transaction, which was only one among a great number within his supervision, and many ex officers, in view of the multitude of inquiries addressed them, have been compelled to decline the unremunerated task of researches in their retained papers.

"The Government is a debtor always to be found, and ever ready to pay its debts; and long delay ought to raise a presumption, as readily in its favor as in favor of an individual, against the justice of a demand."

In my annual report made to Congress December 7, 1891, I said:

"The importance of providing some limitation of time within which claims against the Government shall be prosecuted, or for want of such prosecution be forever barred, is urged upon the attention of Congress.

"It may be assumed that any claim in behalf of an individual who is in a situation to present it will, if well founded, be presented for payment within six years from the time when the claimant's right first accrued. Such limitations form part of the codes of all civilized nations, and experience has shown that, as between individuals, less injustice is done by the conclusive presumption that claims thus delayed beyond a reasonable time are unfounded or have been adjusted than by allowing them to be prosecuted after witnesses to the transaction have died or have been lost sight of and other evidence has been destroyed.

"The presumption is much stronger in case of a claim against the Government than in one against an individual. The Government is always solvent and can always be found, and it is difficult to suggest a reason why a valid claim against it should not be presented within the term of six years.

"Under the present circumstances, it is impossible to administer equal justice to those who present old claims.

"The Comptrollers and Commissioner of Customs have by law the final determination of all claims coming within their jurisdiction, and while one of them, or the Auditor who first considers the claim, may reject it because its prosecution has been for many years delayed and he therefore believes it to be unfounded, another officer feels it his duty to examine it upon such evidence as may still exist, because Congress has not interposed a statute of limitation in bar of its allowance. The First Comptroller in his report has called special attention to the importance of some limitation of this character.

"It is recommended, therefore, that it be provided by law that no claim pending in any of the Executive Departments shall be allowed unless presented for payment within six years after such claim first accrued, with the usual exception in favor of claimants disqualified by age, or otherwise, from prosecuting claims within such time."

THE BOWMAN ACT.

The "Bowman act" (March 3, 1883) was intended to relieve the overburdened committees in Congress by taking from them the labor of investigating in detail a great mass of claims; and perhaps, also, it was supposed that a more thorough and less *ex parte* examination would thus be secured, the United States being represented in the Court of Claims by the Department of Justice.

But, as prior experience might have suggested, it became chiefly a vehicle by which claimants and attorneys could carry into the Court of Claims a great number of already adjudicated cases, wholly or partially disallowed, against which the doors of the court had previously been closed.

These were largely claims under the act of July 4, 1864, for quartermaster's stores and commissary supplies taken for United States forces in the loyal States and Tennessee. Another class were claims partially or wholly disallowed by the so-called Southern Claims Commission.

It is not probable that the Bowman act was designed to afford to claimants this indirect appeal to the court; but such is its practical operation. By the process of presenting a petition to Congress, and having it referred to a committee, and by then procuring the committee to send it to the court, the desired end is reached.

For the examination of claims under the act of July 4, 1864, the Quartermaster's Department had in the field a corps of able and experienced agents who visited the localities where the claims accrued, and collected and collated a mass of information invaluable in the consideration of these claims.

Much of this information was obtained by the personal inquiry, inspection, and judgment of the several agents, and often they were largely aided by statements of persons who would not consent to give formal testimony against claims of their neighbors. These examinations were made in a period from twenty-eight to fourteen years ago, when the details were fresh in the memory of the witnesses, and no investigation at this late date could possibly secure a title of the information then accessible.

The examinations by the commissioners of claims were not only conducted in the same manner, but also by special commissioners in localities, and

they were made long ago, when information was in a large degree more accessible as well as reliable.

In the Court of Claims the reports made by the investigating agents and much of the testimony secured by them are not admitted in evidence. Substantially the proceedings there are *ex parte*, for in very few cases can counter evidence be secured by the Government at this late day, and a cross-examination which rests upon nothing beyond the chance of a claimant flagrantly contradicting himself, is a feeble check.

These claims were in apt time fully considered by tribunals specially constituted for the purpose, and peculiarly able to ascertain the facts and to deal out justice to both parties. An appeal from their findings after so great a lapse of time precludes reasonable probability of a fair ascertainment of the truth, and is contrary to the long-settled judicial as well as legislative policy. Its tendency necessarily is to give undue advantage to unscrupulous claimants and attorneys, and places the Government at a great disadvantage, and in effect accomplishes a complete reversal of the well-established policy of the Government in respect to claims growing out of the civil war.

For these reasons I respectfully recommend to the House of Representatives the propriety of repealing the act of Congress of March 3, 1883 (Statutes, volume 22, page 435), entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigations of claims and demands against the Government" (commonly known as "Bowman act"), and that claims referred to the Court of Claims thereunder be stricken from the docket of said court, and that the findings of said court on cases heretofore referred to them be treated as null and void, or, if that be deemed inadvisable under the circumstances, that a joint resolution be passed suspending the operations of said act until Congress can more fully investigate into its practical working and far-reaching and costly results.

Respectfully, yours,

CHARLES FOSTER, *Secretary.*

Mr. KILGORE. The statement which the gentleman has been reading in regard to these claims takes no account, as I understand, of forty or forty-five million dollars of claims arising under the law providing for payment for depredations committed by the Indians.

Mr. BURROWS. No sir.

Mr. KILGORE. I wish to ask another question—a legal question—whether the reference of these claims to the Court of Claims does not have the effect of removing the bar of the statute of limitations?

Mr. BURROWS. Undoubtedly.

In response to the same resolution to which I have referred, the Attorney-General of the United States made a reply, a copy of which I hold in my hand, which is very brief, and which, with permission of the committee, I will embody in my remarks. In estimating the cases pending before the Court of Claims he says: In reviewing the history of the reference of these cases it appears that up to January 17, 1893, there have been referred to the court 9,231 claims.

Hon. Benjamin H. Brewster, Attorney-General of the United States, in his annual report for 1884, says:

Under the act of March 3, 1883, the committees of the Senate have transmitted to the court 22 claims and the committees of the House of Representatives 317 claims, amounting in the aggregate to about \$4,000,000.

Hon. A. H. Garland, Attorney-General, in his annual report for 1885, said:

Under the act of March 3, 1883, committees of the Senate and House of Representatives have transmitted to the court 394 claims, amounting in the aggregate to about \$9,000,000.

In 1886 Mr. Garland further said: "During the last term 84 of these cases (after stating that they had referred 1,238 cases), amounting to \$765,000, were acted upon by the court and reported to Congress. Of this number 41 cases, aggregating about \$362,000, were dismissed for want of jurisdiction. There are now pending 1,140 cases, involving, in so far as can be ascertained from the petitions and other papers received, upwards of \$30,000,000."

In 1887 Attorney-General Garland further says: "There are now pending about 1,819 cases, involving, so far as can be ascertained, upwards of \$50,000,000."

In 1888 Mr. Garland says: "There are now pending 6,062 cases, involving the sum of \$250,000,000."

In 1889 he further reported: "There are now pending 6,417 cases, involving an allowance of \$350,000,000." The Attorney-General said further, that is, in 1890: "There are now pending 7,136 cases, involving, so far as can be ascertained, a sum aggregating \$400,000,000."

Mr. ENLOE. Who said that?

Mr. BURROWS. The Attorney-General, Mr. Miller.

Mr. ENLOE. And he said it aggregated what sum?

Mr. BURROWS. In 1889 Attorney-General Garland said these claims aggregated \$350,000,000.

In 1890 Attorney-General Miller stated that there were then pending in the Court of Claims 7,136 cases, involving, so far as could be ascertained, upwards of \$400,000,000.

Mr. SAYERS. That was the report of Attorney-General Miller?

Mr. BURROWS. Yes, sir.

Mr. SAYERS. Subsequent to that of Attorney-General Garland?

Mr. BURROWS. Yes.

These are the amounts, according to the statement of the Attorney-General, pending in the Court of Claims which, to-

gether with those in the various Departments, amounting to \$141,000,000 more, make in round numbers an aggregate of claims now pending in the Departments and before the Court of Claims of \$541,000,000.

I append here the communication from the Attorney-General covering these figures. They are as follows:

Letter from the Attorney-General, transmitting, pursuant to House resolution, dated January 16, 1893, information relating to claims growing out of the late war.

DEPARTMENT OF JUSTICE,
Washington, D. C., January 25, 1893.

SIR: I have the honor to make the following answer to the resolution of the House of Representatives, under date of January 16, 1893, "That the Secretaries of the Treasury, War, and Navy, and the Attorney-General, be directed to report to this House, with as little delay as possible, the number, amount, and particulars, including the place of origin, and whether presented by States or individuals, of claims growing either directly or indirectly out of the late war for the suppression of the rebellion, pending before said Departments respectively and the Court of Claims."

For reasons hereafter stated, I am at present able to give only a general answer. There are no claims pending in the Department of Justice proper, "growing either directly or indirectly out of the late war for the suppression of the rebellion." The only connection of the Department of Justice with such claims is their defense. The Court of Claims have the custody of all papers relating thereto transmitted under the Bowman act.

What are claims growing "directly" or "indirectly" out of the "late war for the suppression of the rebellion" is not determinable with accuracy. There are pending claims for stores and supplies taken and used by the Army of the United States. These are transmitted to the Court of Claims under the act of March 3, 1883, chapter 116, and commonly known as the "Bowman act." A suit for \$100,000 in gold alleged to have been seized by the Army of the United States has since the date of the resolution been tried. The claimants allege that the ownership was individual, while the defendant says it was the property of the late Confederate government.

The claim of the Chesapeake Female College of Virginia, involving a demand for \$100,000, is by act of Congress sent to the Court of Claims, with authority to give a judgment for the use and occupation of premises belonging to the claimant at the seat of war, although by the Bowman act a judgment is unauthorized, and a claim for compensation for such use and occupation is without the jurisdiction of the court. These claims may fairly represent a class growing directly out of the war.

To another class belong claims for refunding direct taxes under the act of March 2, 1891, of which large numbers have been transmitted by the Treasury Department under the provisions of section 1063, Revised Statutes, and also the claim of the State of New York to recover \$130,000 interest on bonds issued by that State to raise money to equip troops to assist in the suppression of the rebellion. The latter case is pending in the Supreme Court of the United States on an appeal by the defendant from a judgment in favor of the State of New York for \$91,320.81. These cases may be said to grow "indirectly" out of the war.

Jurisdiction over these various classes of claims is therefore acquired under the Bowman act, the Tucker act, and special acts of Congress.

In an exhibit to my report for 1892 it will be seen that on November 1, of that year, there were pending in the Court of Claims, transmitted under the Bowman act, 7,863 cases. Filed since November 1, 1892, to January 17, 1893, 4; total, 7,867; disposed of since November 1, 1892, 69; pending January 17, 1893, 7,804.

The following table shows the number of cases transmitted by Congress under the Bowman act heretofore:

1884	217
1885	177
1886	858
1887	786
1888	4,592
1889	632
1890	896
1891	405
1892	724
Since November 1, 1892, to January 17, 1893	4
Total number referred to the court	9,231
Total number pending January 17, 1893	7,804

The foregoing tabulation is made from the dockets of the Court of Claims. As seen, claims growing directly and indirectly out of the late war for the suppression of the rebellion are not confined to Bowman-act cases, nor are Bowman-act cases made up alone from war claims. Other matters are transmitted for investigation by Congress under the Bowman act and are included in the numbers given above. No attempt has heretofore been made to segregate from the number pending under the Bowman act such as are strictly war claims.

A reference to the annual reports of the Attorneys-General since 1884 may afford some information upon the subject of the methods adopted in estimating the sums claimed in cases transmitted under the Bowman act. Hon. Benjamin Brewster, Attorney-General, in his annual report for 1884, said:

"Under the act of March 3, 1883, chapter 116, committees of the Senate have transmitted to the courts 22 claims and committees of the House of Representatives 317 claims, amounting in the aggregate to about \$4,000,000."

Hon. A. H. Garland, Attorney-General, in his annual report for 1885, said:

"Under the act of March 3, 1883, chapter 116, committees of the Senate and House of Representatives have transmitted to the court 394 claims, amounting in the aggregate to about \$9,000,000."

In 1886 Mr. Garland, in his annual report, said:

"Under the act of March 3, 1883, known as the Bowman act, committees of the Senate and House of Representatives have transmitted to the court, to date, 1,238 cases. The amount claimed can not be accurately stated, but involves a very large sum."

"During the last term 84 of these cases, amounting to upward of \$764,000, were acted on by the court and reported to Congress. Of this number 41 cases, aggregating about \$362,000, were dismissed for want of jurisdiction."

"There are now pending 1,140 cases, involving, in so far as can be ascertained from the petitions and other papers received, upward of \$30,000,000."

In 1887, in his annual report, Mr. Garland said:

"Under the act of March 3, 1883, known as the Bowman act, there have been transmitted to the court to date 2,033 cases. The amount claimed can not be stated, but involves a very large sum."

"During the last term 147 of these cases, claiming about \$1,260,000, were acted on by the court and reported to Congress. Of this number 34 cases, aggregating upward of \$570,000, were dismissed for want of jurisdiction."

"In 63 cases the findings of the court were favorable to claimants, but for reduced amounts.

"There are now pending about 1,819 cases, involving, in so far as can be ascertained from the petitions and other papers received, upward of \$50,000,000."

In 1888 Mr. Garland, in his annual report for that year, said:

"Under the act of March 3, 1883, known as the Bowman act, there have been transmitted to the court to date 5,597 cases. The amount claimed can not be stated, but involves a very large sum.

"During the last term 278 cases, claiming about \$2,704,824.75, were acted on by the court and reported to Congress. Of this number 144 cases, claiming \$1,625,233.44, were dismissed.

"In 134 cases, claiming \$1,079,591.31, findings favorable to the claimants were filed by the court, so far as is shown by the findings, for \$337,930.13.

"There are now pending 6,062 cases, involving, so far as can be ascertained from the petitions and other papers received, upward of \$250,000,000."

It is not stated, except generally, upon what data Mr. Attorney-General Garland based these estimates, but as the earlier cases were tried under his administration, it is a reasonable presumption that the sums involved in such were assumed as fair criteria of the amounts involved in other pending cases. Whatever they may have been my reports have adopted substantially the same ratio.

In my annual report for 1889, I said:

"Under the act of March 3, 1883, known as the Bowman act, there have been transmitted to the court to date 7,232 cases. The amount claimed can not be stated, but involves a very large sum.

"During the last term 279 cases, claiming about \$1,488,752.49, were acted on by the court, and have been or will be reported to Congress. Of this number 161 cases, claiming \$780,796.04, were dismissed.

"In 118 cases, claiming \$707,956.45, findings favorable to the claimants were filed by the court, so far as is shown by the findings, for \$105,600.10.

"There are now pending 6,417 cases, involving, so far as can be ascertained from the petitions and other papers received, upwards of \$350,000,000."

In 1890 I said:

"Under the act of March 3, 1883, known as the Bowman act, there have been transmitted to the court to date 8,096 cases. The amount claimed can not be stated, but involves a very large sum.

"During the last term 144 cases, claiming about \$998,259.82, were acted on by the court, and have been or will be reported to Congress. Of this number 81 cases, claiming \$345,906.83, were dismissed.

"In 10 cases, claiming \$32,696.30, findings favorable to the defendant were filed by the court; and in 53 cases, claiming \$319,598.79, findings favorable to claimants were filed for \$103,444.29.

"There are now pending 7,136 cases, involving, so far as can be ascertained from petitions and other papers received, upward of \$400,000,000."

In this same report calling attention to the pay of the assistant attorneys in the Court of Claims (XXII), it is said: "The war claims alone now pending are about 8,000 in number, and estimated upon the basis of amount claimed in cases tried earlier in their history, will aggregate at least \$400,000,000."

In my annual report for 1891, exhibit 3, page 4, states the total number of cases "pending November 1, 1891, 7,393. The amount claimed can not be stated with accuracy, as in many instances no sum is mentioned in the petition. Former reports of the Attorney-General have estimated it as \$400,000,000." (Page 9.)

November 1, 1892, there were pending in the Court of Claims 475 more such claims than on November 1, 1891. I adopted the amount which had hitherto been assumed.

Every report of this Department has fully stated in connection with the estimated amounts of Bowman-act claims, the number of suits passed upon by the Court of Claims, the amounts claimed in the same, the amounts allowed and disallowed, so that the ratio of sums claimed to sums allowed has been at all times an easy matter of mathematical calculation. That the sums recovered have not been larger is not to be attributed to claimants and their witnesses. The extravagant claims in the cases transmitted under the Bowman act are ordinarily contended for in the testimony adduced by claimants.

From the foregoing résumé it will be seen that while there has been no pretense to state accurately the details or aggregate of these claims, in the later reports the amounts stated have rested upon substantially the same data and ratio as those of the earlier reports, especially the reports of my predecessor, in which the aggregate is placed at "upward of \$250,000,000." If this statement by him is erroneous, then those subsequently made are probably so for like reasons. If his statement is approximately correct, then the latter ones are.

The attention of Congress has been called to the number and assumed amounts claimed in Bowman act cases, not for the purpose of disparaging any particular class of claims, but to urge upon that body the necessity of providing the Department of Justice with assistants and money adequate to the proper defense of the Government against claims which, in any event as made, have assumed enormous proportions. The major part of the appropriation for the defense of cases in the Court of Claims is expended in war claims cases.

The resolution calls for the aggregate and "particulars" of the claims "including the place of origin, and whether presented by States or individuals." The amounts can not be stated with the accuracy required by the resolution, except by a detailed examination of the petitions filed in the Court of Claims. Nor can the origin, particulars, and the States of the claimants be found except by such examination. In this way alone can it be determined how many war claims are included in the Bowman act cases, and how many are pending by virtue of other sources of jurisdiction.

This will be attempted; but I have no warrant for saying it can be accomplished at an early date. To comply with this request fully will require the inspection of each of the 7,804 claims pending under the Bowman act, and also those transmitted by Departments and authorized by special acts of Congress. The original papers sent to the Court of Claims by Congress must be examined for particulars, and such papers are very numerous. To gain an intelligent understanding of the matter there ought also to be added like data respecting the cases already decided.

It may be stated generally, that by far the greater number of petitions filed in strictly war claims cases are in behalf of individuals. There are instances in which corporations, municipal, business, literary, and eleemosynary, have pending claims. I am not able without inspection to state the number filed by citizens from any particular State.

Very respectfully,

W. H. H. MILLER, *Attorney-General.*

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Mr. ENLOE. Will the gentleman allow me—

Mr. BURROWS. I wish my friend would not interrupt me further.

Mr. ENLOE. I am trying to get information.

Mr. BURROWS. I understand what the gentleman is trying

to do. If he has any answer to make he can make it in his own time afterwards. I am only reading from the official reports touching the pending of war claims in the several Departments of the Government.

Mr. ENLOE. I supposed, as the gentleman seems so full of information, he might also give us some on another point that I wanted to interrogate him about.

Mr. BURROWS. I am reading the reports of officials of general character, Democratic secretaries, and attorneys-general, and Republican attorneys-general showing the amount of these claims.

Now, Mr. Chairman, with this vast mass of claims against the Government aggregating \$541,000,000 pending in the various departments and in the Court of Claims, unless a halt be ordered in the presentation and allowance of these claims, as I said in the beginning, the Treasury of the United States can not possibly withstand the strain.

But not only this. If you will take up the Calendar of this House you will find on the Private Calendar 16 pages of claims reported from the various committees of the House and one-half of these pages—eight in number—are filled with reports from the Committee on War Claims.

I have been a little curious to ascertain just how many claims were pending before the Committee on War Claims. Sending for the bills introduced in the Fifty-third Congress, I find that there are now pending or have been introduced and referred to the Committee on War Claims during this Congress, 2,195 bills for all sorts of claims—horses, mules, cattle, rails, harness, bridles, rent of premises, cotton, supplies, and everything that the Union soldier may have taken by accident or destroyed. These are now pending before that committee and the House. I was also a little curious to ascertain how much these bills referred to the Committee on War Claims carried on their face, and upon a careful examination and computation, I find that the claims pending in this Congress aggregate the sum of \$35,318,284.35.

Mr. STALLINGS. Let me ask the gentleman how many have been allowed of these claims?

Mr. BURROWS. I do not know.

Mr. STALLINGS. None at all.

Mr. BURROWS. But I am speaking of those pending before the Committee on War Claims.

Mr. MEREDITH. Did the gentleman say this property was taken by accident?

Mr. BURROWS. That is what I said, facetiously of course.

Mr. MEREDITH. I thought the gentleman could not have been in earnest.

Mr. BURROWS. Now, these claims are pending before the Committee on War Claims. The gentleman asks how many of them have been allowed. I do not know, though the Calendar discloses that some two hundred have been favorably reported. The fact that they are presented is a menace to the Treasury and the Government, and I think the country should understand what is going on in the matter of presentation of war claims.

Mr. STONE of Kentucky. Now, Mr. Chairman—

Mr. BURROWS. I can not be interrupted. The State of Louisiana—

Mr. STONE of Kentucky. You would not dare to, just along there.

Mr. BURROWS. I accept the challenge of the gentleman, if it comes in at this point.

Mr. STONE of Kentucky. I thought you would. I should like to ask the gentleman if there is any way on earth by which these claims can be prevented from being pending?

Mr. BURROWS. I do not know of any way, except to turn the party out of power that presents them.

Mr. STONE of Kentucky. Well, Mr. Chairman, I want to ask another question.

Mr. BURROWS. What is the other question?

Mr. STONE of Kentucky. The Republican party was in power when the vast majority of these claims that were pending were referred to the Court of Claims. I want to begin with that statement. Now, if these claims are pending, and if there is no chance to prevent their being pending, or to prevent their being presented, no difference if there were a thousand millions of them at one time, will you admit or will you not admit that a court that has allowed less than 7 per cent of those already adjudicated is the proper place for them to be pending?

Mr. BURROWS. Well, I desire to say once for all to the gentleman, in reply to this whole matter, that if I had my way I would repeal the Bowman act to-morrow.

Mr. STONE of Kentucky. Repeal it, then, and you will get rid of these claims.

Mr. BURROWS. I would stop this reference of claims to the Court of Claims. I would strike the cases already referred from the calendar of the Court of Claims.

Mr. STONE of Kentucky. I am satisfied you would.
 Mr. BURROWS. I agree with the Attorney-General. I agree with Secretary Bristow and Secretary Manning that these claims ought to be barred.

Mr. STONE of Kentucky. I agree with that, too; but so long as they are not barred, answer my question, which is, whether the Court of Claims is not the proper place where they should be adjudicated and considered?

Mr. BURROWS. If Congress refers them to the Court of Claims then it is the tribunal authorized to consider them; but they ought not to be so referred, in my judgment. The presentation and consideration of this class of claims should cease.

Mr. STONE of Kentucky. But the fact exists there is a law by which they are referred, and if they are referred to a court authorized to investigate them, with all its machinery for conducting the investigation of these claims, will you not admit that that is the proper place for them to be pending?

Mr. BURROWS. I will admit that the law authorizes their reference to the Court of Claims, and the law having authorized it, they probably go to the Court of Claims if Congress shall see fit so to determine, but we are resisting the proposition to refer these claims to the Court of Claims.

Mr. STONE of Kentucky. For what reason?
 Mr. BURROWS. Because we believe they will not have a fair and proper hearing.

Mr. STONE of Kentucky. You do not believe the court will give them a fair and honest hearing?

Mr. BURROWS. I did not say fair and honest. I said fair and proper hearing. Now, Mr. Chairman, I object to being further interrupted. I wish to go on in the line of my argument.

Mr. STONE of Kentucky. If you can not stand the fire, I will withdraw.

Mr. BURROWS. Oh, the fire is very harmless.
 Mr. STONE of Kentucky. It may be harmless, but it is hot enough so that the gentleman can not stand it.

Mr. BURROWS. The object of the gentleman is to take me away from the consideration of these claims pending before the Committee on War Claims, and I do not propose to be further diverted. Of these claims presented there comes from the State of Louisiana a claim for \$4,314,879.91. The State of Mississippi asks to have paid to her citizens \$3,357,337.90.

Mr. ENLOE. Will the gentleman yield—
 Mr. BURROWS. I will not. I think I can state these figures without the assistance of the gentleman from Tennessee.

Mr. ENLOE. The gentleman might be polite. I wish to know of the gentleman what he is reading from? I have a right to ask him what he is reading from, and if he is a gentleman he will answer.

Mr. BURROWS. Every member of the House understands perfectly well what I am reading from. I stated that of the amounts pending before the Committee on War Claims in this Congress certain sums were demanded by the citizens of certain States, as follows:

Louisiana.....	\$4,314,879.91
Mississippi.....	3,357,337.90
Tennessee.....	3,162,186.16
Virginia.....	1,895,893.72
Alabama.....	1,653,520.00
Arkansas.....	1,334,260.62
South Carolina.....	1,175,017.21
Kentucky.....	871,944.70
Maryland.....	636,435.74
Georgia.....	257,583.28
Missouri.....	213,966.64
North Carolina.....	174,618.68
West Virginia.....	103,478.80
Florida.....	92,655.00
Texas.....	27,066.46
Total.....	19,291,874.82

Add this to the \$540,000,000 pending in the various Departments and in the Court of Claims, and you have the enormous aggregate of the demands on the public Treasury.

Mr. COOPER of Texas. I would like to know what States the other claims come from. What is the amount of the claim of the State of Pennsylvania?

Mr. BUNN. I would like to ask the gentleman a question, for information.

Mr. BURROWS. Certainly.
 I would state to the gentleman who asked the question where the other claims came from, the claims above mentioned are for property destroyed or taken, the use of buildings, occupancy of churches, and claims of that sort in the States which were in rebellion against the Government.

Mr. BUNN. That is not the States themselves, but the individuals.

Mr. BURROWS. For individuals residing in the States. Now, some gentleman asked me about the claims from the other

States. California is claiming—I do not know that it grows out of the war—an amount aggregating over \$6,000,000, part of it, I think, for expenses for Indian wars.

Mr. HERMANN. Not exceeding \$3,500,000.
 Mr. BURROWS. The whole amount of the claim is \$6,403,000, a part of it for Indian wars or claims arising out of Indian wars.

Mr. COOPER of Texas. What about Pennsylvania?

Mr. BURROWS. Pennsylvania presents a claim for something over \$4,000,000, a large part of which is for damages resulting from the invasion of the State by the Confederate forces. The aggregate of all the claims pending before the committee is \$36,000,000.

Mr. COOPER of Texas. Where do they come from?

Mr. BURROWS. What all these claims are for I do not know. The other claims I alluded to are claims for property, claimed to have been destroyed, belonging to loyal citizens in Louisiana, Texas, Mississippi, and other Southern States, aggregating about \$20,000,000.

Now, in addition to this, Mr. Chairman, I desire to say that of these 2,192 claims pending before the Committee on Claims, 124 of the bills do not state any amount, but they simply refer the demand to the Court of Claims with authority to examine and adjudicate the matter therein named; and, therefore, what these bills carry or what expenditure they involve can not be accurately ascertained. Eleven of the bills authorize a settlement by the Quartermaster's Department without stating the amount involved, and 24 bills confer upon the Treasury Department the authority to adjudicate and pay the amount found due without indicating the sum involved.

Now, I have alluded to this, Mr. Chairman, solely for the purpose of calling attention to the fact that the presentation of these claims in the various Departments, in the Court of Claims, before committees, aggregating such an enormous amount, ought to fill this House and the country with alarm; and the only way to meet it is to meet it as Secretary Manning said it should be met, and other Secretaries have said it should be met, by enforcing the statute of limitations, and put an end to all these claims, unless you desire to expose the Treasury of the United States to complete bankruptcy. I have stated this much solely, as I have said, for the purpose of presenting the actual condition, so far as these claims are concerned; and I am gratified to observe a spirit on the other side of the House, with some at least, to resist the passage of these claims. And I trust, Mr. Chairman, that the House will vote down the proposition now pending to report favorably a resolution referring thirty-seven claims to the Court of Claims with authority to find the amount due and report it to the House, carrying as it does \$1,040,000. I believe the resolution should be defeated, and will be defeated, in the interest of deserving claimants and the public Treasury. [Applause on the Republican side.]

Mr. STOCKDALE. I would like to ask the gentleman from Michigan a question before he takes his seat.

Mr. ENLOE. I have heard the gentleman from Mich—

Mr. STOCKDALE. I was asking the gentleman from Michigan a question.

Mr. ENLOE. I believe I have the floor.

Mr. STOCKDALE. I would rather hear the gentleman from Michigan than the gentleman from Tennessee right now. [Laughter.]

The CHAIRMAN. The gentleman from Tennessee has the floor.

Mr. ENLOE. I will yield to the gentleman.

Mr. LIVINGSTON. There is one thing I would like the gentleman from Michigan to explain, if the gentleman from Tennessee will permit me. There have been some sneers thrown on these claimants, on the ground that they were loyal claimants. I want the gentleman to answer this question—if that was not one of the grounds on which the war of the rebellion was predicated, that the United States forces should protect the loyal people of the South?

Mr. ENLOE. That question, Mr. Chairman, answers itself. So far as the speech of the gentleman who has just taken his seat is concerned it is not a new speech in this House, but he is making it to a new House. [Laughter.] He has been making that speech here, to my knowledge, before this, and he manifests on every occasion the same disposition to cover himself up in sensational generalities and prevent the exposure of his lack of knowledge on the subject.

Mr. BURROWS. Will the gentleman allow me to correct him?

Mr. ENLOE. No, sir; I decline to allow the gentleman to interrupt me; he declined to allow me to interrupt him.

Mr. BURROWS. I yielded to the gentleman once or twice. I wanted to say that the statement was not true.

Mr. ENLOE. Yes, and the gentleman might say that very frequently, but that would not make his statement true, and if

it came to a question of veracity between myself and the gentleman I suppose mine would stand quite as well as his.

Mr. BURROWS. Yes; but that I have discussed this matter before is not true.

Mr. ENLOE. You discussed it in the last Congress.

Mr. BURROWS. I did not.

Mr. ENLOE. And you defeated in the last Congress a bill to pay the judgments of the Court of Claims.

Mr. BURROWS. I did not.

Mr. ENLOE. And the gentleman pretended a spirit of fairness in respect to the claims passed on by the court and said to a number of gentlemen—I believe I can establish the fact if it becomes necessary—that he would inquire into the cases and let the bill pass if they had been properly passed upon by the Court of Claims, and the bill to pay those claims was laid aside and delayed from time to time at the last session to give him an opportunity to see what campaign material he could dig up from this source, and he expended all the ingenuity and ability which he possessed in order to make campaign material out of it, and that is his object to-day.

Then, when he had got the information that those claims were just claims and ought to be paid, and when there was a vote in the House to pass the bill under suspension of the rules, a great majority of the House voted to pass it, but the gentleman from Michigan did not vote to pass that bill, even after he had investigated and found that the court had properly allowed the claims included in it.

Mr. BURROWS. That is all assumption on your part.

Mr. ENLOE. It is a fact. Now, Mr. Chairman, so far as the statement which the gentleman has made here in regard to these claims is concerned, there never has been a more prejudiced or unfair statement made in regard to any class of claims before Congress than that which he has made here to-day. I exposed once before, as I propose to expose now, the falsity of the statement that there are \$400,000,000 of war claims pending before the Court of Claims. I know that that was a familiar campaign cry of the Republican party in the last campaign, and it is the purpose of the gentleman to-day to start it again.

That is the purpose of the misrepresentation that is indulged in here to-day. He makes this speech so that he and his partisans may go to the country and make political capital at the expense of the men who were loyal to the Government in the Southern States during the war. The gentleman from Michigan sneers at the idea that there were loyal people in the South. He refers sneeringly to the number of claims pending here from the State of Tennessee, and yet, sir, the State of Tennessee furnished thirty-seven regiments of Federal soldiers to fight for the Union during that struggle—eight more than Michigan furnished.

Tennessee was a theater of war. It was a close vote in Tennessee on the question of secession at the time the State seceded from the Union, and there were large numbers of people in different portions of that State who were loyal to the Government throughout the war, and they were loyal at an expense which the gentleman from Michigan and his constituents did not have to incur, and I doubt whether he and his friends under like conditions would have stood the test so well.

The gentleman has quoted here from the speech of the late Senator Spooner, of Wisconsin. We had this question up in 1888 and we had it up in 1890, when the gentleman from Wisconsin [Mr. Spooner] was in the Senate. At that time Mr. Thomas, of Wisconsin, was chairman of the Committee on War Claims in this House, and he and Mr. Spooner did the work then that is being done now by the gentleman from Michigan. They paraded before Congress and the country false statements for the purpose of defeating these claims, false representations as to the amount of claims pending and the character of the claimants, and held up the idea that these claims were going to bankrupt the Government unless something was done to defeat them. They were both defeated at the next election.

In the Fifty-first Congress we passed a bill through the House after a long debate appropriating a little over \$500,000 to pay the judgments of the Court of Claims in these cases, and that is about all that has ever been paid in the eleven years that the Bowman act has been on the statute books. In all those years that is the only considerable amount appropriated by Congress to pay these claims, and that was appropriated by a Republican Congress. I was a member of the Committee on War Claims at that time and I came here and defended the Court of Claims, that Republican court which the gentleman from Michigan assails to-day.

Why, sir, the gentleman seems to have lost confidence in a court that is made up of his own political faith, and he blames the Republican Congresses that have referred these claims in the past to that court, for the Republican party is responsible for the pendency of these claims to-day. But the gentleman is

unwilling that loyal citizens living in the Southern States who, before they can take one step in the establishment of their claims, must show that they were loyal throughout the war—he is unwilling that they shall have an opportunity to prove their loyalty or to establish their claims. He wants to deny them the right to go into a court of justice, a Republican tribunal, and when they do go there and the court gives judgment in their favor and they come to this House for payment, he wants to repudiate the claims and refuse to pay them.

Now, as to the possibility of these claims bankrupting the Treasury, as alleged by the gentleman from Michigan, it was shown in that discussion in the Fifty-first Congress that of five or six million dollars of these claims passed upon by the Court of Claims only about 8 per cent were allowed. The fact was developed in that investigation that out of five or six million dollars of claims only \$500,000 were allowed by the court, and that is about all that has been paid on the findings of the Court of Claims under the Bowman act.

There are about \$800,000 of these findings pending before Congress now, and there have been disallowed I suppose at least \$8,000,000 at the same time. I think it would be safe to say that one-tenth of the total of claims adjudicated was not allowed. It is alleged here, upon the authority of Attorney-General Garland, that there were \$350,000,000 of these claims pending before the Court of Claims. I assert that neither Attorney-General Garland nor any other Attorney-General had at that time ever investigated that question to find out just what amount of these claims were pending before the Court of Claims. That was an offhand estimate made by some subordinate in the Department.

Mr. Cotton, late Assistant Attorney-General, took up the matter, and repeating statements which had been made before, increased the supposed amount of these claims to \$400,000,000. President Harrison put that statement in his message as campaign material, asserting that there were \$100,000,000 of these claims. Attorney-General Miller put it in his report. The gentleman from Michigan, and other Republican leaders, repeated it here; and it went from here and was repeated on every stump throughout the country that there were \$400,000,000 of Southern war claims pending in the Court of Claims.

A resolution was introduced by the gentleman from Michigan himself and adopted by the House, calling upon the Attorney-General to substantiate the statements which had been made on this subject. The Attorney-General could not do it; and he sent back a general statement, a contemptible evasion, which the gentleman from Michigan has quoted, giving no idea of the amount of the claims actually pending. The present Attorney-General has been conducting or continuing that investigation, and I understand that, so far as it has gone, it will show that at the same rate of per cent which the court has been allowing in these claims, it will not take two million and a half of dollars to pay every war claim pending before the court.

Mr. BUNN. Will the gentleman yield to me a moment?

Mr. ENLOE. Certainly.

Mr. BUNN. I wish to say that the investigation to which the gentleman has just referred has been made very thoroughly; and I have here the result in exact figures.

Mr. ENLOE. I am glad to hear that; I telegraphed to the Department for the information since the gentleman from Michigan [Mr. BURROWS] began his speech.

Mr. BUNN. I have the information here in a document dated May 4, 1894. I wish to give the figures for the benefit of the gentleman from Michigan. The total amount of the war claims now pending in the Court of Claims is \$25,183,455.

Mr. ENLOE. I hope the gentleman from Michigan [Mr. BURROWS] will put that down.

Mr. BUNN. This is the information contained in the letter I have here, signed by Mr. Dodge, Assistant Attorney-General.

Mr. COOMBS. That is the amount of unadjudicated claims?

Mr. BUNN. Yes, sir. The claims which have been adjudicated in that court amount to \$15,283,267. The amount of claims allowed, \$2,239,313. I ask the attention of the committee to this letter, which I propose to have read at the desk.

This investigation at my request has been going on for months; and this is the answer just received. It embodies the result of an actual examination of these claims, and is signed, as I have said, by Mr. Dodge, Assistant Attorney-General. This paper shows the result of the first real investigation which has been had looking to the petitions themselves and the causes as actually pending. Previous statements on this subject have been merely estimates by various men. In this paper we have the figures as shown by actual examination.

Mr. ENLOE. I am very glad that the gentleman has this information, and I will ask that the letter go in the RECORD at this point.

Mr. BUNN. I ask that the letter which I send to the desk be read.

The Clerk read as follows:

DEPARTMENT OF JUSTICE, Washington, D. C., May 4, 1894.

SIR: Replying to your communication of March 24, 1894, requesting information as to the number and aggregate of claims known as war claims referred to the Court of Claims under what is known as the Bowman act, approved March 3, 1883, also the number and amount of such claims decided by the court, and the number and amount of those still pending; and construing the expression "war claims" in accordance with resolution adopted by the Fifty-second Congress as meaning claims growing directly or indirectly out of the late war for the suppression of the rebellion, permit me to say that 2,150 claims of this description have been referred by Congress to the Court of Claims under said act, the aggregate whereof is about \$35,000,000.

Of these, about 2,039 claims have been disposed of, aggregating as face of claims the sum of \$15,233,267, the amounts found due by the court thereon aggregating \$2,239,313.

There remain pending in court 7,106 claims of this character, which aggregate upon their face the sum of \$22,420,895.

In addition to the foregoing, suits are pending within either the general jurisdiction or jurisdiction conferred by special acts of Congress, based upon claims either directly or indirectly growing out of said war, the aggregate whereof, as stated by the petitions, is the sum of \$2,762,650, thus making the total amount of war claims pending in both jurisdictions \$25,183,455.

This computation of the number and amount of claims disposed of is based upon the previous annual reports of Attorneys-General, and some slight measure of duplication or inaccuracy may exist therein. The statement of the number and amount of claims pending is given as the result of actual examination of those claims.

Very respectfully,

J. E. DODGE,
Assistant Attorney-General.

Hon. B. H. BUNN,
Chairman Committee on Claims,
House of Representatives.

Mr. ENLOE. Mr. Chairman, it is a very great pity that the gentleman from North Carolina [Mr. BUNN] should have brought this information into this discussion at this particular time, because it will deprive the gentleman from Michigan of a great deal of employment which has been very congenial to him heretofore. He will not be able again to get up in this House and make the statement which he has repeated here from time to time as to the amount of these claims. He will no longer be able to parade this statement in order to terrify his constituents with the idea that the Democratic party is about to bankrupt the Treasury by the payment of war claims.

I will not assume that the gentleman from Michigan knew of the existence of this information; but I must presume that he investigates before he talks. He has had the reputation of being a very accurate man in his statements. He has heretofore paraded everything that the Department of Justice had to say, everything that the Treasury Department had to say, and to-day he has quoted from a former Attorney-General to show the amount of these claims.

But by some strange coincidence it appears that he dared not, or at least neglected to inquire what had been done under his own resolution to ascertain the truth in regard to the matter. Unfortunate omission! It would have defeated his purpose to have inquired: it would have destroyed his campaign material; it would have let the wind out of the bladder on which the gentleman has been floating so long, and of course he would not be willing to do that just in advance of a political campaign.

Mr. Chairman, he has made a statement here in regard to the amount of these claims pending before the Treasury Department (that was furnished, too, by Secretary Foster in response to the gentleman's resolution in the Fifty-second Congress), and he referred to the cotton tax in that connection. Now, the cotton tax, Mr. Chairman, is a claim pending before Congress, and I believe it to be just, and that it ought to be paid. But this claim does not rest on the same footing as the class of claims against which the gentleman has been inveighing. It is a legal question as to whether or not this cotton tax was legally collected from the Southern people.

The Supreme Court of the United States divided equally on the question in a test case which was appealed from a lower court, and the claimants therefore failed to establish their right in that court. But notwithstanding that fact, I believe these claims are legal, just, and equitable, and that the \$63,000,000 taken from the Southern people by that tax, every dollar of it, should be returned to them. That they are legal and just claims is not a reason why they should be paid, to the mind of the gentleman from Michigan, and those who adopt the same views that he entertains. The very fact that they come from the South, or that the money would go to the people of the Southern States, would be a sufficient reason in the mind of the gentleman from Michigan why the Government should not appropriate a dollar for that purpose, law or no law.

Then we come to the other claims pending before the Treasury Department to which the gentleman referred. Contractors who built vessels for the Government to carry on the war have claims pending against the Government, and these are claims growing out of the war. They are Northern war claims. We have the Sibley tent claim, involving a question of the in-

fringement of a patent by the United States Government; we have the Woodbridge gun case and numberless cases of that character, which are not Southern war claims at all, but which are pending before the Treasury Department and are embraced in the sum of \$140,000,000 that the gentleman gave as the amount due to the Southern States or claimed by them and pending before that Department.

There is also "the captured and abandoned property fund," which is a part of it. That is the proceeds of property which was taken from the Southern people and sold by the Government and the money covered into the Treasury of the United States. The Government has since recognized the legal right of those people to that money, and some of it has been distributed. Congress passed an act providing for its distribution, under which a considerable portion was paid out and distributed. But that act expired before it was all distributed, and since that time numbers of other claims where the evidence was lost or could not be reached in time have been filed, and probably \$20,000,000 of these claims belong to this class. Of course they can not be paid in full.

Mr. SHELL. It is a trust fund.

Mr. ENLOE. And as the gentleman suggests, it is held in the Treasury as a trust fund. Certainly it has been so held and regarded, but the claimants to this fund can not receive any more than their pro rata share of it when it is distributed. That is all that can be paid on that account. That is the extent of the injury on that account to the General Government, if the gentleman from Michigan so regards it. He has contracted the habit of believing that he and his constituents have obtained a vested right to every dollar that goes into the Treasury whether it is there legally or otherwise.

The gentleman has also shown a sample of his sense of fairness, honesty, and justice in the discussion of this question by referring to the claims pending before the House. He took up every claim coming from a Southern State, and he could tell you exactly when it was filed and what amount it was. But when some gentleman asked him about the California claim, involving five or six million dollars, he did not know anything whatever about it! When a gentleman asked him about the Pennsylvania claim, involving three or four million dollars, one of the oldest on the Calendar, the gentleman knew nothing about it. That is a Northern war claim, and the gentleman is less intelligent than I supposed or believe him to be if he does not know that it is a war claim.

But he seemed not to know it. He is like a witness on the stand who is unwilling to testify except in a certain direction. He answers swiftly in the way he wants the case to go, but when you ask him a question that may defeat his object in testifying, his memory fails him, he does not know anything about it, and is unable to answer. That is the attitude of the gentleman from Michigan in regard to this three and a half million war claim from the State of Pennsylvania, a claim which has been pending before Congress, I suspect, ever since the gentleman from Michigan has been a member of this body.

Mr. BUNN. And is one of the war claims referred to.

Mr. ENLOE. Of course.

Mr. HOPKINS of Illinois. It will never get through the House.

Mr. ENLOE. No, sir; I suppose it will not. I would be willing to guarantee, if it were a just claim coming from a Southern State, it would not get through. I think possibly there may come a Congress after awhile that will pay the judgments of the Court of Claims. I think that probable. It may be a Republican Congress.

That is the only kind of a Congress that has ever paid a judgment of the court. I find some gentlemen on this side of the House as hostile to the payment of the judgments of the Court of Claims to loyal citizens of the South as even the gentleman from Michigan. They give little heed to the judgments of the tribunal which is established and clothed with authority to investigate these claims—

Mr. LIVINGSTON. At an expense of \$25,000 a year.

Mr. ENLOE. Yes, and we are ourselves judges to settle the question whether we will pass the claims after they have been investigated, and after the claimants have proven their loyalty and the justice of their claims. We have created a court, we have provided assistant counsel to the Attorney-General to protect the interests and rights of the Government, who go over the country at an expense of \$10 a day, and appear in behalf of the Government, cross-examine claimants' witnesses and take proof on the other side, and by that means defeat 92 per cent of the claims presented, but when claimants establish their right to the other 8 per cent they are told by Congress "we want you to understand the fact that you live in the South, and for that reason you have little reason to expect any relief at the hands of Congress, especially from the Republican party," and, Mr.

Chairman, I am afraid at the hands of a good part of the Democratic party too, when it comes to making an appropriation.

Mr. Chairman, since I have been a member of this House, I have tried to do justice to every class of claimants. I have never attempted to defeat a just and honest claim, and I have never supported a dishonest one if I knew it, and I thank God that I am not constructed on that narrow principle which would limit my view of right and justice to the confines of the Congressional district I represent, or to the State from which I happen to hail.

In this House I have seen many gentlemen who posed as economists, regardless of the principles of right and justice, men who would have it understood that they kept a sleepless eye on the door of the Treasury. I have seen the same gentlemen vote for questionable appropriations for their own States and their own districts, but when it came to voting for just claims to other States and other districts, the same gentlemen have stood up here and paraded before the country as economists and watchdogs of the Treasury. I wish we could kill off that breed of deceitful dogs. [Laughter.]

Mr. REED. Mr. Chairman, I would suggest, if the gentleman will permit me, that the gentleman from Indiana is not now present. [Laughter.]

Mr. ENLOE. Well, the gentleman from Indiana can take care of himself.

Mr. McLAURIN. The gentleman from Maine is present, and he will do. [Laughter.]

Mr. REED. The gentleman ought not to attack the gentleman from Indiana in his absence.

Mr. ENLOE. I want to say that I had no special reference to the gentleman from Indiana. I have seen quite a number of dogs here of that character, if you will excuse the common comparison. I have seen big dogs and little dogs, and dogs of every degree, who were false watchdogs of the Treasury. They never bark at those who feed them.

Mr. SPRINGER. Mr. Chairman—

Mr. BURROWS. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Michigan [Mr. BURROWS] desire to use his unoccupied time? The gentleman has fifteen minutes.

Mr. BURROWS. I should like to use that time.

Mr. SPRINGER. I wish to make a statement in regard to the remarks of the gentleman from Michigan, as to the number of claims that have been introduced into this Congress. Perhaps he may wish to reply to what I have to say. I wish to say that this is a very unfair way of stating the question.

If the gentleman will refer to the records of the Fifty-first Congress, the last Congress over which a Republican Speaker presided, he will find that these same bills were introduced in that Congress, and they were referred to the Committee on War Claims to be considered. It is no evidence of an intention to pass bills that they are introduced. The gentleman has been a member of the House for a great many years and these claims are familiar to him. They have been introduced perhaps in nearly every Congress for the last twenty-five years, in Republican Congresses the same as Democratic Congresses, and it is misleading to state that these bills are pending in this Democratic House, and to leave the inference that we are about to pass them and bankrupt the Treasury.

There is no more probability of their being passed now than there was in the Fifty-first Congress, or the Forty-first Congress, or any Congress since the war up to 1875, when the Democratic party regained its power in this House. There is no more probability of it. The gentleman knows very well that these claims are not worth one cent on the hundred dollars—these claims to which he has referred, and with which he desires to alarm the country, as to the extravagance of this House.

Mr. STOCKDALE. I should like to ask the gentleman from Illinois a question. I am not interested in these claims at all, but the statement the gentleman from Illinois makes to the gentleman from Michigan is that these claims are not worth a cent on the hundred dollars. These claims are, as I understand them, claims for cotton, in cases where the Government sold the cotton and got the money, and put it into the Treasury, and where the Supreme Court of the United States has decided that it does not belong to the Government, but that it is a trust fund. Now, will the gentleman say those claims are not worth a cent on the hundred dollars?

Mr. SPRINGER. I was not referring to those claims at all, but I was referring to the two, three, four, or five hundred millions of dollars of claims, to which the gentleman from Michigan had reference in his remarks, as pending in this Congress.

I want to say further in regard to these claims, that under the law, under the rulings of the court, every person who obtains a judgment or has obtained a vote of Congress for the purpose of allowing his case, must first prove his loyalty to the Govern-

ment during the war, and that the insinuations thrown out by gentlemen upon the other side, that we are allowing rebel claims or claims of those who were in arms against the Government of the United States, has no foundation in fact. These people, coming here all through these years, have offered to prove that during the whole of the war they were loyal to the Government of the United States, and if so their residence in Tennessee ought to be no bar against them.

The people who lived in Massachusetts and Michigan who had claims against the Government and were loyal to the Government have long since had their hearings and have had their cases adjudicated and allowed. In the Forty-seventh Congress there were \$500,000 worth of claims allowed in one bill, and several special cases were allowed and settled in the Court of Claims in which cases judgments have since been allowed by that court and some of them paid, to the amount of several hundred thousand dollars, notably the gunboat claims, which were vetoed by President Grant, vetoed by President Cleveland, and afterwards passed in the Fifty-first Congress and approved by President Harrison.

These were war claims, and if you examine the records since the war you will find that claims aggregating a larger amount of dollars have been allowed by Republican Congresses than by Democratic Congresses.

Mr. BUNN. And paid to Northern men.

Mr. SPRINGER. More claims of this kind have been allowed; and I defy gentlemen to point to a case in the records of the court or in the records of Congress where a man was allowed a dollar for a war claim where he did not prove that during the whole war he was loyal to the Government of the United States. Therefore it is unjust to make a partisan issue of these claims. It is not based upon truth, but upon a partisan desire to alarm the country by holding up a scarecrow, a man of buckram, things that do not exist, and endeavor to make believe that they exist here. To make the people believe that they can not trust a Democratic Congress with the Treasury of the United States. I have always felt, Mr. Chairman, more safe when the Democrats were in power in this House in regard to claims of this kind than I do when the Republicans are in power. The Republican Congresses since the war have been more lavish in allowing these claims than has any Congress where the majority of this House was Democratic.

Now, to come to the bill before the House. This bill refers certain claims to the Court of Claims to find the amounts due and report the same to Congress.

Of course that is not an adjudication. It is simply an inquiry as to the facts. I think the gentleman, probably inadvertently, and I am sure he would not object to the change, would add "under the Bowman act," requiring them to report as to whether the claimants were loyal during the war.

Mr. COX. You have to report that the first thing.

Mr. SPRINGER. That is the very beginning.

Mr. COX. If the gentleman will allow me, the very first inquiry is as to the loyalty of the party.

Mr. SPRINGER. That is what the law requires.

Mr. COX. And if it is not ascertained affirmatively then you can go no farther.

Mr. SPRINGER. That is what I was stating. That is what the law requires; and if the gentleman had added, "under the Bowman act," that would be better. Of course the court would assume that that was to be done, and the gentleman undoubtedly intended that it should be so, and if so, it only sends the claims there for an inquiry, first, into the fact of the loyalty of the claimant, and, secondly, as to the amount that would be due. That is what we are doing all the time; and if they are to be allowed at all they should not be considered here until the Court of Claims has found on those facts in a judicial way, where witnesses can be introduced for and against, and the questions can be determined as we determine facts in courts of law.

Mr. SAYERS. Will the gentleman yield to me for a question?

Mr. SPRINGER. Certainly.

Mr. SAYERS. Mr. Chairman, I hold in my hand the thirty-seven bills which are embraced in this resolution, and they carry a sum total of \$1,040,000. I will ask the gentleman from Illinois, who seems to be anxious that this resolution should pass, and that these bills should be referred to the Court of Claims for the purpose of a finding as to the amount of the claims, and also as to the loyalty of the claimants, whether or not, if the court should report findings favorable to the claimants, will he say, right here and now, that if such should be the findings of the court, that he would vote for the payment of these claims?

Mr. SPRINGER. That would depend upon each case by itself.

Mr. SAYERS. No, sir. If you send these claims to the Court

of Claims, and if you say that it is for that court to adjudicate as to the loyalty of the claimant and as to the amount due, then you are bound by the forum to which you send them for adjudication. Now, Mr. Chairman, I do not know the gentlemen who compose the Court of Claims. I have never seen one of them to know him; but from my experience in Congress, and for eight years on the Committee on Appropriations, if they should report the facts in favor of these claimants I should not vote for the payment of their findings.

Mr. BUNN. Then you ought to abolish the court.

Mr. SAYERS. I would abolish the court to-morrow if I could.

Mr. STOCKDALE. If these claims are honest claims, and I do not know whether they are honest or not, then you would oppose them on account of the amount?

Mr. SAYERS. I will state to the gentleman very frankly when he comes to the question of loyalty of the cotton States of this Union during the war, the open and avowed loyalists could, as an average, be counted on the five fingers in the different communities of those States.

Mr. STOCKDALE. That is not the question.

Mr. SAYERS. Yes, it is. It has been near thirty years since the civil war ended, and since the things complained of occurred, and it is not always difficult, as we all know, to establish proof at this late date.

Mr. STOCKDALE. But suppose they are honest claims, would you refuse to pay them because you are on the Committee on Appropriations? [Laughter.]

Mr. SAYERS. No, sir. But it is my belief, founded on observation, that in the cotton States of this Union which were engaged in the war against the Federal Government from 1860 to 1865, there were not on an average more than five men to the community who were loyal to the Union during the entire time and openly refusing aid and comfort to the soldiers of the Confederacy.

Mr. COOPER of Texas. How many regiments did Texas furnish to the Federal Army?

Mr. SAYERS. Texas furnished less than two thousand men.

Mr. LACEY. And most of them black.

A MEMBER. Not any of them black.

Mr. SAYERS. I happened to be in that war myself, and will answer the question. [Laughter.] Two-thirds of those men were gathered upon the Rio Grande border. That is where Gen. Davis raised his regiments.

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] yielded to the gentleman from Texas, and now the gentleman from Texas is yielding to half a dozen other gentlemen. [Laughter.]

Mr. SAYERS. I am not yielding at all except to answer questions.

Mr. SPRINGER. I was endeavoring, without being rude, to get the floor back. [Laughter.]

Mr. SAYERS. I will let the gentleman have as much time as he wants. [Laughter.]

Mr. BARTLETT. I should like to ask the gentleman from Texas a question.

Mr. SAYERS. Certainly.

The CHAIRMAN. The gentleman from Texas has not got the floor, except as the gentleman from Illinois has yielded to him.

Mr. SAYERS. The gentleman from Illinois allows me to have the floor.

Mr. SPRINGER. I did not intend to yield the floor, except for a question from the gentleman from Texas. [Laughter.]

Mr. BARTLETT. I wish to ask the gentleman from Texas this question: When this issue of loyalty or disloyalty comes up before the Court of Claims, does the gentleman know of any instance in which the United States Government attorney has been able to produce proof of disloyalty? Is it not a fact that no such evidence is ever offered?

Mr. ENLOE. Let me answer that question?

Mr. SAYERS. No; I will answer it myself.

Mr. ENLOE. Then answer it correctly. [Laughter.]

Mr. SAYERS. I will.

Mr. BARTLETT. My understanding is that the loyalty is perfunctorily proven, that there is no issue really raised, no evidence of disloyalty submitted.

Mr. ENLOE. I suppose the gentleman got that information in New York. He certainly did not get it from those who know anything about it. The fact is, the Government attorney goes to the place where the claim originates, the witnesses for the claimant appear before a United States commissioner, and the Government attorney hunts up and brings witnesses to disprove the statements made in support of the loyalty of the claimant. There is no difficulty at all about doing it, and in fact it is done in nine out of every ten cases that are examined.

Mr. SAYERS. Now, Mr. Chairman, I wish also to say—

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] is entitled to the floor.

Mr. SPRINGER. Mr. Chairman, the gentleman from Texas assumed that I was in favor of paying these claims in the event that the Court of Claims reported the amounts due.

Mr. SAYERS. And provided the claimants were loyal?

Mr. SPRINGER. And provided they were loyal.

Mr. SAYERS. Well, you ought to be in favor of paying them when the court passes upon them favorably after you have referred them to that tribunal.

Mr. SPRINGER. My answer to that is this: In cases where damage was done to property, or where property was destroyed in the ordinary operations of war, I am opposed and I should always be opposed to making payment, no matter whether the claimant were loyal or disloyal. No government in the world has ever adopted the policy of paying for damages arising from the ordinary contingencies of war.

I have opposed such payments always. So far as I am concerned, I have adopted the rule of voting to pay claims where supplies were taken and used for the support of the Army—taken regularly, by order of the commanding officers, in the due course of army operations, for the support of the Army. Where supplies were taken under such circumstances and it is shown that the claimant was loyal, I have voted to pay claims; but in the other cases to which I have referred I have regarded the loss of property as a part of the fortunes of war, and have always opposed payment.

Mr. SAYERS. Now, with all due respect for the gentleman from Illinois, I think he has been "blowing hot and cold" on this question. [Laughter.] If he will allow his remarks, just as they have been delivered, to go into the RECORD, no person who may read them will doubt that he is committed directly to the payment of these claims, should the finding of the court be in favor of the loyalty of the claimants, and for any amount.

I do not reflect at all upon the gentleman who introduced these bills. No doubt it was his duty as a Representative from his district to introduce them. What I have to say can not possibly be construed as implying any disrespect to him. But what is the case before us? We have thirty-seven bills aggregating \$1,040,000, all coming, I understand, from a single district in one State. And it is passing strange to me—I say it with the utmost respect to the Committee on War Claims—that they should have singled out thirty-seven bills calling for more than a million of dollars and introduced by a single member and should have them reported to the House under one resolution.

If I understand the spirit of the Bowman act aright, it is this: That the Committee on War Claims shall investigate such claims, and if it appears on the face of the claims and upon the evidence accompanying them, that there is a *prima facie* case against the Government, then it is within the province of that committee to refer such claims to the Court of Claims. But the committee must first have satisfied itself, after a careful examination, that there is a *prima facie* case against the Government.

Surely, the Congress did not intend by the passage of the Bowman act to incur the expense of adjudicating such claims in the Court of Claims unless a *prima facie* case were first made out before a committee of one of the Houses of Congress. Now, it does occur to me—and I make the remark with all respect—that it would scarcely be possible for the Committee on War Claims to give thirty-seven claims of different kinds, covering in the aggregate more than a million of dollars and introduced by a single member, that consideration which would justify their being sent to the Court of Claims.

Mr. ENLOE. Will the gentleman allow me a moment?

Mr. SAYERS. In a moment I will. This may be regarded, Mr. Chairman, as an extreme position and not warranted by the spirit and the letter of the law. But I agree entirely with the gentleman from Michigan, that it is the duty of Congress to investigate thoroughly every claim presented to it for direct payment or to be sent under its recommendation to the Court of Claims.

Now, what would be the status of these claims if they should go to the Court of Claims and be sent back here with favorable findings? Are we still to oppose them, or are we to pay them?

Mr. SNODGRASS. We ought to pay them.

Mr. DINGLEY. If the gentleman from Texas will pardon me a moment, I wish to call attention to the fact that the resolution now under consideration reporting back these thirty-seven cases was reported to the House and placed upon the Calendar on the 3d of October last—so short a time as that after the assembling of this Congress.

Mr. ENLOE. If the gentleman will allow me, I want to state that there is no mystery about this thing at all. There is no pretense, I presume, on the part of anyone that the Committee on War Claims has undertaken to investigate the merits of these claims. The object of the Bowman act and of the Tucker act

was to devolve the duty of such investigation upon the court, instead of committees of Congress. Those acts were passed to relieve the committees of such work.

Mr. DINGLEY. I do not so understand.

Mr. ENLOE. That has been the practice all the time under those acts.

Mr. DINGLEY. I understand exactly the contrary.

Mr. ENLOE. That is the way those acts have been construed.

Mr. SAYERS. Then, Mr. Chairman, in view of what has been stated by the gentleman from Tennessee [Mr. ENLOE], that there has been no pretense whatever of an investigation on the part of the Committee on War Claims to ascertain whether there is a probability of these claims being found by the Court of Claims to be just and due to loyal claimants, I do not think this resolution ought to pass; I do not think we ought to send to the Court of Claims in this way these claims which would entail an expense of thousands and tens of thousands of dollars, probably, before they are adjudicated.

Mr. DOCKERY. What is the amount involved in these claims?

Mr. SAYERS. One million and forty thousand dollars.

Mr. DOCKERY. I understood the gentleman from Tennessee [Mr. ENLOE] to say that the Committee on War Claims has not investigated these claims, notwithstanding they amount to over a million dollars.

Mr. ENLOE. The gentleman understands correctly; and that is in accordance with the practice of the Committee on War Claims ever since the passage of the Bowman and Tucker acts.

Mr. SAYERS. Now, Mr. Chairman, in conclusion I will say—

Mr. VAN VOORHIS of New York. If the gentleman will allow me a moment, I would like to ask what is the difference between the judgment which the Court of Claims might render under a resolution requiring that court to report the amount due and any judgment which it might render under a resolution giving the court complete authority in the matter?

Mr. SAYERS. Well, if I understand correctly the gentleman's question, there is no difference at all.

Mr. VAN VOORHIS of New York. That seems to be a distinction without a difference.

Mr. COX. Let me suggest to the gentleman from Texas, that the Court of Claims could not pass on these claims under existing law, because the first thing under the law would be to determine the question of loyalty. This proposed legislation does not invoke that question at all, but simply directs the court to ascertain the amount due. So you pass over the question of loyalty entirely, not in the usual form, and the court is to pass on only one provision, and that is as to the amount due.

Mr. SNODGRASS. Of course the court would comply with the law.

Mr. COX. But this is the law when you pass it.

Mr. SAYERS. Mr. Chairman, there seems to be a wide diversity of opinion among gentlemen in regard to this matter. One gentleman, my friend from Georgia [Mr. LIVINGSTON], from what he has said to me, seems to think that these claims will be adjudicated under the provisions of the Bowman act. The gentleman from Tennessee [Mr. COX] on the contrary, and also the gentleman from North Carolina [Mr. BUNN], the chairman of the Committee on Claims, say to me that this resolution is a law unto itself. In other words, that it takes from the Court of Claims the right and the duty to inquire into the loyalty of the claimants, and to simply report back to Congress the amount which is due, if anything, under the respective bills presented. Now, if nothing else would induce me to vote against the resolution it would be the difference of opinion that exists on a matter of such importance.

Mr. SNODGRASS. Will the gentleman allow me a question?

Mr. SAYERS. Certainly.

Mr. SNODGRASS. This resolution refers these matters to the Court of Claims under the Tucker and the Bowman law.

Mr. COX. Oh, no.

Mr. SNODGRASS (continuing). And whenever they investigate the question of loyalty, if it is found that the claimant was disloyal they can not report anything is due.

Mr. COX. The gentleman is mistaken.

Mr. SNODGRASS. That would be the first inquiry.

Mr. SAYERS. Well, Mr. Chairman, when doctors disagree the patient dies. Now, here is one gentleman from Tennessee on my right who takes one view of the question, and another gentleman from Tennessee on my left who takes a diametrically opposite view.

Mr. SNODGRASS. I ask if that is not the law; and if the court is not compelled to determine the question of loyalty first?

Mr. SAYERS. Well, I have so much confidence in the legal opinion of the gentlemen from Tennessee on my right, and also

in the legal opinion of the other gentleman from Tennessee on the left, that I am unable to decide between them. [Laughter.]

Now, a word in reference to the appropriations. I have heard a good deal said on this floor this evening in regard to the Republican party and the Democratic party making appropriations for the payment of this character of claims, the Republicans throwing it over to the Democrats like a ball, and the Democrats tossing it back to the Republican side. Mr. Chairman, I do not believe that any gentleman on this floor will pass on this question as influenced by his political affiliations.

There is not a gentleman on this floor who is not as much interested, and I believe as honestly interested, in the proper reductions of appropriations as any other member. I have not seen the slightest evidence during this session of any effort on either side to unduly increase the appropriations; and I do not believe that any member, to whichever party he may belong, will consider this question in the light of his political relations but only in the light of his relations to the people of this country.

I do not believe the resolution ought to pass. I do not believe that it comes to the House in such shape as to commend itself to the judgment and wisdom of the House. I believe that one of two things ought to be done, either it ought to be referred back to the committee from which it came, or the resolution should be laid on the table when we go back into the House. So believing, I shall move that the resolution be laid aside to be reported to the House with the recommendation that it do lie on the table.

The CHAIRMAN. The gentleman from Michigan has fifteen minutes of his time remaining.

Mr. BURROWS. Mr. Chairman, I omitted to call attention to the pendency in this House, before the Committee on the Judiciary, of a bill to refund the cotton tax, introduced by the gentleman from Alabama [Mr. WHEELER], aggregating the sum of \$64,935,121.56; and for fear that some gentleman might say that this bill is simply pending, I desire to call attention to the fact that in the last Congress the gentleman from Alabama [Mr. OATES], from the Committee on the Judiciary, made a favorable report from that committee recommending the passage of this bill and the refunding of this enormous sum.

There is also a bill pending to refund about \$11,000,000 remaining in the Treasury out of the captured and abandoned property fund.

The bill was favorably reported in the Forty-ninth Congress by the chairman of the Committee on the Judiciary [Mr. CULBERSON], and I presume will receive favorable action in this Congress. I understand it is now on the House Calendar, and this should be added to the sums heretofore named, making over \$75,000,000 more of pending claims against the Government.

Something has been said by the gentleman from Tennessee about my motive in making this statement. I had no idea of making a political speech or of saying anything for political effect. I presented the official reports of the various officials of this Government, showing the amount of claims pending in the various Departments, and the records of this House showing the number of claims pending before the Committee on War Claims, and the aggregate amount carried by these bills. I have nothing to retract.

I presented it because I believed it ought to be known, and not because I am opposed to the payment of any loyal claim. I am in favor of paying the just claim of any person who was loyal to the Government anywhere; but I am glad to hear the gentleman from Texas [Mr. SAYERS] make the announcement publicly that in his judgment you can count on the fingers of one hand the average of all the people in any community in the cotton States who were loyal to the United States Government during the war.

Mr. SAYERS. That is on the average, I mean to say.

Mr. BURROWS. On the average. From the facts presented, I mean to say that generally these claims are of a doubtful character.

Mr. WHEELER of Alabama. Will the gentleman allow me?

Mr. BURROWS. I can not just now. I want to call attention to the fact, which seems to have been lost sight of in this debate, that there is no feeling on this side, or on any side, against the payment of any loyal claimant. Why, in 1871 a commission was established for the very purpose of paying every citizen who was loyal to the Government any just demand against it.

Mr. STOCKDALE. Does the gentleman refer to the Southern Claims Commission?

Mr. BURROWS. Yes, and that Commission was authorized to continue for two years, and I believe it sat something like nine years, the time being extended, and during that time that Commission was open to everybody, and the Commission was authorized not only to take testimony, sitting here in Washington, but to send anywhere in the United States and take testi-

mony. The opportunity was open to all, and the only prerequisite to the allowance of the claims was that the claimant should prove his loyalty. That court was open.

There were presented to that court 22,298 cases. Of these 5,250 abandoned their claims, never presuming to prosecute them. Of course they were absolutely barred; but that Commission authorized the payment, and there was paid to loyal citizens as the result of their investigation the sum of \$4,636,920.69.

Now, with that commission open to everybody, with the opportunity for every citizen to prove his loyalty and the loss of property and the damage done, and with that amount of over four millions and a half paid to loyal claimants it seems to me the presumption is against these claims, and that twenty-five years after, it is a little late to have these claims presented which were either not prosecuted before the Southern Claims Commission, or after full hearing rejected by that commission.

There were a large number of those claims rejected. The report of that commission is in print, showing when and why these claims were rejected, and that in most instances it was for disloyalty. I say, therefore, it is a little late, when witnesses are dead and evidence destroyed, to seek to revive these discarded and doubtful claims.

Mr. COOPER of Indiana. Mr. Chairman—

The CHAIRMAN. The gentleman from Indiana [Mr. COOPER] is recognized.

Mr. ENLOE. I should like to have the gentleman yield to me for a moment.

Mr. COOPER of Indiana. I yield to the gentleman from Tennessee for a moment.

Mr. BURROWS. Mr. Chairman, have I any time left?

The CHAIRMAN. The gentleman has five minutes left.

Mr. BURROWS. I agreed to yield to the gentleman from New York the balance of my time.

The CHAIRMAN. The Chair will recognize the gentleman from New York in a moment, but the Chair has already recognized the gentleman from Indiana [Mr. COOPER]. The gentleman from Michigan [Mr. BURROWS] did not reserve his time. The Chair will recognize the gentleman from New York as soon as he can reach him.

Mr. ENLOE. Mr. Chairman, before we get away from this question I want to settle a very important question between the gentleman from Michigan [Mr. BURROWS] and myself, and I invite the attention of the gentleman from Michigan to what I am going to say. While I was addressing the House, the gentleman from Michigan asserted that the statement which I made to the House that he had discussed this question in the last Congress was "not true," and the following controversy ensued, which I read from the Reporter's notes:

Mr. ENLOE. Yes, and the gentleman might say that very frequently, but that would not make his statement true; and if it came to a question of veracity between myself and the gentleman, I suppose mine would stand as well as his.

Mr. BURROWS. Yes, but that I have discussed this matter before is not true.

Mr. ENLOE. You discussed it in the last Congress.

Mr. BURROWS. I did not.

Now, Mr. Chairman, since the gentleman made that statement I have gone to the library of the House and obtained the CONGRESSIONAL RECORD, volume 129, second session Fifty-second Congress, and on page 609, and continuing on pages 610 and 611, was a discussion of this question, in which both myself and the gentleman from Michigan [Mr. BURROWS] participated.

The gentleman from Michigan then had read a statement, which I will ask the Clerk to read, which was the very statement he had read here to-day, in regard to these claims.

The Clerk read as follows:

Under the act of March 3, 1883, known as the Bowman act, 248 cases were disposed of during the year; the aggregate claims covered by said cases being \$2,583,939.41. In 158 of these cases findings were made against the Government, and for an aggregate sum of \$485,516.38. The claims of this class growing out of the alleged taking of supplies and other property during the war are assuming enormous proportions. They already aggregate nearly \$400,000,000, and the Department has reliable information that a multitude of additional claims, aggregating very large sums, are being prepared to be filed and pushed against the Treasury. That a very large proportion of these claims have no just foundation either in fact or law, being presented by persons or the representatives of persons who were not loyal to the Government during the war, is every day made clearer in the evidence evolved in their defense.

In numerous cases where testimony has been produced of the entire loyalty of claimants to the Union during the war, by the discovery of documentary evidence, such as the election returns on the vote for secession, vouchers for supplies furnished to the Confederate government, enlistment rolls, registry of Confederate bonds, etc., the attorneys of the Government have been able to demonstrate the disloyalty of claimants and thus defeat the claims. But of course such evidence can be found only in exceptional cases, and unless Congress shall put some new barrier between the Treasury and these claims it is impossible to predict the amount the Government may be called upon to pay thereon. Ordinarily a statute of limitations bars claims resting on parole evidence after six years. Why, with all the temptations to fraud and perjury, a different rule should apply to these claims is not apparent.

Mr. BURROWS. Let me see that.

Mr. ENLOE. I will give it to the gentleman in a moment. I want to quote a little of the language of the gentleman immediately following this quotation which he then made from the report of the Attorney-General:

This is the statement embraced in the official report of the Attorney-General upon which statement, I suppose, is based the language of the President's message to which the gentleman from Tennessee has called attention and which he has seen fit to criticize. Now, it was with a view of ascertaining the nature and character of these claims, and in order that the House and the country might be informed in relation to them, that I offered this resolution, and I am thankful to the committee for having reported it back with a favorable recommendation.

And the discussion continued on through that page and part of the next between the gentleman and myself on this very point. The gentleman got information, but it seems he did not want to use it. It was his resolution, adopted at that time, that caused this investigation to be made by the Department of Justice, which showed that these claims, instead of being \$400,000,000, as he has continued to assert, were \$25,000, and I congratulate the gentleman that he came within \$375,000,000 of stating it correctly.

Mr. COOPER of Indiana. Mr. Chairman, it is very evident that no conclusion can be reached upon the matter pending before the committee at this time. I wish, therefore, to ask the indulgence of the House for a few minutes only, while I recur to a matter which had its origin in the discussion on the legislative, executive, and judicial appropriation bill a few days since. While that bill was under discussion, in response to an inquiry by my friend, the gentleman from Ohio [Mr. GROSVENOR], I stated, as one of the reasons why the checking division of the Sixth Auditor's Office was behind, that the chief of that division had occupied much of his time and the time of the clerks in that service in preparing and publishing a life of ex-President Harrison.

While I was absent temporarily from the Hall of the House on yesterday, the gentleman from Ohio, after having, I will say in justice to him, endeavored to ascertain my presence, had read from the Clerk's desk a letter from this ex-chief of the checking division, in which he substantially contradicts the statement made by me. He said, in substance, that that division was about three years behind when he took charge of it, and that the prior Administration of the present President was to blame for that fact, and that during his incumbency the work was brought up something like a year in advance of what it was when he undertook it.

Now, Mr. Chairman, I wish to send to the Clerk's desk and have read a letter from one of the employés of that division, who is still in that service, upon that point.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF THE AUDITOR OF THE TREASURY
FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., May 25, 1894.

SIR: In reply to your request of this date, as to any facts I may know relative to Mr. Charles Hedges, late chief of the checking division, Sixth Auditor's Office, having during his term of office devoted his time, or caused clerks and other employés to have devoted their time during office hours to the preparation of a biographical sketch and compilation of speeches of Ex-President Benjamin Harrison, I have this to state: That I have seen Mr. Hedges very busily engaged at his official desk, and during office hours, preparing writings, which turned out to be "Life and speeches of the Hon. Benj. Harrison, President." Mr. Hall, one of his clerks, was at work in his room, using the typewriter, which seemed strange to me, as there is no work in that division which requires correspondence.

Some time thereafter I noticed the room adjoining the chief's used as a storeroom for books, and upon inspecting them found they were the aforementioned books. Mr. Glendenning, one of his clerks, was engaged in addressing these books to subscribers and postmasters during office hours and whilst his name was carried on the rolls. Shortly after, this clerk, a substitute, was appointed to a \$1,000 position over a Miss Pettigrew, who stood at the top of the list in a competitive examination for promotion, notwithstanding that THOMAS B. REED had interested himself in her behalf.

It is the impression of the office that the appointment of Mr. Glendenning was the result of his labor for Mr. Hedges.

Very respectfully,

CHARLES A. GIVEN,
Clerk, Sixth Auditor's Office.

HON. GEORGE W. COOPER,
House of Representatives.

Mr. COOPER of Indiana. Now, I send forward a letter from another clerk, which I wish to have read.

The Clerk read as follows:

OFFICE OF THE AUDITOR OF THE TREASURY
FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., May 25, 1894.

SIR: In reply to your request of this date for information that I may possess relative to Charles Hedges, late chief of the checking division of the Sixth Auditor's Office, having used the Government's time for his own purposes by working himself, and, as chief of his division, causing Government employés under him to devote their time during office hours to the preparation of a book containing a biographical sketch and speeches of Benjamin Harrison, ex-President of the United States, I have this to say:

It is a matter openly talked that Judge Thomas, now chief clerk, Post-Office Department, and late superintendent and disbursing clerk of the Post-Office Department, complained to the chief clerk of the Sixth Auditor's Office about one of the rooms of the Bush Building being occupied by some

two wagonloads of mail sacks filled with the speeches of Benjamin Harrison, compiled by Charles Hedges, and that they were not removed until after complaint had been made.

It was a matter of common discussion in the division at that time that messengers, laborers, and clerks were used by Mr. Hedges during office hours, in violation of the rules and regulations of the Treasury Department, to prepare letters and circulars to promote the sale of said book, to unpack and store away in the Busch Building these books as they were received from publishers, and wrap up singly or otherwise to deliver or mail to purchasers.

It was stated that Thornton Chesley, an employé of the office, was instructed by Mr. Hedges to make a canvass of the office for the sale of said book and that he did so during office hours, which is a violation of rules and regulations of the Treasury Department prohibiting all canvassing whatever.

I know that clerks bought the book who could not afford to, to prevent incurring the displeasure of Mr. Hedges, and that clerks who did not buy the book felt that they were oppressed for not having done so.

As to the condition of the work on Mr. Hedges's division at the time of his retirement, I have this to say:

Chaos pervaded the entire division. New York postal notes were lost; not an official or clerk in the building could tell where to find them. The 9,000 books used in checking were everywhere but where they were wanted. It required three months' work of the assistant chief to catalogue and reduce to business system these books alone.

The division under Mr. Hedges had run itself. The clerks had checked as they choosed, or if they did not choose, had turned in their weekly averages as checked when they were not, and sent the work to the files for this administration to take out of the files by the thousands and do over properly. In the basement were huge basketfuls of 1889 and 1890 and 1891 work that clerks had left laying around loose and reported as done.

There was no uniformity in the work. As an illustration: Colorado not checked since 1889; Minnesota postal notes not checked since 1888; Washington, D. C., not checked since 1888; New York postal notes not checked since 1890.

Checking when done had been so badly done that more time of clerks was wasted erasing miscs than would have been required to do the whole correctly in the beginning. The work is all reviewed now, and perfect business system followed in everything.

Respectfully,

CYNTHIA E. CLEVELAND,
Clerk, Sixth Auditor's Office.

HON. GEORGE W. COOPER,
House of Representatives.

Mr. COOPER of Indiana. Now, there is another letter at the desk. I ask to have it read. It is a short letter.

The Clerk read as follows:

WASHINGTON, D. C., May 25, 1894.

SIR: In reply to your request of this date for any information that I may have relative to the clerks or other employés in the Sixth Auditor's Office having devoted their time during office hours to the work of preparing a book containing a biographical sketch and speeches of ex-President Harrison, I have this to state:

The statements made by you are substantially correct. I was his private messenger and was employed during office hours, when my office work was done, in doing up for mailing from the office copies of the book in question. I did this under instructions from my chief, Mr. Hedges.

Very respectfully,

PATRICK DOOLAN,
Messenger, Sixth Auditor's Office.

HON. GEORGE W. COOPER,
House of Representatives.

Mr. COOPER of Indiana. Now, Mr. Chairman, this communication, which appeared in yesterday's RECORD, states that when Mr. Hedges took charge of the checking division of the Auditor's Office the work was three years behind. I have in my hand the report made by Mr. Hedges himself, the first report made by him to the Sixth Auditor after he came into office. In it he says (I quote from page 13): "The work of this division, taken as a whole, in consequence of the insufficiency of the force, is in arrears ten months, and some sections (States) are in arrears eighteen months." This was the first report made by him, and is of date October 9, 1889, that he found the work in arrears ten to eighteen months.

Now, it is a fact that this work can not be closer up than six months, because the work does not reach the checking division earlier than that; so that when he went in it was practically up. I wish now to call attention to the first report made by his successor. Mr. Hedges says that the work was ten to eighteen months in arrears when he went into office. His successor prepared and published in his first report a table showing the exact condition of this work, giving each State and Territory—the date of this report is June 30, 1893. I will not read the entire table, but the first given is the State of Alabama, which he says was behind from July 12, 1890, or a period of nearly three years.

So that, from being ten months behind when he went into office, they were three years behind when he left, and it is not to be wondered at in view of the testimony of these letters I have had read that it should be so behind. I have in my hand a copy of the book to which reference has been made.

Mr. GROSVENOR. Do not put that in the RECORD. [Laughter.]

Mr. COOPER of Indiana. I will not put that in the RECORD. I assure you; we have too many speeches there now. [Laughter.] On the last page of it is an autograph letter from the Hon. Thomas H. Carter, chairman of the national Republican executive committee.

This is the letter of the chairman of the Republican committee:

REPUBLICAN NATIONAL COMMITTEE,
No. 518 Fifth Avenue, New York, September 8, 1892.

MY DEAR SIR: Your accurate compilation of the speeches of President Harrison does you great credit, and meets the approval of the national committee.

These speeches are not only literary gems; they are patriotic inspirations as well, and should be read with care by every citizen of the Republic.

Yours, sincerely,

T. H. CARTER, Chairman.

MR. CHARLES HEDGES,
Washington, D. C.

Mr. COOMBS. To whom was that addressed?

Mr. COOPER of Indiana. This was addressed to the general public, through Mr. Hedges, by the chairman of the national committee, at a time when Mr. Harrison was a candidate for reelection.

Mr. KYLE. How many pages are there in the book?

Mr. COOPER of Indiana. There are 616 pages. Now, Mr. Chairman, it was said the other day in defense of this gentleman that not much time would be required in the compilation of this work, as it was simply a compilation of speeches and not a biographical sketch. It is true that the biographical sketch of this distinguished statesman which precedes the speeches is quite short, but if any gentleman has the curiosity to look through this book he will see that each one of these "literary gems" has a very elaborate setting, a mass of introductory matter, stating the time and the place and the persons present when the gem was set. [Laughter.]

Mr. VAN VOORHIS of New York. Is Gen. Harrison's speech at Rochester in that book?

Mr. COOPER of Indiana. I have not examined it, but I have no doubt the speech is here. I will submit the volume to the gentleman as soon as I have concluded my remarks. I do not know whether that particular speech is in this book, but I know this—and it has been established by the testimony here—that the book was prepared in the office of the Sixth Auditor, by the chief of the checking division, and that he took the time of the Government, the time of the people of the United States, to prepare this book; that after it was published it was shipped back to that place in boxes and there folded and addressed by the clerks of the Sixth Auditor's Office to the subscribers of the work, to the postmasters of the United States, and that that work was done during office hours by the employés of the Government; and I again call attention to the fact that this was a political document indorsed by the Republican national committee; that the Department was canvassed for its sale, and that this office was turned into a warehouse from which it was delivered to subscribers.

Mr. SPRINGER. Was it franked or postpaid?

Mr. COOPER of Indiana. I do not know. I want to say in conclusion, Mr. Chairman, that work is now very much behind in the checking division of the Sixth Auditor's Office, probably two or three years behind; but that, from my acquaintance with the present Sixth Auditor and knowledge of his methods of conducting business, I have no doubt that this work will be brought up regularly and speedily, and that, too, whether the system be changed or not. At least we can rest assured that no book-stalls or hucksters' stands will disgrace that branch of the public service under his administration. Mr. Chairman, I have no feeling against the gentleman who compiled this book; I do not know him. He first came to public notice at Indianapolis when he was stationed there by the Associated Press, as I am informed, to report the proceedings at the home of Gen. Harrison when he was first a candidate for the Presidency. The acquaintance and intimacy there formed ripened, I have no doubt, into the appointment in the Sixth Auditor's Office, and that appointment gave this gentleman favorable means and opportunity for the prosecution of his literary aspirations.

I think it is right, Mr. Chairman, that these facts in connection with the management of a public office should be known. Some criticism has been indulged in here with reference to my habit of calling attention to things observed by me that are not proper in the administration of public affairs. I have no apology to make for that. I think it is the duty of a Representative to make public everything he sees that is wrong in connection with the management of public affairs. The author of the letter put in the RECORD yesterday by the gentleman from Ohio [Mr. GROSVENOR] speaks of me as a Modoc. [Laughter.] I do not deny that under some circumstances and with a sufficient provocation, I might indulge in a little Indian warfare. [Laughter.] Mr. Chairman, in view of all the facts as developed by the testimony of these witnesses I think there ought to be a Modoc for every Hedges. [Applause on the Democratic side.] Believing it my duty to do so, I have given you the facts and am willing to let the judgment of the country be passed upon this method of transacting the public business. [Applause on the Democratic side.]

Mr. BURROWS. Mr. Chairman, I wish to occupy just a moment in reply to the statement of the gentleman from Tennessee [Mr. ENLOE] that what I said here to-day was a repetition of something that I had said on a former occasion. What the gentleman alludes to is some remarks made by me upon a resolution I introduced to provide for an inquiry upon this subject. That resolution was reported back favorably from the Committee on War Claims, and the gentleman from Tennessee [Mr. ENLOE] took the floor and debated the matter at length, criticising Gen. HENDERSON and others for what they had stated on the stump in reference to war claims.

I simply closed the debate by saying that debate was entirely premature, that what we wanted was information upon this subject, and that was the object of the resolution. At that time I did not have before me either the report of the Attorney-General or of the Treasury Department, for they had not then been made, and only made some general statements of rumors that were current about this matter. I stated that as the ground for passing the resolution, and commended the committee for reporting it, and the gentleman from Tennessee [Mr. ENLOE] spent most of his time on that occasion in criticising Gen. HENDERSON and others who had alluded to these war claims on the stump.

Mr. ENLOE. The gentleman denied that he had discussed the question.

Mr. BURROWS. I had not discussed it, and the absurdity of the statement appears from the RECORD.

Mr. ENLOE. The RECORD shows the fact.

Mr. BURROWS. I would be glad to have the matter tested by the RECORD.

Mr. ENLOE. The RECORD is the best evidence.

Mr. BURROWS. I am willing to stand by it.

Mr. GROSVENOR. Mr. Chairman, I wish to say, in connection with this controversy that comes up so spasmodically [laughter], that there are two or three things made manifest by the deliverance of the gentleman from Indiana [Mr. COOPER]. First, that "civil-service reform" is a humbug and a fraud—

Mr. ENLOE and others. That is right. [Laughter and applause.]

Mr. GROSVENOR. Because it has been demonstrated that the clerk (a lady) who stood highest on the list of "eligibles" and who had the most powerful backing possible among the Republicans in the United States failed to be appointed, and a fellow from outside was appointed over her head. There is one illustration in that direction.

In the second place, it would seem it was not necessary to make the extraordinary appropriation for clerks to bring up this checking business, for apparently there have been three gentlemen in that office unengaged to-day upon the public business, and with ample opportunity to search the records and develop the documents thus produced here on behalf of a former Administration. [Laughter.]

And we have discovered further that the public service of this country is in such a condition that inferior clerks in the Departments of this Government write letters attacking former Administrations and publish them in the CONGRESSIONAL RECORD, upon the mere suggestion of a member of Congress.

Now, I do not know anything about the facts of this case, and never intended to have anything to do with them. I am delighted that this exposition has come, and I am especially delighted that it has come at this particular time, so that the country may know, and especially that a small portion of the country out in Indiana may know—

Mr. COOPER of Indiana. What you say goes everywhere.

Mr. GROSVENOR. That the gentleman from Indiana is a veritable "watchdog of the Treasury." The development has come at a most opportune time, if the public journals are telling the truth in regard to the situation out there.

Mr. BUNN. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HATCH reported that the Committee of the Whole on the Private Calendar had directed him to report with a favorable recommendation the bill (H. R. 3150) for the relief of Thomas B. Reed; also that the committee had had under consideration Report No. 53, from the Committee on War Claims, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. COOMBS, for this evening's session, on account of ill health.

To Mr. CAUSEY, until Monday next.

To Mr. McETRICK, for three days, on account of sickness in his family.

To Mr. CLANCY, for three days, on account of sickness.

To Mr. MURRAY, for ten days from Monday next, on account of important business.

To Mr. GEISSENHAINER, for two days, on account of public business.

WITHDRAWAL OF PAPERS.

Mr. HARTER, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, papers in the case of John Irvin, Company E, Sixty-fourth Regiment Ohio Volunteer Infantry, there having been no adverse report.

The SPEAKER. The gentleman from Indiana [Mr. BROOKSHIRE] will perform the duties of the Chair at the evening session. The hour of 5 o'clock having arrived, the House, under the rule, takes a recess until 8 o'clock this evening.

EVENING SESSION.

The recess having expired, the House, at 8 o'clock p. m., resumed its session, Mr. BROOKSHIRE in the chair as Speaker *pro tempore*.

The SPEAKER *pro tempore*. The House is now in session for the consideration of bills under clause 3 of Rule XXVI.

Mr. HARE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of bills under the rule.

The motion was agreed to.

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

The CHAIRMAN. The Clerk will report the first bill on the Calendar for consideration under the rule.

MRS. SUSIE CONWAY.

Mr. ELLIS of Kentucky. Mr. Chairman, I ask unanimous consent to take up for present consideration the bill (H. R. 6902) granting an increase of pension to Mrs. Susie Conway.

I will state as my reason for making the request that I will be necessarily absent from the House owing to other arrangements in a few days.

Mr. MARSH. I object.

Mr. ELLIS of Kentucky. I hope the gentleman will not object, at least until he hears the reason for the request. I ask unanimous consent to consider this bill and have a vote taken upon it to dispose of it one way or the other. My excuse for making the request is that in a few days I will be compelled to leave the House.

Mr. MARSH. I will withdraw the objection.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susie Conway, widow of Senior Lieut. W. P. Conway, late of the United States Navy, and pay her a pension at the rate of \$50 per month, in lieu of the pension she is now allowed.

Mr. LIVINGSTON. Mr. Chairman, I rise to a question of order. I understand that the clerks complain that the light is so bad in the Hall that it is almost utterly impossible to perform their duties. We can not do business here in the dark, and I hope the proper officers having charge of this matter will be notified to give it immediate attention. I ask this specially in the interest of the Reporters, who can not see to perform their duties.

The CHAIRMAN. The proper officers of the House will take notice of the complaint and try to effect a remedy.

Mr. TALBERT of South Carolina. I am glad to see that the House wants more light.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky for the present consideration of this bill?

Mr. JONES. Before consent is given I would like to have the report read. We want to understand what this is.

The CHAIRMAN. Without objection the report will be read, after which the Chair will ask if there be objection to the present consideration of the bill.

The report (by Mr. TAWNEY) was read as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 6902) increasing the pension of Mrs. Susie Conway, have had the same under consideration and respectfully report as follows:

The claimant is the widow of the late Lieut. William P. Conway, United States Navy, who graduated at the Naval Academy June 7, 1870, and who, after making for himself an extraordinary record for faithful and arduous service, marked upon several occasions by great heroism, died at Owensboro, Ky., September 14, 1893 (while still on the active list), from causes incident to the severe hardships and exposure undergone by him while in the discharge of his duty.

The following letters addressed to the committee show the character and value of his services and the estimation in which he was held by his fellow officers in the Navy:

NAVY DEPARTMENT, LIBRARY AND NAVAL WAR RECORDS,
Washington, D. C., April 4, 1894.

SIRS: Lieut. William P. Conway, United States Navy, now deceased, was one of the most efficient officers in the Navy, and it affords me great pleas-

ure to testify to his energy, efficiency, and close attention to duty at a time when all those qualities would show themselves in the highest degree. It was in the wreck of the United States steamship Huron, off Currutuck Beach, in the fall of 1877, and when he suffered injuries from which I believe he never recovered.

As soon as the vessel struck Lieut. Conway went immediately to his post, and by his coolness and judgment he did much toward preventing a panic. When there was no hope left in saving the vessel he volunteered to take charge of a boat and make an effort to reach shore for assistance, and in the attempt to lower the boat it was smashed by the terrific seas then washing over the wreck.

Later on he swam to the shore, and though bruised and nearly exhausted he was untiring in his efforts to rescue and relieve the others of his comrades. His widow is certainly deserving of an increase of her pension.

I am, very respectfully,

LUCIEN YOUNG,
Lieutenant, United States Navy.

The COMMITTEE ON PENSIONS,
House of Representatives.

WASHINGTON, D. C., May 4, 1894.

SIR: Understanding that Mrs. Conway, widow of the late Lieut. W. P. Conway, United States Navy, has made application for an increase of pension, I beg to say a few words regarding her late husband.

Lieut. Conway served under my command in the Yorktown as navigator, and remained in the ship for some time after my detachment.

"I have no doubt the exposure he underwent in the performance of his duties, in which he was indefatigable, was largely the cause of his death. This exposure would not probably have had serious results had not Lieut. Conway been physically weakened by previous trial and exposure in service, notably in the Huron at the time of that vessel's wreck upon the North Carolina coast.

"Lieut. Conway showed at this time a courage and manliness which won him the highest praise. His modesty prevented his making any claim to special consideration, he esteeming his conduct but a necessary part of a proper performance of duty.

"I can bear witness to Lieut. Conway's uprightness of character and his excellence as a man and officer in every phase of duty which fell to him.

"I am, sir, very respectfully,

"F. E. CHADWICK,

Commander United States Navy, Chief of Bureau of Equipment.

"The CHAIRMAN OF THE COMMITTEE ON PENSIONS."

As stated above the service rendered by Lieut. Conway was of an extraordinary character, and has hardly a parallel in the history of the Navy. The records show that during his twenty-four years of service in the Navy, after four years at the Academy, he had more than eighteen years' sea duty and an aggregate, all told, of but nine months' leave of absence.

The records not only show that his sea service was longer than of any lieutenant of his age in the service, but was longer than that of 2 admirals, than all save 3 of the 19 commodores, than all save 3 of the 45 captains, all save 2 of the 85 commanders, and all except 1 of the 74 lieutenant-commanders.

The following statement is made by R. D. Evans, captain, United States Navy:

Lieut. William P. Conway, United States Navy, served with me under my command in the United States steamship Yorktown from August, 1891, to November, 1892, most of the time as navigator. His duties were always performed to my entire satisfaction, and I say without hesitation that the Navy has seldom seen his equal and never his superior as a navigator. During a passage through the Straits of Magellan, when the ship was being driven at high speed in the face of a severe gale, and the weather bitterly cold, he remained on the bridge without a word of complaint until his face and neck were swollen and blistered. And, again, in the Bering Sea, under the most trying conditions of cold and fog, he stuck to his post, without flinching, many times during the entire night. Such exposure, and the anxiety consequent upon his position, must have gone far towards undermining his health and constitution.

Lieut. Conway owned no property of any kind or description at the date of his death. His family at that time was composed of his wife, a small child 3 years old, and his aged and widowed mother, who for many years had depended upon her son for support, she likewise owning no property of any sort.

Since the officer's death a pension rated at \$25 per month under the general law, with \$2 additional for the child, has been allowed to the beneficiary herein, but this small sum is insufficient to provide the necessaries of life for the wife, child, and mother who were dependent upon him.

Aside from the great financial needs of the widow and child and the mother of the late Lieut. Conway, the facts and circumstances presented to your committee concerning his service in the United States Navy show an exceptional and most extraordinary record for gallantry, heroism, and unselfish devotion to duty, for which no special reward was ever asked or received by him during his lifetime.

There are numerous precedents for the proposed increase of pension to the widow of this gallant officer, and in the light of all the facts your committee recommend the passage of the bill.

Mr. ELLIS of Kentucky. Mr. Chairman—

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

Mr. JONES. I would like to hear an explanation of the gentleman, the patron of the bill, as to the amount of pension this widow is now receiving, and the reason for the increase.

Mr. ELLIS of Kentucky. I shall be very glad to make an explanation if the House will give me consent to do so.

Mr. JONES. I would like to get from the gentleman the reasons for this proposed increase.

Mr. ELLIS of Kentucky. I think I can make an explanation to the House that it will appreciate, but the explanation will necessarily take some ten or fifteen minutes. I hope I may have consent to occupy that time.

Mr. JONES. Why, you have got an hour in your own right.

The CHAIRMAN. No, the bill is not yet before the committee. The gentleman asks unanimous consent to make an explanation not to exceed fifteen minutes. Is there objection?

There was no objection.

Mr. ELLIS of Kentucky. Mr. Chairman, I shall certainly not occupy more time than is necessary to state the merits of the

case as involved in this bill. This is the bill, as the committee has already discovered, to increase the pension of the widow of Lieut. W. P. Conway, an officer of the United States Navy.

Mr. OUTHWAITE. By which committee reported?

Mr. ELLIS of Kentucky. The Committee on Pensions.

Mr. LACEY. Why is this bill taken up out of its regular order?

Mr. ELLIS of Kentucky. It was done by unanimous consent.

The CHAIRMAN. A request has been made for unanimous consent to consider the bill, which has not yet been granted, but the gentleman has been allowed not exceeding fifteen minutes to explain it.

Mr. ELLIS of Kentucky. Mr. Chairman, I will ask that the committee give me unanimous consent to consider the bill, and I will state as my apology for making the request that my engagements are such that I will be obliged to go away from the House very soon; but if the committee would be willing to give me something more than fifteen minutes, I should be very glad, as an ex-Confederate soldier, to expound my views on pension matters generally. I have been here now for some five years, and have not consumed any of the time of the House on such matters, or very little of it.

Mr. LIVINGSTON. Ask unanimous consent that the bill be taken up for consideration.

Mr. ELLIS of Kentucky. I make that request.

The CHAIRMAN. The Chair will submit the request. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I thank the committee for consenting to the present consideration of this bill, and promise not to abuse its courtesy.

My long and intimate acquaintance with Lieut. Conway enables me to speak with accuracy not only concerning his high character as a citizen, but of his extraordinary and brilliant services as a soldier. He and his widowed mother resided in the town where I live and were my next-door neighbors. Honorable and industrious and possessing a high order of intelligence, Lieut. Conway would have easily won success and honorable distinction in any civil calling or pursuit.

But choosing the profession of arms, at the age of sixteen he became a midshipman in our Navy, from which time till the day of his death he devoted all his fine physical and mental energies to the service of his country. When it is remembered that he always divided his meager salary with his widowed mother, who was dependent upon him for support, and that he was cut off by death just when he had reached the high noontide of a splendid manhood, it is not singular that he died the owner of no property.

Through every grade of his service he took the highest rank. Whether as midshipman, ensign, master, or lieutenant, he discharged with unexcelled fidelity and consummate skill every duty imposed upon him. He was so good a soldier that it was a conceded fact in naval circles many years before his death that he had no superior, if indeed an equal, as a navigator in our Navy. As modest as a woman, he never discussed or even referred to his own performances, nor sought through political influences or otherwise to secure for himself rapid promotions or easy duties on shore.

The official record of Lieut. Conway's service shows that during his twenty-four years of service in the Navy, after four years in the Academy, that he had only an aggregate of nine months' leave of absence and nineteen years of sea duty.

The official records also disclose that his sea service was not only longer than that of any other lieutenant of his age in the service, but longer than that of two admirals, longer than all save three of the ten commodores, than all save three of the forty-five captains, all save two of the eighty-five commanders, and all except one of the seventy-four lieutenant-commanders.

It is hardly an exaggeration to say that during the twenty-four years of his service his only habitation was on the ocean. He sailed the national flag in every sea, displayed its stars and stripes in every important harbor of the world, and wherever he carried it honored it. I can not hope in the brief time I shall occupy the time of the House to recount either the extent or the character of his services as a soldier, but will content myself with mentioning one or two instances in which he rendered distinguished service and for which, in my opinion, he never received the reward to which he was entitled.

THE HERO OF THE HURON DISASTER.

Graduating from the Naval Academy, he served for over eleven years without leave of absence for a single day, and was, on the night of 29th of September, 1877, at his post as master on the deck of the Huron when that ill-fated warship was wrecked and lost in a furious storm off the North Carolina coast, and in which all its officers save four, and over one hundred seamen perished. The

melancholy fate of the Huron and the appalling loss of human life consequent thereon form a memorable chapter in the history of our Navy.

On this occasion Lieut. Conway not only distinguished himself, but sustained injuries from which it is believed he never fully recovered. The Huron had just started on its voyage to the West Indies and was steaming close on to the Gulf Stream when a storm broke upon it with a fury that dashed its iron sides mercilessly upon the rocks and breakers. But the fierceness of the storm did not frighten this gallant young officer from his post of duty. Amid falling spars, the howling of the tempest, the shrieks of the crushed and the dying, scenes that beggar description, Lieut. Conway, as self-composed as if on dress parade, employed every effort in his power to strengthen the brittle thread upon which the lives of the whole ship's company depended.

Though there were many officers on board who outranked him, the findings of the court of inquiry which afterwards investigated the cause of the Huron's loss, discloses the fact that he was the coolest of all the brave company who suffered or died in that disaster.

It was on Lieut. Conway's suggestion that the masts were cut away, and at his suggestion that the heavy guns were heaved overboard to lighten the burden of the sinking ship and if possible to save it. When every effort to save the ship had failed and waves were racing furiously over her decks, every minute hurrying officers and seamen to death in the seething surf, Lieut. Conway called for volunteers to lower a lifeboat and to join him in a last desperate struggle to take a line ashore, by means of which at least some of the crew might be saved. So thoroughly was he established in the confidence of the seamen, that even in that perilous moment their faith in him remained unabated. At his call volunteers came. Making fast a line, they lowered a cutter and were about to embark, but hardly had the lifeboat been lowered before it was smashed and its shattered sides set adrift in the storm.

Returning again to his post on the forward deck, he discovered a seaman with a life-preserver in his hand: asked him to give it to him, telling him that with the aid of it he thought he could get ashore with a line. But the seaman said he could not swim and declined to part with the last and only means he had of saving himself.

In this extreme moment it looked like the last hope had perished.

Capt. Ryan, the commander, and Lieut. Palmer, the navigator, both brave and splendid officers, had already been swept overboard. All of his superior officers were dead, and he, by chance, was left in command of the sinking ship, whose engines had ceased to work, and whose iron ribs were already crushed. Every surge of the sea was carrying more men from the fore-castle, and "mad waves were reaching up their briny fingers for those who were hanging in the rigging."

Even in the midst of gloom like this Lieut. Conway never lost his head nor became panic-stricken. Already numbed and nearly frozen, he deliberately threw off his uniform and dedicated it to the howling tempest, determined to make a last effort, not only to save himself, but such of his comrades as survived. Taking a line in his mouth and his life in his hand, he boldly plunged into the sea and made for the shore. By almost superhuman efforts he reached his destination, but so much exhausted that fishermen, performing as humane an act as was ever performed by the fishermen of Gallilee, dragged him ashore.

Bruised and badly injured, and nude as when he came into the world, he did not abandon his heroic efforts to rescue any who might have survived and to look after and care for the property of the Government that was drifting ashore. He caused the light-house near by to be broken open, the lifeboat to be put in action, and for nearly twenty hours remained at his post doing what he could to rescue the bodies of the dead and to administer to his comrades, absolutely refusing to quit the scene of the disaster until he was ordered to Norfolk by official dispatches from Washington. The self-sacrifice and heroism displayed by Lieut. Conway on this occasion, if he had never rendered another day's service to his country, would, in my opinion, entitle his widow and child to the relief this bill proposes.

HIS LAST CRUISE IN THE YORKTOWN.

I have already said Lieut. Conway never sought promotion nor easy places. Though comparatively a young man, his friends discovered that his health was being undermined from exposure and excessive sea duty.

In 1890, without his knowledge, I brought this fact to the attention of Gen. Tracy, then Secretary of the Navy, who, when he had examined into the facts, agreed that Lieut. Conway had earned the right to lighter service.

The Miantonomoh, a splendid war ship, designed for coast duty, was then in process of completion.

Although the list of officers for that ship had already been made up, the Secretary, on his own motion and in recognition of Lieut. Conway's extraordinary sea service, had his name placed on the list as navigator for that ship when it should be placed in commission, in the meantime assigning him to duty on the Yorktown. In October, 1891, and before the Miantonomoh was placed in commission, the Yorktown was ordered to Chile. That fact became public, and, in connection with Senator BLACKBURN, I called the attention of the Secretary of the Navy to it, and expressed the hope that he would order Lieut. Conway to shore duty until such time as he could be assigned to the new ship. He agreed to do so, and Conway was notified of the fact.

But about this time it became popularly, if not officially understood that there was to be trouble with Chile and that the Yorktown would in all probability be the first of our warships to be engaged in action. Like the true soldier he was, Conway declined to come ashore under such circumstances. He did not propose, in the face of threatened hostilities, to go to the rear. If there was to be fighting, he said, he would not run away from it; and so held on to his place as navigator of the Yorktown, and from the effects of that long and trying cruise he died.

Sailing from New York on October 8, 1891, he went to the West Indies, Brazil, Uruguay, Chile, Peru, Unalaska, and the Bering Sea, where he was actively engaged day and night for over six months in defending the interests of the Government in those waters, returning finally after a cruise of more than one and a half years, in which he sailed over 40,000 miles, to New York. On this long and remarkable cruise he suffered untold hardships and exposure. During the passage through the Straits of Magellan his ship was driven at high speed in the face of severe gales, and the weather was bitterly cold. But no matter what the weather, he remained at his post on the bridge of his ship without a word of complaint, as the report of the committee shows, until his face and neck were swollen and blistered.

Whether under the burning sun of the tropics, or plunging through the ice and fogs of Bering Sea, he stuck unflinchingly to his post. In a letter to his wife, written during that cruise, he said:

For nearly two weeks I have averaged about four hours sleep, and about seventeen hours out of the twenty-four on the bridge. Whichever way we turn the wind was dead ahead and very cold and raw. The consequence is that I am almost worn out from exposure and loss of sleep. My face and neck are blistered and raw, and I can hardly touch them at all.

Capt. Evans, the gallant commander of the Yorktown, testifies to all this and much more. Dr. Harmon, the chief surgeon of the ship, gives it as his deliberate opinion that Lieut. Conway's death resulted directly from the hardship and exposure of his last cruise. Under date of May 8, 1894, writing to the widow of the late Lieut. W. P. Conway, he says:

In the case of your husband, viewed in the light of his illness and death so soon after his detachment from the Yorktown, and of my intimate knowledge of his services and health during nearly two years on board that ship, I am fully convinced that the medical records of the ship, written by myself, do not give a full and complete history of his gradual deterioration of health noticed in the last months of the cruise.

The medical journal of the ship contains entries of his admission to sick list when he was excused from duty, as well as notes of prescriptions ordered for him when ailing but still doing his duties, but it makes no mention of the many times that I have seen him tired, almost to exhaustion, after hours of continuous watch on deck in the Straits of Magellan and during the arduous cruise in the Bering Sea, his face almost blistered by the cold driving rain and pelting sea spray, too much fatigued to sleep well and yet refusing, more than once, to let me put his name on the sick list.

His unquestioning and unflinching devotion to duty was often a subject of remark among his messmates, and sometimes of expostulation, as they did not fail to see in him the ill effects of physical and mental strain on those occasions. During the last six months on board the Yorktown the ship was much of the time at sea in the long passage from San Francisco.

Twice through the tropics by the Straits of Magellan, she arrived at New York in the early days of March. Coming upon our coast at this cold and particularly inclement time, all the ship's company suffered from the change of climate. At this time Lieut. Conway contracted a severe cold, which aggravated the cough that he was subject to, and which he was not entirely free from when he left the ship in June. I was glad for his sake to see him leave the ship, and believed that he would pick up again on shore. I think there is no doubt that the rapid course of his final illness and probably its fatal termination were due to the lowered condition of his general health, which came on gradually during the last six months or so of his cruise on board the Yorktown; and I may say to you, I think without official impropriety, that I believe his failure of health and his untimely death were in great part caused by the exposures and hardships of that cruise.

Dr. W. F. Stirman, an accomplished young physician who attended him during his last illness, attributes his death wholly to the hardships and exposures of his last voyage. He was relieved from duty on the Yorktown on the 27th of June, 1893, and returned to his old home in Owensboro, Ky., where he died on September 14 following. It required no physician's skill to convince his old friends and associates at home that his premature death was the result of his long and arduous service in the Navy. When they had seen him last before, he was a young man full of life and full of hope. When he came back to die he had suddenly grown to be an old man.

Halting on the threshold of the old homestead in which he was born, he had hardly time to receive the welcome of his family and friends before those who had known him longest and loved him best were following his remains to the garden of the slumberers.

This is a just case on all the facts. Precedents authorizing the increase of pension asked are at hand and are abundant, and I do not believe that the representatives of a generous people will withhold from the widow and child of this faithful soldier the scanty relief they seek.

The precedents authorizing the increase, to which I have referred, are in part as follows:

Partial list of naval officers' widows who have had their pensions increased by act of Congress.

- Mrs. Beaumont, widow of Admiral Beaumont, \$50; act approved July 5, 1884.
 Mrs. J. M. Watson, widow of Commodore Watson, \$50; act approved July 5, 1884.
 Mrs. Middleton, widow of Admiral E. Middleton.
 Mrs. Stribling, widow of Admiral C. K. Stribling, \$50; act approved July 5, 1884.
 Mrs. Zellin, widow of Brig. Gen. Zellin, United States Marine Corps.
 Mrs. Sands, widow of Admiral B. F. Sands.
 Mrs. Scott, widow of G. H. Scott (admiral), \$50; act approved February 28, 1885.
 Mrs. Boyden, mother of Master C. F. Putnam, \$30; act approved February 28, 1885.
 Mrs. Breese, widow of K. R. Breese (captain), \$50; act approved March 3, 1885.
 Mrs. Bissell, widow of Commodore S. B. Bissell, \$50; act approved March 3, 1885.
 Mrs. Creighton, widow of Admiral Creighton, \$50; act approved March 3, 1885.
 Mrs. Miles, widow of Lieut. C. R. Miles, \$50; act approved August 15, 1890.
 Mrs. Murray, widow of Admiral Murray, \$50; act approved April 15, 1885.
 Mrs. Harwood, widow of Admiral Harwood, \$50; act approved April 5, 1886.
 Mrs. Fillebrown, widow of Commodore Fillebrown, \$50; volume 24, page 715, Statutes.
 Mrs. Craven, widow of Commodore T. A. M. Craven, \$50; act approved June 1, 1885.
 Mrs. Semmes, widow of Commodore A. A. Semmes.
 Mrs. Burbank, widow of Surgeon C. H. Burbank, \$30; act approved July 30, 1884.
 Mrs. Edes, widow of Lieut. Commander B. L. Edes, \$50; act approved January 27, 1887.
 Mrs. De Kraft, widow of Admiral De Kraft, \$50; act approved January 31, 1887.
 Mrs. Hunt, widow of Harry Hunt (junior lieutenant).

PENSIONS FOR THE UNION VETERANS.

Mr. Chairman, in this connection I wish to add a few words on the subject of pensions generally. During the five years I have been a member of this body, while I have all the time had clearly defined views on the subject, I have taken no part in the numerous and sometimes acrimonious debates which have taken place here relative to pensioning Union veterans.

Having been a Confederate soldier myself I have thought perhaps the proprieties required that I remain silent, and I have sometimes wondered whether it did not occur to certain of my Democratic colleagues from the South that silence was the true policy; lest the attitude we appeared to assume with respect to pensions might furnish a pretext to those seeking to make political capital out of small things, to say that we of the South were not as loyal as we professed to be.

The fact that abuses have crept into the system, and that many who are unworthy have succeeded in getting their names on the pension roll, is no argument against the system. With an honest, efficient, and capable Commissioner at the head of the Pension Bureau, whatever of fraud or evil practice may have obtained can be speedily corrected and the pension roll made a roll of honor.

I do not believe, Mr. Chairman, that the matter of pensions is a political question, though the effort in this body since I have been here has constantly been to make it such. If it had been left to the men who fought the battles of the war on both sides, it never would have been a political question. The wonder to me has always been that Democrats have suffered our Republican friends as a political party to masquerade before the country as the only friend of the Union soldier.

Why, Mr. Chairman, if the Republican party alone had been left to fight the battles of the war, Richmond would never have fallen, and Sheridan's cavalry would have halted long before it reached Appomattox.

Speaking for myself and who as a boy followed the varying fortunes of the Confederacy from the opening to the close of the war, and correctly reflecting as I think the sentiments of every soldier who wore a Confederate uniform and honored it, I am in favor of a liberal pension for every Union soldier who is disabled; whether that disability results from wounds received in battle, or from broken down or shattered health consequent upon the exposure and hardships to which he was subjected while engaged in the service of his country.

I go further, Mr. Chairman, and say I am in favor of pensioning the dependent widows and dependent children of the Union

soldiers who fell in battle and whose silent gravestones mark every mile of the way from Shiloh to Gettysburg.

The Republican party, as such, has no patent or trade-mark entitling it to the exclusive confidence, esteem, or votes of Federal soldiers, and the time has come when that fact should be thoroughly understood.

If the Federal soldier owes the scars he wears, his halting step, his rude crutch, and his empty coat sleeve to the punishment he received at the hands of his adversaries, he is entitled at least to know that those who fought him so fiercely in war are his friends in peace, and that they stand ready, not only to cooperate with him in defending the integrity of the national flag, but in securing for him a liberal pension for all the injuries they inflicted upon him. The attitude of the ex-Confederate and his section on this subject has been too long misunderstood and his sentiments too often misrepresented.

Confederates believed when the armies of the South were disbanded that the war was over. Hungry, clad in rags, without money and without price, they followed with unflinching trust the Confederacy's alternating star of hope, until it sank forever behind the bloody fields on which they won their fame. But when they could no longer contend against fearful odds they stacked their muskets, took off their faded grey uniforms, saluted the Stars and Stripes, struck hands with the victors, and greeted them with the genuine salutation, "Henceforth let us have one flag and one country."

All this was in good faith, and by it Confederates committed themselves to the payment of pensions to all who, on account of services rendered in the struggle to preserve the Union, were entitled to receive them; and whoever undertakes, here or elsewhere, to make the impression that ex-Confederates are hostile to a system that provides for pensioning the old Federal soldier, not only misrepresents the living but slanders the memory of the dead. While demanding pensions for those against whom he fought, the ex-Confederate neither asks nor desires a pension for himself.

It is enough for him and his descendants to know that impartial history will record the fact that he contributed his full share in the great tragedy which made the fame of American arms immortal, and that his deeds of valor will be remembered as long as the nation keeps a record of its heroes.

In connection with this bill to pension the widow of as gallant an officer as ever served in our Navy, I have ventured to express briefly my views on the subject of pensions for those whom I opposed during the stormy period which made the present pension system a possibility. In doing so I trust I have violated neither the rules of propriety nor good taste.

If I have, I plead in mitigation that neither I nor those with whom I acted during the war are willing longer to be misrepresented or misunderstood.

Mr. JOHNSON of Indiana. Will the gentleman permit a question?

Mr. ELLIS of Kentucky. Yes.

Mr. JOHNSON of Indiana. The gentleman is making a very earnest argument, full of pathos, on behalf of the claim in favor of which he is speaking, and, while doing so, the gentleman has constantly looked over to this side of the Chamber. I should like to ask the gentleman if he is under the impression that there is any man over on this side mean enough, contemptible enough, and unpatriotic enough to oppose his bill?

Mr. ELLIS of Kentucky. I think not, Mr. Chairman.

Mr. JOHNSON of Indiana. I think if there is any missionary work necessary, it need not be directed to this side of the Chamber.

Mr. ELLIS of Kentucky. I do not wish to be dragged into a controversy.

Mr. JOHNSON of Indiana. I want to say to the gentleman from Kentucky that he could call this case up to-morrow and ask unanimous consent for its consideration and there would not be anybody mean enough, contemptible enough, or unpatriotic enough to object to its consideration on this side of the House.

Mr. ELLIS of Kentucky. In view of that statement, Mr. Chairman, I close my remarks; for I know that there is nobody on the Democratic side who will. [Laughter and applause.]

Mr. JONES. Mr. Chairman, in common with other gentlemen upon this floor, I have listened with a great deal of pleasure to the beautiful tribute paid by the gentleman from Kentucky to the memory of Lieut. Conway. I regard it as a chaste and well-deserved tribute from one gallant soldier to another; but I am constrained to say, Mr. Chairman, that ever since I have had the honor to serve in Congress I have opposed just such pension bills as this, and I can see nothing exceptional in it. I can not recognize the principle that because a man showed peculiar and distinguished gallantry in the service of his country that that fact is an all sufficient ground for increasing the pension which the law gives to his widow.

I have no doubt that there were thousands of private soldiers whose records were equal to the record of this officer, and whose widows to-day are far more needy than this one but who are only drawing a pension of \$12 a month. I know myself, sir, a lady who stands in almost the same circumstances that this lady does; who lives in my own district, the widow of a lieutenant, and who is drawing the same pension that Mrs. Conway enjoys, and supporting five little children, all girls, I believe, on \$25 a month; and notwithstanding the remark made by the gentleman from Indiana [Mr. JOHNSON], I want to say that I am one of those gentlemen who have the courage, even in face of his miserable remark directed at this side of the House, to say that I propose to stand here and oppose the pensioning of all claims of this character, and the fact that the proposed beneficiary is a Southern woman will make no more difference with me than it would were she Northern born.

I want to say further, Mr. Chairman, that the gentleman who made that slurring remark, intended as a reflection upon this side of the House, himself asked for unanimous consent to-day for the purpose of having considered a bill the purpose of which was to grant a pension; and I think the fact that there was objection made to the consideration of that bill will account for the animus he shows in this particular case.

I want to say, moreover, that I for one hurl back into the teeth of the gentleman his miserable insinuation. I want him to understand that so long as I represent an honorable and brave constituency upon this floor, that no such taunt as that made by him will deter me from doing my duty as I see that duty, and opposing the increase of a pension of this character, or any other that I do not believe ought to be granted. I am one of those who believe that the general law is liberal enough in this case, and that this lady, brave and gallant as was her husband, and deserving as she is, is not entitled to special legislation such as is here proposed in her behalf. She now receives \$25 per month and there is no special reason why that sum should be increased to \$50.

There are thousands of widows of gallant soldiers, plain, private, common soldiers, who are obliged to live upon \$12. When the time comes to increase the pensions of widows of lieutenants, who are drawing \$25 a month, to \$50 a month, it will be time to pass a general law increasing the pensions of widows of private soldiers, who were as gallant and as deserving and as patriotic, to the extent of \$25 per month. There should be no unjust discriminations made—all should share alike. For these reasons I am opposed to the passage of this bill.

There is no sectionalism in it. I do not care where bills of this character come from. If they are not meritorious I will not support them. I believe these are all Southern people; and I sympathize with this poor lady; but I am opposed to the increase of her pension because her case is in no wise exceptional, and there is no reason why it should be taken out of the general rule which applies to others of like character. I do not think we ought to consider the question of sections in passing upon these cases. [Applause.]

Mr. JOHNSON of Indiana. Mr. Chairman, when I stated to the gentleman from Kentucky that there was no man mean enough or contemptible enough or unpatriotic enough on this side of the Chamber to oppose his pension bill, there was nothing in my remark which would indicate that I referred to the gentleman from Virginia. If anybody ever supposed that he was mean, or contemptible, or unpatriotic, the speech he has just made has certainly disabused him of any such impression; for it is a speech abounding in liberality, broad-mindedness, and patriotic utterance.

It is a speech that I hope he will not mar in any way with his pencil when he comes to revise it, but that he will leave it in all its pristine glory in the pages of the CONGRESSIONAL RECORD for his constituents to read, and his colleagues to read, and so that the great and liberal and patriotic men who risked so much to preserve this Union may also read it.

The gentleman, however, has simply illustrated the propriety of the admonition which I gave the gentleman from Kentucky a moment ago, that instead of facing this way and making his eloquent appeal to this side of the House, it would be well enough for him to do some missionary work on his own side of the Chamber.

I was not foolish enough to imagine that any man who had bravely followed the stars and bars in the last great conflict would be small enough to oppose this bill. Those men, from their own privations on the battle field, have learned to sympathize with the gallant men who fought them and brought about a consummation with which all the people of this country are now thoroughly satisfied. But it remained for a man who knew nothing of the privations of war, who knew nothing of the sacrifices which were made in those dark days which tried men's souls, to rise on this floor and, under the pretense that he was

doing a courageous act, stab the helpless widow and the little child of a man who did brave service upon a sinking vessel's deck when the waves ran mountain high, and the thunders roared, and the vivid lightnings flashed.

When the gentleman talks about having the "courage" to stand here and oppose a bill of this kind, he has misconceived the meaning of the word courage. He had better consult Webster's Dictionary, or go to some real manly soul on that side of the House, and get from him a true definition of courage. The gentleman may stand here in his Don Quixotic zeal and fight these pension bills, but I am going to assume that even a man so low as the gentleman has, at some point along the line of his character, a redeeming feature, and the severest censure that I can inflict upon him now is to express the fear that as time rolls on and his experience in this House is extended, he will not have the manliness to regret the position he has taken on this bill.

Now, Mr. Chairman, the gentleman has seen fit to refer to something that occurred in the House to-day, and inasmuch as he has referred to that subject, I may be pardoned for recurring to it for a moment. I introduced and had referred to the Committee on Military Affairs a bill to remove a dishonorable discharge resting against a constituent of mine. The man had entered the Army and fought for three long years, and when his term of original enlistment expired he had reenlisted as a veteran.

The war had closed; Lee had capitulated; Johnston had grounded his arms; and up to that time the records of the War Department which are before the committee show that this soldier had been as brave a man as ever carried a musket or followed his country's flag. In all that time he had never been reprimanded, he had never been absent from his command except for fifteen days, and then for good reasons. He had been a gallant and true soldier who had followed the flag and participated in every battle of the many in which his regiment had been engaged.

And yet after the war was all over the regiment was put upon a boat and taken down the Mississippi. The manifest of the boat showed that she was going to Mexico; and it was reported that this regiment was being sent down there to aid Maximilian. The whole regiment was excited. They appealed to the colonel for an explanation, and he answered them, "Look at the manifest and you can find where you are going." They appealed to a captain, who gave them precisely the same unsatisfactory answer. They appealed to still another captain, saying that they did not wish to go down there to aid an expiring monarchy, but had enlisted for a different purpose. The answer was, "We will take you whether you care to go or not."

That regiment when it was landed was ordered to make a long march, which gave rise to the belief that they had been taken down there for the purpose which had been stated. So they mutinied. The war had closed. This man was not present at the time of the mutiny. When the regiment was ordered to fall into march he was not there; so he could not have disobeyed the order. Yet by a court martial, which was impanelled, he and two of his comrades were tried and sentenced to be shot.

But Gen. Pope, in his humanity and wisdom, realizing that a wrong had been committed, commuted the sentence to imprisonment. This constituent of mine was taken to a military prison; and the next week the doors were purposely left open to give him an opportunity to escape. He did escape. He went back to his regiment, and was present when the regiment was discharged, but through some misadventure he did not receive an honorable discharge; for the court martial had dishonorably discharged him for the act he was alleged to have committed.

Now, the Committee on Military Affairs, composed of manly, sensible, patriotic men—not governed, as the gentleman from Virginia is, by narrow-minded prejudices—men who are capable of drawing just distinctions—men of humanity and soul—unanimously reported that bill, feeling that under all the circumstances, in view of the soldier's magnificent record, he ought in his old age to have this charge removed, this stigma taken from his character.

I called the bill up in the House to-day, asking unanimous consent for its consideration. I had been apprised by the Speaker that I had better see the gentleman from Virginia; but I did not care to go down on my marrow bones to ask his sovereign consent that my bill might go through this House. I would rather have it fail than have it succeed by the aid of such a man as that. I rose here in my place and asked unanimous consent for the passage of that bill. And the brave, manly, Confederate soldiers that followed the battle-flags of Lee and Johnston and Longstreet sat silently in their seats acquiescing.

But it remained for the gentleman who never smelled powder, who was in his swaddling-clothes when these brave men earned their records in battle, to rise in his place, simply because he possessed the power to do it—because the one-man power for the

time being was vested in him—and object. Why, sir, any street gamin could have done the same thing. Some men come into this House with high ambitions for public duty, with just conceptions of what will give them character among their colleagues and their constituents. There are other men who have no higher conception of a position in Congress than to rise, just as any street gamin could do, and say "I object, I object."

The gentleman saw fit to exercise that right, and I acquiesced. Not a word of murmur or protest came to my lips, except that when he himself called for the reading of the report of the committee on that bill (and I was willing to have it read) I saw that he did not listen to one word of the reading; and I merely called attention to that fact to show to the House that his opposition to the bill was not founded upon any principle, but was the outgrowth of his narrow prejudices, and because he hated and despised the soldiers and all men who had done anything toward the suppression of the rebellion. And he rises now and tells this committee, and thus gives overwhelming proof of his ignorance, that the bill which I offered was for the purpose of increasing the man's pension.

I distinctly stated in his presence here to-day when the bill was called up that it involved no charge upon the Treasury and for that reason did not require to be considered under the rules in Committee of the Whole. And I called his attention (I think the record will show it) to the fact that the very bill itself provided that no back pay or other emolument should accrue to the soldier by reason of its passage.

Now, I have made this explanation, simply because the gentleman has to-night construed a remark which I made here in good faith to relate to himself. The gentleman seemed to have been able to establish a logical connection between what I said and his own conduct. If he sees fit to do so, I certainly shall not make any objection to it.

Now, I want to say in conclusion that I have no objection to the gentleman from Virginia opposing pension legislation if he sees fit to do so. I am not here to sit as a critic on him; but I thought I knew something of the impulses and feelings of the men with whom I am associated on this side of the Chamber. I thought I knew, and speak from that knowledge, that they had some appreciation and regard for the heroism and valor of a brave man, such as the gentleman from Kentucky has said was exhibited by his constituent whose widow and little child are asking relief now at the hands of a Democratic Congress.

I felt, and suggested to him at the time, that it was not necessary, in my judgment, to turn his attention to this side of the House for the purpose of securing converts in behalf of the bill he presented. I stated what I felt, and what I believe to be true, and I am glad to say that with but one exception on the other side of the Chamber, the gentleman from Virginia, there are none who do not seem to acknowledge and honor the claims of men that have exhibited valor and heroism in the face of danger such as this man did. The men who themselves faced danger, are the men who are readiest to honor valor and distinguished services.

And, Mr. Chairman, from the time that Rome gave laurel wreaths to her victorious soldiers and strewed their way with garlands of flowers, down to the time when England built her splendid monument to the memory of Lord Nelson at Trafalgar Square, and on down to the time when in this country the gallant soldiers of the Union and the ex-Confederates joined in granting pensions to the soldiers of the Union, all nations have delighted in honoring those who have distinguished themselves in the service of their country, and to make provision for those disabled by old age or the hardships of the service, and the widows and orphans who have been bereft of their natural guardians from wounds received in battle.

So far as I am personally concerned I am glad the gentleman from Kentucky introduced his bill. I shall cheerfully and cordially support it myself. I am not authorized to speak for this side of the House, but I know enough of the sentiment prevailing here to say that every vote will be given most cordially for it, and I know that on the other side the men who had the courage of their convictions and followed what they believed to be right, but what I believed to be wrong, in the cause of the rebellion, will cast their votes with me and mine on this side of the Chamber in favor of the bill.

Mr. JONES. Mr. Chairman, I have listened with a great deal of patience to the tirade of the gentleman from Indiana, and I am not surprised to find that he is just about as familiar with my record as he is with some of the facts which he undertakes to detail here. I will say to the gentleman, in the first place, for fear I may forget it before I get through, that his statement that I did not hear one word of the report that was read this afternoon is as gratuitous as it is untrue. I heard every word of it. I paid the most implicit attention to the reading, and because I did not undertake to reply at the time to the rude re-

mark made from his seat to the effect that I had not heard a word of it, gives no color of truth to what he has just said upon the subject.

I want to repeat, sir, that I am not here to talk about the very humble part I bore in the late war; but since the gentleman has thought fit to allude to what he supposes to be my military record, I will say, in the interest of truth, that although I may have had my "swaddling clothes" on, as he asserts, and although I was barely 16 years of age, I entered the service of my country, and marched, when Richmond surrendered, in the ranks of the Confederate troops who retreated before the triumphant advancing columns of the Federal Army which first entered that city. I was scarcely 16 years of age when, with my command, I stacked my musket in the grounds of the capital of the Confederacy. I want this House to understand that I am not boasting of any record I made in the army.

I want the gentleman to understand that I do not claim that I distinguished myself in battle. But when he talks of my "never having smelt powder" I want the House to know that he never smelt it, and that he never will as long as he has an opportunity to get out of the way of it. [Applause on the Democratic side.]

Now, sir, I do not care anything about the statement of gentlemen on that side of the House that they will vote for this bill, and that they do not vote against bills of this character. I am not criticising their course. If they choose to vote for every bill of this character that is brought before the House it is a matter for their individual consciences to decide, and I am not going to dispute that question with them.

But I will not allow any man on that side of this House to make me hold my tongue when I believe that a claim has no special merit in it and stands on precisely the same footing of thousands of others.

I never will keep silence because the gentleman from Indiana chooses to get up and make a miserable exhibition of himself, as I have seen him to do on more than one occasion, and undertake to insult this side of the House and to silence all opposition to measures supported by himself by declaring that there is no man on that side of the House "so mean" and "so contemptible" as to oppose them.

Now, Mr. Chairman, I do not want to discuss the merits of this bill any further. I have opposed bills of this character ever since I have been a member of Congress, and every man on this side of the House knows that I have never yet voted for a bill to increase the pension of the widow of an officer. Nor have I ever voted for a bill to pension a deserter, and I never expect to do it so long as I am a member of Congress. I do not care anything about the gentleman's position in these matters, but I will say before I stop that the case to which he refers and which he sought to have this House pass to-day, and in order that everybody may know its character, that it was a bill to correct the military record of a soldier and give him a pension, although it provided that he was not to receive any back pay, and that this soldier was court-martialed and sentenced to be shot for mutiny and his sentence was afterwards commuted to dishonorable discharge and imprisonment for five years in the penitentiary.

This is the kind of soldier the gentleman would have the Government pension. I will never support such a bill as that, even though the gentleman taunts this side of the House with opposition to pension bills. He will of course vote for a claim like this. Of course he will be glad of the opportunity to do so, and when it passes, if any gentleman on this side of the House afterwards gets up and objects to a bill offered by a gentleman on the other side of the House, he will then say, "We sat here and voted for your bill, and now you are ungrateful and will not return the favor by voting for ours." It is the policy of the gentleman, and of those who act with him, to vote for every pension bill in order that all bills granting pensions may pass this House. And while he says I never support these bills, I will say of him that I have never seen one here that had so little merit in it that he was not willing to vote for it.

Mr. TAWNEY. Mr. Chairman, the gentleman from Virginia and the gentleman from Indiana having expressed their mutual admiration for each other, I suppose we can now proceed with the consideration of this bill. [Laughter.]

I want to call attention to one fact that was omitted in the report which was read, that is, that if this pension is allowed, it will not be paid as other pensions are paid, out of the general fund in the Treasury of the United States, but will be paid out of a fund which has been created in pursuance of the act of 1862, which provides that the proceeds from the sale of all prizes shall be set aside as a prize fund, out of which the pensions allowed to the officers and marines of the United States Navy, or their widows, shall be paid. Members will find that provision of the law in the Revised Statutes, section 4752, and also 4755.

And I may say that under the provisions of section 4755 no part of this fund can be paid except by an appropriation made by Congress.

I will also say that there are more than thirty millions of dollars in this fund, and the charges upon it for pensions are not as large or do not equal the revenue derived from it, as it is invested at the present time by the officers of the Treasury Department.

Mr. ELLIS of Kentucky. In other words, the fund is constantly increasing?

Mr. TAWNEY. Yes, sir; the fund is constantly increasing, and the charges upon it are not equal to the amount of the interest. This pension will not be paid from money that is raised by taxation, either direct or indirect, but it will come from that fund realized by the sale of property captured by the Navy of the United States.

I want also to call attention to the fact again that at the time of the death of Lieut. Conway he had dependent upon him not only his wife and his son, but also his mother. He left these members of his family without any property whatever, and they are to-day entirely dependent upon the \$25 pension which has been allowed to the widow under the general law.

Mr. ELLIS of Kentucky. And the widow of Lieut. Conway is taking care of his old mother?

Mr. TAWNEY. And, as the gentleman from Kentucky [Mr. ELLIS] says, the widow of Lieut. Conway is now caring for the mother of her deceased husband.

Mr. STALLINGS. I should like to ask my friend a question before he takes his seat. Did I understand him to say that no amount could be appropriated out of the Federal Treasury for the payment of pensions to members or officers of the Navy?

Mr. TAWNEY. No; I said that no money could be taken from this fund except by an act of Congress appropriating the same. I will read the section, which is very short:

The Navy pensions shall be paid from the Navy pension fund, but no payment shall be made therefrom except upon appropriations authorized by Congress.

Mr. ELLIS of Kentucky. And this widow can only be pensioned out of this fund.

Mr. LIVINGSTON. It does not come out of the general fund of the United States Treasury?

Mr. TAWNEY. No, sir; it does not come out of the general fund of the United States Treasury.

Mr. STALLINGS. I think my friend is mistaken about the construction of the law. This money, as I understand it, is loaned out, and the interest goes toward the pay of pensions; but that not being sufficient, we make an appropriation of \$151,000,000, which goes to pay all the pensions, and this income from this fund is put in with it. That is my understanding of the statute, although I may be mistaken.

Mr. TAWNEY. The money appropriated by this bill must be paid out of this fund or not be paid at all.

Mr. MCCREARY of Kentucky. Mr. Chairman, I did not have the pleasure of hearing the remarks of my colleague from Kentucky [Mr. ELLIS], but the bill under consideration is so just and so meritorious that I would be untrue to my feelings did I not speak in favor of its passage. I had the pleasure of knowing Lieut. Conway. He was a man who possessed as many noble traits of character as any man I ever knew. And now that he is dead, I feel like doing all I can to have justice done to his widow, to his fatherless child, and to his aged mother.

The history of Lieut. Conway's naval service will compare favorably with that of any man who ever served in the Navy. For twenty-four years he was in the Navy, with only nine months' leave of absence during all that time. He had been in the naval service about seven years when he became conspicuous because of his gallantry and efficiency when the United States steamship *Huron* was wrecked and about one hundred seamen drowned, and the captain in command of the ship also drowned.

Lieut. Conway, the report shows, volunteered to take charge of a small boat and try to reach the shore for assistance, but the boat when it was lowered was smashed by the terrific seas then washing over the wreck. His brother officer, Lieut. Lucien Young, also an officer on the *Huron*, testified in strong language to the gallantry of Lieut. Conway, who later swam ashore and was untiring in his efforts to relieve his comrades. He was bruised and injured and his health impaired by exposure when that terrible wreck occurred.

According to the testimony of Capt. Evans, Lieut. Conway served under his command from August, 1891, to March, 1892, on the United States steamship *Yorktown*, and Capt. Evans says the Navy has seldom seen his equal and never his superior as navigator. In the Straits of Magellan and in Bering Sea his hardships and responsibilities were very trying and his exposures continuous and severe. His brother officers have said that his health was permanently impaired by his hardships and ex-

posure, and he died a few months after his return from Bering Sea.

He was the supporter and protector of a wife and one child and an aged mother. They have no property, and were dependent on him for support.

His wife has been allowed a pension of \$25 per month and the child \$2 per month. This is utterly insufficient. Considering the financial condition of the widow and child and aged mother and the gallantry and devotion to duty of this officer, whose death it is believed was caused by his hardships and exposure in the line of duty, the bill should be passed and the pension increased to \$50 per month.

There are many precedents to justify the proposed increase, and the money will be paid out of the prize money accruing to the United States for sale of prizes, etc. We can afford to act justly and "be kind to the widow and the orphan," and I hope the bill will pass.

Mr. LOUD. Under ordinary circumstances, Mr. Chairman, I should not say a word upon this pension case or upon any other; but when I recollect the words used by my patriotic friend from Indiana [Mr. JOHNSON] I might and possibly should be deterred from saying a word now. But looking at this case, I think, as a patriotic citizen, fully as patriotic as the gentleman from Indiana, I can see no particular equity and no particular merit in this case above hundreds and thousands of others throughout the length and breadth of this land.

The gentleman in his ardor said: "There is no man on this side of the House so mean, so contemptible, so unpatriotic as to raise his voice against this particular pension case." Well, now, what particular merit is there in the case of the widow of Lieut. Conway? I am going to lay myself liable, Mr. Chairman and gentlemen, to the insinuation of the gentleman that I am mean, contemptible, and unpatriotic; but I believe his extraordinary ardor and his faint recollection of what patriotism means [laughter] misled him; because when the late war was on in this country he was too young to participate in its trials and struggles. Mean and contemptible! That he may lay to my charge if he pleases; but so far as my patriotism is concerned, I am perfectly willing to lay it upon the altar beside that of the gentleman and let the people judge between the two.

Lieut. Conway entered Annapolis, a position he sought and labored for arduously. He entered the Navy as a midshipman; he was an officer during all his service; he received good pay and full recompense for his service, probably much better than he could have received in any other vocation that he could have sought in this world. The gentleman from Kentucky painted in glowing colors his services during the wreck of the *Huron*.

Why, gentlemen, as great scenes of daring and heroism are exhibited on our coasts every day and almost every hour. They say that this day spent upon the *Huron* cost him his life, nevertheless he lived for thirteen years after that. They tell us that he was in the Straits of Magellan and was there exposed to that tempestuous climate. Why, sir, I have spent months many degrees farther south than that, years and years ago, exposed to the tempests of the Southern Pacific, and you see me here to-day in good health. We are told that he was in the Arctic regions, that he was there looking after the seals in the interest of this Government.

Why, my old friend, Chief Engineer Engard, has been there for six seasons in succession, and he enjoys as good health to-day as I do. Now, I repeat, that I fail to see any particular merit in this case; and I remind you, gentlemen, that in passing a bill like this you are setting a precedent that may come back to trouble you some day, that is if you have any conscience regarding the granting of pensions.

Mr. TAWNEY. Speaking of precedents, I would call the gentleman's attention to the fact that there are a good many precedents for the granting of this pension.

Mr. LOUD. Oh, I am willing to admit that there are precedents; but for every case like this there have been a hundred cases where the committees and Congress have failed to allow the pension.

Mr. TAWNEY. Not in the Navy.

Mr. LOUD. In the Navy or in the Army; it is immaterial where. The gentleman from Kentucky [Mr. ELLIS] has appealed to the sympathies of this House, and, under ordinary circumstances, as I have said, I should not have raised my voice but should have contented myself with silently voting against a bill of this character, because I do not believe it is for the best interest of this Government that such claims should be allowed; but when I found myself classed as being "mean, contemptible, and unpatriotic," I could not maintain silence. However, in the estimation of the gentleman from Indiana I suppose I must continue to remain in that class.

Mr. JOHNSON of Indiana. Mr. Chairman, when I stated a moment ago that I did not think there was a man on this side of

the Chamber who was mean, contemptible, and unpatriotic enough to vote against the bill of the gentleman from Kentucky, I expressly stated that I was not authorized to speak for my Republican colleagues. It seems, after all, that I was merely giving my opinion. [Laughter.] I am very sorry to observe that I have been mistaken, and that there is at least one solitary exception on this side of the Chamber.

Mr. LOUD. Oh, there may be more.

Mr. JOHNSON of Indiana (continuing). And I deeply regret, on looking over the Congressional Directory, to discover that that solitary exception is found in the person of a man who was himself a soldier in the Union Army. However, I am not disposed to find fault with my friend from California. I am quite ready to accord to him the same privilege that I claim for myself, the right to cast his vote as he thinks proper, though I am disposed to regard him more in sorrow than in anger.

Looking over another part of the Congressional Directory, I observe a biographical sketch of one WILLIAM ATKINSON JONES, of Warsaw, Va. When the gentleman from Virginia sat down awhile ago amid the applause of the galleries and of some of his colleagues—and I noticed that they seemed to think it necessary to buoy him up with applause, regardless of the fitness of the occasion, for certainly there was nothing in what he said that demonstrated any particular merit on his part—when the gentleman sat down he left this House under the impression that he had fought, bled, and almost died for the Southern Confederacy, and I know that the old Confederate veterans who never laid down their arms until Lee surrendered and Johnston capitulated began to look around for their laurels. [Laughter.]

The gentleman left the impression that he had been an enlisted soldier, and that at the early age of 17 he has rushed to arms to rescue the Confederacy from the grasp of Grant and Sherman. Now, I suppose the gentleman furnished this biography of himself to the person who compiled the Congressional Directory, and from it I find that—

WILLIAM ATKINSON JONES, of Warsaw, was born in Warsaw, Richmond County, Va., March 21, 1849; in the winter of 1864-'65, entered the Virginia Military Institute—

which I believe at that time was a literary institution. I do not know whether it was very near the immediate seat of war or not—

where he remained until the evacuation of Richmond, serving as occasion required—

That is rather indefinite, for what one man might regard as an occasion requiring him to serve might not be so regarded by another—

with the cadets in defense of that city.

I read this simply for the purpose, as the lawyers say, of making more certain, definite, and specific the character of the services rendered by the gentleman from Virginia during the late war. He has seen fit to twit me on account of my supposed indisposition for military service, and has undertaken to make a prediction as to the probability of my smelling powder in the future. If the gentleman is not more accurate in prophesying as to the future than he is in stating the facts of the past and of the present, I am very much afraid that he will not forecast my future correctly.

The gentleman from California [Mr. LOUD] has also seen fit to make reflections upon me for not having served in the late war.

I am not disposed to plead the baby act, Mr. Chairman; but when I state that I was born on the 28th day of October, 1850, the recital of that pertinent fact may perhaps explain any dereliction on my part as to bearing arms in the war of the rebellion. [Laughter.] I have always imagined that if I had marched out upon the battlefield at the somewhat immature age of 10 to 14, Gen. Lee would not have been very greatly confounded, Gen. Johnston would not have felt that he must immediately capitulate, and I do not believe that Longstreet would have been put to ignominious rout, would have abandoned his artillery, thrown away his side arms, and left the Confederacy to collapse. [Laughter.]

But, Mr. Chairman, I want to call the attention of the gentleman from Virginia to the fact that his services, such as they were, were on the wrong side, and therefore are not a fit subject for eulogy, especially at the hands of himself, at this late day, when the best men on that side are thanking God that the Confederacy did not succeed, and rejoicing in the restoration of this great and glorious Union.

I want to say, further, that while I rendered no service in the war, every thought and hope and aspiration of my mind was with the men who followed my country's flag and sought to preserve for the gentleman and for me and for our posterity the blessings of a glorious and indestructible Union. This much at least I may take for my consolation, as I regret that my immaturity prevented me from serving with the Union soldiers in the late war. [Applause.]

Mr. JONES. Just one word more, Mr. Chairman. The House will bear me witness that I did not show the bad taste to bring my record before it. I want simply to say to the gentleman from Indiana that I have not taken the trouble to look at his autobiography. Inasmuch as he wrote it himself, I would not be willing to accept it as a true statement of his exploits.

Mr. JOHNSON of Indiana. The gentleman does seem to have an aversion to the truth. [Laughter.]

Mr. JONES. The corps of cadets of the Virginia Military Institute have as honorable a record for military service as any command in any army on either side of our great conflict, and one that no member of it will ever be ashamed of. In one battle, that of New Market, some fifteen of the brave boys who belonged to that organization laid down their lives for their country, and many more were severely wounded. They, at least, smelt gunpowder. I have not said anything about my "smelling gunpowder." I have simply said in reply to the taunt of the gentleman, in response to his statement that I was in swaddling clothes when the war between the sections was being fought, that I was at least large enough to bear a musket, to sleep in the Confederate trenches around Richmond, and to serve at the close of the war with as gallant a body of men as ever went into that war.

I take no credit to myself for the part I performed, because it was as humble as that performed by any man in that command. I have never been one of those to get up here and discuss the war or the services of any man who fought for the Confederacy. But I will say that I have been in Congress long enough to observe one thing—that the men who get up here and throw slurs at Confederate soldiers, the men who get up here on the other side of this House and fight over again the battles of the war, are the men who bore no part in that conflict; and whatever may have been their ages I am very certain that not one of them would ever have participated in it under any circumstances. I think they would all have furnished substitutes, as a great many other people did. The battles of the Union were not fought by the men who are now fighting for the first time.

Mr. ELLIS of Kentucky. Mr. Chairman, I move that this bill be laid aside to be reported to the House with a favorable recommendation. [Cries of "Vote!" "Vote!"]

Mr. DOCKERY. Let us have peace now.

The question being taken on the motion of Mr. ELLIS of Kentucky, there were, on a division (called for by Mr. STALLINGS)—ayes 65, noes 14.

Mr. STALLINGS. No quorum.

Tellers were ordered; and Mr. ELLIS of Kentucky and Mr. STALLINGS were appointed.

The committee again divided; and the tellers reported—ayes 49, noes 14.

The CHAIRMAN. No quorum has voted.

Mr. STALLINGS. I have agreed with the gentleman who introduced this bill that if we can get unanimous consent of the House, the bill may be laid aside with a favorable report at \$35 a month.

Mr. PICKLER. I object.

Several MEMBERS. Oh, do not object.

Mr. PICKLER. Let us vote on it. If the bill is to be amended, let it be amended regularly. We do not want these two gentlemen to fix up a bill for the House.

Mr. STALLINGS. I withdraw my proposition for unanimous consent.

The CHAIRMAN (Mr. ARNOLD). If the point of "no quorum" is withdrawn, the bill will be laid aside to be reported favorably to the House.

Mr. STALLINGS. I wish to ask what disposition has been made of this bill?

The CHAIRMAN. The Chair understood that the point of no quorum was withdrawn.

Mr. STALLINGS. No, sir; I did not withdraw the point of no quorum. [Cries of "Regular order!"]

The CHAIRMAN. The Chair begs the gentleman's pardon. That was the understanding of the Chair.

Mr. STALLINGS. I did not withdraw the point.

The CHAIRMAN. The tellers will resume their places.

Mr. STALLINGS. The tellers, as I understand, have already reported.

The CHAIRMAN. Is the point of no quorum insisted upon?

Mr. STALLINGS. Yes, sir.

The CHAIRMAN. No quorum having appeared, the Clerk will call the roll.

The roll was called and the following members failed to answer to their names:

Abbott,	Aldrich,	Babcock,	Bartholdt,
Adams, Ky.	Alexander,	Bailey,	Bartlett,
Adams, Pa.	Allen,	Baldwin,	Barwig,
Alderson,	Apsley,	Barnes,	Belden,

Bell, Colo.	Dunphy,	Kilgore,	Reyburn,
Bell, Tex.	Durborow,	Lapham,	Richards, Ohio
Beltzhoover,	English, Cal.	Latimer,	Richardson, Tenn.
Bingham,	English, N. J.	Lawson,	Ritchie,
Black, Ill.	Enloe,	Lefever,	Robbins,
Bland,	Everett,	Lester,	Robertson, Ia.
Boatner,	Fielder,	Lisle,	Robinson, Pa.
Boutelle,	Fithian,	Lockwood,	Rusk,
Bower, N. C.	Fletcher,	Lucas,	Russell, Conn.
Bowers, Cal.	Forman,	Magner,	Russell, Ga.
Branch,	Funk,	Maguire,	Schermerhorn,
Breckinridge, Ark.	Funston,	Mallory,	Scranton,
Breckinridge, Ky.	Fyan,	Marshall,	Settle,
Brickner,	Gardner,	Marvin, N. Y.	Shaw,
Brosius,	Gear,	Martin, Ind.	Shell,
Brown,	Geary,	McAleer,	Sherman,
Bryan,	Geissenhainer,	McCall,	Sibley,
Bunn,	Gillet, N. Y.	McCleary, Minn.	Sickles,
Burnes,	Gillet, Mass.	McDannold,	Simpson,
Burrows,	Goldzler,	McDearmon,	Sipe,
Bynum,	Goodnight,	McDowell,	Smith,
Cadmus,	Grady,	McEttrick,	Somers,
Caminetti,	Graham,	McGann,	Sperry,
Campbell,	Gresham,	McLaurin,	Springer,
Cannon, Cal.	Griffin,	McMillin,	Stephenson,
Cannon, Ill.	Grosvenor,	Meiklejohn,	Stevens,
Capehart,	Grow,	Mercer,	Stockdale,
Caruth,	Hager,	Meredith,	Stone, W. A.
Catchings,	Hainer,	Milliken,	Stone, Ky.
Causey,	Haines,	Money,	Storer,
Chickering,	Hall, Minn.	Moon,	Straft,
Childs,	Hall, Mo.	Morgan,	Straus,
Clancy,	Harmer,	Morse,	Tabott, Md.
Clarke, Ala.	Harris,	Moses,	Tarsney,
Cobb, Ala.	Harter,	Murray,	Taylor, Tenn.
Cobb, Mo.	Hartman,	Neill,	Terry,
Cockran,	Hatch,	Newlands,	Thomas,
Coffeen,	Haugen,	Northway,	Tracey,
Coombs,	Heiner,	Oates,	Tucker,
Cooper, Fla.	Henderson, Iowa	Ogden,	Turner, Ga.
Cooper, Ind.	Henderson, N. C.	O'Neil, Mass.	Turner, Va.
Cooper, Wis.	Hendrix,	O'Neil, Mo.	Turpin,
Cornish,	Hepburn,	Page,	Van Voorhis, N. Y.
Cousins,	Hermann,	Paschal,	Van Voorhis, Ohio.
Covert,	Hines,	Patterson,	Wadsworth,
Cox,	Hitt,	Payne,	Walker,
Crawford,	Holman,	Paynter,	Warner,
Culbertson,	Hooker, Miss.	Pence,	Washington,
Cummings,	Hooker, N. Y.	Pendleton, W. Va.	Wells,
Curtis, N. Y.	Hopkins, Ill.	Perkins,	White,
Dalzell,	Hopkins, Pa.	Phillips,	Whiting,
Davey,	Houk,	Powers,	Wilson, Ohio
De Forest,	Hudson,	Price,	Wilson, Wash.
Denson,	Hullek,	Quigg,	Wilson, W. Va.
Dingley,	Hull,	Randall,	Wise,
Dinsmore,	Hutcheson,	Ray,	Woodard,
Dolliver,	Ikirt,	Rayner,	Wright, Pa.
Doollittle,	Izlar,	Reed,	
Draper,	Johnson, N. Dak.	Reilly,	
Dunn,	Johnson, Ohio		

During the roll call the following proceedings took place:

Mr. ELLIS of Kentucky. I ask unanimous consent that the bill be passed over without prejudice, retaining its place on the Calendar.

Mr. PICKLER. I object.

The CHAIRMAN. The Clerk will proceed with the call of the roll.

Sometime subsequently:

Mr. PICKLER. I ask unanimous consent that the order be vacated for the call of the roll.

Mr. WILLIAMS of Mississippi. I would like to know the object of the request before consent is given.

Mr. PICKLER. I understand the opponents and friends of the bill may be able to get together if the roll call is suspended.

Mr. WILLIAMS of Mississippi. I do not object to that.

The CHAIRMAN. Is there objection to dispensing with the further call of the roll?

Mr. AITKEN. I move that the bill be amended by inserting "\$35," instead of "\$50."

The CHAIRMAN. The point of no quorum must be withdrawn first.

Mr. STALLINGS. I can not withdraw the point without the consent of other gentlemen who voted with me on that side.

The CHAIRMAN. The Clerk will resume the call of the roll.

The call of the roll was resumed and concluded as above.

The committee rose; and Mr. BROOKSHIRE having resumed the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House on the Private Calendar having found itself without a quorum, he had directed the roll to be called, and now reported the names of the absentees to the House.

The SPEAKER *pro tempore*. The names of the absentees will be entered upon the Journal. Ninety-seven members have answered to their names; not a quorum.

Mr. MADDOX. I desire to ask that Judge LAWSON be excused to-night, on account of sickness.

There was no objection.

Mr. BRETZ. I desire to ask that my colleague, Mr. MARTIN of Indiana, be excused on account of sickness to-night.

There was no objection.

Mr. BRETZ. I make the same request with reference to Judge HOLMAN and Mr. BROWN, of Indiana.

There was no objection.

Mr. LIVINGSTON. I ask that my colleague, Mr. MOSES, be excused for to-night.

There was no objection.

Mr. EDMUNDS. I ask that Mr. ALDERSON be excused on account of sickness to-night.

There was no objection.

And then, on motion of Mr. BRETZ (at 9 o'clock and 48 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. BUNN, from the Committee on Claims: A bill (S. 1325) for the relief of A. P. H. Stewart. (Report No. 964.)

By Mr. CLARK of Missouri, from the same committee: A bill (H. R. 3601) for the benefit of Joshua Bishop. (Report No. 967.)

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Ways and Means was discharged from the consideration of the joint resolution (H. Res. 174) directing the Commissioner of Internal Revenue to reopen and reexamine claims of D. R. Carroll and others; and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and a resolution of the following titles were introduced, and severally referred as follows:

By Mr. HOUK: A bill (H. R. 7212) to establish a soldiers' home at or near Knoxville, Knox County, Tenn.—to the Committee on Military Affairs.

By Mr. McETTRICK: A bill (H. R. 7213) to establish a life-saving station at or near City Point, Boston Harbor, Mass.—to the Committee on Interstate and Foreign Commerce.

By Mr. BLAIR: A bill (H. R. 7214) for establishing, in the colleges of agriculture and the mechanic arts, departments for the instruction of girls and women in useful occupations and the arts of home life—to the Committee on Agriculture.

Also, a bill (H. R. 7215) for establishing, in connection with the colleges of agriculture and the mechanic arts, schools of normal instruction in the culture and training of domestic animals—to the Committee on Agriculture.

By Mr. BROWN: A resolution for the payment of Alfred J. Stoffer for preparing digest of contested election cases of the Fifty-second Congress—to the Committee on Accounts.

PRIVATE BILLS, ETC.

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

By Mr. BLAIR: A bill (H. R. 7216) to remove the charge desertion from the military record of Joseph G. Marsh, of United States steamer Galena—to the Committee on Military Affairs.

Also, a bill (H. R. 7217) to pension Sarah Pennock—to the Committee on Invalid Pensions.

By Mr. BERRY: A bill (H. R. 7218) granting a pension to Henrietta S. Cummins, widow of James P. Cummins, late lieutenant, of Company E, Eighth Kentucky Cavalry—to the Committee on Invalid Pensions.

By Mr. DURBOROW: A bill (H. R. 7219) granting a pension to Mary A. Ayer—to the Committee on Pensions.

By Mr. LIVINGSTON: A bill (H. R. 7220) for the relief of Mrs. Emily Evans—to the Committee on War Claims.

By Mr. McCREARY of Kentucky: A bill (H. R. 7221) for the relief of Richard Boyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7222) for the relief of William J. Landram—to the Committee on Claims.

Also, a bill (H. R. 7223) for the relief of John H. McBrayer—to the Committee on War Claims.

Also, a bill (H. R. 7224) for the relief of Mary H. Letcher—to the Committee on War Claims.

By Mr. McALEER: A bill (H. R. 7225) for the relief of George Pilkington—to the Committee on Military Affairs.

By Mr. MADDOX: A bill (H. R. 7226) to pension Allen Philpot—to the Committee on Pensions.

Also, a bill (H. R. 7227) for the relief of the heirs at law of W. L. Barnes, of Cobb County, Ga.—to the Committee on War Claims.

By Mr. MEREDITH: A bill (H. R. 7228) for the relief of Arthur Gunnell—to the Committee on War Claims.

By Mr. PENDLETON of West Virginia: A bill (H. R. 7229) to compensate Walter L. Shuck, of Grafton, Taylor County, and State of West Virginia, and T. Walter Long, of Cumberland, Alleghany County, Md., for land taken by the United States for public use—to the Committee on Claims.

By Mr. PAGE: A bill (H. R. 7230) to reimburse the officers and crew of a Government dredge wrecked in Narragansett Bay, Rhode Island—to the Committee on Claims.

By Mr. RICHARDSON of Michigan: A bill (H. R. 7231) to correct the military record of Peter Duchane—to the Committee on Military Affairs.

By Mr. SAYERS: A bill (H. R. 7232) for the relief of Joshua Hazlewood—to the Committee on Pensions.

Also, a bill (H. R. 7233) granting a pension to James Champ- lin—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. BAKER of Kansas: A petition to Congress by the citizens of Quinter, Kans., favoring an amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BALDWIN: Petition of Breckenridge and Duluth, Minn., requesting the passage of an act to recognize the services and grant honorable discharges to members of the United States military telegraph corps—to the Committee on Military Affairs.

By Mr. BARTLETT: Petition in favor of bill for Government supervision of telegraph—to the Committee on the Post-Office and Post-Roads.

By Mr. BLACK of Illinois: Petition of citizens of Joliet, citizens of Edwardville, citizens of Rockford, citizens of South Chicago, and citizens of South Elgin, all of Illinois, for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. BURNES: Petition of W. H. Garrett and other citizens of Weston, Platte County, Mo., asking an increase of pension for John Funderburk, late a private in Company F, Twenty-seventh Regiment Missouri Volunteers—to the Committee on Invalid Pensions.

Also, two petitions from the citizens of Missouri, for the passage of the Manderson-Hainer bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BURROWS: Petition of citizens of Ishpeming, Marquette County, Mich., asking that the funds of mutual life insurance companies and associations be exempted from the income tax—to the Committee on Ways and Means.

By Mr. CUMMINGS: Petition of citizens of Little Falls, Clayton, Gloversville, Greenwood Lake, Rome, and Fulton, all of New York, and of the citizens of the State of Ohio, and also of the citizens of Sacramento, Cal., for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. DALZELL: Petition of sundry citizens of Pittsburg, Pa., protesting against a reduction of appropriation for the Indian service—to the Committee on Appropriations.

By Mr. EDMUNDS: Petition of the heirs of E. O. Watkins, of Chesterfield, Va., asking pay for property used by Gen. Butler's troops in the late war—to the Committee on War Claims.

By Mr. GEAR: Petition of S. F. Baker and others, of Keokuk, Iowa, regarding the tax on spirits—to the Committee on Ways and Means.

By Mr. GORMAN: Petition of ex-Democratic postal clerks, for the passage of the Bynum joint resolution—to the Committee on the Judiciary.

By Mr. HICKS: Petition of 41 citizens of Altoona, and 22 of Blair County, Pa., for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: Petition of citizens of Camden, N. J., for the passage of an act recognizing the services of military telegraph operators, known as H. R. 5270—to the Committee on Military Affairs.

By Mr. MAHON: Petition of 44 citizens of Mifflin and Snyder Counties, Pa., for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By Mr. McCALL: Resolutions of the Association of First and Second Class Postmasters, of Massachusetts, in favor of House bill 56—to the Committee on the Post-Office and Post-Roads.

By Mr. McCLEARY of Minnesota: Protest of German Evangelical Lutheran Church, of Lakefield, Minn., against any change in the preamble of the Constitution, signed by Rev. W. Endeward, pastor, and H. Albers, R. D. Pietz, W. Wrase,

and Carl Samuel, trustees, in behalf of 278 communicants—to the Committee on Judiciary.

By Mr. MEIKLEJOHN: Petition of citizens of Fremont, Nebr., for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

Also, petition from Columbus, Nebr., against the income tax on the income of mutual loan and building associations—to the Committee on Ways and Means.

By Mr. RYAN: Petition of 200 citizens of New York, in favor of the establishment of a Government telegraph and telephone service—to the Committee on the Post-Office and Post-Roads.

By Mr. SIBLEY: Two petitions, signed by 75 citizens of Erie, Pa., and vicinity, for the passage of an act recognizing the services of military telegraph operators—to the Committee on Military Affairs.

By the SPEAKER (by request): Petition of Charles H. Burtis Post, No. 185, Department of New York, Grand Army of the Republic, praying the passage of House bill No. 30, entitled "An act giving preference in appointment in the public service of the United States to veterans of the late war"—to the Committee on Reform in the Civil Service.

SENATE.

SATURDAY, May 26, 1894.

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

Prayer by Rev. EDWARD B. BAGBY, Chaplain of the House of Representatives.

Mr. QUAY. Mr. President, I suggest that there is not a quorum present.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Dolph,	Mitchell, Wis.	Turpie,
Bate,	Faulkner,	Palmer,	Vest,
Berry,	Hunton,	Pasco,	Voorhees,
Call,	Irby,	Peffer,	White.
Cameron,	Kyle,	Perkins,	
Coke,	Lindsay,	Quay,	
Davis,	McMillan,	Teller,	

The VICE-PRESIDENT. Twenty-five Senators have answered to their names. There is not a quorum present.

Mr. JONES of Arkansas and Mr. WASHBURN entered the Chamber, and answered to their names.

Mr. FAULKNER. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE-PRESIDENT. The Sergeant-at-Arms will execute the order of the Senate.

Mr. PETTIGREW, Mr. SHERMAN, Mr. MURPHY, Mr. FRYE, Mr. ROACH, Mr. VILAS, Mr. HAWLEY, Mr. HALE, Mr. CAFFERY, Mr. COCKRELL, Mr. MITCHELL of Oregon, Mr. SHOUP, Mr. MANDERSON, Mr. LODGE, Mr. HILL, Mr. McLAURIN, and Mr. DUBOIS entered the Chamber, and answered to their names.

The VICE-PRESIDENT (at 10 o'clock and 22 minutes a. m.). Forty-four Senators have answered to their names. A quorum is present.

Mr. FAULKNER. I move that further proceedings under the call be dispensed with.

The VICE-PRESIDENT. Without objection it is so ordered. On motion of Mr. TELLER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

IMPORTATION OF CONTRACT LABORERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the Senate of the 2d instant, certain information in regard to alleged violations of the statutes against the importation of contract laborers since March 4, 1889; which, with the accompanying papers, was referred to the Committee on Education and Labor, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. FRYE presented a petition of 44 policy holders of Aroostook County, Me., and a petition of the general agent of the Washington Life Insurance Company of New York, representing 569 policy holders in the State of Maine, praying that in the passage of any law for the taxation of incomes, the funds of mutual life insurance companies be exempted from taxation; which were ordered to lie on the table.

Mr. COKE presented a memorial of sundry citizens and business men of Galveston, Tex., remonstrating against placing wool on the free list; which was ordered to lie on the table.

Mr. VILAS presented the petition of E. K. Ausorge and sundry other citizens of Green Bay, Wis., praying that mutual life