

Mr. HARRIS. It is always with profound attention, and generally with admiration, that I hear a suggestion from the Senator from New Hampshire, and I always regret, as I regret now, when I am unable to give him a perfectly frank, full, and satisfactory answer.

Mr. CHANDLER. A suffering country, I say to the Senator from Tennessee, waits upon his answer. [Laughter.]

Mr. HARRIS. I admit that there is a suffering country, and it has suffered for many months because of the conduct of the Senator from New Hampshire. [Laughter.] But not to prolong this exceedingly interesting and important discussion between the Senator from New Hampshire and myself, unless he hankers to make a reply to my remarks—

Mr. CHANDLER. I simply wish to ask the Senator to fix a time when the country may be relieved from suffering because of either of us by an adjournment.

Mr. HARRIS. Whenever the Senator from New Hampshire will consent to be absolutely silent, that result will be brought about. [Laughter.] I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, August 16, 1894, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, August 15, 1894.

The House met at 12 o'clock m. Prayer by the Rev. W. E. PARSON, D. D.

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

CORRECTIONS.

Mr. GROW. Mr. Speaker, I rise to a question of personal privilege. I desire to correct the daily RECORD. On page 9956, on the vote on the bill for free sugar, I am recorded as paired with the gentleman from Texas [Mr. CULBERSON]. I was not paired with anybody. Mr. CULBERSON, I see, voted "yes," and if present I should have voted the same way. I would have voted to continue the bounty provided for the producers of sugar in this country under the act of 1890, believing that the Government in good faith was pledged to that.

The SPEAKER. The correction will be made.

Mr. SNODGRASS. I desire to correct the daily RECORD. On page 9950 I am recorded as voting in the affirmative on the question of free iron ore. I did not vote on that question at all; but was paired with my colleague from Tennessee [Mr. TAYLOR]. I want the RECORD so corrected.

The SPEAKER. The correction will be made.

Mr. BLACK of Illinois. Mr. Speaker (after making a correction as to how he would have voted on the motion to discharge the House conferees on the tariff bill had he not been paired, said: "I desire to be recognized for the purpose of presenting a resolution.")

The SPEAKER. The Chair did not understand the gentleman.

Mr. BLACK of Illinois. I desire to be recognized for the purpose of presenting a resolution.

The SPEAKER. We have not reached that period yet.

THE TARIFF.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the bill (H. R. 4864) to reduce taxation, to provide revenue for the Government, and for other purposes; when the Speaker signed the same.

LEAVE OF ABSENCE.

Mr. McCREARY of Kentucky. Mr. Speaker, I am requested to ask indefinite leave of absence for my colleague, Mr. ADAMS, on account of sickness in his family.

There was no objection, and it was so ordered.

Mr. BARTLETT. Mr. Speaker, I am requested by my colleague, Mr. COCKRAN of New York, to ask indefinite leave of absence on account of sickness in his family.

There was no objection, and it was so ordered.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 6080) to amend section 4833 of the Revised Statutes, and for other purposes;

A bill (H. R. 6038) to repeal House resolution numbered 104, first session Fifty-first Congress, granting to Secretary of War a permit to license to use a pier at the mouth of Chicago River; and

A bill (H. R. 387) to authorize the construction of a life-saving station at or near Rock Point or East Marion, Long Island, New York.

The message also announced that the Senate had passed with amendments the bill (H. R. 4605) granting chief justices of United States courts in Territories power to appoint commissioners to take proof in land cases, etc., asked a conference with the House on the bill and amendments, and had appointed Mr. PUGH, Mr. HILL, and Mr. PLATT as the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolution (S. R. 99) to compile the public laws relating to street-railway franchises in the District of Columbia;

A bill (S. 1007) to authorize the Commissioners of the District of Columbia to appoint a deputy coroner, and for other purposes; and

A bill (S. 2303) to authorize the construction of a bridge across the Contentnea Creek at Grifton, Lenoir County, N. C., and to establish it a post-road.

The message also announced that the Senate had passed the following resolution:

Resolved, That Mr. HOAR be excused as one of the conferees on the part of the Senate on the bill (H. R. 6284) to prevent interference in the collection of State, county, and municipal taxes assessed against corporations and corporate property, and for other purposes; and Mr. PLATT be appointed in his place.

The message also announced that the Senate had disagreed to the amendment of the House to the amendment of the Senate numbered 277, and had receded from the amendment of the Senate numbered 277 to the bill (H. R. 5575) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes.

RESIGNATION OF HON. CLIFTON R. BRECKINRIDGE.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES, Washington, D. C., August 14, 1894.

DEAR SIR: I have to-day resigned my commission as member of Congress for the Second district of Arkansas.

Very truly, yours,

CLIFTON R. BRECKINRIDGE.

HON. CHARLES F. CRISP,

Speaker House of Representatives.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SAYERS. Mr. Speaker, I desire to call up the sundry civil appropriation bill.

The SPEAKER. The Clerk will report the title of the bill. The Clerk read as follows:

A bill (H. R. 5575) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes.

Mr. SAYERS. Mr. Speaker, I move that the House insist upon its amendment to the Senate amendment numbered 277.

The SPEAKER. The Clerk will report the amendment indicated by the gentleman from Texas, so that the House can see what it is.

Mr. SAYERS. I will state to the House, Mr. Speaker, that the amendment of the House is simply the amendment for the purchase of ground upon which to erect a public building near the present Printing Office.

The SPEAKER. What is the gentleman's motion?

Mr. SAYERS. To insist upon the House amendment to the Senate amendment 277.

The SPEAKER. The gentleman moves that the House further insist upon its amendment to the Senate amendment indicated.

The motion was agreed to.

SAUGATUCK HARBOR, MICHIGAN.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting, in response to a resolution of Congress, information as to the probable cost of completing the improvement of Saugatuck Harbor, Michigan; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

JOSHUA BECK, DECEASED, VS. THE UNITED STATES.

The SPEAKER also laid before the House a copy of the finding of the Court of Claims in the case of Joshua Beck, deceased, against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

CHARLESTON HARBOR.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, showing the necessity for additional aids to navigation in Charleston Harbor, South Carolina; which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A. D. BABCOCK.

The SPEAKER also laid before the House a bill (S. 744) for

the relief of Avery D. Babcock and wife, of Oregon; which was referred to the Committee on Claims.

MARIA HALL.

The SPEAKER also laid before the House an act (S. 253) granting a pension to Maria Hall, widow of Joseph D. Doak, deceased.

Mr. DE ARMOND. Mr. Speaker, I ask unanimous consent for the present consideration of that bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria Hall, widow of Joseph E. Doak, deceased, late a private in Capt. Renshaw's company of Tennessee militia from December 6, 1812, to April 20, 1813, and from September 26, 1813, to December 19, 1813.

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

Mr. KILGORE. I think we have passed that bill two or three times already in this House.

Mr. DE ARMOND. No, sir. It has never been presented before.

Mr. KILGORE. Let the report be read, Mr. Speaker.

The report was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 253) granting a pension to Maria Hall, widow of Joseph Doak, deceased, have examined the same and report:

The following facts are established in this case: Soldier performed military service as recited in the bill. Soldier's widow remarried, and for this reason pension was denied her in the Pension Bureau.

Claimant is now a widow, aged 90 years, and entirely supported by charity. The bill is a meritorious one, and your committee recommend its prompt passage.

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

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

MARYLAND AND WASHINGTON RAILWAY COMPANY.

The SPEAKER also laid before the House a joint resolution (S. R. 96) to extend the charter of the Maryland and Washington Railway Company.

Mr. HEARD. Mr. Speaker, in the temporary absence of the gentleman from Maryland [Mr. RUSK]; I ask unanimous consent that Senate joint resolution be taken up and passed, as the House committee has reported a like measure unanimously.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the time for building and completing the railroad provided for in an act entitled "An act to incorporate the Maryland and Washington Railway Company," approved August 1, 1892, be, and the same is hereby, extended six months from and after the 1st day of August, 1894.

Mr. HEARD. I only want to say, Mr. Speaker, that this is a road chartered in the State of Maryland to run to the District line, and by Congress to come from that point to the boundary of this city, and this joint resolution extends for six months the time for its construction. I think there can be no objection to it on the part of anybody.

Mr. DINGLEY. Has the work been commenced?

Mr. HEARD. I understand that they have commenced work on the road in Maryland, and they ask only six months to complete it to the boundary of this city.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HEARD, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

LEAVE OF ABSENCE.

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

To Mr. LUCAS, for two weeks, on account of sickness.

To Mr. McCALL, indefinitely, on account of sickness in his family.

To Mr. ROBBINS, indefinitely.

To Mr. GORMAN, indefinitely, on account of sickness.

To Mr. COCKRAN, indefinitely, on account of sickness in his family.

To Mr. TAYLOR of Tennessee, indefinitely, on account of sickness.

To Mr. CONN, indefinitely, on account of sickness.

To Mr. WELLS, indefinitely, on account of sickness in his family.

To Mr. HOPKINS of Pennsylvania, indefinitely, on account of sickness in his family.

To Mr. ENLOE, indefinitely, on account of sickness in his family.

To Mr. WHEELER of Alabama, for one week, on account of important business.

WITHDRAWAL OF PAPERS.

Mr. HULICK, by unanimous consent, obtained leave to with-

draw from the files of the House, without leaving copies, the papers (a petition for a pension) in the case of Joseph Shayler, Seventh Congress, no adverse report having been made thereon.

TURNER MERRITT.

Mr. ROBERTSON of Louisiana. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3268) for the relief of the estate of Turner Merritt, late of the parish of East Baton Rouge, La.

The bill was read, as follows:

Be it enacted, etc., That the Court of Claims be, and it hereby is, authorized and directed to investigate and find whether or not Turner Merritt, late of the parish of East Baton Rouge, La., was loyal to the United States throughout the late war; and if said finding should be that he was so loyal, then and in that event, said court is further authorized and directed to investigate, find, and report to Congress how much cotton, if any, was taken from him and used by the Federal Army in the defenses of Port Hudson, and what its value then was, and whether any payment has been made therefor; also how much of said cotton was thereafter sold by the Government and for how much. And if it should appear from the testimony to be given in said court that any witnesses have died whose affidavits are now on file in the case, such affidavits shall be received as evidence and shall be allowed such weight as said court may deem proper.

An amendment recommended by the Committee on War Claims was read, as follows:

Strike out all after the enacting clause and insert:

"That the claim of Turner Merritt, late of the parish of East Baton Rouge, La., for cotton alleged to have been taken from claimant during the war of the rebellion by the United States forces, and used by them in the defenses of Port Hudson, be referred to the Court of Claims under the provisions of what is commonly known as the Bowman act and section 14 of the Tucker act, and said court is authorized to take jurisdiction in the premises and report to the House of Representatives as authorized and required by said statutory provisions, reserving to said House of Representatives the right to finally pass upon said claim upon the receipt of said report."

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

Mr. BARTLETT. I object.

Mr. ROBERTSON of Louisiana. The gentleman, I am sure, will withdraw his objection when he understands that this merely refers the case to the Court of Claims, without binding Congress in any way, shape, or manner to make an appropriation in case the court should pass favorably upon the claim.

Mr. BARTLETT. Is this for cotton seized?

Mr. ROBERTSON of Louisiana. No, sir; it is for cotton used for breastworks in the defense of Port Hudson.

Mr. BARTLETT. By whom?

Mr. ROBERTSON of Louisiana. By Gen. Grant.

Mr. BARTLETT. I object.

STEAMER MARGARITA.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6986) to provide for the American registry of the steamer Margarita.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer Margarita, of Philadelphia, purchased and owned by an American citizen and repaired by him in the United States, to be registered as a vessel of the United States.

Sec. 2. That the Secretary of the Treasury be, and hereby is, authorized and directed to authorize and direct the inspection of said steam vessel, steam boilers, steam pipes, and appurtenances of said boilers, and cause to be granted the proper and usual certificate issued to steam vessels of the merchant marine, without reference to the fact that the said steam boilers, steam pipes, and appurtenances were not constructed pursuant to the laws of the United States and were not constructed of iron stamped pursuant to said law; and the test to be applied to the inspection of said boilers, steam pipes, and appurtenances will be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes, save the fact that said boilers, steam pipes, and appurtenances not being constructed pursuant to the requirements of the laws of the United States and are of unstamped iron, shall not be an obstacle to the granting of the usual certificate if said boilers, steam pipes, and appurtenances are found to be of sufficient strength and safety.

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

The SPEAKER. There is.

Mr. PIGOTT (to Mr. FITHIAN). The bill is all right.

Mr. PAYNE. Mr. Speaker, I ask that the report be read.

The report (by Mr. PIGOTT) was read, as follows:

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H. R. 6986) to provide for the American registry of the steamer Margarita, having considered the same, respectfully report as follows:

This steamer was purchased in England by A. J. Drexel, an American citizen, of the city of Philadelphia, Pa., for the sum of \$90,000. The owner has expended in repairs upon the said steamer in an American shipyard the sum of \$15,000 and has made and approved plans for further expenditure of \$30,000, including the following alterations: Replumbing, refurnishing, electric light, painting, calking decks, new boats, and entirely overhauling the machinery.

During the Fiftieth, Fifty-first, and Fifty-second Congresses a large number of vessels were authorized by similar acts to be registered as vessels of the United States, in volume 25 of the United States Statutes at Large, pages 134, 475 and 668; volume 26, pages 145, 312, 414, 491, 495, 561, and 630.

Your committee, having carefully considered all the facts in the case, respectfully recommend that the bill be passed.

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

Mr. PAYNE. I have no objection to the gentleman making an explanation of the bill.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I hope the gentleman will not interpose any objection in the way of the patriotism of an American gentleman who wishes to sail under his country's flag, and who has made every effort to do so. Mr. Drexel last summer had an American yacht, which he owned and sailed in. Owing to the ill health of his wife, he was ordered to take a trip abroad.

He endeavored to have built in an American shipyard a yacht large enough for this purpose, but was informed that a year and a half would be the shortest time in which it could be completed, and he was unable in any shipyard in the country to succeed in getting a promise of its construction in less time than that. There was no yacht of sufficient tonnage of American build that could be found for sale; and so under all of the circumstances, being unable to purchase here or have the yacht built, he purchased one abroad, paying for it \$90,000.

But true to his American instincts, which he had inherited from his father, he brought the ship into our ports, and expended \$45,000 additional in an American shipyard to put it in proper condition for the purpose contemplated. He discharged the English captain and the English crew, and in these hard times keeps in constant employment a crew of forty men and a Yankee skipper; and with that natural pride which belongs to an American citizen he comes here now asking Congress, having used every honorable and patriotic effort to get this ship of American build, to be allowed to sail the ship under our own flag and with an American register.

I trust, Mr. Speaker, when these circumstances are known that this courtesy will be extended to him. I trust, in view of the patriotic instincts exhibited by one of our citizens, under such circumstances, who desires to sail under his own flag, as a loyal American citizen, and obey in every way the laws of his country, that this privilege will be granted to him that the bill contemplates. I trust when these facts are known that there will be no member of this House who will make an objection to the request for unanimous consent to consider the bill. Does any member of this House suppose that I, being the representative in part of one of the great cities of this country, in which are the largest shipping interests in the United States; that I, coming from the city of Philadelphia, full of shipyards, and now building the great American Navy, would dare to rise in my place and introduce a bill or ask consent to have one considered that would hurt in any way American shipbuilding interests?

I hope, therefore, in view of the peculiar circumstances of the case, and the large amount expended in an American shipyard on the remodeling of this yacht, that the strict letter of the law will not be allowed to stand in the way of doing a simple act of justice to an American citizen who desires the privilege of sailing with an American register and under the American flag.

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

Mr. PAYNE. I object.

OCALA, FLA., PORT OF DELIVERY.

Mr. COOPER of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1885) to extend the privileges of the transportation of dutiable merchandise without appraisement to the city of Ocala, in the State of Florida.

The SPEAKER. The bill will be read subject to objection. The bill was read, as follows:

Be it enacted, etc., That the privileges of the seventh section of the act approved June 10, 1880, governing the transportation of dutiable merchandise without appraisement be, and the same are hereby, extended to the city of Ocala, in the State of Florida. And the said city of Ocala is hereby constituted a port of delivery.

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

Mr. DOCKERY. Before consent is given to the consideration of this bill, I think there should be some explanation of it. Is this recommended by the Department?

Mr. COOPER of Florida. It is recommended by the Treasury Department.

Mr. DOCKERY. As I caught the reading of the bill it creates some additional officers.

Mr. COOPER of Florida. No. Let me say to the gentleman that this is recommended by the Treasury Department for the reason that Ocala has become a very large cigar-manufacturing point, and they are proposing now to transfer several large cigar factories from Havana to Ocala, if it can be made a port of entry. For that reason, in view of the largely increasing business of the place in this direction, the Department recommends the passage of the bill.

Mr. DOCKERY. What number of additional officers does it create?

Mr. COOPER of Florida. It does not create any that I know of.

Mr. WISE. None whatever.

Mr. DOCKERY. No additional charge on the Treasury?

Mr. COOPER of Florida. No, sir.

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

There being no objection, the bill was considered, ordered to a third reading, and being read the third time, was passed.

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

BRIDGE ACROSS THE COLUMBIA RIVER.

Mr. ELLIS of Oregon. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1772) extending the time for the completion of a railroad bridge over the Columbia River at or near Vancouver, in the State of Washington.

The bill was read, as follows:

Be it enacted, etc., That the time for the completion of the bridge across the Columbia River at or near Vancouver, in the State of Washington, under the act of Congress approved August 29, 1890, entitled "An act to authorize the construction of a bridge across the Columbia River by the Oregon Railway Extension Company," be, and the same is hereby, extended until the 15th day of April, 1898.

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

Mr. COOMBS. I would like some explanation first, Mr. Speaker. Has this bill passed the Committee on Interstate Commerce?

Mr. ELLIS of Oregon. It has. It is the unanimous report of that committee. The report is very short, if the gentleman desires to have it read. I will state, however, that this is simply the ordinary extension of a franchise which was granted about four years ago.

Mr. COOMBS. It extends the franchise to 1897; quite a long time.

Mr. ELLIS of Oregon. Under the circumstances it is not a long time. The river is very broad, and the company got into some financial difficulties, and is now in the hands of a receiver. Prior to that time the work was partly done. The piers are already built; but it will take some time to complete the superstructure. It is a gigantic enterprise.

Mr. COOMBS. Have there been any protests against it?

Mr. ELLIS of Oregon. None whatever.

There being no objection, the bill was considered, ordered to a third reading, and being read the third time, was passed.

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

BRIDGE ACROSS CONTENTNEA CREEK, NORTH CAROLINA.

Mr. BUNN. I ask unanimous consent for the present consideration of the bill (S. 2303) to authorize the construction of a bridge across the Contentnea Creek, Grifton, Lenoir County, N. C., and to establish it as a post-road.

The bill was read.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

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

W. D. MACK.

Mr. HULL. I ask unanimous consent for the present consideration of the joint resolution (S. R. 68) for the relief of W. D. Mack, a clerk in the Record and Pension Division of the War Department.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That William D. Mack, a clerk in the Record and Pension Office, and a veteran of the late war, who lost both feet in a railroad accident while returning from the anniversary ceremonies of the battle of Gettysburg, on July 4 last, is hereby exempted from the operation of so much of the act approved March 3, 1863, making appropriations for legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, as limits the amount of sick leave with pay that be granted by heads of Departments, and that the Secretary of War be, and he is hereby, authorized to pay to said William D. Mack such portion of his salary as has been withheld from September 11 to October 14 (thirty-four days) on account of injuries received in the said railroad accident.

There being no objection, the House proceeded to the consideration of the joint resolution; which was ordered to a third reading, read the third time, and passed.

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

BRIDGE ACROSS NEWARK BAY.

Mr. DUNN. I ask unanimous consent for the present consideration of the bill (H. R. 7839) to bridge Newark Bay.

The bill was read, as follows:

Be it enacted, etc., That the boards of chosen freeholders of the counties of Hudson and Union, in the State of New Jersey, or the legally constituted authorities of the city of Bayonne and the city of Elizabeth, as may be determined by the authorities of the State of New Jersey, now or hereafter to be granted, shall be, and they or either of them are hereby, authorized to locate, build, maintain, equip, and operate a bridge across Newark Bay, in the State of New Jersey, between the city of Elizabeth, in the county of

Union, and the city of Bayonne, in the county of Hudson, at a point not less than 500 feet above the present bridge structure known as the Central Railroad bridge: *Provided*, That the bridge herein authorized shall be built as a drawbridge, with a draw giving a clear width of opening of not less than 100 feet, and said bridge shall be located and built in such manner and under such regulations for the security of navigation as the Secretary of War may prescribe; and to secure that object the parties proposing to build said bridge shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location, and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plans of said bridge during the progress of its construction, such changes shall be subject to the approval of the Secretary of War: *Provided also*, That the draw of said bridge shall be promptly opened, upon reasonable signal, for the passage of vessels and boats; and the owners of said bridge shall maintain thereon, from sunset to sunrise, such lights and other signals as the Light-House Board shall prescribe.

Sec. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the approval of this act.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

Mr. WISE. Mr. Speaker, this bill has been favorably reported by the Committee on Interstate and Foreign Commerce, and personally I have no objection to its passage. But it is proper to state that one of the Representatives from New Jersey [Mr. ENGLISH] now absent is bitterly opposed to it; and therefore I do not think it ought to go through by unanimous consent.

Mr. DUNN. My colleague [Mr. ENGLISH] has withdrawn his objection to the bill. I think the gentleman from New York [Mr. BARTLETT] will sustain me in this statement. Since the objection of my colleague was made, the bill has been amended so that there is no objection to it now whatever.

Mr. BARTLETT. On the occasion of my last conversation with Dr. ENGLISH, he was still opposed to the bill; so that I can not state that he has withdrawn his opposition.

Mr. DUNN. He withdrew his opposition in committee.

Mr. WISE. I would cheerfully give consent to the passage of the bill; but I know that in the last interview I had with Dr. ENGLISH he expressed himself as bitterly opposed to the bill, and as wanting an opportunity to be heard in opposition to it on the floor of the House. I see him entering the Hall now. He can speak for himself. Personally I have no objection to the bill.

Mr. DUNN. I will ask my colleague [Mr. ENGLISH], whom I now see in his place, whether he has any objection to this bill as amended by the committee.

Mr. ENGLISH of New Jersey. Not at all. It is the substitute that I favored.

Mr. DUNN. Mr. Speaker, my colleague states that he has no objection to the measure.

Mr. WISE. I withdraw my objection.

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

Mr. DINGLEY. This is not a railroad bridge?

Mr. DUNN. No, sir; it is a bridge for public travel between the cities of Elizabeth and Bayonne.

There being no objection, the House proceeded to the consideration of the bill.

Mr. DUNN. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the words "Secretary of War," in line 27, page 2, insert the following: "And the said bridge shall be held to be a public highway forever."

The amendment was 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.

BRIDGE ACROSS SOUTH CANADIAN RIVER.

Mr. AVERY. I ask unanimous consent for the consideration of the bill (H. R. 7811) authorizing the El Reno Bridge Company to construct a bridge across the South Canadian River, between Blaine County, Okla., and the Wichita Indian Reservation. The bill was read.

There being no objection, the House proceeded to the consideration of the bill.

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

Amend by adding at the end of section 2 the following:

"And equal privileges in the use of said bridge shall be granted to all telegraph companies, and the United States shall have the right of way across said bridge and approaches for postal telegraph purposes: *Provided*, That before the construction of any bridge herein authorized is commenced the said company shall submit to the Secretary of War, for his examination and approval, a design and drawing of such bridge and a map of the location, giving sufficient information to enable the Secretary of War to fully and satisfactorily understand the subject, and unless the plan and location of such bridge are approved by the Secretary of War the structure shall not be built: *Provided also*, That any bridge constructed under authority of this act shall at all times be so kept and managed as to offer reasonable and proper means for the passage of vessels and other water craft through or under said structure, and for the safety of vessels passing at night there

shall be displayed on such bridge, from sunset to sunrise, such lights or other signals as may be prescribed by the Light-House Board."

The amendment was 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. AVERY, a motion to reconsider the last vote was laid on the table.

THE CURRENCY.

Mr. BLACK of Illinois. Mr. Speaker, I ask for the reading of the resolution which I send to the desk.

The SPEAKER. The gentleman from Illinois asks consent for the consideration of a resolution, which the Clerk will report. The Clerk read as follows:

Whereas the balance in available gold in the Treasury of the United States on the 1st day of August, 1894, had been reduced, despite the sale of \$50,000,000 in gold bonds, to the sum of \$54,975,607; and

Whereas the demand for gold in the Treasury made for shipments to foreign ports continues and increases; and

Whereas the reports from the Treasury show that during the month of July not a dollar in gold was added to the Treasury stock from the port of New York, the largest customs port in the United States; and

Whereas it is a matter of common knowledge that gold coin and gold certificates have virtually ceased to be used in discharging obligations to the Government, but that the obligations to the Government are discharged in silver certificates, United States notes and United States Treasury notes, which are so used as to deplete the Treasury of gold faster than it accumulates from all sources, including customs, internal revenue, and sales of bonds; and

Whereas there is in the Treasury unused and available an amount of silver equal to \$513,880,682 of American standard coin value; and

Whereas the income of the United States does not now equal its expenditures: Therefore,

Be it resolved by the House of Representatives of the United States, That the Committee on Coinage, Weights, and Measures is directed to at once report to the House for its consideration a bill providing for the proper use and avail of the said silver.

Resolved, That the Committee on Rules is directed, upon the report of said bill from the said committee, to report a rule for the consideration of the House under which suitable, full, and reasonable debate may take place, and amendments be offered and votes taken within a reasonable time, to be fixed by the House.

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

Mr. CHARLES W. STONE. I object.

Mr. TRACEY. Let it go to the committee.

POTOMAC STEAMBOAT COMPANY.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 425) for the relief of the Potomac Steamboat Company.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a bill which the Clerk will report, after which the Chair will ask if there be objection.

The bill was read at length.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. SAYERS. I object, Mr. Speaker.

JOEL A. KING.

Mr. STONE of Kentucky. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2231) for the relief of Joel A. King.

The SPEAKER. The gentleman from Kentucky [Mr. STONE] asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joel A. King, of Caldwell County, Ky., out of any money in the Treasury not otherwise appropriated, the sum of \$1,800, being for stores and supplies furnished the Army of the United States during the late war for the suppression of the rebellion.

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

Mr. SAYERS. Mr. Speaker, I should like to have an explanation of that bill.

The SPEAKER. Without objection, the gentleman can make a brief explanation.

Mr. STONE of Kentucky. Mr. Speaker, the report is very short. It sets forth the facts.

The SPEAKER. Without objection the report can be read.

The report (by Mr. STONE of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 2231) for the relief of Joel A. King, submit the following report:

This is a claim for quartermaster's stores furnished to the Army of the United States by Dr. Joel A. King, of Caldwell County, Ky., during the late war for the suppression of the rebellion, under orders from Lieut. Col. S. F. Johnson, Forty-eighth Regiment Kentucky Mounted Infantry. Claim stated at \$1,800.

The committee find that Joel A. King was loyal to the Government of the United States throughout the late war; and that in 1863 and 1864 he furnished stores and supplies for the military use of the United States at or near Princeton, Ky., then reasonably worth \$1,800.

Your committee report back the bill and recommend its passage.

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

Mr. BARTLETT. I object.

TITLE TO LAND IN YUMA, COLO.

Mr. PENCE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7955) to perfect the title to a quarter section of land in the town of Yuma, Colo.

The bill was read, as follows:

Be it enacted, etc., That the preemption cash entry numbered 4090, of George F. Weed, made at the district land office at Denver, Colo., on the 15th of September, 1885, for the southeast quarter of section 22, township 2 north, of range 48 west, which tract embraces the town of Yuma, Colo., the county seat of Yuma County, Colo., be, and the same is hereby confirmed; and that patent of the United States issue therefor to said Weed.

The SPEAKER. Is there objection to the request of gentleman from Colorado [Mr. PENCE]?

Mr. DINGLEY. Mr. Speaker, let the report be read.

The SPEAKER. The report is quite long. By consent, the gentleman can make a brief explanation.

Mr. PENCE. Mr. Speaker, the bill is simply to perfect the title to the land on which the town of Yuma, in Eastern Colorado, now stands. This bill is reported favorably by the Committee on Public Lands, unanimously.

In 1885 Mr. Weed made his proof upon the land. Thereafter, within the next twelve months, when the railroad came through, a town sprang up and was organized under our State laws, and proceeded to build its public improvements. In October, 1888, some three years afterwards, an affidavit was filed of record that raised some question as to the title to these town lots. It has caused some considerable trouble to the owners of the lots, and the petitioners who have presented this bill have presented such facts to the Committee on Public Lands that they feel that these people ought to be relieved by this act. There is nobody who is interested in it now except the lot claimants, and they wish to perfect their title.

Mr. COOMBS. Are there many of them?

Mr. PENCE. There were a good many last spring. I have forgotten how many voted last spring. This is the county seat of the county. There are probably less people there now since the drought.

Mr. COOMBS. Do I understand this bill is reported unanimously and favorably?

Mr. PENCE. Yes.

Mr. COOMBS. Is it understood out there, so that the people who would have the right to object to it could have done so?

Mr. PENCE. I should not present it otherwise.

Mr. COOMBS. I make no objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. PENCE]?

There was no objection.

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

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

RECONVEYANCE BY DISTRICT COMMISSIONERS OF CERTAIN LAND.

Mr. POST. Mr. Speaker, I ask for unanimous consent for the consideration of the bill S. 2269.

The SPEAKER. The gentleman from Illinois asks unanimous consent to consider a bill which the Clerk will report, after which the Chair will ask if there be objection.

The Clerk read as follows:

A bill (S. 2269) providing for reconveyance by District Commissioners of certain lands to Andrew J. Curtis and Mary E. Curtis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, directed to reconvey by a suitable deed of conveyance or quitclaim to Andrew J. Curtis and Mary E. Curtis, their heirs and assigns, all the right, title, and interest of the District of Columbia in and to all that lot or parcel of land fully described and acquired in a deed from Andrew J. Curtis and Mary E. Curtis to the said District of Columbia on the 10th day of September, A. D. 1891, and recorded in Liber 1638, folio 294 of the land records of the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. COOMBS. I would like to hear the report.

Mr. POST. The simple facts are these, if the gentleman will allow me. A street in Bennings was deeded to the District.

Mr. COOMBS. Where?

Mr. POST. In Bennings. The Commissioners say that the topography of the ground makes it unsuitable for a street; and the only effect of this conveyance is to relieve the owners from taxation; and they desire to have it reconveyed.

Mr. COOMBS. Have you a letter from the Commissioners?

Mr. POST. I have a letter from the Commissioners to that effect.

The SPEAKER. Is there objection to the request of the gen-

tleman from Illinois? [After a pause.] The Chair hears none. The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

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

Mr. POST. Mr. Speaker, I ask that the House bill relating to the same subject lie on the table.

The SPEAKER. Without objection that order will be made. There was no objection, and it was so ordered.

JOEL A. KING.

Mr. BARTLETT. Mr. Speaker, I withdraw my objection to the bill of the gentleman from Kentucky [Mr. STONE].

The SPEAKER. The gentleman from New York withdraws the objection he entered to the request of the gentleman from Kentucky. The Chair will have the title of the bill read again, and ask if there is any other objection.

The Clerk read as follows:

A bill (H. R. 2231) for the relief of Joel A. King.

The SPEAKER. The gentleman from New York objected to the consideration of this bill. Is there further objection?

Mr. LOUD. I will ask if this bill was not considered some few weeks ago?

The SPEAKER. Without objection, the bill will be again read.

The bill was read again.

Mr. LOUD. I would like to ask if that bill was not considered here one Friday afternoon?

Mr. STONE of Kentucky. No, sir.

Mr. LOUD. I do not think this bill ought to pass without some discussion.

Mr. STONE of Kentucky. It never has been before the House, but it has been reported from the committee a number of times.

Mr. LOUD. I think it ought to come up in committee on Friday.

The SPEAKER. The gentleman from California objects.

FINANCES.

Mr. TALBERT of South Carolina. Mr. Speaker, I ask that the resolution which I send to the Clerk's desk be read, after which I will ask unanimous consent for its consideration.

The Clerk read as follows:

Whereas, etc., the tariff bill has been passed by the House reducing the duty and cheapening the necessities of life; and

Whereas by separate acts coal, iron, barbed wire, sugar, and molasses have been put upon the free list; and

Whereas without further legislation the masses of the people will be very little better off than before: Therefore

Be it resolved, That it is the sense of the House of Representatives that the people's money should be restored to its original status by the remonetization of silver at a ratio of 16 to 1, followed by some financial legislation increasing the circulating medium of the country, so that the people may be able to purchase the necessities of life lately reduced in the tariff bill.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to consider this resolution. Is there objection?

Mr. TRACEY. Let it go to a committee.

Mr. PAYNE. Regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded, which is equivalent to an objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. ALDERSON, indefinitely, on account of sickness.

To Mr. JOHNSON of Indiana, indefinitely, on account of sickness.

REPRINT OF A BILL.

By unanimous consent, on the request of Mr. PHILLIPS, a reprint was ordered of the bill (H. R. 7756) authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital.

LIFE-SAVING STATION, BOSTON HARBOR, MASSACHUSETTS.

Mr. CARUTH, from the Committee on Interstate and Foreign Commerce, reported the bill (H. R. 7973) as a substitute for the bill (H. R. 7213) to establish a life-saving station at or near City Point, Boston Harbor; which was referred to the Committee of the Whole House on the state of the Union, and, with accompanying report, ordered to be printed.

The original bill was ordered to lie on the table.

INVESTIGATIONS AND TESTS OF AMERICAN TIMBER.

Mr. HATCH, from the Committee on Agriculture, reported back favorably the bill (S. 313) appropriating funds for investigations and tests of American timber; which was referred to the Committee of the Whole House on the state of the Union, and, with accompanying report, ordered to be printed.

INSPECTION OF LIVE CATTLE, HOGS, AND CARCASSES AND PRODUCTS THEREOF.

Mr. HATCH, from the Committee on Agriculture, reported with amendments the bill (H. R. 7910) to amend "An act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof which are subject to interstate commerce, and for other purposes;" which was referred to the House Calendar, and, with accompanying report, ordered to be printed.

EXPLORATION AND PURCHASE OF MINES.

Mr. WEADOCK, from the Committee on Mines and Mining, reported favorably the bill (H. R. 7148) to authorize the exploration and purchase of mines within the boundaries of private land claims; which was referred to the House Calendar, and, with accompanying report, ordered to be printed.

PUBLIC BUILDING, JAMESTOWN, N. Y.

Mr. CADMUS, from the Committee on Public Buildings and Grounds, reported favorably the bill (H. R. 2891) for the erection of a public building at the city of Jamestown, N. Y.; 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.

VIEWS OF MINORITY.

Mr. CHILDS, from the Committee on the Judiciary, submitted the views of the minority on the bill (H. R. 6411) relating to issuance of writs of habeas corpus by Federal courts or judges thereof, and on the bill (H. R. 5217) to regulate and discharge the payment of contracts in any money made a legal tender by law for the payment of debts; which were ordered to be printed.

The SPEAKER. The regular order is demanded.

Mr. BLACK of Illinois. I ask unanimous consent for the present consideration of a bill reported from the Committee on Military Affairs.

The SPEAKER. That is not in order during the call.

The call of committees was resumed and concluded.

The SPEAKER. The morning hour begins at fifteen minutes past 1, and the call rests with the Committee on Patents.

The Clerk proceeded to call the committees.

Mr. BUNN (when the Committee on Claims was called). Mr. Speaker, I ask that the Committee on Claims be passed, with the privilege of being called later.

There was no objection.

Mr. HERMANN. Mr. Speaker, I ask that a similar privilege be granted to the Committee on War Claims, owing to the temporary absence of the chairman.

There was no objection.

PAYMENT OF CONTRACTS IN LEGAL-TENDER MONEY.

Mr. CULBERSON. Mr. Speaker, I call up the bill (H. R. 5217) to regulate and discharge the payment of contracts in any money made a legal tender by law for the payment of debts.

The bill was read, as follows:

Be it enacted, etc., That all contracts for the payment of any money, whether in gold, silver, or coin, may be discharged by any money which is by law a legal tender for the payment of debts when the contract matures.

An amendment recommended by the Committee on the Judiciary, inserting in line 3, after the word "contracts," the words "hereafter executed," was read.

Mr. CULBERSON. Mr. Speaker, I yield to the gentleman from Illinois [Mr. LANE].

Mr. LANE. Mr. Speaker, the importance of this bill can not be overstated. The purpose of the measure is to secure stability in our financial system. Under our present financial method we have various kinds of money, and the law, as it is now interpreted by the courts, allows parties to discredit various forms of our money by contract.

Mr. COOMBS. Does not the gentleman think that is proper?

Mr. LANE. It is not proper, and I will show that it is not. Our law requires that all the proceedings of our courts shall be expressed in dollars, dimes, cents, and mills. It was always the practice in this country up to 1878. The records of this country everywhere were always kept in that way, and the Supreme Court in 1878 for the first time changed that mode of procedure.

I have examined with great care the decisions of the courts of the various States on this question, and I find a uniform concurrence of opinion up to the time the question came before the Supreme Court of the United States. The courts of the various States had formerly held that when an obligation was given for the payment of money, it meant that that obligation could be discharged in whatever was declared to be the legal money of the country. I know that some gentlemen may claim that this bill is an attempt on my part to bring up the silver question, but I beg to state that such an idea never entered my mind in connection with this bill.

What brought this question to my attention was the fact that some of my constituents, desiring to borrow money, were offered some, but were required, in executing their notes, to give an obligation that the money should be repaid in gold. They sent the papers to me and asked my view about it. I advised them that that was not necessary, and with a view to meet that contingency I introduced this bill.

Mr. COOMBS. Has this bill been reported unanimously by the Judiciary Committee?

Mr. LANE. There is no dissenting report, as I understand.

Mr. POWERS. One was filed this morning.

Mr. LANE. I did not know that. The Democratic members of the committee, as I understand, all agree in recommending this bill, and some of the members on the other side, but not all. I wish to call attention now to the law as it was before this question came before the Supreme Court.

Mr. DANIELS. When this question came before the courts of New York they decided that all contracts could be discharged by the tender and payment of greenbacks, and that inasmuch as all debts were payable only in gold and silver before the law was passed, it made no difference whether that provision was in the contract or not, the greenback law covered the whole question.

Mr. LANE. I have those decisions here. I wish to call attention now to the decision of the courts of Massachusetts. In 1863 this question came before the supreme judicial court of the State of Massachusetts, and I have here a brief summary of the decision of the court. The note in that case was for \$500 payable in specie, and of course the plaintiff insisted that he was entitled to gold or its equivalent on that contract. The court in that case said:

All the court can do is to treat as money that which the statutes of the United States legally enacted declare to be money. If it were in our power to render a specific judgment designating a species of currency in which it should be paid, we might avoid some of the existing difficulties, but we have no such power.

That is the opinion of the court of Massachusetts in 1863.

Mr. COOMBS. That was before the war.

Mr. LANE. It was during the war and after Congress had passed an act declaring greenbacks to be a legal tender for the payment of all debts.

Mr. Speaker, I wish to say that in this controversy I do not raise at all the question about the power of Congress to declare what shall be a legal tender. That question is not involved in this discussion.

Congress saw proper to declare that greenbacks should be a legal tender for the payment of debts; and my contention is that no private party has a right to annul an enactment of Congress.

Mr. COOMBS. Does not the form of the bill prevent contracts being made for the payment of a debt in specie even if the parties desire to so frame the contract?

Mr. LANE. The effect of the bill if it should become a law will be that a money contract may be discharged with any money that Congress has declared shall be legal tender.

Mr. COOMBS. No matter what the contract may be.

Mr. LANE. That is, a money contract. But it does not prevent a contract to be executed for a commodity, and gold may be a commodity.

Mr. COOMBS. I think it does.

Mr. LANE. It applies only to money contracts.

Mr. TRACEY. But it prevents the enforcement of a gold contract.

Mr. LANE. If it is a money transaction, you can discharge the debt in legal-tender money. That is the purpose of the bill.

Mr. DOCKERY. That is what ought to be done.

Mr. LANE. If you desire to purchase gold as a commodity you may provide that the contract may be discharged in so many grains of gold. But that is a different transaction. If the intention of the contract is the payment of money, then the legal-tender money will discharge the obligation. That is the purpose of the bill.

Mr. DOCKERY. And a very proper purpose.

Mr. COOMBS. I call the attention of the gentleman to this provision of the bill:

All contracts hereafter executed for the payment of any sum of money, whether in gold or silver or coin, may be discharged by any money which is by law a legal tender for the payment of debts when the contract matures.

Mr. LANE. Yes; that is the provision of the bill.

Mr. COOMBS. And that prevents a man from making a contract for payment in specie.

Mr. LANE. That is exactly what we intend shall be the law. But it applies only to money contracts. When a man makes a money contract that contract ought to be dischargeable in money of the United States declared by law to be a legal tender. No man has a right to discredit that which the Government has declared to be money. No contract can be made except in con-

formity with the law. The law is the essence of every contract. A contract which does not conform to the law is void. This bill prevents anybody from making a contract that a money debt shall be discharged specifically in gold and nothing else.

Mr. COOMBS. So I understand.

Mr. LANE. In other words, if you loan greenbacks you can not exact from your debtor an obligation that he shall repay the debt in gold.

Mr. RYAN. But suppose gold is the money loaned?

Mr. LANE. You can loan gold if you want to loan it, just as you can loan paper.

Mr. RYAN. The bill prevents a contract being made (though both parties may be willing) for the payment of a debt in gold dollars.

Mr. LANE. It prevents any man from discriminating against the currency of the country. If there has been a loan of gold, and if, when the contract matures, paper money is legal tender, you are allowed to discharge that obligation with paper money.

Mr. COOMBS. Then it restricts contracts?

Mr. LANE. It does not.

Mr. RYAN. But if both parties are willing to make the contract payable in gold this bill forbids it, though gold be loaned.

Mr. LANE. It does, because such a thing is against public policy. We propose not to allow any man to discredit the money of his country. At one time it was regarded as treason for any man to undertake to discredit the money of his country. Why should we allow a privileged class in this country to make gold contracts and cast upon the debtor the burden of preserving the currency of the country from depreciation? We have in this country now thousands, I may say millions, of dollars of money out on contracts of this very kind, contracts which are payable in gold; and the holders of such contracts can force gold to a premium in two hours, thus filching from the hands of the debtor class millions of dollars. I say the principle is wrong.

Mr. COOMBS. But suppose the parties have made contracts payable in gold?

Mr. LANE. This bill does not affect contracts already made; only those hereafter made.

Mr. COOMBS. But you said it was wrong that such contracts should be recognized by the law.

Mr. LANE. I do say it is wrong, morally wrong.

Mr. COOMBS. I see that it was an afterthought to amend the bill so as not to affect contracts already made.

Mr. LANE. That makes no difference. You have a right to make contracts in conformity to the existing law. Contracts must always be made in obedience to law. When there is no law there can be no binding contract. If there was no government, contracts would have no legal force; they would simply be moral obligations, dischargeable at the pleasure of the maker.

Mr. COOPER of Florida. I should like to ask the gentleman a question. A bill was presented here not long ago proposing to permit the Territory of Arizona to issue gold bonds, because it was stated that as gold bonds they could be floated at a lower rate of interest than if they were payable in currency. Now, this bill will prevent any State or municipality from issuing gold bonds, although the inability to do so may involve the payment of a higher rate of interest for years on the bonds issued.

Mr. LANE. I beg to differ with the gentleman from Florida. This has nothing whatever to do with contracts of the States or the nation.

Mr. COOPER of Florida. Why?

Mr. LANE. Simply because it has not. That question was settled in *Lane County vs. Oregon* (7 Wall., 71); or, rather, a kindred question.

Mr. COOPER of Florida. I think it has.

Mr. LANE. It relates only to private contracts.

Mr. COOPER of Florida. There is nothing in it that confines it to private contracts.

Mr. LANE. Oh, yes. The States and the nation can take care of themselves. They can only be sued by their consent.

Mr. COOPER of Florida. I would risk my judgment as a lawyer that it covers all contracts—State, municipal, or any other—coming within the purview of the law.

Mr. BARTLETT. Let me ask the gentleman from Illinois a question.

Mr. LANE. Certainly.

Mr. BARTLETT. How does the gentleman from Illinois reconcile his position with that taken by the Supreme Court of the United States in the case of *Brownson vs. Rodes*, where the Supreme Court say, in speaking of a contract to pay a certain number of dollars in gold and silver, that—

It is not distinguishable, as we think, in principle from a contract to deliver an equal weight of bullion of equal fineness.

Mr. LANE. Well, I will come to that in a little while, and I think I can satisfy the gentleman on that point.

Mr. DINGLEY. Before the gentleman from Illinois proceeds I wish to ask him if, in his judgment, this prohibits a municipality from issuing bonds payable in gold?

Mr. LANE. It would.

Mr. DINGLEY. Even if they could borrow money at 3 per cent to pay a debt which carried 5 per cent or more?

Mr. LANE. It would. The bond could be made payable in gold, but it could be discharged in legal tender.

I want to read now from what Judge Cooley says on this subject. He has some followers on this floor, and there are many gentlemen here who regard him as eminent in his profession as a lawyer. In a citation in 13 Michigan Reports, 420, in the case of *Buchegger vs. Schultz*, where the question before the court was in reference to a contract to pay a certain number of dollars stipulated to be paid in gold, not being a contract for merchandise, but for money, and to be discharged in money, Judge Cooley, delivering the opinion of the court, among other things, said:

If legal-tender laws were designed chiefly to confer upon debtors a privilege, there would be force in an argument that the class to be benefited might waive the privilege by stipulation in their contracts. But these laws are also based in great measure upon reasons of state policy, which sometimes to a considerable degree override and disregard individual interests.

The act in question was based exclusively upon reasons of a public character, which, in the opinion of the lawmaking power, imperatively demands that Treasury notes shall be made equal in legal value to coin, and parties have no more right to stipulate that their contracts shall not be governed by it than those of a particular locality have to agree among themselves that a law shall not be in force in that locality.

That was in 1865, before the question came before the Supreme Court of the United States, which declared that a contract payable in gold could be discharged by legal tender, it being held that under the law of Congress legal-tender notes were equal in value with gold.

Now, in the State of Illinois, my own State, the question came up there on a similar presentation of fact, and that State held the same view of the law.

It was declared in 1866, in the case of *Appel vs. Woltman*, Thirty-eighth Missouri reports, that the same principle would apply, the court using this language:

But by law Congress has made Treasury notes of legal value with gold, and declared they should be legal tenders in satisfaction of private debts. As a legal medium, then, there can not be a distinction taken between them and gold.

The same principle, precisely, was laid down in the Illinois case. Of course when the Supreme Court decided the question they had to reverse that decision, as the Supreme Court of the United States had primarily full power in the premises.

The court in the Missouri case continue as follows:

It is a notorious fact which has passed into the history of the country that for the purpose of trade and in commercial transactions there is a difference made between Treasury notes and specie coin; but whatever fluctuations there may be arising from extraneous causes, the debtor's right to pay in whatever medium he chooses can not be affected. In administering the law gold and Treasury notes must be considered as equal, and no difference or discrimination can be allowed.

That was followed by the decision in the Indiana case, in 1886, in the case of *Brown vs. Welch*, where the court used this language:

When Treasury notes were made a legal tender in the payment of debts they were made the equivalent of coin as a means of payment in all but the cases excepted by law. If, then, the law makes them equivalent for the purpose of payment, a failure to pay a given sum in gold, as required by contract, can not possibly beget an obligation to pay a greater sum in legal-tender notes, whatever premium men may voluntarily choose to give for gold when forced to obtain it for a specific purpose or when impelled by a spirit of speculation or by a weak distrust of the Government.

Without giving a citation from all of the other cases I can say, in brief, that this same principle was followed uniformly by a perfect consensus of opinion in all of the States—in Massachusetts, Pennsylvania, Michigan, Illinois, Missouri, Indiana, Kentucky, New York, Texas, California, Georgia, Louisiana, Vermont, Alabama, Nebraska, and Iowa.

Mr. POWERS of Vermont. To what case does the gentleman refer from Vermont?

Mr. LANE. I will refer to that case particularly.

It was the case of *Townsend vs. Jennison*, quoted in the Forty-fourth Vermont Reports, where the court held that when a debt is payable in specie it is an error for the court to allow the plaintiff premium on silver coin, there being more than one kind of money called "specie," and the kinds being capable of different values.

Mr. TALBOTT of Maryland. Then you wish to provide that A can not contract with B a debt which shall be paid in gold?

Mr. LANE. I do; simply that and nothing more.

Mr. COOMBS. And it was an afterthought that they put in the word "hereafter."

Mr. LANE. It is in the bill now.

Mr. COOMBS. But it shows the wisdom of the bill!

Mr. LANE. In the Alabama case, the court say:

The verdict is for \$5,000 in gold, and the judgment follows the verdict. The present law of the United States governing the currency and defining what shall be legal tender for the payment of debts forbids such a payment.

The verdict ought, therefore, to have been for dollars simply. A judgment for dollars in gold is erroneous.

That is the decision of the court in that case. If you will take the pains to read through all these cases you will find they all hold that when a private contract is made to be paid in gold, silver, or specie, that the debt is discharged by any money that is legal tender at the time the debt matures. I find that the court of Georgia delivered this utterance on the question:

As the debt was contracted long after the passage of the legal-tender acts of Congress regulating the payment of such contracts, the judgment should have been for so many dollars only, leaving it to be discharged in any legal-tender currency or money of the United States.

I say that uniformly the State courts of this country have held that this kind of a contract could be discharged in any money that was a legal tender. The courts of France, construing not a special act, but their general law, held that it was against public policy to allow a man to contract against the currency of his country, and it was treason in England to discredit the money of the realm, and subjected the offender to the penalty of death. Now, these gentlemen, every time they make a contract of this kind, discredit the money of this country, discredit the paper money or any other money, excepting the special money contracted to be paid.

As I said before, all contracts must be made according to law, not contrary to law, and if the law was as indicated by this bill, then we should have a uniform currency, uniform contracts, and uniform decisions everywhere. This question came before the Supreme Court of the United States in 1868 for the first time, in the case of *Bronson vs. Rodes*, reported in 7 Wallace, 229. I call your attention to the anomalous position in which the question was placed under that decision. The contract was for \$1,507, to be paid in gold and silver coin. The court went on and decided in that case, and adopted a new rule, for the first time, I think, in this or any other country. They held that on a note payable in gold and silver coin the judgment should be for coined dollars and part of dollars.

The judgment in that case was for coined dollars. We all know that an execution is the end of the law or was up to that time. When you go into court and get a judgment, and take out an execution, that is the end of the law; but under this decision it is not the end of the law. How will you collect a judgment for coined dollars? How are you going to enforce it? When you get an ordinary judgment for dollars and cents, the execution runs to the sheriff or marshal, to collect from the debtor so much money in dollars and cents. Under the decision of the case here in *Bronson vs. Rodes*, 7 Wallace, it is to collect coin dollars.

Under that kind of an execution, what must the sheriff do? He takes the execution, goes out and makes a demand for the coin dollars. He can not get them. They are not in the country at all. Coin does not circulate. What does he do? He levies his execution on a farm or some other property of the debtor, and sells it. What does he sell it for? Why, for greenbacks.

The marshal is compelled to accept the legal tender from the party purchasing the property. The law compels him to do so. What is he to do then?

Go to New York or some other market and purchase coined dollars. How is he going to know what premium to pay for gold? Who made him a judicial officer? What market is to control the price?

Mr. COOMBS. I would ask the gentleman if the original error does not lie in the party making that contract to pay in coin?

Mr. LANE. No. The error lies in the court legislating in the interest of the gold bugs.

Mr. BARTLETT. How is there any more difficulty in enforcing such a judgment than in enforcing any judgment for specific performance?

Mr. LANE. I will tell you. When you get a judgment of a court for specific performance, the court tells you what you are to do.

Mr. BARTLETT. They can do the same in this case.

Mr. LANE. Here you get a judgment for coin dollars. Now, the sheriff or the marshal goes with the execution, and how is he going to buy gold? In what market shall he buy? Shall he take the premium on gold in Illinois or New York or Louisiana, or in England? What right has anyone to make of him a judicial officer? He is a ministerial officer, to execute a process. How is he going to do it?

Mr. NORTHWAY. I should like to ask the gentleman a question. Half dollars are legal tender, are they not?

Mr. LANE. For a certain amount.

Mr. NORTHWAY. They are legal-tender money?

Mr. LANE. For certain amounts.

Mr. NORTHWAY. Under this contract you could redeem a contract for a million dollars in half dollars.

Mr. LANE. You could under certain conditions.
Mr. NORTHWAY. But there is no condition. They are legal tender.

Mr. LANE. They are only legal tender for \$5.

Mr. MARSH. A limited legal tender.

Mr. NORTHWAY. But nevertheless what is known as legal tender.

Mr. LANE. But if you make a contract for \$10, you can not pay it off in half dollars.

Mr. NORTHWAY. Read the bill and see.

Mr. LANE. I know what it is; and I say you can discharge it in any money that is legal tender to that amount. Now, the State courts follow the case of *Bronson vs. Rodes*. There are only two cases in the Supreme Court, *Bronson vs. Rodes*, and the case of *Trebilcock vs. Wilson*, 12 Wall., 687. In that case there was a note given for \$900, a plain promissory note. In the court below the debtor tendered the amount due on the note in legal tender, and the trial court below held that that was a good tender.

Mr. COOPER of Wisconsin. Did this note call for gold?

Mr. LANE. I will give you the exact words [reading]: "Payable in specie."

Mr. COOPER of Wisconsin. Payable in specie.

Mr. LANE. Now, specie is gold and silver, and it is also copper. There are three kinds of specie. So you will see the absurdity of the position. The definition of specie in the law books and in ordinary dictionaries is given as coined money, in gold, in silver, or in copper; and according to the literal meaning of this note the debtor could have discharged it in copper coin. It is payable in specie. Now, the court below held that as he had tendered in greenbacks or Treasury notes the amount of the contract it was a sufficient tender.

The case was appealed to the Supreme Court of the United States, and they held that he was entitled to a coin judgment for the amount due. You find the same condition as in the other case. The marshal is to take out an execution and go to the party and make his collection, or sell the property, and then go and buy gold.

Mr. HEPBURN. Will the gentleman allow me just a moment to make a suggestion to him?

Mr. LANE. Certainly.

Mr. HEPBURN. Is it not true that the effect of these two decisions is entirely destroyed, so far at least as silver is concerned, by the declaration of the statute of the policy of this Government to preserve gold and silver at a parity? Is not that obligatory upon the courts, as well as on the other branches of the Government? Would the court be permitted to discredit a portion of the coin of the United States by holding that it would not discharge an obligation, in the face of the declaration of the Government that silver is equivalent to gold?

Mr. LANE. I am glad the gentleman made that point, and I will show him how it operates. When this contract was made, there was no question between gold and silver. That was before some people in this country had discriminated against silver; now they claim that a silver dollar is only worth 50 cents, and they insist that the contract shall be in gold, not in specie.

Mr. BARTLETT. Make it gold.

Mr. LANE. A silver dollar is just as much a dollar as a gold dollar, and it has the same purchasing power.

Mr. BARTLETT. But make the contract in gold.

Mr. LANE. This contract is not made for gold. The rate is payable in specie and it can be discharged in specie. But it is a contract for the payment of money and it should have been held by the court that it could be discharged in any money that was by law made a legal tender. This is and should be the legal effect of such a contract. The law must control. The law declares that a certain per cent per annum shall be the legal rate of interest for the use of money, and any amount over that would be usury.

Parties, by private contract, can not annul such a law. The law controls the contract and the lawmaking power has the right to say that all contracts for the payment of money, whether in gold or silver, shall be discharged and satisfied by the payment of any money made by law a legal tender. You have no more right to make a contract in gold than you have to make a usurious contract.

Mr. BARTLETT. What right have you to restrain the liberty of making a contract if the contract is not against good morals?

Mr. LANE. It is contrary to public policy, and it is therefore against good morals. No contract can be lawful unless it is in conformity to law, and the law has the right to control the contract. The law is greater than the contract or the parties to the contract.

Now, let me show you what the court did here in this case. In the case of *Vaughn vs. Telegraph Company*, 14 Wallace, the action was for the loss of a cargo of goods, valued at \$2,436 in

gold. Now, in this case there was no contract at all. It was simply an action of tort. The court below held that the value of the goods destroyed was \$2,436, and they turned round and entered up a judgment for \$6,515.51.

Putting it mildly, this might be called legal robbery. This property was worth in gold only a little over \$2,000, and the court rendered a judgment for over \$6,000. That is the Supreme Court of the United States that rendered this judgment. If you will take and read this case, you will see what the court did in the premises.

A MEMBER. That is the case reported in your report?

Mr. LANE. It is in my brief. I will read you from 12 Wallace, page 548.

But the obligation of a contract to pay money is to pay that which the law shall recognize as money when the payment is to be made. If there is anything settled by decision it is this, and we do not understand it to be controverted.

That is what the Supreme Court itself decided in this class of cases.

Mr. COOMBS. That was not a gold contract.

Mr. LANE. It was in regard to a contract for the payment of money.

Mr. HENDERSON of Iowa. Yes; but that gold contract was before the statute establishing the equality of gold and silver and imposing the duty of maintaining that parity.

Mr. LANE. What the gentleman states is true, but the question then before the court was not a question between gold and silver, but the difference between specie or coined money and a legal tender in paper money. At that time there was no question as to a difference between gold and silver. The attempt then was to discredit paper money, and having succeeded in doing that, since that time the war has been made on silver and the attempt made to recognize no money as lawful money but gold.

The act of July 14, 1890, in regard to the purchase of silver bullion, known as the Sherman act, expressly provides that it is "the established policy of the United States to maintain the two metals (that is, gold and silver) on a parity with each other upon the present ratio, or such ratio as may be provided by law." This was the solemn declaration of Congress, but clearly that was not the intention of Congress in passing this act, for the act destroys the parity of the two metals by prohibiting the free coinage of silver. Parity means equality, and a law that grants a certain right to one metal and denies it to another does not put the two metals on a parity.

The statute does not declare that the parity shall relate to their legal-tender quality or their purchasing power, but simply to maintain the two metals on a parity with each other upon the present ratio or such ratio as may be provided by law. But I beg leave to remind gentlemen that the Supreme Court of the United States, so far as I know, has never discriminated against the silver dollar. When the decisions in the cases of *Bronson vs. Rodes* and *Trebilcock vs. Wilson* were rendered there was no complaint that a silver dollar was not as good as a gold dollar.

In the first case the promise was to pay in "gold and silver coin," and in the second case in "specie," and the judgments in both cases were for so many "coined dollars." As a matter of course a coined silver dollar would discharge the judgments as well as a coined gold dollar. If, however, a case should be carried to the United States Supreme Court now where the promise would be to pay so many dollars in gold, I do not know whether the court would or not render a judgment for coined dollars. The purpose of this bill is, however, simply to change the law as laid down in these cases where the court discriminated against Treasury notes or greenbacks and denied their validity as a legal tender.

The Congress of the United States declared that Treasury notes should be equal in value to coin, and private parties have no right nor power to annul that law. It is no violation of the right of contract to provide that a certain thing shall not be done, and every act is now regarded as unlawful which the law forbids to be done, and the courts generally hold that contracts made in violation of law are void.

Lobbying contracts are held void on the ground of public policy. Services in procuring contracts from heads of Departments of the Government and to secure appointments to offices or places of trust or an agreement to influence the action of an officer are void. Contracts made on Sunday, wager or gaming contracts are void. Option, future, and margin contracts and contracts in restraint of trade are void. Contracts given for Confederate money are void, as being against public policy. And so should contracts be void that discriminate against Treasury notes, which are a legal tender by law. Contracts for human flesh were permitted by the laws of Venice:

But, in the cutting it, if thou dost shed
One drop of Christian blood, thy land and goods
Are, by the laws of Venice, confiscated
Unto the state of Venice.

This condition was the restraint on Shylock, but our modern Shylocks oppose all restraint. The gentleman from New York [Mr. COOMBS] asked me some time ago if this bill prevents contracts being made for the payment of a debt in specie, even if the parties desire to so frame the contract.

Mr. Speaker, the gentleman states a false assumption in his question. No person ever desires to sign such a contract. No sane man would voluntarily sign such a contract. Such a contract might be signed to-day for a hundred dollars in Treasury notes with the gold or specie clause in it, and within six months gold might go to a premium and the debtor would be compelled to pay \$200 in Treasury notes in discharge of his contract for \$100. Such things have happened and may happen again, and the law that permits it is manifestly unjust.

There is no equality between the creditor and debtor when the one is about to borrow of the other; the parties are not on equal terms. The debtor is pressed for means and he must yield to the tyrannical exactions of the creditor, whatever his terms are.

If all men were just we would need no laws, but human experience teaches that they are not, and therefore the law must protect the weak against the strong. The question finally resolves itself into one of justice. The reason a gold contract is exacted by the creditor is to protect himself against any fluctuation in our currency.

Why should the debtor alone be held responsible for the stability of the money of the country. Should not this burden be borne as well by the creditor as the debtor. Equality is justice and every man should have an equal chance in the race of life. When an ordinary money contract is given, if the volume of money in the country increases it is to the interest of the debtor, if it decreases it is to the interest of the creditor. These are chances that all business men must take in the affairs of life.

But under the gold contract the rule is changed and the responsibility is all cast on the debtor.

Justice demands that this measure should be enacted into law.

Mr. Speaker, my time has about expired, and I therefore ask permission to extend my remarks and to print in connection with them the report which I made to the House on this bill.

There being no objection permission, is therefore granted.

APPENDIX.

[House Report No. 1270, Fifty-third Congress, second session.]

TO REGULATE AND DISCHARGE THE PAYMENT OF CONTRACTS IN ANY MONEY MADE A LEGAL TENDER BY LAW FOR THE PAYMENT OF DEBTS.

July 17, 1894.—Referred to the House Calendar and ordered to be printed.

Mr. LANE, from the Committee on the Judiciary, submitted the following report (to accompany H. R. 5217):

The Committee on the Judiciary, to whom was referred House bill 5217, introduced by Mr. LANE, which reads as follows:

"A bill to regulate and discharge the payment of contracts in any money made a legal tender by law for the payment of debts.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all contracts hereafter executed for the payment of any sum of money, whether in gold, silver, or coin, may be discharged by any money which is by law a legal tender for the payment of debts when the contract matures."

Beg leave to report that they have considered said bill, and find that the purpose of this bill is to regulate the practice in the Federal courts in regard to entering judgments, in requiring such judgments to be expressed in dollars and parts of dollars, and to preserve the stability and uniformity of our currency.

The act of Congress of 1792, establishing a mint and regulating the coins of the United States, provides that the money of accounts of the United States shall be expressed in dollars, dimes, cents, and mills, and that all proceedings in the courts of the United States shall be kept in conformity with this regulation.

The law now is that gold and silver coin and Treasury notes are a legal tender for the payment of all debts, public and private. There are some exceptions in regard to the payment of customs, etc., in Treasury notes, but this has no application to judgments between private parties. The law makes coined money and Treasury notes a legal tender in the payment of private debts, that is, makes both kinds of money equal for this purpose, and neither the courts nor private individuals have the right to annul the law.

The law is greater than the court or the individual, and neither have the right to set it aside. The courts have no power to legislate or to annul the laws of Congress, or to permit private parties to set aside a public statute. This the Federal courts have done in holding that a judgment can be entered in "coined dollars," which is done for the very purpose of annulling the act of Congress making Treasury notes a legal tender for the payment of debts. In England it was a felony to discredit the money of the realm. The courts of France have held that parties can not, by special contracts, discriminate between the bank notes of the Bank of France, which are made a legal tender, and coin money, which is also a legal tender.

The decision will be found in Bulletin of Appeals of France, volume 75, No. 46, of date February 11, 1873. In the case of *Delatre vs. Scouteters* the court said: "In a monetary crisis laws directing the legal tender of bank notes have the character of police and surety laws, and are for the public benefit; consequently these laws can not be avoided by written contracts, made either after the promulgation of such laws or even before. Therefore creditors can not, in view of such contracts, refuse payment if it is tendered him in notes of the Bank of France, taking them at their legal value, which is by law equivalent to that of coin." Many other nations of the earth even went further and made it a crime punishable by death to discredit the money of the country.

The State courts of many of the States of the Union have passed on this question, and they hold the law substantially as it was held by the court in France.

These decisions were rendered in the State courts after the passage of the legal-tender act by Congress and before the decision of the United States Supreme Court was fully known. A few of the cases will be examined and the date of trial given.

Attention is first called to the following case:
In 1863, in the case of *Wood vs. Bullens*, 6 Allen (Mass.), 516, the note was for \$500, with this statement in the note: "The above payable in specie." The court held that the note could be discharged in currency, and in deciding the case used this language:

"All the court can do is to treat as money that which the statutes of the United States, legally enacted, declare to be money. If it were in our power to render a specific judgment designating the species of currency in which it should be paid we might avoid some of the existing difficulties, but we have no such authority."

In 1862, in *Shoenburger vs. Watts*, 10 Am. Law Reg., 553 (Pa.), a bond for \$28,000 was executed payable in specie, "current gold and silver of the United States," and the court held that the bond could be discharged in currency. The court says in that case:

"This being the object and design for which the coining and money-making power was given to the Government of the United States in common with all other governments, we may well doubt whether, while that Government has exercised its high prerogative by deciding that certain modes or forms of value shall all be money, and all money be equal, that the same named quantities of each shall be worth as much as any of the others, it can be competent for the citizen to distinguish to make a bargain excluding those with whom he contracts from a means of payment which the law has decided shall be open to and available for all and encumber them with a debt of a new and special nature not capable of being discharged in the way in which the ordinary debts are by law payable."

In 1864, in *Schallenberg vs. Brinton*, 13 Am. Law Reg., 561 (Pa.), the lease was for ground rent payable in "lawful silver money of the United States," the court held that the rent could be paid in legal-tender notes.

In 1865, in the case of *Buchegger vs. Schultz* (13 Mich., 429), it is held by the court that a contract for a certain number of "dollars," though stipulated to be paid "in gold," is not a contract for merchandise, but for money, and therefore can be discharged in any lawful money. Judge Cooley delivered the opinion in this case, and in doing so, among other things, he said:

"If legal-tender laws were designed chiefly to confer upon debtors a privilege, there would be force in an argument that the class to be benefited might waive the privilege by stipulation in their contracts. But these laws are also based in great measure upon reasons of State policy, which sometimes to a considerable degree override and disregard individual interests."

"The act in question was based exclusively upon reasons of a public character, which, in the opinion of the lawmaking power, imperatively demands that Treasury notes shall be made equal in legal value to coin, and parties have no more right to stipulate that their contracts shall not be governed by it than those of a particular locality have to agree among themselves that a law shall not be in force in that locality."

In 1865, in *Whetstone vs. Colley* (38 Ill., 325), suit was on a note for \$150, payable in "gold." The court held that the note could be discharged in United States Treasury notes, and in an action thereon evidence as to the value of gold compared with legal-tender Treasury notes is inadmissible.

In 1866, in *Appel vs. Woltman* (35 Mo., 194), the action was for recovery of \$2,000, which, by the terms of the contract, "should be paid in the current gold coin of the United States, in full tale, or without regard to any legal tender that may be established or declared by any law of Congress." It was held by the court that this contract could be discharged in legal-tender Treasury notes. The court says in this case:

"But by law Congress has made Treasury notes of legal value with gold, and declared they should be legal tenders in satisfaction of private debts. As a legal medium, then, there can not be a distinction taken between them and gold."

Again the court in the same case says:

"It is a notorious fact which has passed into the history of the country that for the purpose of trade and in commercial transactions there is a difference made between Treasury notes and specie coin; but whatever fluctuations there may be arising from extraneous causes the debtor's right to pay in whatever medium he chooses can not be affected. In administering the law gold and Treasury notes must be considered as equal and no difference or discrimination can be allowed."

In 1866, in *Brown vs. Welch* (23 Ind., 116), the contract was for the "payment of a specified sum in gold or if paid in paper the amount thereof necessary to purchase the gold at the place of payment." It was held by the court that the contract could be discharged in Treasury notes at the sum named in the contract. The court uses this language in the opinion:

"When Treasury notes were made a legal tender in the payment of debts they were made the equivalent of coin as a means of payment in all but the cases excepted by law. If, then, the law makes them equivalent for the purpose of payment, a failure to pay a given sum in gold, as required by contract, can not possibly beget an obligation to pay a greater sum in legal-tender notes, whatever premium men may voluntarily choose to give for gold when forced to obtain it for a specific purpose, or when impelled by a spirit of speculation, or by a weak distrust of the Government."

In 1866, in *Riley vs. Sharp* (1 Ky., 348), it is held that a note payable in "gold" can be discharged in legal tender in the amount named in the contract.

In 1871, in *Kellogg vs. Sweeney* (46 N. Y.), \$493.51 in gold coin was stolen from the plaintiff, and in a civil suit for its recovery it was held that the amount could be discharged by Treasury notes, although the value of gold coin in currency was \$1.59 at the time, and if the matter was in contract the law would be the same. (*Chrysler vs. Renois*, 4 Hand, 208.)

In 1870, in *Killough vs. Alford* (32 Texas, 457), the court holds that \$750, payable "in gold coin, or the equivalent thereof in the United States legal-tender notes," can be paid in legal-tender notes of the United States, and gold coin are the same dollar for dollar; that things which are equal to the same thing are equal to each other.

In 1867, in *Beatty vs. Rhodes* (3 Nebr., 240), it is held that in the payment of a debt legal-tender notes are in contemplation of law equal to coin, and making the salary of a State officer payable in legal-tender notes after it had previously made it payable in coin is not unconstitutional.

In 1865, in *Reise vs. Stearns* (20 Cal., 273), a suit was on a contract to pay in gold coin of the United States, "or the equivalent of such gold coin, if paid in legal currency," and it was held that such contract can be paid in any kind of lawful money of the United States. The court says in this case:

"In contemplation of law a dollar in legal-tender notes is equal to and therefore the equivalent of a dollar in coin. In comparing the two kinds of money the law knows no difference in value between them. Where none is adopted the standard of equivalents must be that which the law establishes. Tried by this standard, any given number of dollars in legal-tender notes is equivalent to the same number of dollars in coin."

In 1873, in *Grover vs. Robbins* (49 Ga., 219), the note was of date October 10, 1864, and in five years after date promised to pay \$3,500 in specie with 4 per cent interest. The trial court in this case rendered the following judgment:

"It is there ore considered and ordered by the court that the plaintiff have and recover of the defendant the said sum of \$7,549.15 in gold or silver

coin or its equivalent in United States currency, for which execution may issue to be levied and collected in gold or silver coin or its equivalent in United States currency, and also that the said plaintiff have and recover of said defendant the costs of this suit, for which execution may issue to be levied in United States currency."

On appeal the supreme court of Georgia reversed this judgment, and in the opinion, among other things, said:

"Yet, as the debt was contracted long after the passage of the legal-tender acts of Congress regulating the payment of such contracts, the judgment should have been for so many dollars only, leaving it to be discharged in any legal-tender currency or money of the United States."

In 1866, in *Jump vs. Pettit* (18 La. Am. 193), it is held that a note payable in gold can be satisfied by the tender of United States Treasury notes.

In 1872, in *Townsend vs. Jennison* (44 Vt., 315), the court held that when a debt is payable in specie it is error for the court to allow plaintiff premium on silver coin, there being more than one kind of money called specie, and the kinds being capable of different values.

In 1870, in *Hunter vs. Rogers* (50 Ala., 283), the court used this language:

"The verdict is for \$5,000 in gold, and the judgment follows the verdict. The present law of the United States governs the currency, and defining what shall be legal tender for the payment of debts forbids such a payment. The verdict ought, therefore, to have been for dollars simply. A judgment for dollars in gold is erroneous."

The decisions of the supreme courts of fifteen of the States are now given, and they all hold with singular unanimity that private parties can not discriminate against the different kinds of legal tender in this country. We have here the opinion of fifty judges, many of them men of eminent learning, celebrated as jurists, and of national reputation, among them such men as Judge Cooley, of Michigan, and Judge Breese, of Illinois, all substantially agreeing that the debtor could not be held as an insurer against the fluctuation of our currency and that the debtor could discharge his debt in the payment of Treasury notes made a legal tender. Up to that time such a thing as a judgment in "coin dollars" was unknown to the law. Attention is now called to the decision of the United States Supreme Court on this point.

It is not intended to question the power of Congress to issue Treasury notes or make them a legal tender for the payment of debts. The simple inquiry is, did not the court misinterpret the act of Congress in regard to making Treasury notes a legal tender? If they did, here and now is the time to make the correction. It will further be noticed that these decisions in the United States Supreme Court were by a divided court, sometimes but one judge in the majority, and the dissenting opinion being joined in by sometimes three or even four of the nine judges composing that august tribunal, and the dissenting opinion being in harmony with the decisions of the State courts, as will be seen by a fair comparison. Attention is now called to some of the decisions of the United States Supreme Court.

In 1868, in *Bank vs. Supervisors* (7 Wall., 26), the United States Supreme Court held that Treasury notes were not subject to taxation in the same manner and to the same extent as coin issued under like authority, and reversed the decision of the New York court. The decision of the Supreme Court was predicated on the act of February, 1862, which declares that—

"All United States bonds and other securities of the United States held by individuals, associations, or corporations within the United States shall be exempt from taxation by or under State authority."

It was held that Congress had the power to make this difference between coin and Treasury notes; so it will be seen that this case has no application to the question presented by this bill.

In 1868, in *Lane County vs. Oregon* (7 Wall., 71), the Legislature of Oregon passed a statute enacting that the sheriff of that State shall pay over to the county treasurer the full amount of the State and school taxes in gold and silver coin. The county of Lane brought suit against the sheriff to recover \$3,400.96 in gold and silver coin. The sheriff answered that he had tendered the amount in United States notes, but the circuit court held this was not a good tender and rendered judgment against the sheriff for the sum claimed, in gold and silver coin with costs. This judgment was affirmed by the supreme court of the State and also by the United States Supreme Court. The reason for this decision was placed on the distinct ground that the law making United States notes a legal tender for debts has no reference to taxes imposed by State authority. So it can be safely claimed that this case has little or no bearing on the question at issue, as this bill only applies to private debts.

In 1868, in *Bronson vs. Rodes* (7 Wall., 235), a bond or note was given for \$1,400, payable in gold and silver coin, with 7 per cent interest, payable also in coin. A tender of \$1,507 in United States notes, the nominal amount of the note, was made and refused.

At this time \$1 in coin was worth \$2.25 in United States notes. So the question is here fairly presented, whether the United States notes have an equal debt-paying power as coin and whether the practice should be that judgments may be entered for "coined dollars and parts of dollars" on coin contracts, and in dollars generally in other cases. In this case the supreme court of New York held that the plea of tender was not a good plea, but on appeal to the supreme court in general term the plea was held good and this judgment was affirmed by the court of appeals of New York and the case was brought to the United States Supreme Court, when the judgment was reversed, Justice Miller dissenting.

The United States Supreme Court held in this case that a bond or note, payable in gold and silver coin, must be paid in coined dollars and can only be satisfied by the payment of coined dollars, and that such judgments may be entered for coined dollars and parts of dollars.

A judgment for coined dollars is a judicial curiosity. When Congress made Treasury notes a legal tender it was clearly the intention to give those notes the same purchasing and debt-paying power as coin, and public policy demanded that the statutes should be so construed. A "coin judgment" is also an undesirable innovation in our judicial practice.

In *Butler vs. Harwitz* (7 Wall., 259), the decision in *Brownson vs. Rodes* is followed.

In 1869, in *Willard vs. Taylor* (8 Wall., 557), the court in a suit in equity for the specific performance of contract, decreed that the complainant should pay in gold, although the contract which was made in 1854 did not in express terms contract for gold payment.

This case had no general application and does not demand further notice.

In 1860, in *Hepburn vs. Griswold* (8 Wall., 604), a suit was brought on a note of date June 20, 1850, for \$11,250, but there was no express promise to pay the note in gold. In March, 1854, the maker of the note tendered \$12,720 in Treasury notes in full payment. The trial court held the tender good, and the case was taken to the court of errors of Kentucky, which reversed the judgment, and the case was then taken to the United States Supreme Court, where the judgment of the court of errors of Kentucky was affirmed.

The United States Supreme Court placed the decision in this case on the ground that the act making Treasury notes a legal tender in payment of all debts, public and private, had no application to debts contracted before the passage of the act, Justices Miller, Swaine, and Davis dissenting. This case has since been overruled by the court, and therefore has no application now.

In *Knox vs. Lee and Parker vs. Davis* (12 Wall., 457), the decision in *Hepburn vs. Griswold* (8 Wall., 603), is overruled, and the court holds that the

acts of Congress known as the legal-tender acts are constitutional when applied to contracts made before their passage, the Chief Justice and Justices Clifford, Field, and Nelson dissenting. It will be noticed, however, that there was no express contract to pay in coin in this case.

In 1871, in *Trebilock vs. Wilson* (12 Wall., 687), a note was given for \$900, due in one year, with 10 per cent interest, "payable in specie." The amount due on the note was, after its maturity, tendered in United States notes, being a legal tender for all debts, public and private. The district court of Iowa held that the tender was good. The case was then appealed to the supreme court of Iowa and the decree was affirmed; the case was then brought to the United States Supreme Court and the decree reversed, Justice Bradley and Miller dissenting. The United States Supreme Court held that the note could not be discharged in its nominal value in Treasury notes, but that the plaintiff was entitled to a judgment to be entered for the payment of "coined dollars."

In 1871, in *Vaughan vs. Telegraph* (14 Wall., 258), the action was for the loss of a cargo of goods, valued at \$2,438 in gold, and the decree was for \$4,896.30 and interest, making in all \$6,515.51. At this time gold was 101 per cent above legal-tender notes. On appeal from the United States circuit court at New York to the United States Supreme Court this decree was affirmed, the Chief Justice and Justices Clifford and Field dissenting. The principle announced in this case seems to be indefensible.

In the first place, the court heard evidence and found that the value of the goods destroyed was \$2,438 in gold, and then heard further testimony and found that \$2,438 in gold was worth \$4,896.30, more than double the value of the goods, and rendered judgment for this sum and the interest, making \$6,515.51. If this was not simple robbery, it was very near of kin to it. Why should the debtor be held alone responsible for the fluctuation of the currency when Congress declared that currency and coin money should be a legal tender, dollar for dollar, one as good as the other? What right had the court to annul the law in order to favor the creditor? It can not be explained.

It is no part of the design of this bill to consider the authority of Congress to issue Treasury notes and declare them a legal tender. These were burning questions at one time in this country, but they may be regarded as settled now. Before the adoption of the Constitution the power of coining gold and silver and emitting bills of credit or making money and declaring it a legal tender existed in the several States, but now by the Constitution it is prohibited in all the States except the right to make gold and silver a legal tender.

The power to issue money does not exist in the States, and it must therefore exist, if at all, in Congress. The fact is not forgotten that a great many constitutional lawyers believe that when the Constitution was drafted the intention of its framers was not to grant to the General Government the right to emit bills of credit, and if the General Government did have a right to issue bills of credit in certain emergencies, still they had no right to make them a legal tender. The United States Supreme Court, however, has finally held that Congress has the power in times of peace or war to issue Treasury notes, and also to make them a legal tender.

These questions are now settled in the affirmative, it is true, by a divided court, but they are settled, and it is to be hoped that they will remain so. But the trouble now is that, after the court decided that Congress can make Treasury notes a legal tender in payment of all debts, public and private, the court annuls its own decision by holding that these coin contracts can be satisfied by entering a "coin judgment." The uniform judgment of common-law courts is for a specific sum of money in pounds and parts of pounds, or in dollars and parts of dollars, leaving such judgment to be discharged in whatever has been rightfully made a legal tender for the payment of debts.

Judgments are not rendered and can not be rendered without an act of the Legislature or Congress in anything but dollars. Congress can say what a dollar shall be, and in such dollars judgments of courts shall be paid. It is the stamp of the Government that bestows upon a piece of gold or silver the value of a dollar. So Congress can make Treasury notes money, transmitting, if you please, the paper into coin and cause it to pass in all private transactions at their declared value, and all judgments rendered by the courts between individuals being entered up for dollars can, and of a right should be, discharged in dollars, paper money as well as coin.

When Congress declared that Treasury notes should be lawful money and a legal tender for the payment of all debts, public and private, the design was to render paper dollars legally equivalent to specie and an adequate performance of a contract expressly stipulating for payment in coin.

If the law does not mean this it means nothing. When the parties intended by their contract that money should be paid, then it can be paid in any lawful money. This is made plain by the court itself. In *Knox vs. Lee* (12 Wall., 566) Justice Bradley, in concurring in the opinion of the majority of the court, among other things said:

"So long as the money of the country, in whatever terms described, is in contemplation of the parties it is the object of the legal-tender laws to make the credit of the Government a lawful substitute. Therefore, if the contract is for the delivery of a chattel or a specific commodity or substance the law does not apply. If it is bona fide for so many carats of diamonds, or so many ounces of gold as bullion, the specific contract must be performed. But if terms which naturally import such a contract are used by way of evasion, and money only is intended, the law reaches the case. Not but that Congress might limit the operation of the law in any way it pleased. It might make an exception of cases when the contract expressly promises gold and silver money. But if it has not done so, if the enactment is general in its terms, specific promises to pay the money in specie are just as much subject to the operation of the law as a mere promise to pay so many dollars, for in contemplation of law is a promise to pay in specie."

No language could be plainer than this. Can any person doubt that in the cases cited and decided by the court it was not the intention that money was to be paid and not a commodity delivered?

There are but two of the foregoing cases that have a direct bearing on this question, and those are the cases of *Brownson vs. Rodes* and *Trebilock vs. Wilson*. In the first case the court tells us that a contract was given for \$1,400, payable in gold and silver coin. Then there can be no doubt but it was a contract for the payment of money, coupled with an attempt to hold the maker as a guarantor against any fluctuation in the currency.

Now, a promissory note is an agreement in writing to pay a certain person a certain sum of money by a time certain. These three elements are indispensable to a promissory note. An agreement to deliver to a certain person a certain number of ounces of gold or silver by a day certain is not a promissory note, nor is it a negotiable instrument. If, therefore, the note for \$1,400 was not for a sum of money, but the amount had to be fixed by testimony as to the difference between coin and Treasury notes, then the sum would not be certain, and the court was in error in calling it a promissory note. It was payable in gold or silver coin, so it is uncertain in which coin.

Suppose a suit was brought on this note at the present time; it might become a question in which coin it should be paid. Some members of Congress state on the floor of the House that a silver dollar is only worth 50 or 70 cents, and it is supposed they would swear to it if called on in court, and in that event in which coin would the court hold that the note could be discharged?

No one can tell. If parties have a right to discriminate between Treasury notes and coin, then they have the right to discriminate between the coins themselves, and the whole matter is at sea. Nor did it help the matter for the court to legislate that the judgment should be for "coined dollars," for the same trouble still remained.

The means of satisfying a judgment is by execution. The execution must follow the judgment and be founded on it. What would a sheriff or a marshal do with an execution for "coined dollars?" The usual language of an execution is a command to the officer to cause to be made so many dollars out of the defendant by levying the same on his goods and chattels, lands and tenements, etc. When the execution would be for coined dollars then the sheriff would be compelled to sell the property of the defendant, and if he could not get coined dollars, and then he would be compelled to accept Treasury notes and with that buy gold or silver coin, how would he determine what price he would pay? What market would control the price of coin as compared with Treasury notes? Such a system leads to endless confusion.

Again, suppose the promise was to pay \$1,400 in wheat. The promiser would have the right to discharge his note by tendering \$1,400 worth of wheat, but if he defaulted and suit should be brought on the paper the court would not inquire into the value of wheat but simply render a judgment for \$1,400. The instrument itself fixed the measure of damages. Now suppose in the place of wheat the word "gold" should be used—gold is simply a commodity and the rule would not be changed, and in default of payment in gold the judgment would be for \$1,400. The parties themselves in their contract fixed the amount to be paid at \$1,400, no more nor no less. And the contract further provided that this sum should be paid in gold and silver coin; so according to the very terms of the contract the maker had a right to pay \$1,400 in gold and silver coin, and if gold and silver were at a premium then why should not the maker of the contract be allowed to satisfy the claim with less than \$1,400 in gold coin? But the truth is the promise was for \$1,400, and the judgment should be for that sum.

All that has been said with reference to the case of *Brownson vs. Rodes* applies with even greater force to the case of *Trebilock vs. Wilson* (12 Wall., 687). In this case a promissory note was given for a debt of \$900, payable in "specie." Now, what is specie? It is coin; gold, silver, and copper as currency. How could the court determine what kind of specie would discharge this note? Suppose a promise is made to pay \$900 in wheat, oats, or corn. The maker could discharge the obligation by a tender of \$900 worth of either of these commodities. These three articles were of different values, and if default was made in the payment of the note the court would not go into an investigation of the value of the wheat, oats, and corn, but would render a judgment for \$900. The court was correct in the Vermont case just cited when they said that it was "error for the court to allow plaintiff premium on silver coin, there being more than one kind of money called specie and the kinds being capable of different values."

Again, the maker of this promise to pay \$900 in coin could lawfully discharge it in silver half dollars and quarter dollars. When, then, did the court find authority to render judgment for "coined dollars"? It was clearly a money contract, and Judge Cooley was right when he said in *Buchegger vs. Schultz*:

"The act in question (meaning the legal-tender act) was based exclusively upon reasons of a public character, which, in the opinion of the lawmaking power, imperatively demanded that Treasury notes should be made equal in legal value to coin, and parties have no right to stipulate that their contracts shall not be governed by it."

Parties can not make contracts in violation of public policy. The statute of usury can not be annulled by contract; gambling contracts, and contracts for the sale of margins and for speculation in the rise and fall of commodities, and contracts for the sale of "puts" and "calls," and contracts in restraint of trade, are all void.

A contract to defeat a public statute is void. No lawyer will deny this proposition, for it can be sustained by unlimited authority from the courts of this and other countries.

Congress passed a public statute making Treasury notes equal in legal value to coin in the payment of debts; yet in the two cases mentioned the Supreme Court held that the parties could by private contract annul and defeat this statute. The rule is a menace to trade and commerce. A party desires to borrow money to go into business, and when he applies for it he is told that there must be the usual gold clause in the note. The risk is too much, and he refuses to borrow. It is to the interest of society that money should be used in business. The borrowers of money are the men who build our railroads, span our rivers, tunnel the mountains, build cities and towns, churches and schoolhouses, and engage in our vast industrial pursuits, all at great risk to them financially, and it is unjust in addition to the risk of their business to hold them responsible for the fluctuation of the currency. This rule also offers a premium for rascality. When the money of the country is loaned in the gold contracts, then the money power can greatly increase their wealth by forcing gold to a premium and compel the debtor to pay double the amount of money borrowed.

There can be no stable currency in this country if private parties are permitted to contract against a certain kind of currency and in favor of another kind, both of which the law declares shall be equal. Legal tender is a function of money, and no private contract should be permitted to annul it. Contracts must be made in pursuance of law and not contrary to it. There is no class of persons in this country who should be more interested in sustaining the commercial law of the land and the financial policy of the Government than the credit class.

When default is made in their contracts for the payment of money they apply to the courts to enforce the law for its collection, and, therefore, they should not themselves violate the law when they make their contracts and demoralize the money of the country. The creditor and debtor rarely ever occupy the same vantage ground. The necessities of the debtor often deprive him of the freedom of contract.

The object of law is to defend the weak against the strong, "to restrain men from injuring one another." "Equal and exact justice to all and special privileges to none," is the basis of all free governments; and it is not just to the debtor that he should be held liable for any and all fluctuations that may take place in the currency between the date of contract and the time of performance. The creditor should be willing to submit to the law and accept on his money contract the money declared by Congress to be legal tender for the payment of all debts.

This is what the United States Supreme Court declared in its second legal-tender decision, when it used this language:

"The obligation of a contract to pay money is to pay that which the law recognizes as money when the payment is to be made."

The flag of the country is pledged to sustain our financial system, and to make every dollar of our money equal to every other dollar in purchasing and debt-paying power, and no person should have the right to repudiate the money or the flag of the Republic. Patriotism, justice, and State policy demand that this bill should become a law, amended, however, by adding after the word "contract" in line 3 of said bill, the following words, to-wit: "Hereafter executed;" and as amended the bill is reported back to the House with a recommendation that the same do pass.

Mr. LANE. I now yield to the gentleman from Texas [Mr. CULBERSON].

Mr. CULBERSON. Mr. Speaker, I understand that the Committee on Appropriations desire to submit a conference report, and as they could take us off the floor anyway, I am willing to yield now. I suppose, however, that when the conference report is disposed of I may be permitted to occupy the remainder of the hour.

The SPEAKER. Without objection that can be done.

Mr. CULBERSON. I will merely state that I intend to withdraw this bill and present another one, inasmuch as the time at command will not give sufficient opportunity for the discussion of this measure.

Mr. WARNER. I trust the gentleman will allow the time to be so divided as not to have the discussion of this bill, which goes into the RECORD, all on one side.

Mr. CULBERSON. I am going to withdraw the bill.

Mr. WARNER. Well, that is one way to defeat it.

The SPEAKER. Without objection, after the conference report is disposed of, twenty minutes will be given to the consideration of this bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7477) making appropriations to supply the deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years, and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 7668) to authorize the St. Louis, Avoyelles and Southwestern Railway Company to bridge Bayou Des Glaisses and Atchafalaya River, in the State of Louisiana; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment the bill (H. R. 859) for the relief of B. D. Greene.

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

Joint resolution (S. Res. 101) providing for clerical assistance in the Health Department of the District of Columbia;

A bill (S. 1713) to permit Commodore Louis C. Sartori, now on the retired list of the Navy, to be a rear-admiral on said list in accordance with his original position on the Navy Register.

GENERAL DEFICIENCY BILL.

Mr. SAYERS. Mr. Speaker, I present the conference report on the bill (H. R. 7477) making appropriations to supply deficiencies.

As the report is quite long, I ask that the reading of it be dispensed with, that only the statement of the House conferees be read, and that the report be printed in the RECORD.

There was no objection, and it was so ordered.

For conference report see Senate proceedings.

The statement of the House conferees was read as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H. R. 7477, making appropriations to supply deficiencies, submit the following written statement in explanation of the effect of the action recommended in the accompanying conference report, namely:

The bill as it passed the Senate appropriated \$7,939,551.41, being an increase of \$2,934,518.63 over the bill as it passed the House.

Of this sum, \$1,809,539.70 is to pay a judgment in favor of the Southern Pacific Railroad Company, and upon this amendment the committee of conference have been unable to agree; \$77,453.34 is for payment of certain so-called charter party cases and insurance claims, from which it is recommended that the Senate recede, together with other amendments involving appropriations amounting to \$107,163.06.

It is recommended that the House agree to the amendments appropriating \$940,362.73, to cover deficiencies, final judgments of the Court of Claims, and audited accounts certified to Congress since the passage of the bill by the House. An additional appropriation of \$250,000, for fees and expenses of marshals, United States courts, is recommended in the conference report, in accordance with a recommendation of the Attorney-General, certifying that at least that sum will be necessary to settle accounts on account of the fiscal year 1894.

Exclusive of the judgment of the Southern Pacific Railroad Company, the bill as finally agreed upon appropriates \$6,202,903.91, being \$1,736,617.50 less than as it passed the Senate, and \$1,197,871.33 more than as it passed the House.

JOSEPH D. SAYERS,

J. G. CANNON,

Managers on the part of the House.

Mr. SAYERS. Mr. Speaker, I desire to inform the House that all the differences between the two Houses upon this bill have been settled with the exception of one item, amounting to about \$1,500,000 in round numbers, in relation to the Southern Pacific Railroad Company, and I suggest to my colleague on the conference committee, the gentleman from Illinois [Mr. CANNON], that the House be asked to agree to the partial report, leaving that item still open for discussion.

Mr. CANNON of Illinois. That is, the gentleman desires the House to adopt the report?

Mr. SAYERS. Yes, sir.

Mr. PICKLER. What has been done about the judgments for Indian deprecation claims?

Mr. SAYERS. The item was increased \$50,000. It passed the House at \$100,000, and was increased \$50,000 in conference.

Mr. PICKLER. And was the provision retained which the House adopted with regard to a future investigation?

Mr. SAYERS. Yes, sir.

The SPEAKER. The question is upon agreeing to the conference report.

Mr. CANNON of Illinois. Mr. Speaker, I would be glad to have a few minutes before this report is adopted. I understand that there is still one amendment upon which no agreement has been reached.

Before this vote is taken I would be glad to have two minutes to state generally my understanding as to the appropriations of this session—

Mr. SAYERS. I will state to my friend that when the deficiency bill comes back I will yield to him. We want to pass the sundry civil bill immediately; but when we come back with our final report on the general deficiency bill, the gentleman can have as much time as he wants.

Mr. CANNON of Illinois. There will be no final report in a certain contingency. If the House should insist upon its disagreement to the Senate amendment, we would have to go into conference again; if the Senate should recede from its amendment, that would pass the bill.

Mr. SAYERS. Certainly. I am willing to accommodate the gentleman from Illinois as to the time he desires to occupy.

Mr. CANNON of Illinois. I think I had better take a few minutes now, as my friend from Iowa [Col. HENDERSON], who is now temporarily absent, desires to be heard when the deficiency bill comes up.

Mr. SAYERS. Very well, I will yield to the gentleman from Illinois as much time as he desires.

The SPEAKER. Before the gentleman from Illinois begins, the House will receive a message from the Senate.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 5575) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SAYERS. I ask unanimous consent to withdraw from consideration for a few minutes the report on the general deficiency bill in order that the House may agree to the report on the sundry civil bill. It is important that this bill should be enrolled and signed as quickly as possible.

The SPEAKER. In the absence of objection, the conference report on the deficiency bill will be temporarily withdrawn, and the House will take up the conference report on the sundry civil bill. The Clerk will read the statement of the House conferees.

The Clerk read as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the sundry civil appropriation bill, submit the following written statement in explanation of the action recommended in the accompanying conference report on each of the amendments, namely:

On amendment numbered 11: Strikes out the appropriation of \$100,000 proposed by the Senate for the purchase of sites for and commencement of buildings at Cheyenne, Wyo.; Boise City, Idaho; Helena, Mont.; and Spokane, Wash.

On amendment numbered 110: Strikes out the appropriation of \$105,000 proposed by the Senate for the sufferers of the Ford Theater disaster, and inserts in lieu thereof provision for a joint commission of the two Houses to investigate and report upon the claims of said sufferers.

On amendment numbered 118: Appropriates \$25,000, as proposed by the Senate, for a quarantine station at Southport, N. C.

On amendment numbered 119: Strikes out the appropriation of \$40,000 proposed by the Senate for a quarantine station at or near the mouth of the Columbia River.

On amendments numbered 127, 128, 133, and 134: Strikes out the appropriations proposed by the Senate of \$10,000 for the purchase of the electric-light plant in the Senate wing of the Capitol and \$10,000 for the repairs and extension thereof, and restores to the bill the provision proposed to be stricken out by the Senate authorizing the payment of \$200 per month rent for the electric-light plants in the Senate and House wings during the sessions of Congress; and strikes out the provision proposed by the Senate authorizing the introduction of electric-light current into the Capitol building by any existing electric-light company in Washington.

On amendment numbered 145: Authorizes the use of \$16,000 of the appropriation made for surveys of public land, for making a resurvey of lands in Grant and Hooker Counties, Nebr., and makes a verbal correction in the text of the bill.

On amendment numbered 238: Appropriates \$45,000, instead of \$36,000, as proposed by the Senate, for dry dock at Puget Sound, Washington.

On amendment numbered 231: Appropriates \$5,000, instead of \$16,000, as proposed by the Senate, for the Bureau of American Republics, and places said Bureau under the control and direction of the Secretary of State, and requires him to report to Congress at its next session the propriety of continuing said Bureau, or if any obligation exists on the part of the Government for its continuance.

On amendment numbered 270: Strikes out the provision, proposed by the Senate, fixing the salary of the assistant librarian in charge of the Law Library at \$1,600, and allowing him \$480 for laborer's service.

On amendment numbered 277: Strikes out the amendment, proposed by the House, providing for the purchase of additional land for the Government Printing Office, and for the construction of additional buildings thereon.

On amendments numbered 278 and 279: Appropriates \$200,000 for the Cotton States and International Exposition at Atlanta, Ga., in terms substantially in accordance with the instructions of the House.

On amendment numbered 280: Provides for the reclamation of desert lands as provided by the House, with an amendment that not less than 20 acres of each 160-acre tract shall be irrigated, reclaimed, occupied, and cultivated by actual settlers.

The bill as finally agreed upon appropriates \$34,209,776.05, being \$1,991,350.05 less than as it passed the Senate, and \$1,686,393.25 more than as it passed the House.

JOSEPH D. SAYERS,
JOS. H. O'NEIL,
W. COGSWELL,

Managers on the part of the House.

The SPEAKER. The question is on agreeing to the report.
Mr. WILSON of Washington. Before the question is taken, I would like to occupy three or four minutes.

Mr. SAYERS. I yield to the gentleman five minutes.

Mr. WILSON of Washington. Mr. Speaker, I desire only to call attention to the receding on the part of the Senate from amendment numbered 11, providing an appropriation for the purchase of sites for public buildings in the four new States—in Boise City, Idaho; Cheyenne, Wyo.; Helena, Mont., and Spokane, Wash.

Taking into consideration the environment of this question, the conditions operating in that section of the Union, and the further fact that this amendment was placed on the sundry civil bill in the other end of the Capitol, it seems to me the House conferees might, in their extreme liberality, have granted to each of these new States a public building for United States courts, for marshals' offices, for postal purposes, and for other official uses needed by the Government. I believe that every State in the Union is provided with at least one public building except the States of Wyoming, Idaho, and Montana.

The difficulty in this case, Mr. Speaker, is that the responsibility for the failure of this appropriation will be regarded as coming with peculiar and particular hardship upon the Representatives of these States in the House. I do not know of anything in the nature of appropriations with which I have had any connection since I have been in the House that will cause me personally, perhaps, so much damage as the defeat of this amendment. By reason of the fact that when the amendment was placed on the appropriation bill it was telegraphed to the various newspapers of our locality, causing the people to become intensely interested; all the responsibility for the defeat of the amendment will now be regarded as falling upon the members from the various new States, to which the amendment appertains.

The postal receipts at the town of Spokane are \$60,000 a year. It is the headquarters of a postal division. Besides, we have there the United States court, United States marshal's offices, United States land office, the offices of the deputy collector of internal revenue and deputy collector of customs, etc. It seems to me that now, when the opportunity offers, the Government should acquire a site there, because in the course of a year or two it may not be able to do so; for since the great fire of 1889 which swept over that city and destroyed \$6,000,000 worth of property, the available sites for the location of a public building are being rapidly appropriated.

I am not here (in the language of a gentleman who addressed the House the other evening) asking for pity; but I do think that in view of the large appropriations embraced in this bill for the improvement of rivers and harbors; in view of the large appropriations made in every direction by this Congress, it would have been nothing more than fair and just to have granted to these four States these sites for the erection of public buildings. You must of necessity come to it sooner or later.

I had on this floor a controversy relative to an appropriation for a public building that was already constructed in the State that my friend from Texas represents so ably and honorably on this floor. There they had no United States court; there their postal receipts were not equal to ours. But they came here and got a provision for a third story to be placed on their building on this sundry civil bill. Now, if they could not pass that bill through the House; if I could not pass mine through the House for a similar purpose, it seems to me that if the new States are to be cut out from any consideration, then all of them should be placed upon the same footing, and all of this appropriation should have been stricken out.

I know, sir, and I make my public acknowledgment of the fact now, that the gentleman from Texas, the chairman of the Committee on Appropriations, has upon many occasions rendered not only to myself but to the people of my State great services, and I here and now wish to thank him for myself and for them

for the many and extensive acts of courtesy shown through his committee. I am not here to criticize the gentleman on this subject; but I do think I may be permitted to say that all the responsibility for the defeat of this amendment should not have been placed on the members of the House of Representatives.

The SPEAKER. The time of the gentleman has expired.

Mr. SAYERS. I yield now what time my colleague on the committee desires.

Mr. COGSWELL. Mr. Speaker, I wish to occupy but a very few moments.

As the statement of the conferees set forth, the amendment agreed to in the report in regard to the Atlanta Exposition is substantially in accord with the instructions of the House itself. The only material variance is in retaining the Government building exclusively for the Government exhibit.

The House instructions involved the setting apart of the vacant space in that building for the exhibit of the colored people. It was thought best, however, that the Government exhibit should occupy the Government building exclusively; and this was yielded because of the assurance that the corporation itself would erect a proper structure for the colored exhibit; and in this connection, and at the request of the friends of that exposition, I desire to have read from the desk as a part of my remarks the following letter:

The Clerk read as follows:

WASHINGTON, D. C., August 14, 1894.

HON. JOSEPH D. SAYERS,

Chairman House committee in conference on the sundry civil bill:

SIR: The Cotton States and International Exposition Company hereby guarantees that said company will provide upon their grounds a suitable building, to contain not less than 25,000 square feet of space, and as much more as may be needed for an exhibit by the colored people of the United States, free of all expense for rent and entrance fees for exhibits.

Said space so provided to be used exclusively by said race for the purpose of making exhibit of the progress of the said race in education, art, mining, agriculture, and all other pursuits and industries; said exhibit to be made at the time and under the rules and regulations governing all other exhibits.

In witness whereof, the said Exposition Company hereunto attaches its signature by its president.

THE COTTON STATES AND INTERNATIONAL
EXPOSITION COMPANY,

By C. A. COLLIER, *President*,
EVAN P. HOWELL, *Director*,
CLEMENT A. EVANS, *Director*.

In presence of:

J. B. GORDON, *United States Senator*.

Mr. SAYERS. I will yield a few minutes to the gentleman from South Dakota [Mr. PICKLER].

Mr. PICKLER. Mr. Speaker, I desire, as a Representative of one of the Northwestern States, to join in the commendatory words of the gentleman from Washington [Mr. WILSON] in regard to the chairman of the Committee on Appropriations, the gentleman from Texas [Mr. SAYERS], for his uniform courtesy and consideration of the interests of our section of the country.

I desire now, with the gentleman's permission, to ask one or two questions in regard to the agreement just submitted. I understand the conference committee agree to the proposition to donate the million acres of land to the States, with an amendment?

Mr. SAYERS. With an amendment.

Mr. PICKLER. Will the gentleman please state the purport of the amendment?

Mr. SAYERS. The gentleman will recollect that the amendment of the House provided that the 160 acres of land should not only be occupied, but also cultivated. Instead of that, we now provide that at least 20 acres of the land shall be occupied, cultivated, and irrigated. We thought that if you let the House amendment stand, requiring the entire 160 acres to be cultivated and irrigated, it would be of little or no benefit to the States; but by only requiring that at least 20 acres of it shall be cultivated or irrigated, the real purpose of the House would be accomplished.

Mr. PICKLER. I did not understand the House bill required that; but I am glad that it is made certain and definite.

Mr. SAYERS. We consider it as more liberal to the States than the House amendment as it originally stood.

I will state to the gentleman that we have further increased the sum appropriated for surveys to \$250,000. It was \$175,000 as the House passed it, and we increased it \$75,000 more, making \$250,000 in all.

Mr. PICKLER. Then one more question, with the gentleman's consent. I have felt a great deal of interest, as I have constituents who are directly involved, in the Ford's Theater disaster. That question goes over, I understand.

Mr. SAYERS. The agreement reached by the conferees amounts to this: That the President of the Senate and the Speaker of the House appoint five Senators and five Members who shall investigate the matter and report to the two Houses.

Mr. PICKLER. When?

Mr. SAYERS. At the next session.

Mr. PICKLER. Well, will this matter be then disposed of?

Mr. SAYERS. That is for the House to determine.

Mr. PICKLER. But will they come to a conclusion and make their report?

Mr. SAYERS. That is for the commission to say. They have the power to act if they choose to do so.

Mr. PICKLER. If it were going to put the matter off indefinitely I should have very grave objections.

Mr. SAYERS. That was certainly not the intention of the conferees.

Mr. COOMBS. This is a very specific arrangement.

Mr. O'NEIL of Massachusetts. It was the distinct understanding, I will state with the gentleman's consent, in the conference committee that this was not an attempt on the part of the conferees to evade any responsibility of the United States at all, but was an honest effort on the part of the committee, through a commission to be appointed in the manner suggested, to secure a report of all the facts by the time Congress meets in December for whatever action was proper to be taken at that time.

Mr. PICKLER. I think I understood the gentleman from Massachusetts [Mr. O'NEIL] this morning in private conversation to say that it not only relates to death claims, but to all claims.

Mr. O'NEIL of Massachusetts. To claims growing out of the Ford's Theater disaster.

Mr. SAYERS. I wish to amend the statement of the gentleman from Massachusetts [Mr. O'NEIL] by saying that so far as my understanding goes, and speaking for myself, it was not intended to admit any responsibility on the part of the Government for that disaster.

Mr. O'NEIL of Massachusetts. I meant simply the responsibility, if any existed.

Mr. HERMANN. What changes have been made by the conferees as to the arid lands provision?

Mr. SAYERS. The only change was, that instead of requiring the whole 160 acres to be occupied, cultivated, and irrigated, it only requires that at least 20 acres of the 160 shall be so occupied, cultivated, and irrigated, making it more favorable to the States than the House amendments.

Mr. HERMANN. Then, in that case, upon proof being made to the Secretary of the Interior, that 20 acres have been regularly cultivated and resided upon, that will carry the remainder of the 160 acres into title?

Mr. SAYERS. That is my understanding of the matter.

Mr. HERMANN. Then, I ask the gentleman further whether the precaution has been taken by the conferees as to requiring that these prerequisites shall be complied with before title vests in the State?

Mr. SAYERS. I will state to the gentleman from Oregon that the amendment adopted by the House was passed with the single amendment thereto, requiring that at least 20 acres of the land be occupied, cultivated, and irrigated before title should pass.

Mr. HERMANN. Otherwise the McRae amendment stands.

Mr. SAYERS. Yes. Now, Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. COFFEEN].

[Mr. COFFEEN addressed the House. See Appendix.]

Mr. SAYERS. I ask for a vote on the conference report.

Mr. BRYAN. Was there any concession made in regard to the arid lands on which we passed the resolution the other day?

Mr. SAYERS. The conferees amended the House amendment, by making it more favorable, putting 20 acres in as the minimum, instead of 160, to be cultivated and irrigated, and not requiring them to cultivate 160 acres.

Mr. BRYAN. Did you include Nebraska and Kansas, or did you consider them included in the present terms of the bill?

Mr. SAYERS. We adopted the resolution passed by the House.

The question was taken on the motion to agree to the conference report; and the Speaker *pro tempore* [Mr. TARSNEY] announced that the ayes seemed to have it.

Mr. COFFEEN. Division.

Mr. WILSON of Washington. I hope the gentleman will withdraw that demand. I am as much interested in this matter as the gentleman from Wyoming, and it is impossible to secure anything. I appeal to him to withdraw that motion. We can not help ourselves. If we could I would be with the gentleman until the last moment in attempting to accomplish something.

Mr. COFFEEN. I am not disposed to be captious, but you have given us no time to consider the injustice which has been done to our States.

Mr. WILSON of Washington. I hope you will withdraw your demand. We are interested the same as you are.

Mr. COFFEEN. I withdraw on that plea.

The SPEAKER *pro tempore*. The ayes have it; and the report of the committee on conference is agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the report of the committee of conference was agreed to was laid on the table.

Mr. WILSON of Washington. I have returned good for evil to my friend from Texas. [Laughter.]

INSPECTION OF LIVE STOCK.

Mr. HATCH. Mr. Speaker, I ask unanimous consent of the House to consider at this time a bill of great public interest to the entire meat industries of the United States, in relation to the enforcement of a section of the law now upon the statute books. If the Clerk will read the bill, it will explain itself or I will explain it to the House.

Mr. SAYERS. Mr. Speaker, I desire to know how much time it will take.

Mr. HATCH. It will not take two minutes to explain it.

The report is only a few lines, and I will explain it to the House. I do not think that any gentleman will object, and if they do I will withdraw it.

The Clerk read as follows:

A bill (H. R. 7910) to amend "An act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof, which are the subjects of interstate commerce, and for other purposes."

As it enacted, etc. That the "Act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof, which are the subjects of interstate commerce, and for other purposes," approved March 3, 1891, be, and the same is hereby, amended by the addition of the following section, which shall be designated as "section 8" of said act, and which shall read as follows, to wit:

"SEC. 8. That the Secretary is hereby authorized to make such rules, regulations, and orders as he may decide to be necessary to prevent the transportation from one State or Territory or the District of Columbia into any other State or Territory or the District of Columbia, or to any foreign country, of the condemned carcasses or parts of carcasses of cattle, sheep, and swine, or the edible products of the same, which have been inspected in accordance with the act entitled "An act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof, which are the subjects of interstate commerce, and for other purposes," approved March 3, 1891. Any person, company, or corporation owning or operating any such slaughter-house, abattoir, or meat curing, packing, or canning establishment, or any employé of the same, that shall willfully violate any rule, regulation, or order made pursuant to this section shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished for each offense by a fine not exceeding \$1,000 or imprisonment not exceeding one year, or by both said punishments, in the discretion of the court, one-half of the time to go to the informer."

Mr. HATCH. Mr. Speaker, I would state to the House, in explanation of this matter, that it is simply to carry out the provisions of a law now upon the statute books in regard to the inspection of meats for interstate commerce, in which an omission was made as to any penalty for the violation of the law in taking the carcasses or any part of the carcasses condemned and putting it on the market for sale. The Secretary of Agriculture, in a personal conversation, and in a letter written, part of which is embodied in this report, states that he has ascertained, after having complied with the law and made the inspection of animals, such as lump-jawed cattle and cholera hogs, and they had been condemned and sent to the tanks for rendering into grease, he found portions of them had been stolen out of the tanks, after being put into them, and shipped outside of the State and sold for human food.

The Secretary says that it is impossible for him to execute the law properly without this additional legislation, and he asks that it be passed at once, and I have asked unanimous consent to pass it, so that it may be sent to the Senate and passed before we adjourn. [Cries of "Vote!"]

The SPEAKER *pro tempore*. The gentleman from Missouri asks unanimous consent to consider this bill. Is there objection? [After a pause.] The Chair hears none.

Mr. COOMBS. What is the usual course taken with condemned cattle after being slaughtered?

Mr. HATCH. I can not hear the gentleman.

Mr. COOMBS. I want to ask a question for information as to the disposition of these condemned cattle?

Mr. HATCH. The law is that after the meat has been inspected either at a slaughterhouse, a packing house, or a canning establishment, and has been found defective, and for any reason unfit for human food, it shall be condemned by the inspector, and under the regulation of the Department the owner of the carcass can only take it to a rendering establishment to be rendered into what is known as common grease, and it is for the violation of that rule (which had no penalty attached to it) that we ask this additional legislation.

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

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

GENERAL DEFICIENCY BILL.

Mr. SAYERS. Now, Mr. Speaker, I desire to call up the con-

ference report on the general deficiency bill, and I ask consent that the members of the Committee on Appropriations have leave to print remarks on the subject of the appropriations made by the present and previous Congresses. That is a privilege which has always been granted to members of the Committee on Appropriations ever since I have been a member of this House.

There was no objection to the request of Mr. SAYERS, and it was so ordered.

[Mr. COFFEEN addressed the House. See Appendix.]

Mr. SAYERS. Now, Mr. Speaker, I yield to my colleague on the committee [Mr. CANNON of Illinois] such time as he may desire.

Mr. CANNON of Illinois. Mr. Speaker, under our Constitution and laws the Congress appropriates the moneys for the public service and the President expends the same. In practice the Congress appropriates from year to year for the service of the succeeding year. The law requires the Executive to send to each session of Congress his estimates in detail for the public service and the amounts he desires therefor. There are, however, certain appropriations for the public service made by permanent law, and known as "permanent," as distinguished from annual appropriations. Among the permanent appropriations are those for the interest on the public debt, the collection of the customs revenues, the sinking fund, etc.

When the Executive forwards yearly to Congress his estimates for annual appropriations he also forwards his estimate of the amount that will be expended for the coming year under permanent law. Mr. Cleveland, by his estimates, asked Congress to appropriate for the public service, for the coming fiscal year, including permanent appropriations, \$520,662,840.71, and Congress has appropriated for such service \$490,668,369.51. This, in round numbers, is \$30,000,000 less than the President asked for the public service. A large part of this \$30,000,000, however, will be appropriated next winter by way of deficiencies.

I hold in my hand a table which I will submit, to be printed as a part of and at the conclusion of my remarks. It is a comparative statement of appropriations made at this Congress for the fiscal year ending June 30, next, with appropriations made at the first and second sessions of the last Congress (the Fifty-second Congress), and at the first and second session of the Fifty-first, commonly known as the "Reed Congress."

This statement shows, Mr. Speaker—and such is the fact—that the appropriations this year are greater by \$27,269,858.72 than were those made by the first session of the Fifty-first, or "Reed Congress." The statement also shows that the appropriations made this year are \$28,835,989.70 less than those made at the second session of the last or Fifty-second Congress. The Democrats controlled the House in both the last Congress and this. But, Mr. Speaker, I ask the House and the country to notice that this reduction is covered by the item for pensions alone. There was appropriated this year for pensions \$29,099,504.85 less than was appropriated last year. It will be noticed, therefore, that the appropriations this year, excepting pensions, are greater than the appropriations made last year by \$263,515.15.

Mr. Speaker, the total appropriations for the Fifty-first, or "Reed Congress," two years, were \$988,417,183.34; those for the Fifty-second, or last Congress, two years, were \$1,027,104,547.92; and it is absolutely certain that, starting off at \$490,000,000, as we do, for this year, when the deficiencies are added next winter to the regular appropriations then to be made for the coming year, the total appropriations will aggregate at least \$1,050,000,000 for the Fifty-third Congress, unless by unfriendly administration further heavy reductions are made in payment of pensions.

In the main, Mr. Speaker, these appropriations are necessary. Ours is the greatest country on earth, and the demands of the public service will grow as the country grows. I would not call attention to this matter now were it not that in 1890, 1891, and 1892 the Democrats in the House, in the press, on the stump, and everywhere in the country, denounced the Republicans for having made the Fifty-first Congress a "billion-dollar Congress." You Democrats had two-thirds of the House in the last Congress, and in that Congress you increased the appropriations over those of the "Reed Congress" by \$40,000,000, in round numbers, and now in this Congress you are to increase the appropriations over and above the "Reed Congress" by \$60,000,000.

You were either guilty of misrepresentation and deceit then or you are guilty of fearful extravagance now. You can choose which defense you will make.

RECEIPTS AND EXPENDITURES OF 1894 COMPARED WITH 1893.

Mr. Speaker, under the law the Executive is required at the close of each fiscal year to make a statement of the receipts and

expenditures of the United States Government for the past year. I hold in my hand and read the official comparative statement for the fiscal years 1894 and 1893, respectively:

Comparative statement of the receipts and expenditures of the United States.

Source.	Fiscal year ending June 30, 1894.	Fiscal year ending June 30, 1893.
	Since July 1, 1893.	Since July 1, 1892.
RECEIPTS.		
Customs	\$132,294,242.43	\$203,355,016.73
Internal revenue	146,945,778.31	161,027,623.93
Miscellaneous	17,720,315.26	21,436,988.12
Total	296,960,336.00	385,819,628.78
EXPENDITURES.		
Civil and miscellaneous	101,403,455.85	103,732,790.27
War	54,357,600.84	49,641,773.47
Navy	31,527,195.15	30,136,084.43
Indians	10,286,416.64	13,345,347.27
Pensions	141,177,284.96	159,357,557.87
Interest	27,841,405.64	27,264,392.18
Premium		
Total	366,593,359.08	383,477,954.49

TREASURY DEPARTMENT, Warrant Division, July 2, 1894.

This statement does not include the postal receipts or expenditures therefrom, and as they balance each other it is not material to state them here. It shows the receipts of the United States for the twelve months ending June 30, 1894, to have been \$38,859,292.78 less than the receipts for the fiscal year ending June 30, 1893.

This alarming deficit was paid in part from moneys in the Treasury on the 4th of March, 1893, when President Cleveland was inaugurated, and in part from a sale of 5 per cent interest-bearing bonds made by the Secretary of the Treasury, Mr. Carlisle, in February last, yielding \$58,633,295.71, and increasing the annual interest charge against the Government \$2,000,000.

Mr. Speaker, this statement shows also that the expenditures for the twelve months ending June 30, 1894, were \$16,884,595.31 less than for the twelve months ending June 30, 1893; but, Mr. Speaker, I call the attention of the House and of the country to the fact that this same statement shows that the payment for pensions made for the year ending June 30, 1894, was \$18,180,272.91 less than they were for the year ending June 30, 1893.

In other words, exclusive of pensions, President Cleveland, for his first full fiscal year, expended \$1,295,677.50 more to carry on the Government than was expended in the final fiscal year under President Harrison. Whatever was saved by President Cleveland was saved at the expense of the soldiers of the late war and of their widows and orphans by an unfriendly and unjust administration of the pension laws.

Mr. Speaker, during the whole of the Harrison Administration we were on the highway of prosperity. The Government was liberally and effectively performing its functions. Public improvements were being made where needed, and the Government, by wise and economical expenditures, kept step with a prosperous and happy people; whereas for the last year, under Cleveland, there has been great distress throughout the land. The revenues of the Government have fallen off and the expenditures of the Government have increased, except for pensions.

In other words, it is more expensive to enforce the law with great blocks of our citizens out of employment, the Government making its strong arm felt by force, than it is to expend the public moneys for the common good, for public objects, with our people profitably employed, and therefore contented—the people obeying the law from love, rather than from force.

The condition of the country under the respective policies of Harrison and Cleveland is known by all, and its future condition will depend upon the economic and fiscal policies which will be chosen by the people at the ballot box.

Mr. Speaker, notwithstanding the great distress throughout the country, there have been many increases in the salaries of Democratic officials, especially in the diplomatic and consular service. I specify a few of them. The salary of the First Assistant Secretary of State is increased from \$3,500 to \$4,500. The minister to Belgium, Mr. Ewing, of Illinois, the former law partner of the Vice-President, is increased from \$7,500 to \$10,000. The ministers to Switzerland and Portugal, Messrs. Caruth and Broadhead, are increased from \$5,000 to \$6,500 respectively.

The minister to Mexico, ex-Governor Gray, of Indiana, who receives an annual salary of \$17,500, has the salary of his secretary of legation increased from \$1,800 to \$2,650. The ministers to Nicaragua and Costa Rica, for the first time, are allowed secre-

taries of legation at \$1,800 each, while the Bureau of American Republics, established under the auspices of Secretary Blaine to promote commerce and reciprocity—a real service—is cut down from \$30,000 to \$10,000. The six Auditors of the Treasury Department are increased from \$3,600 to \$4,000 each. The salaries of a great many consuls and other officials are largely increased, but I have not the time to enumerate them or you the patience to hear.

Mr. Speaker, all these Democratic officials have received their appointments under Mr. Cleveland. For years they declaimed, in common with all other Democrats, about the extravagant sal-

aries of officials, and pledged that if they came into power there should be economy and reform. There is no excuse for the increase of most of these salaries. I call attention to the matter to show the difference between promise and performance.

Mr. Speaker, I ask how many more poor widows of soldiers of the late war and how many worthy veterans must have the small pensions which they receive taken away or reduced by an unfriendly Administration, to meet these and many other increases of salary to already well-paid officials? From every standpoint the Democratic party fails. The best interests of all the people demand that the Democratic party step down and out.

Comparative statement of appropriations made by the Fifty-first and Fifty-second Congresses, and by extra and first regular sessions of the Fifty-third Congress, fiscal years 1891 to 1895 inclusive.

Title.	Fifty-first Congress.		Fifty-second Congress.		Fifty-third Congress.
	First session, 1891.	Second session, 1892.	First session, 1893.	Second session, 1894.	Extra and first regular sessions, 1895.
Agricultural.....	\$1,799,100.00	\$3,028,153.50	\$3,232,995.50	\$3,323,500.00	\$3,222,023.06
Army.....	24,206,471.79	24,613,529.19	24,308,499.82	24,225,639.78	23,592,834.68
Diplomatic and consular.....	1,710,815.00	1,656,925.00	1,604,045.00	1,557,445.00	1,563,918.76
District of Columbia.....	5,769,544.15	5,597,125.17	5,317,973.27	5,413,223.91	5,544,593.57
Fortifications.....	4,232,935.00	3,774,803.00	2,734,276.00	2,210,055.00	2,427,004.00
Indian.....	7,262,016.02	16,386,284.86	7,654,047.84	7,854,240.38	9,329,648.49
Legislative, etc.....	21,030,752.75	22,027,674.75	21,900,132.97	21,865,802.81	21,308,295.79
Military Academy.....	435,296.11	402,064.64	428,917.33	432,556.12	406,523.08
Navy.....	24,136,035.53	31,541,654.78	23,543,385.00	22,104,061.38	25,327,126.72
Pensions, including deficiencies*.....	123,779,368.35	164,550,383.34	154,411,682.00	180,681,074.85	151,581,570.00
Post-office.....	72,226,698.99	77,907,222.61	80,331,276.73	84,004,314.22	87,236,599.55
River and harbor.....	25,136,295.00		21,154,218.00		11,473,180.00
Sundry civil.....	29,738,282.22	37,410,363.99	27,665,076.93	41,716,311.15	34,203,776.05
Deficiencies.....	13,295,541.61	9,364,148.62	8,230,859.50	8,127,361.51	11,820,545.76
Total.....	354,759,152.52	398,260,333.45	382,527,385.89	403,515,586.11	389,043,689.51
Miscellaneous.....	7,010,905.27	4,271,531.10	3,208,922.82	520,499.18	550,000.00
Total regular annual appropriations.....	361,770,057.79	402,531,864.55	385,736,308.71	404,036,085.29	389,593,689.51
Permanent annual appropriations†.....	101,628,453.00	122,486,808.00	121,863,880.00	115,468,273.92	101,074,680.00
Total.....	463,398,510.79	525,018,672.55	507,600,188.71	519,504,359.21	490,668,369.51
Total Fifty-first and Fifty-second Congresses.....	\$988,417,183.34		\$1,027,104,547.92		

* Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$20,335,593.34; 1893, on account of 1892, \$7,674,332; 1894, on account of 1893, \$14,149,724.85.

† This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations.

Mr. DINGLEY. Mr. Speaker, the figures to which the gentleman from Illinois has called the attention of the House seem to make it desirable that three facts should be emphasized to the people of this country.

It will be remembered that two and four years ago there rang all through this country denunciations of the Republican party, the Republican Congress, and the Republican Administration for alleged extravagance of appropriations and expenditures. We replied at that time, showing that there had been only the ordinary growth of the expenditures of the country, except so far as permanent work had been done which had been delayed too long, and that the charges were without foundation. Yet these unfounded charges were iterated and reiterated, and had more or less influence in bringing the Democratic party into power.

It is certainly a gratification, after the Democratic party has been in power in every department of the Government for one year, now to have it so clearly demonstrated that these gentlemen who, when out of power, made such denunciations of Republican extravagance two and four years ago, now find the boot is on the other leg. The extravagance now is on the part of the Democratic party in power, who denounced alleged Republican extravagance two and four years ago, and who find themselves now subject to the criticism of those whom they then criticised.

In short, it appears from the statement of the gentleman from Illinois, first, that the appropriations at the first session of the Fifty-first Congress, which had been denounced throughout the country as the "billion-dollar Congress," were \$27,000,000 less than the appropriations at the corresponding session of this Congress, the round figures being \$463,000,000 for the first session of the Fifty-first Congress and \$490,000,000 for the first session of the present Congress.

Second, that the expenditures under the Democratic Administration, with both Houses of Congress Democratic, for the fiscal year ending June 30, 1892, have been only seventeen millions less than the last fiscal year of President Harrison, and this reduction has been entirely in pensions, leaving an increase of one million in other expenditures.

And third, that while the revenue after the enactment of the McKinley tariff was more than enough all through President Harrison's Administration to meet all expenditures, including

the increasing pensions, for the first year of the present Democratic Administration there is a deficiency of \$70,000,000.

Having stated these three facts by way of reply to the billion-dollar charges of the Democratic party in 1892 against the Republican party, I desire to add—what is the simple truth—that there was no extravagance in 1890 beyond the requirements of the country; there is none now. The Government of this country two and four years ago was conducted as reasonably, economically, and efficiently as any government upon the face of the earth, and I do not stand here to declare that those who are now in power and who, two and four years ago, criticised us for extravagance have themselves become participants in extravagance, notwithstanding they have appropriated and expended more than we did.

This simply illustrates the fact that gentlemen who are out of power have little difficulty in criticising those who are in power, and that when the critics themselves come into power, if they do as well as the party they criticise, they will be doing better than our friends on the other side have done thus far.

I took up a few moments ago an editorial article in the Kansas City Times, in which the editor proceeded to say that the Democratic party had inherited a deficiency which had been created by their predecessors, and upon that ground to excuse the deficiency which now exists.

The editorial stated that a hundred million dollars of the bank-redemption fund was turned into the Treasury by the act of July 14, 1890, and was used for the purpose of meeting current expenditures. Gentlemen here very well understand that there is not a particle of truth in that statement. Fifty-four million dollars—not a hundred millions—of the bank-redemption fund was turned into the Treasury by the act of July 14, 1890, and that \$54,000,000 was used not for current expenditures, but for the reduction of the public debt.

Every year since the passage of the tariff act of 1890 up to the close of the fiscal year ending June 30, 1893, the revenue was sufficient to meet the current expenditures. For the fiscal year ending June 30, 1891, the revenue exceeded the expenditures by \$37,000,000. For the fiscal year ending June 30, 1892, the revenue exceeded the expenditures by nearly \$10,000,000, and even for the fiscal year ending June 30, 1893, in the last portion of which the revenue was affected by the disturbance of business,

resulting from the threatened tariff revolution, the revenue exceeded the expenditures by \$2,500,000. Thus, for every year after the enactment of the tariff act of 1890 up to and including the fiscal year 1893, the revenue under that act was ample to meet all the current expenses of the Government, including the current expenditures for pensions.

For the fiscal year ending June 30, 1890, the revenue exceeded the expenditures by \$105,000,000. Gentlemen will remember the demand that was made at that time by our Democratic friends that such a surplus should not be allowed to continue which necessitated the purchase of our bonds at a premium. We were told that a "condition" of a surplus and "not a theory" confronted us which called for a reduction of revenue by a revision of the tariff. In response to that demand the annual revenue was reduced \$60,000,000 by the abolition of the duty on sugar, by the remission of the duty on sugar.

At the same time expenditures were increased from year to year by enlarged appropriations for pensions; yet, notwithstanding the fact that by the repeal of the duty on sugar \$60,000,000 was thus remitted to the people in the fiscal years 1891, 1892, and 1893, as I have already said, we were able to meet all expenditures and leave a surplus each and every year. Every dollar, let me repeat, of the bank redemption fund which was turned into the Treasury by the act of June 14, 1890, was used for the reduction of the public debt.

Mr. LIVINGSTON. What about the postponement of the payment of bonds and the running of contracts on them?

Mr. DINGLEY. What does the gentleman mean by the "running of contracts"? Surely the gentleman does not include the payment of bonded indebtedness a current expenditure in carrying on the Government. It is sufficient for me to repeat, Mr. Speaker, that every year up to the close of the fiscal year ending June 30, 1893, the revenue was ample to meet all current expenditures of the Government, and if it had not been decreed in 1892 that a Democratic tariff revolution should come upon the country, there is no doubt whatever that this condition of things would have been continued.

In the last fiscal year, the year ending June 30, 1894, for the first time in time of peace since 1860, we had a deficiency of \$70,000,000. That deficiency has not been caused by an increase of expenditures. The expenditures, as has been stated by the gentleman from Illinois [Mr. CANNON], are \$17,000,000 less than those of the previous year, but the whole of that \$17,000,000 reduction, and one million more, has been brought about by reducing and discontinuing pensions for the boys in blue. The expenditures for the ordinary purposes of the Government are \$1,000,000 more for this fiscal year under Democratic rule than they were for the preceding year, under Republican rule.

[Here the hammer fell.]

By unanimous consent, Mr. DINGLEY'S time was extended.

Mr. DINGLEY. Mr. Speaker, as I have said, the deficiency for the past fiscal year has been brought about entirely by a falling off of revenue. There has been a decline of the revenue in the last fiscal year of \$39,000,000, of which \$71,000,000 is in customs revenue, \$14,000,000 in internal revenue taxes, and \$4,000,000 miscellaneous. In order to meet this deficiency of over \$70,000,000, occurring for the first time in peace since 1860, bonds have been issued and money borrowed to the extent of \$58,000,000, and \$12,000,000 more have been taken from the gold redemption fund to meet current expenses.

Now, in this condition of things, with the gold redemption fund run down to-day to \$52,000,000, while \$100,000,000 is the amount contemplated by law and by the regulations of the Department, this amount being necessary to preserve the public confidence in the currency of the nation, the situation is such certainly as should command the serious attention of Congress and the people. Fifty-two million dollars only as the gold redemption fund to maintain at par \$346,000,000 of greenbacks and \$163,000,000 of Treasury notes!

This is a situation, Mr. Speaker, which if we will but carefully consider must inspire a feeling of alarm in the minds of those who understand that with so small a redemption fund the public confidence may be impaired at a single stroke.

And, Mr. Speaker, the other day when the "popgun" bill for the abolition of the duty on sugar imposed by the Gorman-Brice bill, was passed by this House, I could not but think that gentlemen of the majority who voted for it and also for the Gorman-Brice tariff, could not have considered the fact that the duty on sugar is absolutely required to meet the expenditures of this Government for the present fiscal year, if the bill which has been known as the Gorman-Brice act should become a law, as I presume it will, because the latter measure reduces the revenue from a large number of sources—particularly upon luxuries—to such an extent that it is impossible the expenditures of this nation can be met without the duty on sugar. And it must have been obvious to gentlemen here that this sugar bill was presented and put through, not with the slightest purpose of

its becoming a law, but for buncombe, with the distinct knowledge that it could not be enacted into law in the present condition of the finances of the nation if the Gorman-Brice bill is to stand in the terms in which it has been enacted.

Why, sir, in that Gorman-Brice bill—just as there was in the Wilson bill—there has been a reduction of revenue to the extent of over \$15,000,000 upon pure luxuries, such as liquors, cigars, leaf tobacco, opium, ostrich feathers, silks, kid gloves, etc., where there was no earthly call for a single dollar's reduction. In order to meet the deficiency created by such reductions, it is inevitable that the duty on sugar, as provided by the Gorman-Brice act, must remain, if that act in its other provisions is to become law as the Democratic majority have willed.

Mr. Speaker, I had not intended to enter upon any discussion of these questions. I simply desired to call attention to the fact that the situation in which this country finds itself at the close of the fiscal year just passed—the first year of full Democratic control since 1860—is one which may indeed attract the attention and arouse the alarm of every true friend of our institutions. I trust that before this Congress shall reassemble the clouds will to some extent have broken away; that gentlemen who have the responsibility of the government of this nation will feel the sense of that responsibility, and that from this time henceforth we shall have legislation designed to promote the interests of the people—legislation calculated to restore confidence—not the revolutionary threats which we have had throughout the past year, which have so destroyed confidence and excited alarm throughout the country that business has been shattered, industries overwhelmed, and millions of men have found themselves out of employment, with wages reduced, consumption diminished, and all the springs of industry dried up to an extent which may well arouse the commiseration of every friend of the American Republic. [Loud applause on the Republican side.]

[Here the hammer fell.]

EXTENSION OF APPROPRIATIONS.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with an amendment, in which the concurrence of the House was requested, the joint resolution (H. Res. 217) to continue the provisions of existing laws providing temporarily for expenditures of the Government.

Mr. SAYERS. I ask unanimous consent that the further consideration of the conference report be suspended for the purpose of considering the resolution just received from the Senate.

There was no objection.

The amendment of the Senate was read, as follows.

In line 7, strike out the word "twenty-fourth" and insert "twentieth;" so that the resolution will read as follows:

"Resolved by the Senate and House of Representatives, etc., That the provisions of joint resolutions approved June 29 and July 31, 1894, providing temporarily for the expenditures of the Government, be, and the same are hereby, extended and continued in full force and effect to and including the 20th day of August, 1894."

Mr. SAYERS. Mr. Speaker, it will be impossible for the sundry civil bill to be enrolled and sent to the President to-day. The resolution of which this is amendatory expired last night at 12 o'clock; hence it is important that this resolution go to the President as soon as possible. I move that the House concur in the amendment of the Senate.

The motion was agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote just taken was laid on the table.

GENERAL DEFICIENCY BILL.

Mr. SAYERS. I now call up, Mr. Speaker, for further consideration the report of the conferees on the general deficiency bill, and yield to the gentleman from Iowa [Mr. HENDERSON] such time as he desires.

Mr. HENDERSON of Iowa. Mr. Speaker, I want the House of Representatives and the country to understand the leading facts touching the appropriations for 1895 and their relations to the appropriations in the near past.

THE REDUCTIONS BY THIS CONGRESS—THE FIFTY-THIRD.

The total appropriations for the fiscal year ending June 30, 1895, just made by the Fifty-third Congress, amount to \$490,668,369.51. This includes the permanent annual appropriations as well as those for the postal service. It includes all appropriations. The total amount appropriated for the last fiscal year, ending June 30, 1894, made by the second session of the Fifty-second Congress, amounted to \$519,504,359.21. The details of these several appropriations will be found in a table appended to my remarks and marked "Exhibit A."

These figures give a reduction for 1895 of \$28,835,989.70, and doubtless much credit will be claimed during the campaign now coming on for this reduction, and the cry of "demonstrated economy by the Democracy" will be heard on every stump.

First, let it be borne in mind that this is a reduction by one Democratic Congress below the appropriations of a former Democratic Congress, the former doing work under the watchful

eye of Judge HOLMAN, the "watchdog of the Treasury." Let the question come up, if these are proper, were the former improper?

Let us now examine the appropriations for the two years 1894 and 1895, and find where these reductions come from. It will be found that in the single item of appropriations for pensions alone the difference can be accounted for, and not in a cutting down of the other current expenses of the Government.

The pension appropriations for last year amounted to \$180,681,074.85, while for next year it is \$151,581,570. Here is a cut of \$29,099,504.85, more than accounting for the reductions in the bills just passed for the next year, and leaves a margin of \$263,515.15.

But let us look a step further. The second session of the last Congress had to appropriate for the Eleventh Census \$1,020,000. This session only had to give \$356,580 for that work. Again, the second session of the last Congress had to give \$958,000 for the World's Fair. This Congress had nothing to appropriate for that purpose. Now, let us take the three items of pensions, Eleventh Census, and World's Fair and see what the three cuts aggregate:

Cut in pensions.....	\$29,099,504.85
Cut in Eleventh Census.....	663,500.00
Cut in World's Fair.....	958,000.00

Total.....	30,721,004.85
Subtract reductions for '95.....	28,835,989.70

And the difference of..... 1,885,015.15 is found over and above all reductions by this Congress.

The passing by of the great fair and the almost finished work of the Eleventh Census dropped, unasked, \$1,621,500 from the appropriations for next year. Leaving out these three items, for doing which no credit can be claimed by this Congress, and it will be seen that there is an increase of the current expenses of the Government of \$1,885,015.15.

THE OLD SOLDIER SACRIFICED TO ECONOMY.

These facts will demonstrate that the reductions made, the "economy" practiced, falls alone upon the old soldiers—the defenders of the country from 1861 to 1865.

Of the appropriations made even by the last Congress for pensions, the sum of \$23,822,715.04 was withheld from them and covered back into the Treasury last year.

One is filled with horror when the brutal attacks on the pension roll by this Administration is examined. I call attention to Senate Executive Document No. 121 of the second session of this Congress, being a report of the suspensions ordered by the present Administration—a report called for by a Senate resolution introduced by the watchful, true-hearted Senator CULLOM of Illinois.

This report confesses that between March 4, 1893, when Harrison went out and Cleveland came in, and May 10, 1894, the pensions of 15,520 old soldiers and widows had been suspended. Of this number the Pension Office found that it had to reinstate at their former rates, 9,509, thus confessing the hasty and inconsiderate and unfeeling attack upon these deserving men. But 3,014 were reduced from former rates, cutting them mostly down to \$5 and \$8 per month, where they had been drawing mostly \$12 and \$10 per month; 2,671 were dropped altogether from the rolls, and 326 are still under suspension, pursued, undoubtedly, by the detectives of the Pension Bureau.

These men sent out to examine into pension claims are called "special examiners." The real aim of the law creating them was to look into doubtful cases and to help out ignorant but worthy claimants who did not know how to properly prepare their proofs. I fear that now instead of "special examiners" they are used as detectives to cut off pensioners from the great roll of honor.

As bearing upon this point it may be well to note that for the year 1893 there was appropriated for special examiners the sum of \$225,000, while for 1894, at the request of the Pension Office it was increased to \$400,000. Evidently an assault of deadly character was being made on the pension roll. It is however significant and gratifying that even an unfriendly Administration was forced to restore the 9,509 at the rates formerly allowed.

THE FIFTY-FIRST, FIFTY-SECOND, AND FIFTY-THIRD CONGRESSES COMPARED.

The Fifty-first Congress was Republican, and was denounced by the Democratic party as "the billion-dollar Congress," and I believe that the able, genial, and creative mind of the present chairman of the Committee of Appropriations in the House first gave birth to the name.

Time ought to make the blind see and the deaf hear. It ought also to cause some to blush. Let us see what these three Congresses have been at. The figures are now made up showing the work done, and I refer to table "A."

The Fifty-first Congress appropriated \$988,417,183.34 for the two years of its service. But that amount includes deficiencies made by its Democratic predecessor, the Fiftieth Congress, amounting to \$38,617,448.96, and included in that was a deficiency for pensions, amounting to \$25,321,907.35. Deducting the above deficiency, which belonged to the Fiftieth Congress, and it leaves the appropriations of the Fifty-first Congress at \$949,799,734.38.

The appropriations of the Fifty-second Congress were for its two years \$1,027,104,547.92. The present Congress has only appropriated for one year, and it has done its best at cutting before the elections just coming on. At the next session, after the elections, look out for a large increase by reason of forced deficiencies and deferred appropriations. But let us assume that the appropriations for next year will be the same as those just made, and the total for this Congress will be \$981,336,739.02.

Let us now look at the work of the three Congresses placed together:

Fifty-first Congress (Republican).....	\$949,799,734.38
Fifty-second Congress (Democratic).....	1,027,104,547.92
Fifty-third Congress (Democratic).....	981,339,739.02

Where, I ask my Democratic friends, is your cry of economy? You may slash at the defenders of your country in order to swell other bills, and yet you can not keep the appropriations down to the Republican standard.

ADDITIONS BY THE SENATE.

It has been one of the great pleasures of our Democratic friends to call attention to the fact that the appropriations, as made by the House of Representatives, were increased by the Republican Senate. But now the Senate is Democratic as well as the House, and yet the Senate increased the House bills to the amount of \$15,372,977.34.

I am not questioning the constitutional right of the Senate to increase or to decrease the House bills, but I invite attention to it and hope that the Democratic press and stumpers will tell the country of the outrages perpetrated by the Democratic Senate.

The table marked "Exhibit B" will throw full light on this question, and give in detail the work of the two Houses.

INCREASE OF SALARIES, ETC.

While Republicans filled the public offices every effort was made by the Democracy in Congress to reduce the salaries of public officials; even to cutting the amount appropriated lower than the compensation fixed by law. But now that Democrats fill the offices their economic zeal has calmed down materially, and increases have commenced all along the line. They can find the heart to cut down pensions, while they are increasing the salaries of Democratic officials, and that, too, in the face of a hungry Treasury, with bonds being sold to meet the running expenses of the Government.

I will give a few illustrations:

Minister to Belgium is increased from \$7,500 per annum to \$10,000. The First Assistant Secretary of State increased \$1,000. Secretary of legation to Mexico increased \$850. Minister to Switzerland is increased from \$6,000 to \$7,500. Contingent expenses of foreign missions is increased \$15,000. Two new secretaries of legation are created at \$1,800 each. Salaries of two consular clerks increased \$200 each. In the Departments at Washington there are several other increases in the salaries of bureau chiefs. No increases were made by the Fifty-first Congress, excepting a large clerical force given to bring up the work in the Pension Office.

CERTAIN OTHER REDUCTIONS AND INCREASES.

The bills showing reductions as compared with appropriations made at the last session of the last Congress are as follows:

The Agricultural bill.....	\$101,476.94
The Army bill.....	632,755.10
The legislative bill.....	557,507.02
The Military Academy bill.....	26,033.04
The pension bill.....	14,949,780.00
The sundry civil bill.....	7,506,535.10
Deficiencies.....	10,456,540.60
Permanent appropriations after deducting for both sessions the amounts charged for "Refund of national-bank notes".....	12,393,593.92

Total reduction..... 46,624,221.72

Of the reduction on the legislative bill, \$345,000 is on account of 300 clerks dropped in the Record and Pension Office. This reduction was promised both by Secretaries Proctor and Elkins, Republicans, in their last annual reports, the work on which the clerks were employed in carding war records having just been completed. I presume that the claim will be made that because of these reductions great credit is deserved by this Congress.

The reduction in the pension bill is in accordance with recommendations of the Commissioner of Pensions.

Of the reduction of \$7,506,535.10 on the sundry civil bill,

\$5,766,153 is on account of contracts for river and harbor works.

The deficiencies of the last session of the last Congress included \$14,149,724.85 for payment of pensions. Deducing that sum from the whole amount of deficiencies of the last session, only \$8,127,361.51 remain, or \$3,693,184.25 less than the deficiencies appropriated by this Congress.

The permanent appropriations show an apparent reduction of \$14,393,593.92, which includes \$11,000,000 for sugar bounty and \$450,000 for expenses under election laws.

The bills which have been increased are as follows:

The diplomatic and consular bill.....	\$6,473.76
The District of Columbia bill.....	131,396.66
The fortification bill.....	216,949.00
The Indian bill.....	1,475,408.11
The naval bill.....	3,223,065.34
The Post-Office bill.....	3,232,285.33
The river and harbor bill.....	11,473,180.00
Miscellaneous.....	29,500.82

Total increase..... 19,788,232.02

Net apparent reduction..... 28,835,989.70

During the last session of the last Congress there was appropriated for pensions, including a deficiency of \$14,149,724.85, the total sum of \$180,681,074.85. At this session there is appropriated for pensions only \$151,581,570, or \$29,099,504.85 less, which reduction in pensions exceeds the whole apparent net reduction in all appropriations by this session, under the last session of the last Congress, by \$263,515.15. I have already alluded to this and to other items of reduction forced upon this Congress and not of its seeking.

WHAT HAS THIS CONGRESS DONE?

It has repealed the purchasing clause of the Sherman act, but wholly failed to keep the promise made at the time that during this Congress other legislation would follow for the proper utilization of both our metals.

It has let the Mormons into the Union of States.

It has wiped out the last vestige of Federal protection to the ballot box, and thus opened the door for frauds and a high carnival of crime.

It has utterly failed to keep its pledges touching a revision of the tariff, and after a surrender to the sugar trust, after stopping commerce, closing factories, throwing millions of laboring men out of employment, keeping order with fixed bayonets and the slaughter of the people, it winds up by giving the country an unwise revision of the McKinley law.

I see but one thing to commend it for, and over that the whole country will heartily rejoice, and that is that both Houses are without a quorum, and give promise of an early adjournment.

DEMOCRACY AND FOREIGN COMMERCE.

I invite the attention of the House and the country to the terrible effects of Democratic control upon the foreign commerce of the country.

During the last year of President Harrison, and before the elections warned the people here and abroad that Democracy had the power, by carrying the legislative and executive branches of the Government, to carry out the dangerous doctrines of the national Democratic platform, the foreign commerce of this country reached the highest point ever attained by the nation, the aggregate reaching the enormous sum of \$1,857,680,610 in 1892.

In 1893, after the Democracy were in power, it fell to \$1,714,066,113, and in 1894 to \$1,547,133,698.

Here is a falling off in 1893, as compared with 1892, of \$143,614,494, and in 1894, as compared with 1892, of \$310,541,912.

In 1892 the exports from this country exceeded our imports \$202,875,686. We were doing a safe business, selling more than we bought; but after the advent of Democracy, in 1893, the imports exceeded the exports \$18,735,728, and we were buying more than we were selling.

How did agriculture fare under Democracy? Let us see. We exported in 1892, under Harrison, \$799,323,232 of our agricultural products. In 1893, under Cleveland, \$615,382,986, and in 1894 only \$628,318,773. Here is a falling off in 1893 of \$183,945,246, and in 1894 of \$171,009,459.

In support of my statement I refer to table from the Bureau of Statistics appended to my remarks and marked "Exhibit C."

REVENUES AND EXPENDITURES.

I come now to consider the management of the finances by this Administration.

In 1865 the expenditures of the Government exceeded revenues \$936,840,619.33, and during the civil war our expenditures each year exceeded our revenues. But from 1865, the last year of the war, we have had no such experience until the fiscal year just closed, when we find that the expenditures exceeded the revenues in the startling sum of \$69,803,260.58.

With this exception the revenues and the cash in the Treasury have met all of our necessities since 1865. (See Exhibit D.)

I find that the receipts, exclusive of postal, from March 1, 1885, to March 1, 1889, under President Cleveland, was \$1,451,660,246.74, while from March 1, 1889, to March 1, 1893, under President Harrison, they amounted to \$1,540,225,448.35. This gives an excess of receipts for the four years of Harrison of \$88,565,201.61. This is the key to the efficiency of a Republican Administration executing Republican laws.

But here comes a sharper test of the two Executives, leaving out postal receipts:

Receipts:

For first sixteen months of Harrison's Administration (from March 1, 1889, to July 1, 1890).....	\$532,743,263.03
For first sixteen months of Cleveland's Administration (from March 1, 1893, to July 1, 1894).....	422,147,849.48
For last sixteen months of Harrison's Administration (from November 1, 1891, to March 1, 1893).....	493,691,074.39

A study of these figures will show that the first sixteen months of Harrison's Administration collected \$110,595,413.55 more than the first sixteen months of the present Administration, and the receipts for the last sixteen months of Harrison's Administration exceeded the first sixteen months of the present Administration \$71,543,224.91. Is it any wonder that a deficit in the Treasury is upon us, and that this Administration is selling bonds to pay the running expenses of the Government?

Let me give a further test of the administration of the laws by the different Executives. I call attention to "Exhibit E," appended to my remarks—a statement prepared in the Treasury Department at my request. Observe the receipts from "customs, internal revenue, and miscellaneous," which gives the true test of an honest and efficient enforcement of the laws:

Collected by President Arthur, \$1,487,749,110.37.

Collected by President Cleveland, \$1,451,661,246.74.

Collected by President Harrison, \$1,540,225,448.35.

When President Cleveland came in the revenues in four years fell off \$36,087,863.63, and when President Harrison came in they increased in four years over President Cleveland's work \$88,564,201.61.

The moonshiners and violators of law evidently had an easy time of it under Mr. Cleveland's appointees.

"THE SURPLUS."

The favorite argument of the ignorant, or those who understanding wish to deceive the people is that Mr. Cleveland left a full Treasury on March 4, 1889, and found an empty one on March 4, 1893. Let us examine this question.

On the first line in "Exhibit E" will be found the amount available at the beginning of the several Administrations of Arthur, Cleveland, Harrison, and again Cleveland, and on the last line, opposite the word "surplus," the amounts over and above expenditures during each period indicated.

Mr. Arthur had, when he was inaugurated, in round numbers \$170,000,000, Mr. Cleveland \$159,000,000, Mr. Harrison \$183,000,000, and Mr. Cleveland, second term, \$124,000,000. President Harrison did start with \$59,000,000 more than President Cleveland started with in 1893. Why? Because Harrison, during his term paid off \$233,588,950 of the public debt of the country. During Mr. Cleveland's first term he paid off only \$143,834,350, and had to be forced to pay off any by the passage of a resolution in the House of Representatives, assailing him for his delinquency in this particular.

Even after so lashed to his duty he paid off \$59,704,600 less than Mr. Harrison paid during the four years following. Mr. Harrison applied the cash locked up in the Treasury to pay off the debt of the people, and in doing so he saved in interest \$55,352,493.51, as against \$42,832,538.38 saved by Mr. Cleveland.

The Democracy used to abuse the Republicans for keeping too much cash in the Treasury, but now when it is applied to lift the debt burden, they are displeased and regret that the money so spent was not left in the Treasury for them to spend.

There is nothing clearer to my mind than this: That if the Democracy had not come into power on their revolutionary platform the Republicans would have had plenty of money with which to run the Government, and that the \$50,000,000 of bonds lately issued by this Administration would not have been needed.

I call attention to Exhibit F, following my remarks, being a statement of the bond purchases, prepared in the Treasury Department.

If Harrison left \$59,000,000 less for Cleveland than he received, he paid off \$89,704,600 more of the public debt.

I have demonstrated that the revenues were vastly greater under the Republicans, and if they had been continued in power there would have been plenty of cash to pay the Government bills.

It is a sad sight for this country to see the bonded debt increased, while the revenues that come from the foreigners are

being transferred so as to come directly from the pockets of our own people. The burden is increased at home, while the laborer abroad is allowed to do the work of our people, thus lessening our ability to lift the burden.

IN CONCLUSION.

I do not see one claim that can be advanced by the President or this Democratic Congress for the continued support of the people. Leaving out the pension roll, and the current expenses are increased in the appropriation bills just passed.

In our dealings with foreign questions we have become the

laughingstock of the people and the Administration the rich subject for the cartoonist.

The people are sick at heart, and hope for the first time has left the breasts of a large army of workers only willing and eager to earn their daily bread.

For the first time in the history of our country the capital city has become the camping ground and rallying place for an unemployed army.

But even Democracy can not destroy this great Republic. There is a sure remedy—the ballot in the hand of the sovereign citizen.

EXHIBIT A.

Appropriations made by the Fifty-first and Fifty-second Congresses, and by extra and first regular sessions of the Fifty-third Congress, fiscal years 1891 and 1895, inclusive.

Title.	Fifty-first Congress.		Fifty-second Congress.		Fifty-third Congress.
	First session, 1891.	Second session, 1892.	First session, 1893.	Second session, 1894.	Extra and first regular sessions, 1895.
Agricultural	\$1,799,100.00	\$3,028,153.50	\$3,232,995.50	\$3,323,500.00	\$3,222,023.06
Army	24,206,471.79	24,613,529.19	24,308,499.82	24,225,639.78	23,592,884.68
Diplomatic and consular	1,710,815.00	1,656,925.00	1,604,045.00	1,557,445.00	1,563,918.76
District of Columbia	5,769,544.15	5,597,125.17	5,817,973.27	5,413,323.91	5,514,593.57
Fortifications	4,232,935.00	3,774,803.00	2,734,276.00	2,210,055.00	2,427,004.00
Indian	7,262,016.02	16,356,284.86	7,664,047.84	7,854,240.38	9,329,648.49
Legislative, etc.	21,030,752.75	22,027,674.75	21,900,132.97	21,805,802.81	21,308,295.79
Military Academy	435,296.11	402,064.64	428,917.33	432,556.12	406,523.08
Navy	24,136,035.53	31,541,654.78	23,543,385.00	22,104,061.38	25,327,126.72
Pension, including deficiencies*	123,779,368.35	164,550,383.34	154,411,682.00	180,681,074.85	151,581,570.00
Post-Office	72,226,698.99	77,907,222.61	80,331,276.00	84,004,314.22	87,236,599.55
River and harbor	25,136,295.00		21,154,218.00		11,473,180.00
Sundry civil	29,738,282.22	37,410,363.99	27,065,076.93	41,716,311.15	34,209,776.05
Deficiencies	13,295,541.61	9,364,148.62	8,230,850.50	8,127,361.51	11,820,545.72
Total	354,759,152.52	398,260,033.45	382,527,385.89	403,515,586.11	389,043,689.51
Miscellaneous	7,010,905.27	4,271,531.10	3,208,922.82	520,499.18	550,000.00
Total regular annual appropriations	361,770,057.79	402,531,861.55	385,736,308.71	404,036,085.29	389,593,689.51
Permanent annual appropriations	101,628,453.00	122,486,808.00	121,863,880.00	115,468,273.92	101,074,680.00
Total	463,398,510.79	525,018,672.55	507,600,188.71	519,504,359.21	490,668,369.51
Total Fifty-first and Fifty-second Congresses	\$988,417,183.34		\$1,027,104,547.92		

* Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$29,335,598.34; 1893, on account of 1892, \$7,674,332; 1894, on account of 1893, \$14,149,724.85. † This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations.

EXHIBIT B.

Tabular history of appropriation bills, first and second sessions of the Fifty-third Congress; estimates and appropriations for the fiscal year 1894-'95, and appropriations for the fiscal year 1893-'94.

Title.	Estimates, 1895.	Reported to the House, amount.	Passed the House, amount.	Reported to the Senate, amount.	Passed the Senate, amount.	Law, 1894-'95, amount.	Law, 1893-'94, amount.
Agriculture	\$2,233,843.06	\$3,180,643.06	\$3,215,643.06	\$3,208,183.06	\$4,225,183.06	\$3,222,023.06	\$3,323,500.00
Army	25,332,918.52	23,568,284.68	23,586,924.68	23,603,384.68	23,611,384.68	23,592,884.68	24,225,639.78
Diplomatic and consular	1,642,638.76	1,511,738.76	1,509,738.76	1,589,438.76	1,591,218.27	1,563,918.76	1,557,445.00
District of Columbia	5,381,473.91	5,157,573.57	5,206,473.57	5,854,533.57	5,887,038.57	5,514,593.57	5,413,223.91
Fortification	7,438,413.00	2,219,654.00	2,221,654.00	2,779,104.00	2,836,604.00	2,427,004.00	2,210,055.00
Indian	6,931,156.61	6,611,260.78	6,735,518.90	9,327,386.69	9,404,248.49	9,329,648.49	7,854,240.38
Legislative, etc.	22,310,110.33	21,086,923.29	21,105,787.29	21,348,739.79	21,378,315.70	21,308,295.79	21,865,802.81
Military Academy	463,183.58	401,283.08	401,283.08	410,303.08	410,203.08	406,523.08	432,556.12
Navy	27,875,914.02	25,280,930.27	25,339,580.27	25,215,080.27	25,437,105.30	25,327,126.72	22,104,061.38
Pension	162,631,570.00	151,581,570.00	151,581,570.00	151,581,570.00	151,581,570.00	151,581,570.00	166,531,350.00
Post-Office	90,399,485.33	87,470,599.55	87,240,599.55	87,236,599.55	87,236,599.55	87,236,599.55	84,004,314.22
River and harbor	27,625,000.00	9,458,689.56	9,538,689.56	12,771,180.00	12,946,680.00	11,443,180.00	(d)
Sundry civil	34,966,002.81	32,308,642.80	32,523,383.80	35,061,686.70	36,202,165.70	34,209,776.05	e41,716,311.15
Total	395,232,109.93	369,837,793.40	370,209,846.52	379,981,094.15	382,748,367.49	377,223,143.75	381,238,499.75
Urgent deficiency, recoinage silver coins, etc.		300,000.00	300,000.00	306,000.00	306,000.00	306,000.00	
Further urgent deficiency, assistant custodians, etc.		338,000.00	338,000.00	370,588.33	370,588.33	370,588.33	
Further urgent deficiency, customs, census, etc.		1,651,896.31	1,889,455.86	1,889,455.86	1,889,455.86	1,968,470.86	
Further urgent deficiency, United States courts, etc.	f17,012,627.31	338,958.00	338,958.00	453,278.00	453,278.00	768,278.00	g22,277,066.36
Further urgent deficiency, engraving and printing, courts, etc.		1,237,255.66	1,242,255.66	1,785,889.66	1,842,304.66	1,854,304.66	
Further urgent deficiency, printing and customs		350,000.00	350,000.00	350,000.00	350,000.00	350,000.00	
Deficiency 1894 and prior years		4,890,593.78	5,005,032.58	7,910,219.96	7,939,551.41	6,202,903.91	
Total	412,244,737.24	378,944,497.15	379,673,548.62	393,046,525.96	395,890,545.75	389,043,689.51	403,515,586.11
Miscellaneous	7,343,423.47					550,000.00	520,499.18
Total regular annual appropriations	419,538,160.71					389,593,689.51	404,036,085.29
Permanent annual appropriations	h101,074,680.00					h101,074,680.00	h108,468,273.92
Grand total, regular and permanent annual appropriations	520,662,840.71					490,668,369.51	512,504,359.21

a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1895 at \$265,083.93), which are payable from the revenues of the water department. b Includes all expenses of the postal service payable from postal revenues and out of the Treasury. c This is the amount estimated for rivers and harbors for 1895, exclusive of \$4,885,000 required to meet contracts authorized by law included in the sundry civil estimates. "The amount that can be profitably expended" in that fiscal year, as reported by the Chief of Engineers, is \$43,760,611. [Book of Estimates for 1895, pages 192-197.] d No river and harbor bill was passed for 1894, but the sum of \$14,166,153 was included in the sundry civil act to carry out contracts authorized by law for river and harbor improvements. e This amount includes \$14,166,153 to carry out contracts authorized by law for river and harbor improvements, and for improvements under the Mississippi River and the Missouri River Commissions. f This amount includes \$3,974,646.14 judgments, and claims audited and certified as due the several Pacific railroad companies. g This amount includes \$14,149,724.85, deficiency for pensions for the fiscal year 1893. h No amount is included in the estimates of permanent annual appropriations for 1895 for bounty on sugar, for the reason stated in the following note on page 267, Book of Estimates for 1895: "NOTE.—The Secretary of the Treasury having recommended the repeal of the sugar bounty law, no estimate is submitted for the fiscal year 1895. In case the law is not repealed, \$11,000,000 will be required for the purpose, which should be added to the sum total to the estimates for 1895." i This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1894, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

EXHIBIT C.

Imports and exports of merchandise of the United States, 1884 to 1894.

Table with columns: Years, Imports (Free, Dutiable, Total, Per capita for consumption), Exports (Domestic, Foreign, Total, Per capita of domestic, Domestic exports of agricultural products, Per cent of domestic). Rows for years 1884-1894.

TREASURY DEPARTMENT, Bureau of Statistics, July 27, 1894.

WORTHINGTON C. FORD, Chief of Bureau.

EXHIBIT D.

Receipts and expenditures of the Government. RECAPITULATION OF REVENUE BY FISCAL YEARS.

Table with columns: Year, Customs, Internal revenue, Direct tax, Sales of public lands, Miscellaneous sources (Primitums on loans and sales of gold coin, Other miscellaneous items), Total revenue, Excess of revenue over expenditures, Surplus revenue. Rows for years 1856-1894.

RECAPITULATION OF EXPENDITURES BY FISCAL YEARS.

Table with columns: Year, Civil and miscellaneous (Premium on loans and purchase of bonds, etc., Other civil and miscellaneous items), War Department, Navy Department, Indians, Pensions, Interest on public debt, Total expenditures, including premium, Bonds and other securities applied to sinking fund. Rows for years 1856-1894.

EXHIBIT D—Continued.

Receipts and expenditures of the Government—Continued.

RECAPITULATION OF EXPENDITURES BY FISCAL YEARS—continued.

Year.	Civil and miscellaneous.		War Department.	Navy Department.	Indians.	Pensions.	Interest on public debt.	Total expenditures, including premium.	Bonds and other securities applied to sinking fund.
	Premium on loans and purchase of bonds, etc.	Other civil and miscellaneous items.							
1877		\$56,252,066.60	\$37,082,735.90	\$14,959,935.36	\$5,277,007.22	\$27,963,752.27	\$97,124,511.58	\$238,660,008.93	\$24,498,910.03
1878		53,177,703.57	32,154,147.85	17,395,201.37	4,629,280.23	27,137,019.08	102,500,874.05	230,964,823.80	17,012,634.57
1879		65,741,555.49	40,455,650.73	15,125,123.84	5,206,103.03	35,121,432.39	105,327,949.00	230,947,822.53	723,062.99
1880	\$2,795,320.42	54,713,529.76	38,116,916.22	15,536,984.74	5,945,457.09	36,777,174.44	95,787,575.11	237,042,987.78	73,904,017.41
1881	1,051,248.78	64,416,324.71	40,469,460.55	15,686,671.66	6,514,161.09	59,059,279.62	82,508,741.19	230,712,887.59	74,480,351.05
1882		57,219,750.98	43,570,494.19	15,032,046.28	9,733,747.40	61,345,133.95	71,077,303.79	257,981,459.57	60,137,255.55
1883		68,678,022.21	48,911,382.93	15,283,437.17	7,362,500.34	65,012,573.64	59,100,131.25	235,408,137.54	44,837,255.96
1884		70,920,433.70	39,499,603.36	17,292,601.44	6,475,999.29	55,439,228.06	54,578,373.48	244,126,244.33	46,790,229.50
1885		87,494,253.33	42,670,578.47	15,021,070.67	6,552,494.63	56,102,267.49	51,389,256.47	269,226,035.11	45,601,035.43
1886		74,166,929.85	34,324,152.74	13,907,897.74	6,099,158.17	63,401,884.03	50,580,145.97	242,483,138.50	44,551,013.36
1887		85,264,825.59	38,561,025.85	15,141,126.80	6,194,522.69	75,039,101.79	47,741,577.25	237,032,173.97	47,903,248.15
1888	8,270,842.46	72,952,260.80	38,522,438.11	16,926,437.05	6,249,307.87	80,238,508.77	44,715,007.47	237,924,801.13	43,732,550.00
1889	17,292,362.65	80,664,064.26	44,438,270.85	21,378,809.31	6,892,207.78	87,694,779.11	41,001,484.29	299,288,978.25	39,063,173.35
1890	20,304,224.06	81,403,253.49	44,582,838.08	22,006,206.24	6,708,046.67	106,936,855.07	39,099,284.05	318,040,710.66	39,847,839.50
1891	10,401,220.61	110,048,167.49	48,720,065.01	23,113,896.46	8,527,469.01	124,415,951.40	37,547,135.37	365,773,905.35	44,008,111.37
1892		99,841,989.61	46,896,458.39	23,174,188.98	11,150,577.67	131,583,052.79	23,378,116.23	345,023,330.58	37,574,179.98
1893		103,732,789.27	49,641,773.47	30,136,084.43	13,345,347.27	159,337,557.87	27,264,392.18	383,477,954.49	6,703,744.50
1894		101,943,884.07	54,567,929.85	31,701,298.79	10,293,481.52	141,177,284.96	27,841,405.64	357,525,279.83	221,587.20

TREASURY DEPARTMENT, Warrant Division.

* Expenditures in excess of revenue.

† Excess supplied from cash in the Treasury.

EXHIBIT E.

Condition of the Treasury for the four-year periods ending March 1, 1885, March 1, 1889, March 1, 1893, and for sixteen months ending July 1, 1894.

	March 1, 1881, to March 1, 1885.	March 1, 1885, to March 1, 1889.	March 1, 1889, to March 1, 1893.	March 1, 1893, to March 1, 1894.
Available cash balance at beginning of each period	\$170,817,436.69	\$159,356,506.41	\$183,827,190.29	\$124,128,087.88
Receipts from customs, internal revenue, and miscellaneous	1,487,749,110.37	1,451,661,246.74	1,540,225,443.25	422,147,849.45
National-bank redemption fund			68,671,039.25	17,453,853.00
Five per cent loan, principal and premium				58,633,295.71
Total available	1,658,566,547.06	1,611,017,753.15	1,792,723,672.89	622,363,086.07
Expenditures during each period:				
Civil and miscellaneous	275,816,227.84	317,070,407.91	386,152,128.75	134,165,656.61
War	173,397,251.55	154,442,268.23	188,968,268.91	70,115,973.89
Navy	63,416,599.89	65,474,108.82	103,230,176.54	42,559,374.71
Indians	29,678,240.95	24,861,517.36	36,029,064.36	16,112,912.65
Pensions	234,522,486.18	316,546,814.59	438,132,532.85	193,507,478.65
Interest	241,178,532.52	187,823,251.08	128,745,242.72	34,261,607.47
Redemption of debt, principal and premiums	450,246,511.10	363,565,032.31	292,691,254.02	483,560.20
Redemption of debts, national-bank notes redeemed			46,398,978.00	13,354,228.75
Total expenditures	1,498,255,859.98	1,480,076,460.36	1,070,378,247.13	505,220,792.94
Surplus	160,310,687.08	130,941,292.79	722,345,425.76	117,142,293.13

EXHIBIT F.

Statement of United States bonds purchased from March 1, 1885, to March 1, 1893.

	Principal.	Premium paid.	Interest saved.
From March 1, 1885, to March 1, 1889:			
Four percents	\$56,726,550.00	\$15,604,309.79	\$27,450,259.22
Four and a half percents	87,157,800.00	6,772,813.32	8,882,279.16
Total	143,884,350.00	22,377,123.11	32,832,538.38
From March 1, 1889, to March 1, 1893:			
Four percents	121,615,950.00	30,666,133.59	53,596,469.67
Four and a half percents	111,973,000.00	3,225,388.08	1,756,023.84
Total	233,588,950.00	33,891,521.67	55,352,493.51

Mr. SAYERS. I ask the adoption of the report.

Mr. DUNPHY. Before that, I would like to ask the chairman of the committee a question with his consent. I find on page 54 of the bill as reported by the Senate this provision:

And the clerks of the United States court may act as United States commissioners without receiving additional compensation for their services from the United States.

I see from the report that the Senate has receded from that amendment.

Mr. SAYERS. Yes, sir.

Mr. DUNPHY. I would like to know the reason why?

Mr. SAYERS. Well, they receded, in the first place, because it is legislation on a general deficiency bill; and I am one of those who do not believe that there should be legislation on an appropriation bill. In the second place, it is believed that under the law passed at this Congress there was embodied a provision that no one man shall hold two offices unless hereafter or heretofore specially authorized to do so; and I was informed that there was a law which authorized this clerk to act as commissioner. I think these are the facts in connection with the matter, although I do not pretend to speak with absolute accuracy.

Mr. DUNPHY. I desired to have the explanation appear in the RECORD, because some question has come up between the members of the House on this point.

Mr. SAYERS. The gentleman understands me to say, however, that I do not pretend to speak with absolute accuracy on the subject.

Mr. DUNPHY. I understand that.

The SPEAKER pro tempore (Mr. TARSNEY). The question is on the adoption of the conference report.

The report was adopted.

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

Mr. SAYERS. Now, Mr. Speaker, I will call the attention of my colleague on the committee, the gentleman from Illinois [Mr. CANNON], to the remaining question at issue, and ask how much time he would like to have in discussing that matter?

Mr. CANNON of Illinois. Well, I can not tell exactly; but we will not occupy very long.

Mr. SAYERS. Well, say a half hour on each side.

A MEMBER. What is the amendment?

Mr. SAYERS. It is the amendment of the Senate appropri-

ating \$1,800,000, in round numbers, to pay the Southern Pacific Company.

Mr. CANNON of Illinois. I will say to the gentleman from Texas it seems to me as this is the last appropriation bill to be passed—I suppose about the last piece of legislation Congress will enact—

Mr. COGSWELL. Oh, no; there are four tariff bills in the Senate to be passed.

Mr. CANNON of Illinois (continuing). I think that a half hour on this side would be enough, although I would prefer not to be limited in that way.

Mr. SAYERS. We want to get through with the discussion of this matter with a view to adjourning.

Mr. CANNON of Illinois. I think we can get through in a half hour, but I hope the gentleman will not regard it as absolutely necessary to close up the time definitely. I think my friend from Iowa [Mr. HENDERSON] desires some time, and perhaps other gentlemen. The length of debate will depend a little on the course it takes. I think we can get through by 5 o'clock.

Mr. SAYERS. I suggest that we take a vote at twenty minutes to 5.

Mr. HENDERSON of Iowa. I will not occupy very much time.

Mr. SAYERS. I will divide the time with you. I ask consent that debate be closed at twenty minutes to 5.

Mr. CANNON of Illinois. I think you had better let it alone. We will get through sooner.

Mr. HENDERSON of Iowa. There will be no trouble about that.

Mr. CANNON of Illinois. I think if the gentleman will just let the debate run along, we can close it up more quickly than if we make an agreement.

Mr. SAYERS. Mr. Speaker, I first desire to have the amendment read.

The Clerk read as follows:

To the Southern Pacific Company, \$1,809,539.70.

Mr. SAYERS. Mr. Speaker, I yield twenty minutes to the gentleman from California [Mr. MAGUIRE].

[Mr. MAGUIRE addressed the House. See Appendix.]

Mr. DALZELL. Do I understand the proposition to be one for the payment of any judgment in favor of the Central Pacific Railroad Company?

Mr. SAYERS. This bill proposes to pay a judgment in favor of the Southern Pacific.

Mr. DALZELL. I understand; but there are judgments existing in favor of the Central Pacific Railroad which, as I understand, this bill does not propose to pay. That is true, is it not?

Mr. SAYERS. Yes, sir.

Mr. DALZELL. This bill proposes to pay a judgment of the Southern Pacific, which is the lessee of a number of roads, among others the Central Pacific, but not for services on the Union Pacific or any of the nonaided lines.

Mr. SAYERS. That is so.

Mr. DALZELL. Then the proposition of the gentleman from California is that we shall punish this innocent company, between whom and the Government no relation exists.

Mr. OUTHWAITE. Leave out the word "innocent."

Mr. MAGUIRE. The same men own it.

Mr. DALZELL. They are separate organizations, and this Government has connection with them.

Mr. MAGUIRE. This same set of men promoted and incorporated the Southern Pacific Company in Kentucky for the purpose of using it as a cover for the diversion of these funds and earnings of the Central Pacific road.

Mr. DALZELL. All of which would have been good matter to present in a trial of the cause.

Mr. MAGUIRE. No, sir; because the Central Pacific Company would have had a legal right to recover if it had sued.

Mr. DALZELL. I would like to know why not?

Mr. MAGUIRE. Because the Supreme Court, in the case of the United States against the Union Pacific, held that these fraudulent diversions could not give rise to a cause of action or suit in equity in favor of the Government until the obligations of the Central Pacific Railroad Company to the Government shall have matured.

Mr. DALZELL. I understand the decision.

Mr. SAYERS. How much time does the gentleman from Illinois want?

Mr. DALZELL. Why, I am told there are 30,000 stockholders in the Southern Pacific Railroad Company.

Mr. MAGUIRE. Where is the evidence of that?

Mr. DALZELL. The evidence is quite as good as the evidence the gentleman has furnished.

Mr. MAGUIRE. The attorney of the company does not say so.

Mr. SAYERS. How much time shall I yield to the gentleman from Illinois?

Mr. CANNON of Illinois. I do not know; several gentlemen desire to have some time.

Mr. SAYERS. How much time does the gentleman from Iowa desire?

Mr. HENDERSON of Iowa. I cannot tell exactly, but I think not over ten or fifteen minutes.

Mr. SAYERS. Will fifteen minutes satisfy the gentleman?

Mr. HENDERSON of Iowa. I think that will cover my necessities. If I need more, I shall get it.

Mr. SAYERS. I yield the gentleman fifteen minutes.

Mr. HENDERSON of Iowa. Mr. Speaker, as a member of the Committee on Appropriations, it is my duty to explain this matter as I understand it. We have had repeated hearings before the Committee on Appropriations in respect to this subject. Now, let us not have any confusion in this discussion. Let us know exactly what we are talking about. This amendment provides \$1,809,539.70 to be paid to the Southern Pacific Railroad Company. Fix that in your minds. For what is that payment to be made? For carrying troops, mails, and freight for the Government of the United States. Is there any controversy between the Government and the Southern Pacific Railroad Company as to the rates? None whatever. They have always been able to agree as to the compensation to be paid for the work done by the Southern Pacific Railroad. There is not to-day pending a single issue between the Government and that railroad company, not one.

Fix another point in your minds. The amount covered by this amendment, inserted in the bill by the Senate without a dissenting voice, is all in judgment. Suit has been brought for these amounts and they are covered by judgments in the Federal courts, and every question has been adjudged by the highest tribunal in this country. So much for that.

Now, an attempt has been made, I think, to confuse the House by a discussion of the Central Pacific Railroad and its relations to the Government. The Central Pacific and the Union Pacific Railroads are roads that were aided by the issue of Government bonds, the amount aggregating, I believe, without interest, some \$27,000,000. The amount covered by this amendment for the Southern Pacific Railroad Company is for work done and for money earned wholly by nonaided railroads. Not a single Government bond was issued to one of the railroads that performed this work.

Mr. COOPER of Indiana. Is it not a fact, well known in the history of these railroads, that the Southern Pacific Road is owned by the Central Pacific Company, and that it was created out of the profits of the Central Pacific, which were diverted to the Southern Pacific? And is there not now pending litigation between the Government and the Central Pacific and its owners to recover money that they owe the Government by reason of the aid extended to them?

Mr. HENDERSON of Iowa. I do not so understand it at all. Let me read at this point from the hearings on this subject before the Committee on Appropriations a question which I put to Judge Payson and his answer. There are many gentlemen here who remember the attitude of Judge Payson in this House on these railroad questions, and I voted with him in every instance when a vote was taken for the forfeiture of the railroad land grants. Here is a question that I put to him when he was recently before the Committee on Appropriations:

Mr. HENDERSON. One other matter, because I am quite interested and we have gone into this thing more comprehensively than before, in order to bring up a question which has appeared in the discussion, as I am not clear as to what was done, and that is in relation to the idea that Governor Sayers brought out when he made clear from your answers that the same men owning the Central Pacific own the Southern Pacific.

It has been stated that the funds derived from the sale of Government bonds for the construction of the Central Pacific were diverted by the management of the Central Pacific for the purchase of lines and for the construction of lines of the Southern Pacific system, and that therefore an equity arises affecting the whole Southern Pacific as an offset, or equitable offset, to the claims against the Government for transportation, etc. Now, I want you to state whether that question has ever been investigated and decided in court, or in anyway adjudicated.

Judge PAYSON. I will answer first in a general way, and in the letter which I will prepare and send you I will give you a citation of the book and page where you will find a brief of it. First, I will state that every dollar which the Government aided the Central Pacific system was used upon that road. The entire amount of both the bonds furnished by the Government, \$27,000,000, and the bonds issued by the railroad company, which were also \$27,000,000, was sold on the market for gold. At that time, if you remember, the currency of California and west of the Rocky Mountains was in gold.

The official reports show that out of that amount of \$54,000,000 there was realized only forty-odd millions—between \$40,000,000 and \$41,000,000 in gold. That had to stand the shaving; you understand as to that. So there was expended in cash on the Central Pacific system between \$42,000,000 and \$43,000,000 of cool cash in its construction before it commenced its practical operation. More money was expended upon this road than was realized from both sets of bonds. I will refer you to the book and page.

Now, if \$54,000,000 was expended upon this road and the Government aid was \$27,000,000, it would require a smart mathematician to demonstrate that there was a diversion of \$52,000,000 or \$52,000,000 or any other sum to build the Southern Pacific.

Here is Judge Payson's statement in the brief which he subsequently filed:

The report of the Pacific Railroad Commission of 1887 shows fully that there has been no improper diversion of funds by the Central Pacific Company, and that every legal requirement has been met and satisfied; that no dividends have been paid in violation of law, page 111; no diversion of earnings through constructive mileage accounts.

So much for the information that was furnished the committee on that point, and Judge Payson stated further that there was nothing now in controversy between the Southern Pacific and the Government. If there is anything I have no knowledge of it. I have only the information that we derived from the investigation we have made as a committee.

Now, let me say another thing. It is true, as Judge Payson stated before our committee, that the chief owners of the Southern Pacific are the same men who are the chief owners in the Central Pacific.

But I am assured that in the Central Pacific Railroad Company, as was shown before the committee of which the gentleman from Pennsylvania [Mr. REILLY] is chairman, there are some 10,000 stockholders, and that there are many thousands more in the Southern Pacific. Bear in mind that the whole attempt here is to keep back payment from the Southern Pacific on principles which might apply to the Central Pacific.

The Central Pacific being a bond-aided road, the statement is made (and it is a matter that has occupied my mind and troubled me not a little) that as the bonded indebtedness of that road will fall due or commence falling due in 1895, and they admit that they can not pay it, it might be well for us to hold back what is due to the Central Pacific road until that indebtedness matures, so that we may put it in as an offset.

But no such consideration can apply in the case of the Southern Pacific Road. If we were to-day in such a position that the bonds of the Central Pacific Road were due, there is no offset that can apply to the Southern Pacific or any of the branches that are entitled to this \$1,900,000. Then why put this off? We should not have the benefit of any offset even if the time were come for a settlement between the Government and the Central Pacific Road.

But there is another consideration. Granting the stockholders, and the largest stockholders are common to both these lines, the one line aided, the other nonaided, what follows? If I owe a thousand dollars to the gentleman from California [Mr. MAGUIRE] and the gentleman from Texas, Governor SAYERS, owes me a thousand dollars, does it follow that I can not settle with the gentleman from Texas because the gentleman from California has some arrangement with me? For my part, I can not understand such logic. I see no reason in it.

Here is another point that I want to impress upon this body. We have already been paying this very class of claims to the Southern Pacific Railroad Company. Indeed, I believe we are paying them now. And I call attention to a circular which was issued by Secretary Fairchild June 4, 1886. Prior to that time there had been a general holding up of payments in regard to these railroads; then after matters were settled by the Supreme Court, he issued this circular:

The attention of the accounting officers of the Treasury Department is invited to the decision of the Supreme Court of the United States in the case of *The United States, appellants, vs. The Central Pacific Railroad Company, respondents*, No. 1291, calendar October term, 1885, rendered May 10, 1886, as to the right of the Government to withhold and apply under the Thurman act the compensation due the Central Pacific Railroad Company—

This applies even to the Central Pacific road—

for transportation and other services for the Government over the non-aided portions of the lines owned, leased, or operated by such company, and hereafter the accounts and claims of the company for such services will be settled, adjusted, and paid in conformity to such decision.

All Department circulars heretofore issued upon the subject are modified accordingly.

C. S. FAIRCHILD, *Acting Secretary.*

Under that order a large amount of these earnings was paid even to the Central Pacific Railroad Company. When Mr. Harrison came in as President a temporary suspension of that order was had, on the advice of an officer of the Department of Justice. But there was no revocation of the order, as I understand; there was merely a suspension until another question, not previously raised, in regard to these claims could be settled. That question was raised in the Court of Claims and unanimously decided against the Government; and so clear was the case that no one thought it necessary to appeal; no appeal has ever been taken, and the time for appeal has long since gone by.

Thus it will be seen that the Central Pacific Company cuts no figure in this case. That company is not here. No aided line is covered by this proposition. The only question now is whether Congress shall exercise a power, which I grant it may exercise, the power of refusing to pay an honest debt. The question is whether the Government will set to the people of

the country the example of not paying debts that are justly due for services faithfully rendered, there being no controversy as to the legality of the claim.

[Here the hammer fell.]

Mr. HENDERSON of Iowa. Just a word more.

Mr. SAYERS. I yield the gentleman a few moments more.

Mr. HENDERSON of Iowa. Mr. Speaker, I believe for one that the Government ought not to be adding to the distress, already mountain high, upon the railroad systems of the country. I believe in holding the railroads to a strict accountability to the people. I have voted for the most radical propositions that have come before Congress to so hold them. I believe in that doctrine. But with our railroads passing one after another into bankruptcy, and when they do so are throwing armies of laboring men out of employment, is it wise policy to hold back this sum of nearly \$2,000,000 honestly earned, the work having been well done by a line of road which never had a dollar of aid from the United States Government? I state the facts; and this House can do as it pleases.

Mr. CANNON of Illinois rose.

Mr. SAYERS. How much time does the gentleman from Illinois want?

Mr. CANNON of Illinois. There are a number of gentlemen here who want to speak.

Mr. SAYERS. I will yield to the gentleman if he will state what time he wants.

Mr. CANNON of Illinois. If the gentleman yields to me, I will yield ten minutes to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. SAYERS. I do not yield the floor to the gentleman. I have asked him how much time he wants?

Mr. CANNON of Illinois. Oh, I do not know. The gentleman from Pennsylvania wants ten minutes; the gentleman from New York [Mr. PAYNE] ten, and I may want ten or fifteen minutes myself.

Mr. SAYERS. Well, I yield thirty minutes to the gentleman from Illinois, and he can parcel out that time as he chooses.

Mr. CANNON of Illinois. All right. I would be glad to hear from the gentlemen, however, on the other side. But I will yield to the gentleman from Pennsylvania [Mr. DALZELL] for ten minutes.

Mr. DALZELL. Mr. Speaker, the only interest I have in the pending controversy at this time is largely a personal one. It so happened that early in my service in Congress I was brought into a study of the relations existing between the United States Government and the Pacific railroads; and in a discussion in the Fifty-first Congress—in the second session of that Congress—I strenuously resisted, so far as I could resist, an appropriation then proposed for the payment of certain judgments which had been rendered by the Court of Claims and affirmed by the Supreme Court of the United States, in favor of the Central Pacific Railroad Company and against the Government.

It has been said in the course of this discussion that the position I have assumed to-day, judging that position from the interrogatories I propounded to the gentleman from California [Mr. MAGUIRE], is inconsistent with the position I then assumed. I do not think that it is so in any sense of the word; in fact, I think it quite the contrary; and I desire to occupy the floor for a few moments in order to establish that fact.

Now, what was the question before the Fifty-first Congress? The question then presented was whether or not that Congress should appropriate a sum of money for the payment of certain judgments rendered in favor of the Central Pacific Railroad Company against the Government. These judgments were rendered for services performed by that company on the nonaided lines, and were rendered in favor of the Central Pacific Company, because the Supreme Court had held that, under the contract relations existing between the company and the Government, it had a right to be paid in full for all services rendered upon the nonaided lines.

The situation then was this: There was a judgment in favor of the Central Pacific Railroad Company against the Government for services rendered on what is known as the nonaided lines, for which services the Supreme Court of the United States said the company had a right to be paid in full. It was urged here on the floor of the House that the judgment having been so rendered, and there being no money due to the Government from these companies at the time, we could not set off the amount of money to be due by them in the future against the judgment that they had already recovered.

I conceded that principle; but I stood on this principle: That the Central Pacific Company having the judgment, was an insolvent company; that it had presented itself at the doors of every Congress within my recollection declaring that when the

time came to pay the \$70,000,000 which it owed to the Government of the United States it would be unable to meet its obligations, and I stood on the proposition that a court of equity would always grant an injunction to restrain an execution on the part of an insolvent judgment creditor issued against a party to whom the insolvent would be bound to pay a greater sum of money in the future.

That was the position I then assumed, and I stand on that proposition and the principles it enunciates now. No man on the floor of this House will go further than I will in resistance of the payment, on the part of the United States, of a single dollar to these subsidized railroads, whether for services rendered on the subsidized portions of the lines or upon the nonaided portions of the lines. But that is not the case here.

Mr. RILEY. If the gentleman will permit me, I think it is exactly the case presented here, the only difference being, as I understand, that the judgments before were in the name of the Central Pacific Railroad Company, whereas to-day they are in the name of the Southern Pacific, its lessor, but for the same services and over the same nonaided lines.

Mr. DALZELL. That is precisely the fallacy of the position that is assumed by these gentlemen. The gentleman from California [Mr. MAGUIRE] says it is true the judgment is not in favor of the Central Pacific Railroad, but in favor of the Southern Pacific. He says, however, that the stockholders of the Central Pacific and the stockholders of the Southern Pacific Railroad are one and the same.

Why, Mr. Speaker, is there any lawyer here who will have the temerity to claim that identity of stockholders makes identity of corporations? If it were a good defense that this is a scheme on the part of the stockholders of the Central Pacific road, under cover of another corporate name, to recover a judgment against the Government of the United States, it was a good defense to set up in court where the case was tried, but it is no defense here; and because we refuse and still refuse, and will continue to refuse to pay judgments, how many or how great it does not matter, rendered in favor of the subsidized lines, is no reason why we should refuse to pay a judgment in favor of another company for services rendered on roads not aided by the Government and having no connection with the subsidized lines.

Mr. COOPER of Indiana. Now, if the gentleman from Pennsylvania will allow me, had the Central Pacific Company under the terms of its agreement with the Government in the first instance the right to make leases with the Southern Pacific Company, or any other company to deprive the Government of its opportunity to obtain services to be rendered, or which should have been rendered to it under the terms of its creation?

Mr. DALZELL. I understand the services were rendered on lines belonging to the Southern Pacific Company, a company which was not aided by the Government, and has no contract with the Government at all.

Mr. COOPER of Indiana. I think the gentleman is mistaken in that. The services in this case were rendered on branches of the Central Pacific which were leased by the Southern Pacific.

Mr. DALZELL. Oh, not at all.

Mr. COOPER of Indiana. I understand from the gentleman from Pennsylvania [Mr. REILLY] chairman of the Committee on Pacific Railroads, that that is the situation of the case.

Mr. REILLY. That is the way I understand it.

Mr. COOPER of Indiana. Now, I want to ask as to the validity of this lease made without the consent of the General Government.

Mr. DALZELL. I can not pass upon that question.

Mr. COOPER of Indiana. If they had no power to make that lease without the consent of the General Government, then we are under no obligations to deal with them.

Mr. DALZELL. That is too big a question for me to pass on now. If your position is correct, why do you simply include in this appropriation bill the judgment rendered in favor of the Southern Pacific Railroad Company? Why do you not put in the judgments rendered in favor of the Central Pacific Railroad Company that are yet unpaid?

Mr. OUTHWAITE. You understand that this amendment was put into the bill at the other end of this building.

Mr. DALZELL. I understand, but they must be consistent.

Mr. OUTHWAITE. Yes, but they are not consistent.

Mr. DALZELL. The mere fact that they have provided for the payment of this judgment and have not provided for the others is a declaration upon their part that there is a fundamental distinction between the Central Pacific judgment and this judgment. As I stated when I started, I have no interest in this matter except that I want to be consistent; and if any gentleman can convince me that the ground I now occupy is not

the ground I occupied in the Fifty-first Congress, I will go back to that ground.

Mr. CANNON of Illinois. Mr. Speaker, I wish the Chair, at the end of ten minutes, would call me down.

This is a Senate amendment that provides for the payment of a judgment rendered in favor of the Southern Pacific Railroad Company for carrying the mails and transportation of Government troops over the Southern Pacific Railroad—not the Central Pacific Railroad—prior to 1889.

Since the passage of the Thurman act the Central Pacific Railroad, which was built by Government aid and a loan of Government bonds, performed services over its line which have never been paid for, but under the law are held to reimburse the Government for the debt of that road hereafter to accrue.

But there came up a question between the Government and the Central Pacific Railroad, that was then operating itself and also operating certain leased lines built without Government aid, as to whether payment could be recovered for the service to the Government upon those lines, or whether under the law such earnings could be held by the Government to reimburse it for debts hereafter to accrue from the Central Pacific Railroad. Well, some said one thing and some said another. The question went to the Supreme Court of the United States, and was fully argued by way of appeal from the Court of Claims, and the Supreme Court of the United States, construing the Pacific railroad laws and the Thurman act, said that for services performed on the nonaided lines they were entitled to pay. The judgment was rendered and is still unpaid. That judgment is not only unpaid, but is not on this bill.

In 1885 or 1886, I am not sure which, a new corporation was organized, the Southern Pacific Railroad Company, and they proceeded to build railroads and bridges, and to build, own, and acquire 2,000 miles of railroad in that system. The Central Pacific Railroad is less than 1,000 miles long. Now, from that time up to 1889, on these 2,000 miles of railroad, owned and operated by the Southern Pacific Railroad Company, they carried our mails and troops until we owed them \$1,800,000. The Southern Pacific Railroad went into the courts and got judgment, which was finally adjudicated. This is on the Southern Pacific, upon its own lines, not upon the Central Pacific at all.

Now, the gentleman from California [Mr. MAGUIRE] can talk. The gentleman from Texas and the gentleman from Ohio can talk, and I can talk about this question and that question and the other question, but the coordinate branch of the Government, the Supreme Court of the United States, was created to settle questions, and when it has solemnly settled them and rendered a judgment, that is the last guess, and is the guess that binds everybody.

Mr. MAGUIRE. Will the gentleman allow a question?

Mr. CANNON of Illinois. Certainly.

Mr. MAGUIRE. Would it not be perfectly true if you owed me of your colleagues \$2,000 immediately maturing, and he owed you \$10,000 to mature within a few days after judgment was rendered; would not the court be bound to render judgment in his favor upon the note against you, notwithstanding the greater obligation in your favor about to fall due? That is the situation here.

Mr. CANNON of Illinois. That is not the situation; and the gentleman does not state it fairly when he states it to be the situation. Not at all. The Southern Pacific Railroad system is an entirely different system from the Central Pacific. It was built independent of the Government. The Government never aided in its construction. It has different stockholders from the Central Pacific in part.

Mr. MAGUIRE. Did not the Government aid it to the extent of a grant of several millions of acres in aid of its construction?

Mr. CANNON of Illinois. Yes. I stated that it had not aided it in the issue of bonds. It aided the Northern Pacific and 10,000 miles of other roads; but that is not the question. The Southern Pacific Railroad owns 2,000 miles of road, has built and paid for its construction, and it has its own set of stockholders independent of the Central Pacific. I am told there are 20,000 of them. And now, after they have earned this money, and the highest court of the land has rendered a judgment in their favor, the gentleman seeks to come in here and muddy the water by not correctly stating the situation. Now, one further matter.

Mr. HOPKINS of Illinois. Will the gentleman allow me to ask him a question?

Mr. CANNON of Illinois. Certainly.

Mr. HOPKINS of Illinois. Where does this \$1,800,000 come from? Is it an allowance for carrying the mails, etc., on non-aided roads; and is it proposed to hold this as security for the debts and obligations of aided roads?

Mr. CANNON of Illinois. Oh, no; it is for money due by the United States for carrying the mails on 2,000 miles of the South-

ern Pacific Railroad, and not over a single foot of the Central Pacific.

Mr. HEPBURN. Over a nonaided road.

Mr. CANNON of Illinois. It has 2,000 miles of nonaided road, having no connection with the Central Pacific, but having different stockholders; and after exhaustive litigation the judgment has been rendered.

Now, let me tell you another fact, and I hope I will have the attention of the gentlemen from California, Ohio, and Texas. Under Mr. Cleveland's former Administration, a part of it, after the decision of the Supreme Court, and under Mr. Harrison's Administration, and under this Administration, and by our appropriations last Congress, and by Congresses before, and this Congress, we are paying money this day to this Southern Pacific Railroad Company for carrying our mails quarter by quarter. You have appropriated for it in the army bill, in the naval bill, and you have appropriated for it in the Post-Office appropriation bill; and in all these years we pay them every dollar that they earn, if there is enough appropriated; and there is substantially enough.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. CANNON of Illinois. I will take two minutes more.

Now, I can not say anything more about it. That is enough. If the gentleman from Ohio and the gentleman from California object to the payment of this claim after the money has been earned, and after the Supreme Court has rendered a judgment, pray, if you want to be consistent, why do you not withhold that money, or why do you permit its payment for current services? Why do you not amend this very amendment if you want to do that, and say that there shall be no money paid for services rendered by the Southern Pacific Railroad?

Mr. HOPKINS of Illinois. Will the gentleman allow me to ask him a question right there?

Mr. CANNON of Illinois. Certainly.

Mr. HOPKINS of Illinois. Do I understand the gentleman to say that the chairman of the committee, under the present Administration, is reporting provisions for paying the Southern Pacific Company for carrying the mails, the class of services for which it refused to pay on a judgment—for carrying the mails prior to 1879?

Mr. CANNON of Illinois. We refuse to pay if we vote down this amendment.

Mr. HEPBURN. It is the same class of case.

Mr. CANNON of Illinois. It is the same thing.

Mr. HOPKINS of Illinois. That is what I wanted to find out.

Mr. CANNON of Illinois. The United States mails were carried in 1888 or 1889, or parts of those years, and troops transported to the amount of \$1,800,000, which the Southern Pacific Railroad went into the court and recovered by a final judgment; and in the last quarter and the quarter before, and for years before, we have been paying the same company for similar services, and are doing it to-day.

Mr. HULICK. Will the gentleman allow me to ask him a question?

Mr. MARSH. Will my colleague allow me to ask him a question?

Mr. CANNON of Illinois. Well, I will; both.

Mr. HULICK. In the suit in which that judgment was rendered was there any defense, legal or equitable, set up against the payment of the judgment bearing upon this defense now set up?

Mr. CANNON of Illinois. On which defense?

Mr. HULICK. The claim that the Central Pacific Railroad Company would be insolvent, and that it could not pay.

Mr. CANNON of Illinois. All the defenses were set up that could be set up, I apprehend. I have not read the pleadings; but I am satisfied that every defense was set up.

Mr. MARSH. This is just what I want to ask my colleague. The gentleman from California made the point, and it made some impression upon my mind, that four individuals, and he named them, are the owners of the Central Pacific, which railroad is about to default to the United States.

Mr. OUTHWAITE. And it is sustained by the testimony taken.

Mr. MARSH. I do not want to know anything from you. I want my colleague to answer my question. The point the gentleman from California made was that four certain men, whom he named, are the owners, and the sole owners, of the Central Pacific Railroad, and that the same four men are the owners of the Southern Pacific Railroad. And hence he says, properly, as I believe, if his statement is correct, that what the Central Pacific road owes the Government might, in equity, be set off against what the Government owes the Southern Pacific. Now, what is the fact? Are the same men the owners of the two corporations?

Mr. CANNON of Illinois. My colleague on the committee, the gentleman from Iowa [Mr. HENDERSON], answered that question in part.

Mr. MARSH. Well, will you not answer it in whole?

Mr. CANNON of Illinois. Certainly. And I answer that, if Judge Payson's word can be taken, the stockholders of the two companies are different. I have no doubt that there are some stockholders common to each company; but all the stockholders in one company are not all the stockholders in the other.

Mr. MARSH. Then the statement of the gentleman from California is not correct.

Mr. CANNON of Illinois. I understand that it is not correct if that gentleman intended to make that statement.

Mr. MAGUIRE. Judge Payson is contradicting the testimony taken by the Pacific Railway Commission.

Mr. CANNON of Illinois. Let us have the testimony, but in your own time. Now, Mr. Speaker, even if it were so, it would cut no figure. The corporations are different. Their debtors and creditors are different. Each one of these roads is bonded. The Southern Pacific Railroad, with its 2,000 miles of road, is bonded. Its bonds were sold to build the road step by step through Texas long after the Central Pacific was completed. They have different interests. Their creditors are different. Their stockholders are different in part, as I am informed.

Mr. CULBERSON. Do I understand the gentleman to say that they sold bonds to build the railroad through Texas?

Mr. CANNON of Illinois. Oh, well, the road runs through Texas, and I made that as a general remark. I do not know specifically that they sold bonds to build the part of the road that runs through Texas; but I understand that the Southern Pacific Railroad, in whole or in many of its branches, did sell bonds for construction purposes.

Mr. SAYERS. Will the gentleman yield to me a moment?

Mr. CANNON of Illinois. If the gentleman has any special knowledge on this subject I will yield to him.

Mr. CULBERSON. I would like to have three or four minutes on this question.

Mr. SAYERS. I will yield the gentleman time.

Mr. CANNON of Illinois. If the gentleman has any information on the subject that I have not, I will yield to him.

Mr. CULBERSON. I was simply asking the question for information.

Mr. CANNON of Illinois. I did not mean United States bonds.

Mr. SAYERS. Mr. Speaker, I understand that the gentleman from Illinois [Mr. CANNON] and the gentleman from Pennsylvania [Mr. DALZELL] have used about twenty-five minutes, and the gentleman from Iowa [Mr. HENDERSON] about fifteen minutes, making forty minutes altogether used on that side. Now, I intend to move an adjournment at 5 o'clock—

Mr. CANNON of Illinois. You can not complete this matter this evening.

Mr. SAYERS. I am not going to try. I am going to submit a proposition to the House. I ask unanimous consent that, after the reading of the Journal to-morrow the debate on this amendment be continued for an hour and a half, when the vote shall be taken; the time for debate to be divided in proportion to the consumption of time to-day; that is, those in favor of the amendment having consumed forty-five minutes and those opposed to it twenty minutes, each side shall have its proper proportion of the remaining time.

Mr. CANNON of Illinois. There is no disposition to prolong the debate, but I think it would be better to let it run temporarily.

Mr. SAYERS. I would like to reach an agreement because members will desire to know when they are required to vote. I ask consent that the debate continue now until 5 o'clock and for an hour and a half to-morrow immediately after the reading of the Journal—

Mr. CANNON of Illinois. Why not say that you will not ask a vote before half past 1 or half past 2? We on this side have used a good deal of the time, and I do not know what may be said on the other side that may require a reply.

Mr. SAYERS. I am willing to give the gentleman time.

Mr. CANNON of Illinois. Well, the gentleman has it in his power to move the previous question at any time. I will cooperate with him to close the debate as soon as it can be done reasonably.

Mr. SAYERS. I believe I have the floor, Mr. Speaker, and I do not want to yield it so that other motions may be made. What I desire is to reach some fair and equitable agreement between those who are in favor of the Senate amendment and those who are opposed to it. I do not wish to press a vote unless with the consent of the gentlemen who are in favor of the amendment.

Mr. CANNON of Illinois. I can say nothing further than I have said. There is no disposition on my part to occupy one

minute of time for the mere purpose of consuming time, and I will, to the best of my ability, cooperate with the gentleman to bring this matter to a speedy vote, but I am not prepared at this moment to say just how much time we require.

Mr. SAYERS. Will the gentleman agree that the vote be taken at 2 o'clock to-morrow?

Mr. CANNON of Illinois. I will agree that I will not ask the gentleman to call for a vote before 2 o'clock. [Laughter.]

Mr. CULBERSON. There are a few of us over here that want a little time.

Mr. CANNON of Illinois. The gentleman from New Hampshire also wants ten minutes, and quite a number of gentlemen over here want to be heard.

Mr. CULBERSON. I think we can get through by 2 o'clock.

Mr. CANNON of Illinois. I hope so; but there is a morning hour.

Mr. SAYERS. No; I am going to call up the report the first thing after the reading of the Journal.

Mr. CANNON of Illinois. I will agree to two hours and a half, this side to have an hour and the other side an hour and a half.

Mr. SAYERS. All right, sir. Mr. Speaker, I ask unanimous consent that the debate on this question may be limited to two hours and a half—one hour and a half to be used by those gentlemen who are opposed to the Senate amendments, and the remaining hour by those who are in favor of those amendments, the hour to be controlled by the gentleman from Illinois [Mr. CANNON], and the hour and a half by myself.

Mr. CANNON of Illinois. That is, two hours and a half to-morrow.

Mr. SAYERS. Perhaps the gentleman might be willing to go on now.

Mr. CANNON of Illinois. Oh, I will not go on now. It is quarter before 5.

The SPEAKER *pro tempore* (Mr. TARSNEY). The gentleman from Texas asks unanimous consent that, after two hours and a half of further debate, the previous question may be considered as ordered and a vote be taken on the pending proposition. Is there objection? The Chair hears none, and it is so ordered.

Mr. SAYERS. With the understanding that this conference report will be called up as soon as the Journal is read to-morrow, I will move that the House adjourn.

ENROLLED BILLS SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 2107) granting to the Northern Mississippi Railway Company right of way through certain Indian reservations in Minnesota;

Joint resolution (H. R. 217) to continue the provisions of existing laws providing temporarily for the expenditures of the Government;

A bill (S. 2303) to authorize the construction of a bridge across the Contentnea Creek at Grifton, Lenoir County, N. C., and establish it as a post-road; and

Joint resolution (S. R. No. 96) to extend the charter of the Maryland and Washington Railroad Company.

WINNEBAGO INDIANS IN MINNESOTA.

Mr. PICKLER, by unanimous consent, reported back favorably from the Committee on Indian Affairs the bill (H. R. 7731) for the relief of certain Winnebago Indians in Minnesota; which was referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

The motion of Mr. SAYERS was then agreed to; and accordingly (at 4 o'clock and 50 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. LOUDENSLAGER, from the Committee on Pensions: A bill (H. R. 6985) granting a pension to William Armstrong. (Report No. 1438.)

Also, a bill (S. 577) granting an increase of pension to Thomas M. Chill. (Report No. 1416.)

Also, a bill (H. R. 6461) to grant a pension to Mrs. Mary Button, of Arkansas, widow of Asa Button, deceased. (Report No. 1447.)

By Mr. HOUK, from the Committee on War Claims: A bill (H. R. 1512) for the relief of Slater and William Cowart, of Hamilton County, Tenn. (Report No. 1439.)

Also, a bill (H. R. 7802) for the relief of William Pickett, administrator of Jesse Pickett, late of Sequatchie County, Tenn., as found due by the Court of Claims under the act of March 3, 1883. (Report No. 1440.)

By Mr. BAKER of Kansas, from the Committee on Pensions: A bill (S. 2056) granting a pension to Ada J. Schwatka, widow of the late Lieut. Frederick Schwatka. (Report No. 1448.)

Also, a bill (H. R. 6663) granting an increase of pension to Mrs. Annie E. Colwell. (Report No. 1449.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

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

By Mr. HOUK: A bill (H. R. 7974) providing for the punishment of persons falsely making, forging, altering, or counterfeiting military and naval commissions or discharges or other public records for the purpose of defrauding the United States or deceiving the public, etc.—to the Committee on the Judiciary.

By Mr. TATE: A bill (H. R. 7975) to provide to whom contracts for carrying the mails shall be awarded—to the Committee on the Post-Office and Post-Roads.

By Mr. GROSVENOR: A bill (H. R. 7976) to repeal section 4901 of the Revised Statutes—to the Committee on the Judiciary.

By Mr. McMILLIN: A bill (H. R. 7977) to amend the internal revenue laws of the United States—to the Committee on Ways and Means.

By Mr. PENDLETON of Texas: A resolution asking for a special order providing for the consideration of a bill repealing all specific and differential duties on sugar—to the Committee on Rules.

By Mr. HUDSON: A resolution calling for a committee to ascertain the status of lands granted to railroads and other corporations—to the Committee on the Public Lands.

By Mr. BLACK of Illinois: A resolution directing the Committee on Coinage, Weights, and Measures to report to the House a bill providing for the proper use and avail of the silver in the Treasury, and asking the Committee on Rules to report a rule providing for the consideration of said bill—to the Committee on Rules.

By Mr. COGSWELL: A joint resolution (H. Res. 219) instructing the Secretary of War to return to the State of Massachusetts the flag of the Twenty-third Regiment of Massachusetts Volunteer Infantry—to the Committee on Military Affairs.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 7948) granting a pension to Aloysius Oberle, and the same was referred to the Committee on Pensions.

PRIVATE BILLS, ETC.

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

By Mr. BARTHOLDT: A bill (H. R. 7978) for the benefit of Martin W. Greene—to the Committee on Claims.

Also, a bill (H. R. 7979) for the benefit of Edward Lautenschlager—to the Committee on Claims.

By Mr. BELL of Colorado: A bill (H. R. 7980) granting an increase of pension to Alvin F. Kimball—to the Committee on Pensions.

By Mr. COOMBS: A bill (H. R. 7981) for the relief of Capt. John T. Bruen, of the State of New York—to the Committee on Claims.

By Mr. DURBOROW: A bill (H. R. 7982) for the relief of W. L. Clifford, a letter-carrier in the Post-Office Department of the United States—to the Committee on Claims.

By Mr. ENLOE: A bill (H. R. 7983) for the relief of Daniel Cupples, Claiborne Wilson, J. B. King, and R. A. Mitchell—to the Committee on Military Affairs.

By Mr. KIEFER: A bill (H. R. 7984) for the relief of Mrs. Celeste H. McCoy, widow of W. D. McCoy, deceased—to the Committee on Foreign Affairs.

By Mr. OATES: A bill (H. R. 7985) for the relief of R. R. Barrow, of Geneva County, Ala.—to the Committee on War Claims.

By Mr. TAYLOR of Indiana: A bill (H. R. 7986) to correct the military record of Christopher Bolin—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 7987) for the relief of the estate of James Campbell, deceased, late of Jackson County, Ala.—to the Committee on War Claims.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7988) for the relief of the Methodist Episcopal Church South, of Phoenix, Yazoo County, Miss.—to the Committee on War Claims.

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. BRODERICK: Petition of W. H. Griffith and 600 other

citizens of Kansas City, Kans., against appropriating public money for sectarian purposes—to the Committee on Indian Affairs.

By Mr. COFFEEN (by request): Petition of 100 American Railway Union members of Uinta County, Wyo., asking for impeachment proceedings—to the Committee on the Judiciary.

By Mr. ENLOE: Papers to accompany the bill for the relief of Daniels Cupples, Claiborne Wilson, J. B. King, and R. A. Mitchell—to the Committee on Military Affairs.

By Mr. JOHNSON of North Dakota: Petition of Samuel Moore and 54 other citizens of Grand Forks County, N. Dak., residing near Turtle River, asking that John R. G. Karlen be relieved of the contest now pending against his free claim, viz, the north-west quarter of section 8, township 154, range 51, and that he be allowed to prove up on said land—to the Committee on the Public Lands.

By Mr. MADDOX: Petition of William Hadaway, for a claim against the Government—to the Committee on War Claims.

By Mr. MEREDITH: Papers to accompany House bill 7966—to the Committee on War Claims.

By Mr. PENCE: Resolutions of the taxpayers of Rio Blanco County, Colo., urging that White River forest reservation be abolished or very materially reduced—to the Committee on the Public Lands.

Also, petition of the citizens of Colorado, for the impeachment of the Attorney-General of the United States—to the Committee on the Judiciary.

SENATE.

THURSDAY, August 16, 1894.

Prayer by Rev. J. H. MCARTY, D. D., of the city of Washington.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4605) granting chief justices of United States courts in Territories power to appoint commissioners to take proof in land cases, etc.; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCRAE, Mr. SOMERS, and Mr. ELLIS of Oregon managers at the conference on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7668) to authorize the St. Louis, Avoyelles and Southwestern Railway Company to bridge Bayou Des Glaisses and Atchafalaya River, in the State of Louisiana.

The message further announced that the House had passed the joint resolution (S. R. 101) providing for clerical assistance in the health office of the District of Columbia.

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

A bill (H. R. 7811) authorizing the El Reno Bridge Company to construct a bridge across the South Canadian River, between Blaine County, Okla., and the Wichita Indian Reservation;

A bill (H. R. 7839) to bridge the Newark Bay;

A bill (H. R. 7910) to amend "An act to provide for the inspection of live cattle, hogs, and the carcasses and products thereof, which are the subjects of interstate commerce, and for other purposes;" and

A bill (H. R. 7955) to perfect the title to a quarter section of land in the town of Yuma, Colo.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 387) to authorize the construction of a life-saving station at or near Rocky Point or East Marion, Long Island, New York;

A bill (H. R. 859) for the relief of B. D. Greene;

A bill (H. R. 6038) to repeal House resolution numbered 104, first session Fifty-first Congress, granting to Secretary of War a permit to license to use a pier at mouth of Chicago River; and

A bill (H. R. 6060) to amend section 4833, Revised Statutes, and for other purposes.

MEMORIALS.

Mr. ALLISON presented the memorial of Robert Lipton and sundry other citizens of Ida County, Iowa, and the memorial of H. G. Harshburger and sundry other citizens of Woodbine, Iowa,

remonstrating against the support of the Government in maintaining the present system of sectarian Indian education, etc.; which were referred to the Committee on Indian Affairs.

EXCLUSION AND DEPORTATION OF ALIEN ANARCHISTS.

Mr. HILL. I ask unanimous consent to call up for present consideration the bill (S. 2314) to provide for the exclusion and deportation of alien anarchists.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary proceeded to read the bill.

Mr. CALL. I do not wish to interfere with the Senator from New York, but this seems to be a very long bill, and it will probably occupy some time.

Mr. HILL. I will explain it to the Senator, if he will permit me just a moment.

This bill is virtually a report from a conference committee. The other House passed a bill to provide for consular inspection abroad. The Senate did not like that bill, and we substituted another measure. A conference committee was appointed, and we finally agreed upon this bill; but the conferees on the part of the House did not wish to have their bill killed, but wanted the principle of consular inspection to remain open and go over until the next session. We consented to allow that bill to remain in conference, they in the mean time agreeing that we should pass this bill here and send it to the House, when that body would concur in it.

Mr. CALL. If there is to be no debate, I will withdraw my objection.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary resumed and concluded the reading of the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

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

Mr. SHERMAN. When this bill or a similar bill was before the Senate the other day, on the motion of the Senator from New York there was a provision inserted that when any person had come into our country and had been naturalized, if it could be proven before the proper tribunal that he was not a man of good moral character, that he was not attached to the Constitution and principles of our Government, and was not disposed to the good order and happiness of the same, he should be deported. That language is omitted from this bill, and I do not see why it should not be contained in it.

Mr. HILL. By the provisions of this bill, in the first place, if an alien immigrant should be convicted of a crime and the judge should determine upon a further hearing that the person had been guilty of a crime involving moral turpitude, and that his presence in the country would be a menace to the Government and the peace and good order of society, he may be ordered deported. It was thought wise by the conference committee not to use the words "attached to the principles of the Constitution of the United States," as it left too much open. As the man is an alien, of course it is not expected that he will be attached to the principles of our Constitution. An alien who behaves himself in this country would not and could not be touched under this bill, and we do not propose to do it.

Mr. SHERMAN. I do not propose to offer an amendment—

Mr. HILL. The bill was very carefully considered by the committee.

Mr. SHERMAN. But it does seem to me that every person who has been admitted under our immigration laws ought to be required to stand by the declaration we require for admission; and if it be proven afterward that he is not a man of good moral character, that he is not attached to the principles of our Government, and is not disposed to the good order and peace of the same, he ought to be excluded.

Mr. HILL. We do not touch the citizen who is naturalized. We do not think it wise to go so far as that.

Mr. SHERMAN. I see no reason why persons who are brought into our country under our naturalization laws should not only prove at the time they are admitted that they come within its provisions, but that they should maintain that condition, or else be liable to be deported.

Mr. HILL. I will simply say, as has been said heretofore in regard to other bills, that it is a step in the right direction. Sooner or later we may adopt the idea, which is an entirely good one, of the distinguished Senator from Ohio, but it is a little too early to do it now.

Mr. CHANDLER. I wish to say that it was not deemed advisable by the committee to provide that every alien should be deported whom we would not be willing to naturalize and make a citizen of.

This bill was drawn in the Treasury Department, and has been