

communication from the Secretary of State in reference to the deliberations of the fishery commission, with accompanying documents.

The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. No. 109) defining the manner in which certain land scrip may be assigned, and located or applied by actual settlers, and providing for the issue of patents in the name of the locator or his legal representatives; and

A bill (S. No. 1277) to extend the jurisdiction of the district and circuit courts of the United States for the southern district of Florida.

HOT SPRINGS, ARKANSAS.

The House resumed the consideration of the bill to authorize the appointment of commissioners to determine claims, and for other purposes, at Hot Springs in the State of Arkansas.

Mr. BUTLER. I ask the gentleman in charge of the bill to let me state my views for a moment.

Mr. FULLER. Certainly.

Mr. BUTLER. I do not see how anybody is to be harmed except the United States. After years and years of litigation at last the Supreme Court declared the title of the United States in this reservation to be absolute. That may have been a wrong to the settlers or not; I do not know; but the property is now—or was till this commission was started; I do not know whose it is now—the property of the United States. If any portion of the improvements have been burned off, why they are not there to be paid for by the United States. The commission was to find out who had claims, and as soon as you established a commission to find out who had claims you found one thousand, two thousand, five thousand, everybody having claims.

Now, then, this bill proposes to take that water and distribute it just as far as pipes can carry it for the use of hotel-keepers and whoever chooses to use it. My view of it is that it should be kept within the power of the United States and not allowed to be distributed to anybody; that it should be kept for the purposes of the health of the whole people of the United States.

Mr. GAUSE. Will the gentleman allow me to ask him a question?

Mr. BUTLER. Certainly.

Mr. GAUSE. I would like to know what he would do with the water that flows out of those fifty-seven springs into a large creek unless it is distributed to the inhabitants on the reservation?

Mr. BUTLER. I will tell you what I would do with the water. I would have it so that there should be some control over it, and not pass a bill which allows everybody to put a pipe into the springs and carry it where he pleases; because the moment you do that you make a monopoly of it as against the people of the United States.

Mr. GAUSE. If the gentleman will allow me, I desire to say that I think he has misunderstood the meaning of the bill. It provides that anybody shall have the water under such conditions as the Secretary of the Interior shall see proper to impose and no more than he actually needs.

Mr. BUTLER. I do not know that anybody there got any more than that. If anybody has got more than he actually needs he has kept out of my sight. Nothing more than he actually needs! How much is that? Just exactly as much as may be needed for as large a hotel as he can build.

Mr. GAUSE. No; it is limited to forty tubs a day.

Mr. BUTLER. They are allowed to take forty tubs a day from this health-giving spring. Now, my belief is that it should be sacredly held by the Government and not given away to anybody. There was a company originally organized under this very bill who were to buy the whole of it, but that provision has been stricken out. But these springs belong to you.

Mr. GUNTER. I will state that the company to which the gentleman has referred did not propose either directly or indirectly to control the hot waters. The company was organized for the exclusive purpose of having the privilege of establishing cold-water conveniences, but they claimed no control over the hot water at the springs whatever.

Mr. BUTLER. Excuse me, Mr. Chairman, I am not mistaken as to that. I do not mean to antagonize my friend from Arkansas. They were to take control of all the cold water, which is more equable to the system than the hot water. I do not believe that there is so much cold water drunk at a hot-water spring that it requires a corporation with a capital of \$150,000 to peddle it out. There is a cat in this meal somewhere. I do not know where it is for I have seen nothing but the tip of its tail. But I hold that we should not deprive the thousands of men who served in the Army and who are now broken down by rheumatism—I never had the rheumatism myself and do not care about it—of the right to visit this place and derive the benefits of its waters. I trust that we shall keep it for them forever.

Mr. CRAVENS. There is no cat in the Senate bill.

Mr. BUTLER. I do not say a word about anybody's bill or any particular bill. My proposition is that we should not take up this bill in this way, dealing, as it does, with two or three million dollars' worth of public property without consideration by a committee and pass it in the House. I protest against this legislation from the Speaker's table. I have been here ten years and every job that has gone through during that time has gone through in this way. This bill bears a strong family resemblance to such bills. I do not mean to say that

any gentleman upon this floor is interested in it; I do not believe that any one here is, but I do believe that here is a property of the United States more valuable than its intrinsic value because it is more valuable than any property which you can buy upon God's footstool. It is proposed that you shall give it away to somebody.

Efforts have been made to induce you to give it away for years and years, and now it is proposed, without consideration by a committee or a report from a committee, to give it away. I have said my say, and I have nothing further to say.

The SPEAKER. The Chair desires to say that the bill is subject to the point of order that was made by the gentleman from Illinois [Mr. EDEN] in the first instance.

Mr. BUTLER. I move to refer it, I do not care to what committee; whichever is most appropriate.

Mr. GAUSE. What is the point of order?

The SPEAKER. The point of order was a good one, and was made in time by the gentleman from Illinois, [Mr. EDEN,] but he withdrew it.

Mr. GUNTER. The question of order was not made in time.

Mr. BUTLER. I made the point of order on the substitute as soon as it was read.

The SPEAKER. The point of order should be made upon the original bill. The moment the bill is taken up it is before the House for consideration. The gentleman understands that well enough.

Mr. SPRINGER. I move that the House do now adjourn.

Mr. STEPHENS, of Georgia. I wish to inquire of the Chair what will be the condition of this bill if the House now adjourns?

The SPEAKER. It will remain upon the Speaker's table.

The question was taken on Mr. SPRINGER'S motion; and on a division there were ayes 144, noes not counted.

So the motion was agreed to.

LEAVE OF ABSENCE.

Pending the announcement of the result of the vote upon the motion to adjourn, by unanimous consent leave of absence was granted to the following:

To Mr. BENEDICT, for ten days, on account of important business;

To Mr. EVANS, of Indiana, for ten days, on account of important business;

To Mr. HAMILTON, for one day; and

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

The result of the vote was then announced; and accordingly (at four o'clock and twelve minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions, &c., were presented at the Clerk's desk, under the rule, and referred as stated:

By the SPEAKER: The petitions of John G. Scherzer, of Philadelphia, Pennsylvania, and of Mrs. Anna H. Nones, of the same city, for pensions—to the Committee on Invalid Pensions.

By Mr. CUTLER: The petition of P. Lorillard & Co., against reducing the tax on tobacco—to the Committee of Ways and Means.

By Mr. FOSTER: The petition of J. B. Witter and others, that a pension be granted Joseph Johnson—to the Committee on Invalid Pensions.

Also, the petition of citizens of Ohio, against the passage of the bill establishing a board of fish commissioners—to the Committee on Commerce.

Also, a communication from J. C. Lee, United States attorney for the northern district of Ohio, relative to the compensation of United States district attorneys and their assistants—to the Committee on Expenditures in the Department of Justice.

By Mr. KIDDER: A paper relating to the establishment of a post-route from Medary, Dakota Territory, to Canby, Minnesota—to the Committee on the Post-Office and Post-Roads.

By Mr. RAINEY: The petition of Martha Riordan, for compensation for damages to lot 12, square 222, in Washington, District of Columbia—to the Committee for the District of Columbia.

By Mr. RICE, of Ohio: The petition of Charles Camper, for arrears of pension—to the Committee on Invalid Pensions.

By Mr. STEVENS, of Arizona: The petition of citizens of Arizona Territory, for an appropriation for the improvement of the navigation of the Colorado River—to the Committee on Commerce.

IN SENATE.

WEDNESDAY, May 29, 1878.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.

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

DECORATION DAY.

Mr. ANTHONY. To-morrow is set apart for the pious duty of decorating the graves of the brave men who have fallen in the defense of the Republic. In order that Senators may take part in this inter-

esting ceremony, I move that when the Senate adjourns to-day it be to meet on Friday next.

The motion was agreed to.

DISTRICT GOVERNMENT.

The PRESIDENT *pro tempore* appointed Mr. DORSEY, Mr. INGALLS, and Mr. BARNUM conferees on the part of the Senate upon the disagreeing votes of the two Houses on the bill (H. R. No. 3259) providing a permanent form of government for the District of Columbia.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in compliance with a resolution of the Senate of the 15th instant, a report on the subject of the appraisal of the property of Michael Fentenheime, at Pelican Point, Morris Island, South Carolina; which, on motion of Mr. HOAR, was referred to the Committee on Claims, and ordered to be printed.

MEMORIAL.

Mr. CAMERON, of Wisconsin, presented a memorial of the Legislature of Wisconsin, in favor of an appropriation for the improvement of the navigation of the Chippewa River; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. TELLER, from the Committee on Claims, to whom was referred the petition of James Vance and William Vance, of San Antonio, Texas, praying compensation for the use and occupancy of their property by United States military forces during the late war, submitted a report thereon, accompanied by a bill (S. No. 1335) for the relief of James Vance and William Vance.

The bill was read twice by its title, and the report was ordered to be printed.

Mr. COCKRELL, from the Committee on Claims, to whom was referred the bill (H. R. No. 4556) for the relief of F. W. Golladay, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

Mr. MORGAN, from the Committee on Claims, to whom was referred the bill (S. No. 984) for the relief of William H. Merritt, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the bill (S. No. 774) authorizing the Solicitor of the Treasury, by and with the consent of the Secretary of War, to cancel certain contracts for the sale of lots of land made at Harper's Ferry in the year 1869 by the United States, to resell the same, and sell or lease all other real estate and riparian rights now owned by the United States at Harper's Ferry, West Virginia, reported it with amendments, and submitted a report thereon; which was ordered to be printed.

Mr. HEREFORD, from the Committee on Claims, to whom was referred the bill (S. No. 786) for the relief of the Jeffersonville and Louisville Ferry Company, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. No. 615) for the relief of the estate of Mrs. Elizabeth Patterson, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

Mr. HARRIS, from the Committee on Claims, to whom was referred the bill (S. No. 1146) for the relief of Monroe Donoho, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

Mr. EATON, from the Committee on Foreign Relations, to whom was referred the bill (S. No. 566) in relation to the Venezuelan mixed commission, reported it with amendments.

Mr. HOAR, from the Committee on Claims, to whom was referred the bill (S. No. 210) for the relief of J. A. Stevenson, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. No. 503) for the relief of F. G. Schwatka, sr., submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

Mr. SARGENT, from the Committee on Naval Affairs, to whom was referred the memorial of David Hardie, passed assistant engineer, United States Navy, praying that the benefits of the acts of July 16, 1862, and July 15, 1870, may inure to his benefit, so as to allow him the benefit of his sea service in the line of promotion and that he may be placed on the retired list, submitted an adverse report; which was ordered to be printed, and the committee were discharged from the further consideration of the memorial.

He also, from the same committee, to whom was referred the bill (S. No. 632) for the relief of William H. Cornell, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

Mr. SARGENT. In the matter of the dismissal of Alexander Warner from the Brooklyn navy-yard, the Committee on Naval Affairs report back the testimony taken in the case with a report without recommendation, and ask to be discharged from its further consideration.

The report was ordered to be printed, and the committee were discharged from the further consideration of the subject.

BILLS INTRODUCED.

Mr. HOWE asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1336) to authorize the National Academy of Sciences to receive and hold trust funds for the promotion of sciences, and for other purposes; which was read twice by its title, and referred to the Committee on the Library.

Mr. McDONALD asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1337) to establish a board to be known as the Pacific Railroad commissioners, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. COKE asked, and by unanimous consent obtained, leave to introduce a joint resolution (S. R. No. 32) authorizing the Secretary of War to turn over to Governor Hubbard, of Texas, such tents, poles, and pins as he may require for the use of the volunteers of the State at their summer encampment; which was read twice by its title, and referred to the Committee on Military Affairs.

WILLIAM H. NESSLE.

Mr. MATTHEWS. I desire to have the bill (S. No. 482) for the relief of William H. Nessle, which is on the Calendar, recommitted to the Committee on Claims. I will say to the chairman of the committee that I do this after consultation with the member of the committee who reported the bill and upon the production of some statements that will probably affect the opinion of the committee. There will be no objection I presume to having the bill referred back.

The PRESIDENT *pro tempore*. The Chair hears no objection, and it is so ordered.

IMPROVEMENT OF COLUMBIA RIVER.

Mr. MITCHELL. I gave notice on Friday last that I desired to submit some remarks to the Senate upon an amendment which I propose to offer to the river and harbor bill. I now move that the Senate proceed to the consideration of the amendment I submitted for that purpose.

The PRESIDENT *pro tempore*. The Senator from Oregon according to notice asks the present consideration of the river and harbor bill for the purpose of submitting some remarks. Is there objection? The Chair hears none.

MILTON B. CUSHING.

Mr. HOAR. Will the Senator from Oregon yield to me to ask the consideration of the bill (H. R. No. 1918) for the relief of Milton B. Cushing, paymaster, United States Navy.

Mr. MITCHELL. If it leads to no discussion I have no objection. Mr. HOAR. I think it will lead to no discussion with a brief explanation. I move that the Senate proceed to the consideration of the bill, and I call the attention of the Senator from California [Mr. SARGENT] to it.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the accounting officers to cancel a charge of \$10,000 now upon the books of the Treasury Department against Milton B. Cushing, a paymaster in the Navy, which is based upon a certain requisition and receipt purporting to be made by him on and to Paymaster Henry H. Pangborn, and bearing date May, 2, 1866, the requisition being a fraud and forgery against him.

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

Mr. DAVIS, of West Virginia. I should like to ask the Senator from Massachusetts what is the particular cause of this measure? It is unusual relief, I notice.

Mr. HOAR. The bill is accompanied by a very brief report, but perhaps I can make a statement even briefer than the report.

This paymaster received a requisition made upon Paymaster Henry H. Pangborn. That requisition was receipted by Cushing, the paymaster for whose relief this bill is proposed, and transmitted to Pangborn. Cushing was informed that the form of his receipt was irregular, and was directed by Pangborn, whom he treated as his superior officer—he was his senior officer—to send him a new one in a different form, the old one being still outstanding. He sent a new one in blank by an officer in the Navy with a view of having the form corrected and the old one taken up. The messenger by whom he sent this new one was taken sick. I am not sure that he did not die; at any rate he was taken sick. The paper was transmitted, and instead of being used simply as a duplicate of the other and the other canceled, it was filled up fraudulently for \$10,000 and that \$10,000 was charged to Cushing, which ought to have been charged to the other paymaster, Pangborn. These facts have been found by three successive Auditors, and unanimously by the House Committee on Naval Affairs twice, (the bill has passed the House,) and now by the Committee on Naval Affairs of the Senate. The chairman of the Committee on Naval Affairs can answer any specific question better than I can.

Mr. DAVIS, of West Virginia. Is the bill reported from the Committee on Naval Affairs or the Committee on Claims?

Mr. HOAR. From the Committee on Naval Affairs.

Mr. SARGENT. The Fourth Auditor gave his opinion that the evidence was sufficient. We had the report of the Comptrollers and this of the Fourth Auditor, in his letter on file stating that he has no doubt of the correctness of the statement and that this relief ought to be

given. Cushing himself seems to be a very straightforward, excellent person. Advantage was taken of certain circumstances to compel him to give a duplicate receipt. I do not think there is any doubt of it. I do not believe there is any doubt in the mind of any man who has examined the case in either of the two committees of the fact that Cushing never received one cent of this money. He took some pains also to protect the Government by sending by the hands of Brown, another paymaster, the duplicate receipt to put into the hands of Pangborn and receive his original receipt in exchange. Brown was taken sick with small-pox at Pensacola and sent the papers to Pangborn, which gave him or his clerk McCoy an opportunity to practice the fraud, which was subsequently done. There is no doubt of the fact that the Government ought to relieve Cushing.

Mr. DAVIS, of West Virginia. I will ask one question. I do not know but that I agree to the bill upon the statement made; but as to the money, will the Government be a loser?

Mr. SARGENT. The recourse of the Government would be against the sureties of Pangborn. There were \$10,000 missing; there is no doubt about that. The committee believe that this money was taken either by Pangborn or by McCoy, his clerk, after the death of Pangborn, who died a few months afterward. That is the recourse of the Government, but the Government certainly does not desire to hold an officer responsible who is innocent, who did what he could to discharge his duty and really in obedience to the order of Pangborn who was his superior in rank.

Mr. DAVIS, of West Virginia. The motive of my question was to know if the committee traced the money to any party, whether now the Government has any relief whatever, and whether that question was considered by the committee and traced through?

Mr. SARGENT. Oh, yes, we traced the money so far as these circumstances which substantiate our theory. They exclude any other conclusion of fact. They amount to demonstration that the money was lost in the office of Pangborn, taken there by him or by his clerk. Of course the Government, against which no statute of limitations runs, has its recourse against the sureties on his bond, and I have no doubt, under the circumstances, that it will be able to maintain its case. But meanwhile this is simply for the relief of Cushing, who, on any theory of the case, ought to be relieved. I can say that I gave this case a great deal of examination, and I hesitated at first about it. I considered it for two or three months; I read the papers over and over again, and the evidence of any and all sorts calling for original evidence, and finally the opinion of the Fourth Auditor, to satisfy myself that Cushing had used due diligence, for that was the only point with me. I never did believe that he received any part of the money. The evidence on that was conclusive; but when he did send by another paymaster his receipt in blank as to the amount to be delivered and his own was to be taken up and that paymaster was taken sick with small-pox and sent this paper to Pangborn, I thought Cushing had probably exercised all the care which a careful, prudent business man could be expected to give, and the last reason against the relief disappeared. Thoroughly believing in its justice, I have concurred with the House report and recommended the passage of the bill.

The PRESIDENT *pro tempore*. The question is on the passage of the bill.

The bill was passed.

JOHN CLINTON.

Mr. BAILEY. I ask the Senator from Oregon to allow me to ask the present consideration by the Senate of House bill No. 430.

Mr. MITCHELL. Very well.

Mr. BAILEY. I move that the Senate proceed to the consideration of the bill (H. R. No. 430) for the relief of John Clinton, postmaster at Brownsville, Tennessee.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to place to the credit of the Post-Office fund, on money-order account, \$265.37; and the Auditor of the Treasury for the Post-Office Department to credit John Clinton, of Brownsville, Tennessee, in his account as postmaster, with this sum for money-order funds stolen from the post-office at Brownsville, Tennessee, while he was postmaster, but without fault or negligence on his part.

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

BENJAMIN E. EDWARDS.

Mr. THURMAN. The Committee on Private Land Claims has been pretty well crowded out this session, and I rise now, in the morning hour, to ask that two or three little bills, to which I think there will be no objection at all, reported by that committee, may be taken up. The first one is House bill No. 1119. If it gives rise to any discussion, I will give way to the Senator from Oregon.

Mr. MITCHELL. I yield to the Senator from Ohio, with the understanding that the bill will not lead to any discussion.

Mr. THURMAN. I move that the Senate proceed to the consideration of the bill (H. R. No. 1119) to confirm the title of Benjamin E. Edwards, his heirs, assigns, or legal representatives, to a certain tract of land in the Territory of New Mexico.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It confirms to Benjamin E. Edwards, his heirs, assigns, or legal representatives, the title to six

hundred and forty acres of land, situate in the Territory of New Mexico, being the tract of land located by virtue of a certificate numbered 444, of the second class, issued by the board of land commissioners for the county of Bexar and State of Texas, to one Andrew Flores, the 16th of August, 1847, and the same tract of land for which a patent was authorized to be issued by the act of the Legislature of the State of Texas entitled "An act to require the Commissioner of the General Land Office to issue patents for lands therein named," approved December 2, 1850, and which is more particularly described in the plat and field-notes accompanying the survey thereof, executed by R. S. Howard, deputy surveyor, and approved of by the district surveyor for the district of Bexar, on the 30th of November, 1849.

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

NANCY A. HERRICK.

Mr. MITCHELL. Mr. President—

Mr. THURMAN. Just one more bill, and then I will give way.

Mr. MITCHELL. Very well.

Mr. THURMAN. I move that the Senate proceed to the consideration of the bill (H. R. No. 1896) for the relief of Nancy A. Herrick, of Rochester, New York.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the proper officer of the Government to issue and deliver to Nancy A. Herrick, widow of J. F. Herrick, deceased, a patent in due form for the northeast quarter of section 13, in township 101, range 30, containing one hundred and fifty-one and sixty hundredths acres of land, at East Chain Lakes, Minnesota.

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

The bill was reported from the Committee on Private Land Claims with an amendment, to insert the following preamble:

Whereas Nancy A. Herrick, under and in virtue of the homestead laws, is entitled to a patent for the land hereinafter described; and

Whereas, under the circumstances of the case, the decision of the Secretary of the Interior, in 1874, that she was not so entitled, was and is erroneous: Therefore

The preamble was agreed to.

ADJUSTMENT OF PRIVATE LAND CLAIMS.

Mr. THURMAN. I wish to give notice that as soon as the legislative, executive, and judicial appropriation bill shall have been disposed of I shall ask the Senate to proceed to the consideration of the bill (S. No. 376) to provide for ascertaining and settling private land claims in certain States and Territories. I give the notice now because it is a very important measure, and the Senators from some of the Western States and those who take an interest in the question ought to give their attention to the subject when the bill comes up.

AWARD OF FISHERIES COMMISSION.

Mr. HAMLIN. I wish to say that so soon as the pending appropriation bill shall be disposed of, while I do not wish to antagonize the Senator from Ohio in the measure to which he has alluded, I certainly shall be obliged to ask the Senate to consider the bill (S. No. 1328) providing for the payment of the award made by the fisheries commission at Halifax, under the treaty of Washington, reported from the Committee on Foreign Relations. That is a matter which must receive the consideration of Congress at the present session, or we run the hazard of an extra session being called. There is certainly a greater necessity for action upon that measure than on the one to which the Senator from Ohio has alluded, and I trust the Senate, feeling its importance, will allow that bill to be considered immediately after the Senate shall have concluded its action upon the pending appropriation bill.

Mr. THURMAN. I shall not object to that.

POST-ROUTE BILL.

Mr. FERRY, (Mr. HOAR in the chair.) If the Senator from Oregon will allow me, inasmuch as the Senator from Ohio and the Senator from Maine have given notice of different bills to which they say they will call the attention of the Senate, I desire to give notice that I shall seek the earliest opportunity after the appropriation bill, if not antagonizing too forcibly the other Senators who have given notice, to call up the post-route bill, in which all Senators are interested, as well as the entire country.

IMPROVEMENT OF COLUMBIA RIVER.

Mr. MITCHELL. Mr. President, I trust I shall not be regarded as overzealous if once more I endeavor to attract the attention of the Senate, and especially the Committee on Commerce, to a subject of incalculable importance to the people of the whole Pacific Northwest. I refer to the great necessity for the vigorous prosecution of the construction of the canal and locks at the Cascades of the Columbia River. Never in the history of this or any other country was any natural highway, much less one of the grand proportions of the great Columbia, held so exclusively, so mercilessly, and so regardlessly of the rights of the people in the control of unyielding corporate rapacity and power as is that of the Columbia River.

Although draining an empire, and in more respects than one second to no river on the face of God's green earth, its waters have been from the time when white men first trod the rich valleys it traverses, and are to-day, the self-appropriated property of one corporation;

while its commerce is dictated and controlled by one company. Although for hundreds of miles its waters are deep, broad, grand, with a capacity ample for the accommodation of all the fleets that fill the Mississippi from its source to the sea, yet monopoly, taking advantage of the obstruction of five miles in the gorges of the Cascade Mountains, has seated itself in haughty imperiousness upon its banks, has taken possession of its waters, and with an arrogance born of utter indifference to the public welfare, and with but one end in view, and that self-aggrandizement, it issues its imperial ukase with as much nonchalance as ever did a Russian Czar. It defies competition; it laughs at opposition; it scorns all appeals; it preys upon the producers of Oregon, Washington, and Idaho with a relentless hand; and its exchequer overflows with revenues wrung from the people of the great Northwest through unreasonable and unconscionable freight and passenger exactions.

It levies a tribute unwarranted, exorbitant, unjust, upon the industries of the people; and while with one hand it sustains the commerce of an empire, with the other it smites it to the earth and paralyzes its very vitals; while with one hand it develops to some extent the industries of the country, with the other it grasps to its own exclusive benefit almost the entire products of those industries; while it makes it possible for the Pioneers of the Nation, struggling to establish homes on the broad prairies, in the fertile valleys, and on the green hillsides of the wilderness of the far West to succeed, it at the same time robs them of the legitimate fruits of their toil which, beyond a reasonable and just compensation for services rendered, instead of going to swell the private fortunes of the common carrier should rightfully go to the permanent establishment and the adornment of those homes, the erection of school-houses, the building of churches, the construction of roads, the establishing of manufactories, the education and culture of their children, with any surplus to their own private bank account as a competency for declining years.

It says to all attempts at competition "this river is mine; on its broad waters I have laid my pre-emption; my title-deed is of record; and for lo these many years I have been in exclusive possession from the mountains to the sea, and who is there now that shall have the audacity to dispute my right." That such a state of things should exist or be permitted to continue on the second river on this continent when the remedy is in the hands of this Government, and when the commerce of one-eighth of this nation, territorially considered, is in issue, is a reflection upon the wisdom, the statesmanship, the fidelity of Congress. And yet such is the fact in reference to the Columbia River. And that the Senate may fully comprehend the situation as it is, I desire to attract attention to a circular recently issued by the Oregon Steam Navigation Company, the corporation to which I have been alluding as having the supreme and undivided control of the commerce of the Columbia River; a fact only made possible by the circumstance of these obstructions to navigation at the Cascades of the Columbia River, and the construction by such company of a railroad on either side thereof, thus taking absolute control of this pass in the river where it bursts through the Cascade range of mountains.

I will state that the circular I am about to read was issued for the purpose of destroying a competing boat recently built and placed on the waters of the Upper Columbia; the only one, by the way, as I believe, that has had the temerity to attempt to dispute the right of the Oregon Steam Navigation Company to the exclusive use of these waters in the last fifteen years. It reads as follows:

CIRCULAR.

The following rules have been adopted by the Oregon Steam Navigation Company, to take effect on the 23d day of April, 1878:

First. This company will not take freight to carry to any point upon the Columbia or Snake River, above Celilo, except upon an agreement that it shall have the entire water-carriage of the same to its place of final destination, so far as the company's lines extend. The company, before receiving such freight, may require of the owner or shipper such agreement in writing, with surety or otherwise, which shall provide that if the terminus of the water-carriage of the shipment, or of any portion of the same, shall be falsely represented in the shipping receipt or otherwise and the freight shall, by direction of the owner, in said shipping receipt or otherwise, be landed before arriving at such terminus and shall be further carried upon steamboat or boats or vessels not belonging to this company, then the party to such agreement shall be held for and bound to pay to this company full freight for such further water-carriage at local rates, in the same manner as if this company had carried the same to the terminus of its water-carriage. And that such reshipment on another than a company's boat or vessel, within thirty days after a landing of the same as herein above stated from the company's boat or boats, shall be taken and held to be conclusive evidence that the terminus of water transportation of said freight was falsely represented and that the true terminus is the point to which it was finally carried. And said agreement shall contain a further stipulation that in case action is brought thereon and a recovery by the company had, the judge, justice of the peace, or court, before whom or which the action is tried, shall include in the amount of the judgment, as disbursements, such sum over and above the taxable cost as he or it shall determine to be reasonable attorney's fees for prosecuting said action.

Second. All down freight from points on the Columbia or Snake River, which is brought to Wallula, Umatilla, or Celilo, on any steamboat or other water-craft not belonging to this company, and is reshipped for further carriage by this company, will be charged the usual rates of the company, from the point of shipment upon such other steamboat or water-craft, which freight shall be paid in advance at the time of shipment.

This rule shall not apply to produce brought by the farmer or producer in his own boat to the said shipping points of Wallula, Umatilla, or Celilo.

S. G. REED,

Vice-President Oregon Steam Navigation Company.

Mr. President, was such a remarkable pronouncement ever issued by any common carrier on any river, canal, lake, ocean, railroad, or

wagon-road since the world began? I apprehend not; and I do not refer to it now in this connection because I for one moment entertain the thought that the Oregon Steam Navigation Company could in law much less in justice enforce any such doctrine as that enunciated in this circular, for they very clearly could not; but I refer to it for the purpose of showing the fact that this corporation regards itself as having the exclusive right to control the carrying trade on this great river, and to dictate its own terms, however harsh or severe, to the producers and shippers of that country. And while it may not be enabled in law to enforce the terms of this circular, that still, owing to these obstructions in the river and the firm footing this company has obtained by reason thereof along its entire navigable length of over five hundred miles, it has virtually absolute control of its waters and its commerce.

When the Northern Pacific Railroad bill shall have passed the House of Representatives if it shall pass as agreed to by the Senate, and under its provisions that company shall within the next two years have constructed its road around these obstructions at the Cascades and The Dalles, then and not till then shall the power of this monopoly be broken. But the commerce, the growing industries, the rapidly increasing population of the great North Pacific empire, demand and are entitled to more than mere competition by boats and cars. Never will justice be meted out to that deserving, enterprising, pioneer people until this Government, whose bounden duty it is, shall overcome these obstructions, so that boats from the greatest wheat centers of this continent in the wide, fertile, prolific basin of the Columbia, an extent of country unsurpassed in capabilities for production, shall be enabled to pass uninterruptedly without breaking bulk from the head of steam navigation to the sea. The agricultural, pastoral, mining, manufacturing, piscatorial, lumber, and commercial interests of the rapidly developing empire that separates the Rocky Mountains from the North Pacific Ocean unite with the social, political, and civilizing influences of this heroic and progressive age, as illustrated by a pioneer people in that pioneer country in demanding the speedy and thorough cleansing of this Amazon of North America from all obstructions, to the end that the millions of annual products of the world-famed valley of the Columbia may pass without interruption from the place of production to the sea.

But what is the character of this Columbia River monopoly, this commercial dictator to the internal commerce of the whole Pacific Northwest? What is the objection that with an almost unanimous voice is urged against it by the people who have established themselves upon these distant shores? Is it because the gentlemen composing this company are in any manner personally objectionable, or that they do not furnish suitable boats or proper accommodations for the traveling and freighting public? Not by any manner of means. On the contrary, the objection is simply this: their freight charges are unreasonable, burdensome, oppressive, and to an extent that paralyzes industries, obstructs commerce, retards immigration, circumscribes enterprise, palsies human energy, discourages capital, humiliates labor, inhibits manufactures; in a word, holds in absolute subserviency and complete subordination to personal advancement every element of commercial and business life and material prosperity of that section of our common country. And it is against this system of commercial oppression, of industrial bondage, and for relief from it that the people of Oregon, Washington, and Idaho to-day appeal to the General Government. And am I wrong in my estimate of the character of the exactions to which the people are subjected on this river? Let us consider briefly the facts. I hold in my hand a copy of the freight and passenger rates of that company that went into operation April 1, 1877, and which I believe are the present rates. It reads:

Oregon Steam Navigation Company, Upper Columbia River. Freight and passenger rates, to take effect April 1, 1877. Rates of freight per ton measurement.

Portland to Dalles, 121 miles.....	\$10 00
Portland to Umatilla, 217 miles.....	20 00
Portland to Wallula, 240 miles.....	25 00
Portland to Palouse, 317 miles.....	32 50
Portland to Penewawa and Almota, 348 miles.....	37 50
Portland to Lewiston, 401 miles.....	40 00

Fast freight \$2.50 per ton extra to The Dalles.

Fast freight \$5 per ton extra to all points above The Dalles.

Passenger charges:

Portland to Dalles.....	5 00
Portland to Umatilla.....	10 00
Portland to Wallula.....	15 00
Portland to Penewawa and Almota.....	18 00
Portland to Lewiston.....	20 00

All bills payable in United States gold coin.

That is to say, it costs to ship a ton of freight from Portland, Oregon, to Umatilla, a distance of 217 miles, via the Columbia River, \$20 in gold coin, or nine and one-fourth cents per ton per mile.

From Portland to Lewiston, Idaho Territory, a distance of 401 miles, it costs \$40 per ton, or ten cents gold coin per ton per mile.

Compare this for a moment with the cost of transporting a ton of freight by water from Chicago to New York, which is less than one cent or about nine and three-fifths mills per ton per mile.

Again, the freight charges on the Missouri River from Saint Louis to Fort Benton, a distance of thirty-two hundred miles, are only \$32 per ton; \$1 per ton for one hundred miles or one cent per ton per mile.

And in this connection the fact must not be lost sight of that the

Missouri River is one of the most dangerous and difficult streams to navigate on this continent; filled with eddies, quicksands, and constantly changing channels, yet freight on this dangerous river is carried for about one-tenth the price that rules on the Upper Columbia. And why is this so? Simply from the fact that the Missouri River is, as it should be, free to competition, open to all; while the Columbia is owned, ruled, and controlled by a single navigation company.

In other words, the cost of moving a ton of freight up the Columbia River is about ten times greater than moving a ton along any of the principal water-courses of this continent. But not only so, that which constitutes a ton by weight on the route from Chicago to New York, and from Saint Louis to Fort Benton, on the Missouri River, and on most other of the water-transportation routes in this country, constitutes on the Columbia River under their system of measurement of freight an average of more than one-third more, and in many instances, depending on the character of the freight, one-half, three-fourths, twice as much, three times as much, and in some instances ten times more.

How is this, it may be inquired? What is the explanation of this startling proposition? The conclusive answer is found in the fact that the Oregon Steam Navigation Company determine their freight by measurement and not by weight, as do other transportation companies; unless perhaps it may be such freight as iron and other freight of like heavy character, which they weigh because it is to their interest to weigh it. That is to say, a certain number of cubic feet, an arbitrary number, of course, measuring from projecting points of the article shipped and deducting nothing for vacuum, constitutes according to the rules of this company a ton. So that it is not unfrequently the case, as I am credibly informed, that an article weighing not over two hundred pounds constitutes a ton of freight; and on such an article the cost of transportation from Portland, Oregon, to Lewiston, Idaho Territory, a distance of four hundred miles, would be \$40, or at the rate of \$400 per ton according to weight, or at the rate of one dollar per ton per mile, determining the ton by weight—two thousand pounds.

To illustrate this phase of the situation more clearly, I quote an article in the Palouse Gazette, issue of May 7, 1878, a newspaper published at Colfax, Washington Territory. The article is headed, "The Oregon Steam Navigation Company; is it a grinding monopoly?" and reads as follows:

In the Daily Oregonian of April 12 appears a communication from S. G. Reed, vice-president of the above named company, discussing the question of "transportation and monopoly, comparative rates," &c. Mr. Reed complains that his company has been "grossly misrepresented by designing parties before the committee of Congress," also that it has been called a "grinding monopoly," and to have been guilty of robbing the people of Oregon and Washington in various ways, and he undertakes to argue away the wide-spread and deep dissatisfaction of the people east of the Cascades who have been subjected to the exaction of the Oregon Steam Navigation Company. People do not complain of the style of the steamboats and cars employed by that company in the carrying trade, or in the department of its officers, but in the exorbitant rates charged for their services.

This is the only question: does the Oregon Steam Navigation Company charge too much for its services? The almost unanimous voice of the people of eastern Oregon and Washington is expressed daily that it does, and there need be no wonder expressed by the vice-president that they pray to Congress or any other power for relief from the "grinding monopoly."

They are not so exasperated, but they could follow Mr. Reed through a calculation showing what interest or income the company has received on its investment, whether it is greater or less than upon farming operation; or upon similar investments in other States; this he does not do, but contents himself with a comparison of the tariffs of the Oregon Steam Navigation Company, the Oregon Central Railroad, and the river lines of the Willamette Valley.

Said comparison is deceptive, inasmuch as the Oregon Steam Navigation Company does not mean by the word ton what the other companies mean. Ordinarily a ton is two thousand pounds; with the Oregon Steam Navigation Company sometimes a box weighing two hundred pounds is called a ton, and, in order to make a ton comparison it is necessary to multiply the Oregon Steam Navigation Company's price by ten. On a box of that kind the freight to Lewiston would not be \$40 per ton, as the company calls it, and as other folks and transportation companies understand it, but \$400 per ton. A common riding-saddle, weighing fifteen pounds, under such exaggerating calculations, is charged \$2.50, or \$332 per ton; a little bunch of fruit-trees, weighing twenty-five pounds, brings at the rate of \$500 per ton; a parlor organ in box, weighing four hundred pounds, delivered at Lewiston, costs \$40, \$160 per ton by weight, and this rule of measurement holds with all dry-goods, groceries, provisions, furniture, &c. A small lot of machinery, which cost \$22 from San Francisco to Portland, was charged \$225 from Portland by the Oregon Steam Navigation Company's line. Special and more favorable rates are claimed by Mr. Reed for agricultural implements and machinery, but this also is delusive when compared with the rates of other transportation lines. Iron, bolts, &c., are taken by weight, because they bring more by weight than by measurement.

Mr. Reed lays great stress upon the fact that wheat, flour, oats, barley &c., are charged only \$8 per ton from points above Wallula to Portland, or at the rate of twenty-four cents per bushel. Now, in the name of our common humanity, is not this about all these products will bear? The cost of getting them to the river will average eight cents, which, added to above, gives an aggregate of thirty-two cents per bushel, to be deducted from the Portland price. The cost of raising a bushel of wheat, when it yields thirty bushels per acre, cannot be a cent short of forty cents, saying nothing of the interest upon farm capital, and adding this to the cost of transportation we have a total of seventy-two cents. How much can there be left after deducting cost of sacks, storage, wharfage, "rattage" and waste, to pay the up-river freights at from \$160 to \$500 per ton? Mr. Reed, the long suffering people wait your answer.

I also quote the following from the Walla Walla Union, a newspaper published at Walla Walla, Washington Territory. It reads as follows:

The Walla Walla Railroad received a locomotive a few days ago from New York, on which the charges were \$265; from Portland to Wallula the charges, per Oregon Steam Navigation Company, were \$541.

That is to say, the freight on this locomotive from New York to

Portland, Oregon, a distance of about four thousand miles if it crossed the continent, over twice that if it came around it, was \$265, while from Portland to Wallula by the boats of the Oregon Steam Navigation Company, a distance of two hundred and forty miles, the freight charges were \$541.

Mr. President, I might quote for hours from journals scattered all over the Pacific Northwest for the purpose of showing public sentiment in reference to this matter. Indeed, so thoroughly aroused and justly indignant were the people of Oregon, Washington, and Idaho at the issue of the recent circular to which I have asked attention, that with but a solitary exception, that of the Portland Oregonian, which is now generally regarded as the subsidized defender of this "grinding monopoly," its terms and the spirit that prompted it have been unqualifiedly and severely condemned by every public journal of all political parties of the Northwest.

Mr. President, when I first took my seat in the Senate, in March, 1873, I called the attention of the Senate to these facts, and to the great necessity of opening up the Columbia River to competition and free navigation by the construction of canal and locks at the cascades of that river. I then became a member of the Committee on Transportation Routes to the Seaboard, and in connection with Senator Casserly of California was designated a subcommittee to investigate and report upon the commercial interests of the States and Territories of the Pacific coast. Senator Casserly, shortly after the appointment of this subcommittee, resigned his seat in the Senate, and the work devolved upon me; and the full committee, in its report to the Senate of April 24, 1874, through Senator WINDOM, its chairman, used the following language:

THE PACIFIC COAST.

The investigations of the committee have, under the terms of the resolution by which it was created, been confined chiefly to questions relating to the transportation of the surplus products of the Western and Northwestern States of the interior to the seaboard. The committee have, however, felt that in treating of a subject so truly national in all its bearings the interests of the States of the Pacific coast should not be neglected. Senators MITCHELL, of Oregon, and Casserly, of California, were in June, 1873, appointed a subcommittee to investigate and report upon the commercial interests of that section of the country. Mr. Casserly having resigned his seat in the Senate in November, 1873, the duty has devolved chiefly upon Mr. MITCHELL.

The rapid development of the States of California and Oregon in population, in commerce, and in mineral and agricultural wealth is a matter of history, the truthful recital of which bears almost the impress of fiction. The resources of all that vast territory lying west of the Rocky Mountain range present possibilities the full development of which waits upon the means of transport to the sea-ports of the Pacific coast.

The value of the exports of gold and silver, breadstuffs, provisions, and other articles from California, Oregon, and Washington Territory during the year 1873 was as follows:

Breadstuffs	\$20,113,574
Gold and silver coin and bullion	14,490,977
All other articles	5,826,080
Total	40,430,631

The above statement does not, however, embrace the value of the commodities shipped from the Pacific States to the other States of the Union.

According to our annual statistics of foreign commerce for the year 1873, it appears that San Francisco was the third city of the Union in the value of domestic exports, New York being first and New Orleans second. And it also appears that San Francisco was the third city in the value of imports, New York being first and Boston second.

Wheat appears to be the chief exportable product of the Pacific coast. During the year 1873 the exports of wheat amounted to 18,235,708 bushels, this amount comprising 35 per cent. of the entire exports of wheat from the United States to foreign countries. It is estimated that the exports of wheat from Oregon during the year 1874 will amount to nearly 5,000,000 bushels, an increase of about 4,000,000 bushels since the year 1872. Oregon and Washington Territory also produce immense quantities of lumber and timber, and wool is becoming an important article of commerce in all the Pacific States.

The committee desire especially to call attention to the importance of improving that great natural highway of the Pacific coast, the Columbia River, with its principal tributary, the Willamette.

Portland is situated at the head of ship navigation. Improvements are required in the channel of the river below that city for sea-going vessels; also in the Columbia above the mouth of the Willamette, and in the Willamette above Portland for steamboat and barge navigation. The western part of the Territory of Idaho and the eastern part of the State of Oregon and of the Territory of Washington form one of the richest agricultural sections on the continent. The Columbia River is, at the present time, the only avenue of commerce from this region to the seaboard.

On the Columbia River there are two obstructions to navigation, consisting of rapids and falls; these are, first, The Dalles, fourteen miles in length, and, second, the Cascades, four miles in length.

Several years ago the Oregon Steam Navigation Company obtained a charter from Congress for the construction of portage railroads around these rapids, by which means that company now holds an absolute monopoly of the commerce of the Columbia between the seaboard and the territory east of the Cascade Mountains. No other persons or companies can engage in the business of transporting merchandise on the Columbia River. The freight charges imposed by this company are so burdensome as to stifle enterprise and prevent the legitimate development of commerce and agriculture. Wheat worth \$1.25 at Portland is worth but forty cents at Wallula, only two hundred and thirty miles distant by river.

For transporting a ton of merchandise from Portland to Umatilla, a distance of two hundred miles, a freight charge of \$25 is imposed. This is at the rate of twelve and a half cents (gold) per ton per mile. The freight charges on wheat from Wallula to Portland are \$6 per ton on regular boats, twice a week, and \$3 per ton on special boats.

The average rate of transport from Chicago to New York by the water-line is only 9.6 mills per ton per mile and the rate by all rail 12.1 mills. In comparison with these rates, the extortionate nature of the charges imposed on the Columbia River may be clearly appreciated.

The people of Oregon desire that the National Government, which has exclusive jurisdiction of all natural navigable streams, shall improve the rapids of the Columbia River by means of canals and locks so as to admit the passage of river steamers and barges. It is believed, also, that portage railroads can be constructed by the Government at a cost not exceeding \$300,000; and in view of the pressing

demand for the opening of free commerce on the Columbia River, this plan is thought to be the one which should be first adopted.

The required improvements of the Willamette and of the Columbia, below the mouth of the Willamette, consist in the removal of sand-bars by dredging and the construction of such works as may be necessary to maintain the required depth of water in the channel.

But aside from these improvements of such obvious necessity, the development of the State of Oregon and of the Territories of Idaho and Washington depends largely upon the completion of at least two mail-trunk railway lines connecting the State of Oregon and Washington Territory with the States east of the Rocky Mountain range.

To such main trunk lines numerous lateral lines would soon be constructed, reaching to all points and leading to that general development of the country which has followed the extension of the railway system throughout the interior and the Atlantic States.

The committee recommend that appropriations be made at the present session of Congress for surveys of the Cascades and Dalles of the Columbia River, and of the Willamette River, with a view to the improvements above indicated.

In pursuance of the recommendations contained in this report Congress at the same session made an appropriation for a survey of the Cascades and The Dalles, with a view of determining the practicability of the construction of canal and locks. This survey was made, and the War Department at the next session reported favorably and recommended an appropriation for the commencement of the work at the Cascades; and Congress at the session before the last made an appropriation of \$300,000 for that purpose. At the last session, owing to the presidential controversy monopolizing the whole time and attention of Congress, no river and harbor bill passed either branch of Congress. Much delay was occasioned in obtaining the right of way, suit for that purpose having been commenced by the United States against the Oregon Steam Navigation Company, at whose request the case was continued by the United States District court of Oregon. The House at this session has inserted \$75,000 in the river and harbor bill with which to continue the work.

The amount is entirely too small, and by every consideration of justice and economy should be increased. The estimate by the War Department for this year's appropriation is \$500,000, and it is for the purpose of increasing the amount named in the bill as it came from the House that I have submitted this amendment, which is to make the appropriation for this year \$300,000. There should not be the slightest hesitation upon the part of Congress in increasing this appropriation to this amount. It is no longer a question either as to the practicability of this work or its policy. The first has been fully determined, not only by the able and elaborate reports of the Engineers' department, which have received the approval of a military commission of engineers designated for that purpose, but by the Secretary of War himself, and the latter by Congress itself two years ago in appropriating \$300,000 with which to commence the construction of the work. Why should there be hesitation, then, in making promptly each year such appropriation as will enable the Engineer department to proceed with the speedy construction of the work? Until it is completed all money invested is as so much dead capital. Every consideration, therefore, of interest, economy, and true statesmanship would seem to require the completion of this work at the earliest possible period. If this spirit of domination, of exorbitancy, of self-interest, so dangerous to the best interests of the people, so at war with the material development and general prosperity of this vast region, can be destroyed and its remorseless heel lifted from the necks of the producer and shipper—if such a thing can be accomplished by the congressional knife, then with Macbeth, when contemplating the assassination of Duncan, we would say:

If it were done, when 'tis done then 'twere well
It were done quickly.

This great enterprise once completed, and the white wings of commerce no longer pinioned by the fetters of monopoly will move in graceful splendor over the magnificent waters of one of the most majestic rivers of the globe. Then will every industry be vitalized, every energy awakened, every hope animated. Then will capital abandon its hiding-place and bring its reasonable returns, and labor stimulated and encouraged its rightful recompense. Then will enterprise rear in conquering triumph its victorious banner as it moves on from conquest to conquest amid the undeveloped regions of the distant West; while the feet of human progress, with sandals no longer chained to the inertia of monopoly, shall keep step to the music of a new civilization and new life along the busy shores and through the extensive valleys of the great Columbia.

I move that the amendment to the river and harbor bill to which I have spoken be referred to the Committee on Commerce.

The motion was agreed to.

AMENDMENT TO POST-ROUTE BILL.

Mr. MERRIMON submitted an amendment, intended to be proposed by him, to the bill (H. R. No. 4286) to establish post-roads in the several States therein named; which was referred to the Committee on Post-Offices and Post-Roads.

AMENDMENT TO APPROPRIATION BILL.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (H. R. No. 4104) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1879, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

WOMEN AS LEGAL PRACTITIONERS.

Mr. SARGENT. I ask that the Senate proceed to the consideration of House bill No. 1077; it is only four or five lines.

The PRESIDING OFFICER, (Mr. ROLLINS in the chair.) The Senator from California asks that the Senate proceed to the consideration of House bill No. 1077. Is there objection?

Mr. WHYTE. I shall have to object.

Mr. SARGENT. Then I move that the Senate proceed to the consideration of the bill.

Mr. COCKRELL. What is the bill?

Mr. WHYTE. A bill allowing women to practice in the Supreme Court.

Mr. SARGENT. In five minutes Senators can vote the bill up or vote it down.

Mr. WHYTE. It is a new departure, and the bill will lead to discussion.

Mr. CONKLING. What is the title of the bill?

The PRESIDING OFFICER. The Secretary will report the title of the bill.

The SECRETARY. "A bill (H. R. No. 1077) to repeal certain legal disabilities of women."

Mr. CONKLING. Let the bill be read for information.

Mr. WITHERS. I call the attention of the Senator from California to the fact that the Senator from Ohio, [Mr. THURMAN,] who reported the bill, is not in his seat at present.

The bill was read.

Mr. SARGENT. I ask that my amendment to the bill be reported.

The PRESIDING OFFICER. The amendment will be reported.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and insert:

That no person shall be excluded from practicing as an attorney and counsellor at law before any court of the United States on account of sex.

Mr. SARGENT. I ask for the yeas and nays on taking up the bill, which will exhaust the morning hour, because I want to ascertain whether the bill can be considered or not. If Senators do not like the bill, let them vote it down, and let them discuss it if they please, but, at any rate, I want the bill considered.

The PRESIDING OFFICER. The Senator from California moves that the Senate proceed to the consideration of House bill No. 1077.

Mr. THURMAN. Is it expected within five minutes to dispose of that bill?

Mr. SARGENT. Not necessarily.

Mr. WHYTE. The legislative appropriation bill comes up at one o'clock.

Mr. SARGENT. I am not asking to set aside the appropriation bill. I am only asking that this bill may be considered.

Mr. THURMAN. I do not want the bill taken up until the chairman of the Judiciary Committee is here.

Mr. SARGENT. I am not responsible for the absence of the chairman of the Judiciary Committee. I insist on my motion.

Mr. THURMAN. Very well, let the yeas and nays be taken on proceeding to the consideration of the bill.

The PRESIDING OFFICER. On this question the yeas and nays are demanded.

The yeas and nays were ordered.

Mr. HAMLIN. I am willing to take up this bill at almost any time; but now, just three minutes before the morning hour shall expire, when the unfinished business will be in order before the roll call can be concluded, I certainly do not feel called upon to vote to take up this bill.

Mr. SARGENT. The Senator can vote as he sees fit. I wish to ascertain whether the bill has any more friends. I know it has one. I merely want this as a test vote, whether it has friends or not, and I hope Senators will vote on the question of taking it up or not, as they feel on the bill. Of course I understand that will exhaust the few minutes left of the morning hour, but that is not too much to give to the ladies who ask this privilege.

Mr. THURMAN. The Senator cannot make a test vote by saying that it shall be a test vote upon taking up this bill. There are plenty of reasons for not taking up this bill, without reference to the merits or demerits of the bill; and I protest that the Senator cannot make any test vote on the subject at all until he gets the bill up. When he gets the bill up then he can have a test vote.

Mr. SARGENT. I can have my own judgment whether it is a test or not. I ask that the yeas and nays be taken.

The question being taken by yeas and nays, resulted—yeas 26, nays 26; as follows:

YEAS—26.

Anthony,	Christiancy,	Matthews,	Sargent,
Blaine,	Ferry,	Mitchell,	Saunders,
Bruce,	Hoar,	Oglesby,	Teller,
Burnside,	Howe,	Paddock,	Voorhees,
Butler,	Kirkwood,	Patterson,	Windom.
Cameron of Pa.,	McDonald,	Plumb,	
Cameron of Wis.,	McMillan,	Rollins,	

NAYS—26.

Armstrong,	Conkling,	Harris,	Randolph,
Bailey,	Davis of Illinois,	Hereford,	Saulsbury,
Barnum,	Davis of W. Va.,	Hill,	Thurman,
Bayard,	Eaton,	Johnston,	Whyte,
Beck,	Eustis,	Maxey,	Withers.
Cockrell,	Grover,	Merrimon,	
Coke,	Hamlin,	Morgan,	

ABSENT—24.

Allison,	Dorsey,	Jones of Nevada,	Morrill,
Booth,	Edmunds,	Kellogg,	Ransom,
Chaffee,	Garland,	Kernan,	Sharon,
Conover,	Gordon,	Lamar,	Spencer,
Dawes,	Ingalls,	McCreery,	Wadleigh,
Dennis,	Jones of Florida,	McPherson,	Wallace.

So the motion to take up the bill was not agreed to.
Mr. SARGENT. I shall try it again some other time.

TIMBER CULTURE ON PUBLIC LANDS.

Mr. PADDOCK submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. No. 306) to amend section 2464 of the Revised Statutes, relating to the cultivation of timber on the public domain, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with the following amendments:

Section 1, line 10, strike out all after the word "acres" and down to and including the word "acres" in line 11, and insert in lieu thereof the words "or less."

Section 1, strike out all of lines 18 and 19.

Section 2, line 12, strike out the word "naturally" and insert in lieu thereof the words "or other lands."

Section 2, line 20, after the word "dollars," insert the words "if the tract applied for is more than eighty acres; and \$5 if it is eighty acres or less."

Section 2, line 27, after the word "cultivate," strike out the word "to" and insert in lieu thereof the words "and put in."

Section 2, line 28, between the words "and" and "fourth" insert the word "the."

Section 2, line 29, strike out all after the words "five acres" down to and including the word "subdivision," in the thirty-fourth line, and insert the words "all entries of less quantity than one quarter section shall be plowed, planted, cultivated, and planted to trees, tree-seeds, or cuttings in the same manner and in the same proportion as hereinbefore provided for a quarter section."

Section 2, line 37, after the word "such," strike out the word "timber" and insert in lieu thereof the word "trees."

Section 2, line 38, after the word "are" insert the word "so;" also, after the word "provided" insert the word "further."

Section 2, line 42, strike out the word "timber" and insert in lieu thereof the word "trees."

Section 2, line 50, after the word "of," strike out the word "timber" and insert in lieu thereof the word "trees."

Section 2, line 53, after the word "least," strike out the words "nine hundred" and insert in lieu thereof the words "six hundred and seventy-five."

Section 2, line 54, after the word "such," strike out all to the end of the section and insert in lieu thereof the words "tract of land."

Strike out all of section 3, and substitute the following:

That if at any time after the filing of said affidavit, and prior to the issuing of the patent for said land, the claimant shall fail to comply with any of the requirements of this act, then, and in that event, such land shall be subject to entry under the homestead laws, or by some other person under the provisions of this act; *Provided*, That the party making claim to said land, either as a homestead settler or under this act, shall give at the time of filing his application such notice to the original claimant as shall be prescribed by the rules established by the Commissioner of the General Land Office; and the rights of the parties shall be determined as in other contested cases.

And to amend title of the bill by striking out the title and inserting in lieu thereof the following substitute:

A bill to amend an act entitled "An act to encourage the growth of timber on the western prairies."

A. S. PADDOCK,
P. B. PLUMB,
L. F. GROVER.

Managers on the part of the Senate.

P. D. WIGGINTON,
T. M. PATTERSON,
FRANK WELCH.

Managers on the part of the House.

The report was concurred in.

PERSONAL EXPLANATION.

Mr. HAMLIN. I wish a moment of time of the Senate while I make a statement relating both to myself and to the Senator from California, [Mr. BOOTH;] I hardly know which is most interested.

The Senator from California, the other day, spoke to me and said he would be absent for a day or two, and asked me to pair with him upon the bill against the further retirement of greenbacks. I agreed to do so; and when the motion was made to take up that question I rose in my place and so stated and abstained from voting. Yesterday the Senator who sits behind me [Mr. DORSEY] said he was necessarily called from the Senate Chamber, that he did not want to lose his vote, and asked me if I would pair with him. I said "certainly," the fact that I had done so with the Senator from California having escaped my recollection entirely. So I did pair my vote with the Senator from Arkansas, and I did not vote, while I should have been paired, in justice, with the Senator from California. I hope that Senator will forgive me, for I assure him it was entirely from misrecollection.

Mr. BOOTH. I am very much obliged to the Senator from Maine for his statement, simply as it puts me right on the record. The explanation is entirely satisfactory, and I do not know, on the whole, but that the Nestor of the Senate ought always to pair against two. [Laughter.]

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. No. 4867) making appropriations for the support of the Army for the fiscal year ending June 30, 1879, and for other purposes;

A bill (H. R. No. 4200) relating to the national road in the State of Maryland, and to give consent of the United States to a certain act of the General Assembly of Maryland in relation to said road;

A bill (H. R. No. 4824) to amend section 3343 of the Revised Statutes, in relation to settlements of postmasters; and

A bill (H. R. No. 5052) to amend section 3335 of the Revised Statutes of the United States.

The message also announced that the House had concurred in the amendments of the Senate to the following bills:

A bill (H. R. No. 2132) to pay for clerical services and extraordinary expenses, under the seventh section of the act of August 18, 1856, in the Pawnee land district in Kansas;

A bill (H. R. No. 2176) granting an increase of pension to Mattie McTaggart, widow of the late First Lieutenant McTaggart, Seventeenth United States Infantry;

A bill (H. R. No. 4413) to provide for the free entry of articles imported for exhibition by societies established for encouragement of the arts or sciences, and for other purposes; and

A bill (H. R. No. 4425) to alter and amend a law of the District of Columbia relative to the inspection of flour.

The message further announced that the House had concurred in the amendment of the Senate to the second amendment of the House to the bill (S. No. 35) to repeal the bankrupt law.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDING OFFICER, (Mr. ROLLINS.) The morning hour has expired, and the Senate proceeds to the consideration of the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 4104) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1879, and for other purposes.

Mr. WINDOM. Mr. President, it may perhaps facilitate the consideration of the bill now before the Senate if I make a brief general statement with reference to it.

The total estimate for the legislative, judicial, and executive departments of the Government for the fiscal year ending June 30, 1879, is \$16,332,617.91. The total of the act for 1878 (the current year, ending June 30) was \$15,537,581.30. To that, however, there were added by various deficiency bills \$340,945.47, as appears by the following statement of deficiencies for current year already passed on account of items in the legislative, &c., bill:

For the Senate.....	\$52,546 65
For House of Representatives.....	43,096 52
For executive office—contingent.....	4,500 00
For collectors of internal revenue.....	20,000 00
For agents, surveyors, gaugers, &c.....	40,000 00
For detection, &c., for violation of internal-revenue laws.....	20,000 00
For temporary clerks, Treasury Department.....	14,500 30
For contingent, Treasury Department.....	22,900 00
For mints and assay offices.....	25,900 00
For miscellaneous, Pension Office.....	4,000 00
For Patent Office—photographing.....	40,600 00
For Patent Office—contingent.....	26,000 00
For Land Office—contingent expenses.....	15,000 00
For Surgeon-General's Office.....	11,902 00
	340,945 47

Making the total for the year 1878 of \$15,878,526.77. The total of this bill as reported from the Committee on Appropriations is \$15,564,942, being \$313,584.77 less than the appropriations for the current fiscal year. If there be any objection to the bill, I think it will be found that the appropriations are in many of their items too small rather than too large. I repeat the statement that it is \$313,584.77 less than the appropriation for the current year, and \$797,675.91 less than the amounts asked for by the Departments.

The bill is by no means as formidable as the several hundred amendments reported would indicate. The decision of half a dozen general questions will cover probably nineteen-twentieths of the important amendments to the bill as proposed by the Committee on Appropriations. I will mention a few of these general propositions. In the first place, the bill as it came from the House assumes to reduce the compensation and to dictate the number of employes of the Senate. Your committee, believing that the force of Senate employes is not too large nor the compensation greater than is necessary for the prompt and efficient transaction of the business, have recommended that the force of Senate employes and the compensation paid them be reinstated as they now exist.

This question was much discussed in the extended conferences of 1876, and again in 1877, and the present force and compensation are the results of that discussion. Your committee were the more ready to recommend this reinstatement from the fact that the Senate has always insisted upon its competency to decide all questions with reference to its own employes, and has always been quite ready to assume the responsibility for any extravagance either in numbers or in force.

The Committee on Appropriations have recommended a few changes in the force of the House employes, merely for the purpose of leaving open those questions to a committee of conference in case the House shall upon further consideration desire to change them. The Senate has always been quite ready to permit the House to settle such questions for itself, as it insists upon the right to settle similar questions relating to its own employes.

If the Senate shall agree with the committee on these points, the first six pages of the bill will require very little attention, because that is all there is on them.

I come now to the second general proposition. The House bill undertakes to reduce the expenditures for clerical service by regrading, or rather by degrading, the several classes of clerks in all the Departments and bureaus of the Government. This reorganization of the clerical force, or I think I might more properly describe it as the disorganization of the clerical force, extends through the entire bill. I can best illustrate what I mean by taking one or two of the bureaus. Take, for instance, the office of the Commissioner of Internal Revenue. On page 28 of the House bill, page 32 of the bill before the Senate as printed, there are at present twenty-five clerks of class 4, thirty clerks of class 3, forty clerks of class 2. The principle which pervades the bill is this: of the twenty-five clerks of class 4, the bill provides for only twenty; the thirty clerks of class 3, it reduces to twenty-two; the forty clerks of class 2, it reduces to thirty-two; and it then adds a similar number of clerks at \$1,000 each to make up for the reductions of the second, third, and fourth classes. The result, as we are informed by the heads of Departments and bureaus, is simply to disorganize their present clerical force and to very greatly reduce its efficiency. The committee believe that the present organization is much better, that the thousand-dollar clerks will be substantially useless in the Departments. We are so informed upon consultation with nearly all the heads of Departments and bureaus, and therefore we have recommended that the present number in their respective classes be reinstated and that the provisions for thousand-dollar clerks be stricken out.

If the Senate shall agree with us upon that proposition, they will dispose of a very large proportion of these numerous amendments. I do not know how many, but they are upon almost every page of the bill.

Mr. BECK. I hope the Senator from Minnesota will inform the Senate that the classification to be restored has been in force ever since 1853 under the reorganization then proposed by Mr. Hunter, of Virginia, and others, Mr. Hunter then being chairman of the Committee on Finance of the Senate.

Mr. WINDOM. I was about to state that—I am much obliged to the Senator, however, for suggesting it—the classification, as it has been restored by the committee, is of long standing—twenty-five years—and we believe it better to adhere to it. There is a remarkable unanimity of belief among the responsible heads of Departments and bureaus that the mode of reduction proposed by the House bill materially impairs the efficiency of the service. It is even worse than the iron rule of 10 per cent. reduction proposed two years ago. That merely shaved off the salaries of poorly paid officials. This proposes to accomplish the same thing by degrading men who have been promoted for efficiency and faithfulness, and thereby it demoralizes the entire clerical force. The small saving in expense will be much more than counterbalanced by the loss of efficiency.

Mr. DAVIS, of West Virginia. I would also remind the chairman, which he knows very well, that the salaries of clerks provided for in this bill as we amend it were fixed in 1853.

Mr. WINDOM. Certainly; the salaries of these various grades were fixed at that time.

Mr. BECK. I apologize to the Senator for interrupting him. I thought he had passed away from that subject.

Mr. WINDOM. No; I intended to mention it; but I am obliged to the Senator for calling my attention to it.

I want to say another thing on that point before I leave it: that in nearly all these bureaus and divisions the demand is for clerks of a higher grade. The members of the Committee on Appropriations will all bear me witness that we have very little application from any of them for clerks of the low grades, especially for clerks at a compensation of \$900 or \$1,000. Take the Comptrollers' offices, for illustration. The House bill has reduced the grades of their clerks very materially, and added thousand-dollar clerks. The business of the two Comptrollers' offices is to supervise the accounts that go through the six Auditors' offices, and they cannot make use of such clerks as can be secured for nine or ten hundred dollars. It would be very unsafe for the Government to do so. The duties of many of the clerks in these offices are more important and difficult than those of the judges in our State courts. The sums involved are many times greater and the questions of law and fact often much more intricate than those decided by the courts. The idea that such duties will be properly and safely performed by a man who can be employed for a thousand dollars a year is simply absurd. The same thing is true of all the Auditors' offices.

Take the Pension Bureau, and the Surgeon and Adjutant Generals' Offices, all of which have the settlement of questions relating to Pensions. An incompetent or dishonest clerk would cost the Government many times more than the salary of a good one. The questions decided in those offices require a kind of ability which cannot be secured for \$1,000 a year. In fact this is true of all the offices. It is impossible to secure the kind of service necessary to the faithful and efficient discharge of duty for anything like the sums proposed in these reduced grades.

There are one or two other general questions involved in the amendments. The House bill abolishes the Fourth and Fifth Auditorships, and transfers the duties of the Fourth to the Second Auditor, and of

the Fifth to the First Auditor. The Committee on Appropriations recommend that both of these auditorships be reinstated. Our reasons may be briefly stated.

These auditorships were established in 1817. They have remained unchallenged under all administrations from that time until now. I believe that when Mr. Chase was Secretary of the Treasury a committee was appointed for the purpose of investigating and reporting upon the organization of the Treasury Department. They reported unanimously that it was not advisable to disturb the present organization. In the annals of Congress for 1816 I find the following:

The President communicated a report, made in obedience to a resolution of the Senate, of the 20th of April last, requiring the Secretaries of the Departments to report jointly to the Senate, in the first week of the next session of Congress, a plan to insure the annual settlement of the public accounts and a more certain accountability of the public expenditure in their respective Departments, and the report was read. It is as follows.

The report is given in full, and is signed by James Monroe, Secretary of State; William H. Crawford, Secretary of the Treasury; George Graham, acting Secretary of War; B. W. Crowninshield, Secretary of the Navy. This commission report among other things:

That the primary and final settlement of all accounts be made in the Treasury Department, and that the organization of that Department be modified, so as to authorize the appointment of—

1. Four additional auditors.
2. One additional comptroller.
3. One solicitor.
4. That the mint establishment be placed under the direction of the Treasury Department.

It then proceeds to say:

According to the modification here recommended, the First Auditor will be charged with the settlement of the public accounts accruing in the Treasury Department.

Second Auditor will be charged with the settlement of all accounts relative to the pay and clothing of the Army, the subsistence of the officers, bounties and premiums, the recruiting service, and the contingent expenses of the War Department.

Third Auditor will be charged with the settlement of all accounts relative to the Army, the Quartermaster's Department, the Hospital department, and the Ordnance department. Both of these Auditors will keep the property account connected with those branches of service in the War Department, confided to them, respectively.

Fourth Auditor will be charged with the settlement of all accounts relative to the Navy Department. And the

Fifth Auditor will be charged with the settlement of all accounts relative to the State and Home Departments.

They say:

If the Department should be thus organized and vested with sufficient power to compel all officers employed in the collection or disbursement of the public money to render their vouchers and settle their accounts, the annual settlement of the public accounts will be insured, and a more certain accountability established in the respective Departments.

In conformity with this recommendation the present organization was adopted the following year, 1817, and five auditorships were established. They have been in existence ever since. In 1817 there were less than nine million people in this country, less than one-fifth of the present population. The aggregate receipts and expenditures of that year were \$43,553,659.60, and the receipts and expenditures of 1877 are \$410,536,084.47. The receipts and expenditures last year were nine times greater than the receipts and expenditures of the Government at the time this eminent committee found it necessary to establish five auditorships.

The total sums embraced in the accounts settled by the Fifth Auditor in 1877 were \$294,933,675.33, or six times greater than the entire receipts and expenditures of the Government at the time the five auditorships were established. And yet it is now deemed advisable by one branch of Congress to reduce the five auditorships to three, at a time when one of them settles accounts six times greater than the entire aggregate of receipts and expenditures when the five were deemed necessary by the Government in 1817. Your committee can discover no sufficient reason for this change, but very many why it should not be made.

The bill as it comes to us also changes the messengerships in the various Departments, striking down the messengers and appointing assistants instead, and also a number of pages in each of the Departments, in order to make up the deficiency created by abolishing the regular messengers. This is very much complained of by the Departments, the uniform testimony from all of them being that they have no use whatever for pages. Perhaps I might make an exception of one or two bureaus, but with the exception of one or two bureaus, the uniform testimony is that the pages cannot be used, and that under the present organization the messengers are very important. We have therefore reinstated the messengers as they stand under the existing law.

The watchmen and laborers in the Departments have been changed by lumping the sums appropriated for that purpose, instead of specifying the number and the salary. The experience of Congress has not been very favorable to appropriating lump sums for any Government service. The Committee on Appropriations believe it to be inexpedient, and they have restored the former plan. This comprises a very large number of the amendments.

The House also reduced the compensation of the laborers about the various bureaus and Departments. The committee were of opinion that the laborers were not overpaid, and that unless we proposed to commence at the other end of the line, and to reduce the salaries of

the Secretaries and of members of Congress, it was hardly worth while to shave off a few cents from the scanty compensation of the laborer.

The laborers are about the only men whose salaries are directly reduced by the House bill. Our own salaries are untouched. The Secretaries, Comptrollers, Auditors, heads of bureaus, and other prominent officials escaped the savage economy of the bill. Even the clerks and messengers were reduced in grade rather than directly in salary. It was mainly when the bill reached the laborers that it revealed in the economical delight of clipping a few pennies from their compensation.

The committee think a reputation for economy cannot be won in quite so small a way, and hence they recommend that the pay of the laborers be not reduced.

There are very few amendments that are not included among some of the general propositions I have named. We have, as I have already shown, reduced the appropriations very considerably, more than \$300,000 below last year. We have increased no salaries, excepting perhaps in one or two instances where it seemed to be extremely important. I remember but one. We have added very few clerks, and in no case except where the most extreme necessity was shown for it. I will say with reference to this increase of clerks that the House appropriated for thousand-dollar clerks in the Surgeon-General's Office and for an unlimited detail from the Army. On consultation with the Surgeon-General your committee became thoroughly convinced that this class of service is not of any use in that office, that the

kind of clerks necessary for the examination of claims that are presented under the pension laws cannot be procured for such pay, and the committee have recommended the addition of thirty-two clerks in the Pension Office. This conforms to the action of both Houses on the deficiency bill at the present session, when that additional number was provided for the balance of this fiscal year.

You will remember, Mr. President, that the Senate instructed the Committee on Appropriations to investigate the question and to report what additional force would be necessary to facilitate as much as possible the payment of pensions. The result of that investigation was that the addition of thirty-two clerks was made to the force of the Surgeon-General, to be classified as suggested by him. Acting upon what we believed to be the judgment of both Houses as expressed in that bill, the committee recommend the addition of thirty-two for the ensuing year, to be classified as they were in the deficiency bill.

I believe I have stated all the important amendments in the bill covered by these general principles, and I ask that the reading may proceed.

Mr. DAVIS, of West Virginia. Mr. President—

Mr. WINDOM. I ask permission of the Senate, before the Senator from West Virginia proceeds, to have printed in the RECORD a statement of the differences between the various items of appropriation in this bill and the bill for 1878, so that it may be readily referred to in conference or otherwise hereafter.

The statement is as follows:

Legislative bill.

Object.	Appropriated for 1878.	Estimated for 1879.	Recommended by Senate committee.	Comparison of bill as recommended by Senate committee with act for 1878.
Senate	\$739,081 80	\$721,049 50	\$711,809 50	\$27,272.30 less than act for 1878. Occasioned by short session.
Congressional Directory	1,200 00	1,200 00	1,200 00	
House of Representatives	2,000,930 00	1,971,066 66	1,984,424 00	\$16,506 less than act for 1878. Occasioned by short session.
Capitol police	33,700 00	33,700 00	33,800 00	\$100 increase for contingent expenses.
Public Printer	15,400 00	17,214 00	15,400 00	
Library of Congress and Botanic Garden	52,640 00	63,986 00	53,640 00	\$1,000 increase for improvements, repairs, &c.
Public buildings and grounds in District of Columbia	34,748 00	61,424 00	33,440 00	\$3,962 increase for additional watchmen and laborers on grounds.
Executive	73,000 00	79,640 00	98,064 00	\$25,064 increase on account of force heretofore detailed from Departments, and transfer of certain employes heretofore appropriated for under head of public buildings and grounds.
State Department	172,060 00	186,400 00	147,160 00	\$24,900 reduction by dropping Third Assistant Secretary and one chief of bureau, and reducing for fuel and other contingent expenses.
Treasury Department	2,671,941 50	2,735,471 00	2,462,239 50	\$209,702 reduction on account of official postage-stamps omitted and reduction in contingent expenses.
Internal-Revenue Office	4,024,410 00	4,263,410 00	4,643,410 00	\$19,000 increase over act for 1878, but \$61,000 less with deficiencies added for that year.
Independent Treasury	389,790 00	389,790 00	389,840 00	
Mints and assay offices	1,082,560 00	1,129,550 00	1,255,275 00	\$172,715 increase, of which \$169,400 is for mint at New Orleans; the balance for repairs at Carson and for wages of workmen, &c., at other mints.
District of Columbia	53,170 00	56,055 00	Omitted in this bill.
Government in the Territories	190,600 00	208,419 75	168,700 00	\$21,900 reduction in consequence of reducing per diem of members and contingent expenses of territorial Legislatures.
War Department	920,220 00	1,052,460 00	972,120 00	\$51,900 increase, of which \$40,800 is for Surgeon-General's Office; the balance is for stenographer, clerks in Ordnance, Commissary-General, and other bureaus.
Navy Department	123,990 00	157,410 00	130,990 00	\$7,000 increase; for several clerks to take the place of writers heretofore detailed.
Interior Department	1,544,040 00	1,692,820 00	1,601,600 00	\$57,560 increase, of which \$49,900 is for Pension Office; the balance for additional watchmen, five clerks in Land Office, &c.
Surveyor-generals and clerks	98,350 00	173,400 00	101,850 00	\$3,500 increase, of which \$2,600 is for Colorado and \$1,500 for New Mexico.
Post-Office Department	530,320 00	601,112 00	565,040 00	\$25,720 increase for law clerk, chief of inspection, additional clerks, and additional watchmen and laborers. The latter on account of additional rooms in basement.
Department of Agriculture	119,640 00	216,320 00	181,600 00	\$18,040 increase on account of labor, repairs and other contingent expenses, and \$5,000 for investigating history and habits of insects injurious to agriculture.
Department of Justice	127,750 00	141,860 00	127,100 00	Rent reduced \$4,000; two clerks added in office of Solicitor of the Treasury.
United States courts	415,700 00	393,700 00	297,200 00	\$18,500 reduction on account of omitting appropriation for United States courts in Utah Territory.
Court of Claims	33,340 00	34,940 00	32,840 00	\$500 reduction in contingent expenses.
Southern claims commission	51,200 00	This is a new item, having been heretofore a permanent appropriation.
Total	15,537,581 30	16,362,617 91	15,564,942 00	

Mr. DAVIS, of West Virginia. I have listened with attention to the remarks of the chairman of the Committee on Appropriations, and agree in the main with all that he has said. The Committee on Appropriations probably gave this bill as much attention as has been given to any bill that has been reported to the Senate for some time. It will be noticed that there are a great many amendments, probably a thousand, in the bill, when one or two principles that have been stated by the chairman cover the whole ground. For instance, the House has changed the compensation of nearly all the employes of the Senate, reducing it in almost all cases. The question whether or not the House has control over the Senate employes and ought to arrange their salaries being settled, that settles the question of salaries between the Senate and the House.

The Senate has since I have been here insisted and the House has conceded (and it is the reverse when the House has asked anything for its employes) that each House ought to regulate its own employes both as to number and compensation. The Committee on Appropriations in this case has followed the example that has been set previously, and has in this bill put the salaries just as they were the last session and previous sessions, with very slight, if any, exceptions. The committee also made some changes in the House employes so as to give the House control over the subject of regulating the salaries of their own employes, believing that it was their place, and not ours, to provide how the compensation for the House employes should be.

Now, when we come to employes in the different Departments, it

will be found that there are a great many changes, but one principle governs all, and that is, shall the salaries remain as they are now fixed by law and were fixed in 1853 and 1856 by the acts of those years both as to grades and as to compensation? The Appropriations Committee of the Senate has reinstated all the salaries and the employes as to number that were changed by the House, believing that the law as it now stands and as it has remained since 1853 and 1856 should stand. There may be changes which are necessary; but, if so, they ought to be made by investigation on the part of a committee appointed for that purpose, which would reduce all the salaries and arrange them in different form, and it ought not to be done on an appropriation bill.

There are some items in this bill that some portions of the committee disagreed upon, but they were generally compromised, and as a whole the bill is reported unanimously from the committee. There is generally no dissent; but there are items which standing on their own merits probably some of the committee would disagree to in the action of the majority of the committee. It will be found in many cases that there is a slight increase in clerical force. In every case I believe there were a large number asked for by the Departments that the committee declined giving. In some cases where ten were asked, only one would be given, and in that way these matters were compromised in the committee, or rather questions were taken in committee and amounts agreed upon.

The chairman has very well stated the general principles of the bill, and as there is nothing that I wish to say that I now think of I hope the bill as it comes from the committee, with the exceptions I have alluded to, will meet the concurrence of the Senate. I believe it is the best and the nearest to the right we can get.

Mr. WINDOM. I ask that the five-minute rule be applied to this bill, if there be no objection.

The PRESIDING OFFICER. Is there objection to the proposition of the Senator from Minnesota? The Chair hears none; and the bill will be considered under the five-minute rule. The Secretary will now read the bill; and the amendments reported by the Committee on Appropriations will be acted on as they are reached in their order in the reading of the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, section 1, line 15, to increase the total appropriation "for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate" from \$140,640 to \$178,030.

The amendment was agreed to.

The next amendment was, in line 18, to increase the item "for compensation of the Secretary of the Senate, including compensation as disbursing officer," from \$4,500 to \$4,896.

The amendment was agreed to.

The next amendment was, in line 20, to increase the item "for hire of horses and wagons for the Secretary's office" from \$600 to \$1,200.

The amendment was agreed to.

The next amendment was, in line 24, to strike out "and minute and journal clerk," and insert "financial clerk and enrolling clerk at;" and after "hundred," in line 25, to insert "and ninety-two;" so as to read:

Chief Clerk, \$3,000; and the additional sum of \$1,000 while the said office is held by the present incumbent and no longer; principal clerk, principal executive clerk, financial clerk, and enrolling clerk, at \$2,592 each.

The amendment was agreed to.

The next amendment was, after the word "each," in line 26, to strike out "financial clerk and three clerks, at \$2,250 each; librarian and," and insert "minute and journal clerk, librarian, and six clerks in the office of the Secretary of the Senate, at \$2,220 each."

The amendment was agreed to.

The next amendment was, in line 32, to increase the item "five clerks in the office of the Secretary of the Senate" from "\$2,000 each" to "\$2,100 each."

The amendment was agreed to.

The next amendment was, after the word "each," in line 32, to strike out "one clerk at \$1,800."

The amendment was agreed to.

The next amendment was, in line 34, to increase the item "for keeper of the stationery" from \$1,600 to \$2,102.40.

The amendment was agreed to.

The next amendment was, in line 37, to increase the item "assistant keeper of stationery" from \$1,400 to \$1,800.

The amendment was agreed to.

The next amendment was, in line 38, to increase the item "one messenger" from \$1,200 to \$1,296.

The amendment was agreed to.

The next amendment was, in line 39, to increase the item "four laborers in the office of the Secretary of the Senate" from "\$600 each" to "\$720 each."

The amendment was agreed to.

The next amendment was, in line 41, to increase the item "one special policeman" from \$1,200 to \$1,296.

The amendment was agreed to.

The next amendment was, in line 43, to increase the item "for secretary to the Vice-President" from \$1,800 to \$2,102.40.

The amendment was agreed to.

The next amendment was, in line 48, to increase the item "for clerk of printing records" from \$2,000 to \$2,220.

The amendment was agreed to.

The next amendment was, in line 52, after the word "Commerce" to strike out "and;" after "Judiciary" to insert "clerk to the Committee on Private Land Claims, and clerk to the Committee on Pensions;" and after "thousand," in line 54, to insert "two hundred;" so as to make the clause read:

For clerk to the Committee on Finance, clerk to the Committee on Claims, clerk to the Committee on Commerce, clerk to the Committee on the Judiciary, clerk to the Committee on Private Land Claims, and clerk to the Committee on Pensions, at \$2,220 each.

The amendment was agreed to.

The next amendment was, in line 57, to increase the item "for Sergeant-at-Arms and Doorkeeper" from \$4,000 to \$4,320.

The amendment was agreed to.

The next amendment was, in line 58, to increase the item "for assistant doorkeeper" from \$2,000 to \$2,592.

The amendment was agreed to.

The next amendment was, in line 59, to increase the item "acting assistant doorkeeper" from \$1,800 to \$2,592.

The amendment was agreed to.

The next amendment was, in line 62, to increase the item "three messengers acting as assistant doorkeepers" from \$1,200 each to \$1,800 each.

The amendment was agreed to.

The next amendment was, in line 65, to increase the item "assistant postmaster and mail-carrier" from \$2,000 to \$2,088.

The amendment was agreed to.

The next amendment was, in line 68, to increase the item "superintendent of the document-room" from \$2,000 to \$2,160.

The amendment was agreed to.

The next amendment was, in line 70, to increase the item "superintendent of the folding-room" from \$2,000 to \$2,160.

The amendment was agreed to.

The next amendment was, in line 73, after the words "for twenty messengers at one thousand," to insert "four hundred and forty."

The amendment was agreed to.

The next amendment was, after the word "each," in line 74, to insert "messenger to the Committee on Appropriations, to be appointed by the committee, at \$1,440."

The amendment was agreed to.

The next amendment was, in line 80, to increase the item "for chief engineer" from \$1,400 to \$2,160.

The amendment was agreed to.

The next amendment was, in line 81, before "assistant," to strike out "two" and insert "three," and after "thousand" to strike out "two hundred" and insert "four hundred and forty;" so as to read:

Three assistant engineers, at \$1,440 each.

The amendment was agreed to.

The next amendment was, in line 84, to increase the item "assistant engineer in charge of the elevator" from \$1,200 to \$1,440.

The amendment was agreed to.

The next amendment was, in line 85, to increase the item "for conductor of elevator" from \$1,000 to \$1,200.

The amendment was agreed to.

The next amendment was, in line 86, before the word "fireman," to strike out "three" and insert "two," and after the word "at" to strike out "nine hundred" and insert "one thousand and ninety-five;" so as to read:

Two firemen, at \$1,095 each.

The amendment was agreed to.

The next amendment was, in line 88, to increase the item "three laborers in the engineer's department" from "\$600 each" to "\$720 each."

The amendment was agreed to.

The next amendment was, in line 90, to increase the item "eight skilled laborers" from "\$840 each" to "\$1,000 each."

The amendment was agreed to.

The next amendment was, in line 91, to increase the item "for ten laborers" from "\$600 each" to "\$720 each."

The amendment was agreed to.

The next amendment was, before the word "laborers," in line 93, to strike out "ten" and insert "twelve;" so as to read:

Twelve laborers, during the session, at the rate of \$720 each, per annum.

The amendment was agreed to.

The next amendment was, in line 95, to increase the item "for one laborer in charge of private passage" from \$600 to \$840.

The amendment was agreed to.

The next amendment was, in line 97, to increase the item "Kate Dodson, in charge of the ladies' retiring-room," from \$600 to \$720.

The amendment was agreed to.

The next amendment was, in line 98, to increase the item "telegraph operator, during the session," from \$400 to \$600.

The amendment was agreed to.

The next amendment was, in the appropriations for contingent expenses of the Senate, in line 103, after the word "Senate" to insert

"and \$100 for postage-stamps for the Postmaster of the Senate;" so as to read:

For stationery and newspapers, (including \$5,000 for stationery for committees and officers of the Senate, and \$100 for postage-stamps for the Secretary of the Senate, and \$100 for postage-stamps for the Postmaster of the Senate,) \$14,600.

The amendment was agreed to.

The next amendment was, in line 106, after the word "at," to strike out "five" and insert "six," and in line 107, after the word "session," to strike out "\$16,335" and insert "\$19,602;" so as to make the item read:

For twenty-seven clerks to committees, at \$6 per day, during the session, \$19,602.

The amendment was agreed to.

The next amendment was, in line 110, before the word "pages," to strike out "ten" and insert "fourteen;" in line 113, after the words "rate of," to strike out "\$60 per month" and insert "\$2.50 per day each;" and after the word "employed," in line 114, to strike out "\$3,600" and to insert "\$6,717.50;" so as to make the item read:

For fourteen pages for the Senate Chamber, three riding pages, one page for the Vice-President's room, and one page for the office of the Secretary of the Senate, at the rate of \$2.50 per day each while actually employed, \$6,717.50.

The amendment was agreed to.

The next amendment was, in line 120, after the word "exceeding," to strike out "\$2.50" and insert "\$3," and after the word "employed," in line 121, to strike out "three thousand five hundred and four" and insert "four thousand;" so as to read:

For four folders, at not exceeding \$3 per day while actually employed, \$4,000.

The amendment was agreed to.

The next amendment was, in line 135, to increase the item "for packing-boxes" from \$500 to \$760.

The amendment was agreed to.

The next amendment was, in line 137, to increase the item "for miscellaneous items exclusive of labor" from \$15,000 to \$25,000.

The amendment was agreed to.

The next amendment was, in line 137, to increase the item "for cartage" from \$500 to \$600.

The amendment was agreed to.

The next amendment was, in line 138, to increase the total of the appropriations for fuel and oil for the heating-apparatus, furniture and repairs of furniture, packing-boxes, miscellaneous items exclusive of labor, and for cartage, from \$30,000 to \$40,360.

The amendment was agreed to.

The next amendment was, in line 150, to increase the appropriation for compensation of twenty-one privates on the Capitol police from \$1,000 to \$1,100 each, and, in line 152, to increase the total amount for compensation of the officers and privates of the Capitol police and six watchmen from \$31,600 to \$33,700.

The amendment was agreed to.

The next amendment was, in line 164, to increase the total appropriation "for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives" from \$188,100 to \$195,740.

The amendment was agreed to.

The next amendment was, in line 187, to increase the item for "four laborers" from \$600 each to \$720 each.

The amendment was agreed to.

The next amendment was, in line 189, to increase the item for "one telegraph operator" from \$400 to \$600.

The amendment was agreed to.

The next amendment was, in line 212, to increase the item for "one chief engineer" from \$1,400 to \$1,700.

The amendment was agreed to.

The next amendment was, in line 214, to increase the item for "one laborer" from \$600 to \$820.

The amendment was agreed to.

The next amendment was, in line 225, after the word "each," to insert "one folder in the sealing-room, \$1,200."

The amendment was agreed to.

The next amendment was, in line 231, to increase the item "for fourteen messengers on the soldiers' roll" from "\$1,000 each" to "\$1,200 each."

The amendment was agreed to.

The next amendment was, in line 233, after the word "for," to strike out "eighteen" and insert "eight messengers, at \$1,200 each; ten;" so as to read:

For eight messengers, at \$1,200 each; ten messengers, at \$1,000 each.

The amendment was agreed to.

The next amendment was, in line 235, to increase the item "seven laborers" from "\$600 each" to "\$720 each."

The amendment was agreed to.

The next amendment was, after the word "at," in line 260, to strike out "five" and insert "six," and after the word "session," in line 261, to strike out "twelve thousand six hundred" and insert "fifteen thousand one hundred and twenty;" so as to read:

For twenty-one clerks to committees, at \$6 per day during the session, \$15,120.

The amendment was agreed to.

The next amendment was, after the words "For labor in folding books, speeches, and pamphlets," in line 267, to strike out:

The following employes are hereby authorized to be appointed by the superin-

tendent of the folding-room, namely: One foreman, \$1,500; fifteen laborers, \$10,800; one messenger, \$1,200; one folder in the sealing-room, \$1,200; one page, \$500; one laborer, \$400; in all, \$15,600, in lieu of the sum heretofore appropriated in gross.

And insert in lieu thereof:

Twelve thousand two hundred and fifty dollars. And the following prices may be paid for folding books, pamphlets, speeches, and the daily RECORD, namely: For quarto volumes, not exceeding one cent per volume; for octavo volumes, not exceeding one-half cent per volume; for the daily RECORD, not exceeding \$1 per thousand; and for speeches, not exceeding \$1 per thousand.

The amendment was agreed to.

The next amendment was, in line 289, to increase the item "for packing-boxes" from \$2,000 to \$2,500.

The amendment was agreed to.

The next amendment was, in line 292, to increase the appropriation "for miscellaneous items of the House of Representatives" from \$20,000 to \$25,000.

The amendment was agreed to.

The next amendment was, in line 303, after the word "at," to strike out "\$60 per month" and insert "\$2.50 per day each," and in line 305, after "\$500," to strike out "seven thousand two hundred and twenty" and insert "eight thousand nine hundred;" so as to read:

For twenty-eight pages, while actually employed, (including one riding page and one telegraph-page,) at \$2.50 per day each, and for hire of horses, (\$500,) \$8,900.

The amendment was agreed to.

The next amendment was, under the head of "public printing," in line 310, to strike out "for chief clerk (whose appointment is hereby authorized,) \$2,000; two," and insert "four," and in line 312 to strike out "one clerk of class three;" so as to read:

For compensation of the Public Printer, \$3,600; four clerks of class 4; one clerk of class 2; one clerk of class 1; in all, \$13,400.

Mr. ANTHONY. I hope the Senate will not agree to the amendment which strikes out the provision establishing a chief clerk in the Public Printing Office. There is a clerk there who acts as chief clerk, but he is left only as a fourth-class clerk. He is the second officer in command of the establishment which disburses a million and a half of dollars and employs fourteen hundred people, and in the absence of the Public Printer he has charge of it. I think the salary ought to be \$2,500. This House provision only raises it to \$2,000. I hope the Senate will not concur in the amendment striking out that provision.

Mr. WINDOM. I believe, with the assent of the Committee on Appropriations, on the statement of the chairman of the Committee on Printing I will not insist on that amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Committee on Appropriations.

The amendment was rejected.

Mr. ANTHONY. Now, it will be necessary to amend in line 311 by striking out "four" and inserting "three," so as to read "three clerks of class 4."

Mr. WINDOM. That is agreed to.

The amendment was agreed to.

Mr. ANTHONY. It now reads:

For chief clerk, (whose appointment is hereby authorized,) \$2,000; three clerks of class 4, one clerk of class 3, and one clerk of class 2.

Mr. DAVIS, of West Virginia. May I ask the Senator how much that changes the gross amount of the appropriation?

Mr. ANTHONY. It increases the gross amount \$200.

Mr. DAVIS, of West Virginia. Only?

Mr. ANTHONY. Only.

Mr. WINDOM. The "one clerk of class 3" should be stricken out.

Mr. ANTHONY. No; it reduces a clerk of class 4 to class 3.

Mr. WINDOM. We ought not to keep in now the words "one clerk of class 3." That adds another clerk.

Mr. ANTHONY. No, there are now four clerks of class 4, and one of them is made chief clerk by this clause.

Mr. WINDOM. Then there should be but three.

Mr. ANTHONY. Then there are but three, and "one clerk of class three" remains.

Mr. WINDOM. The chief clerk now is included among the four clerks of class 4, and if we make a chief clerk and then strike down the number of clerks of class 4 to three, we have the same number of clerks that is now provided for in the bill. If we reinstate the "one clerk of class 3," we add one sixteen-hundred-dollar clerk to the bill, which the Senator from Rhode Island does not intend to do.

Mr. ANTHONY. I do not read the bill so. The House raised one clerk of class 4 to chief clerk and degraded one clerk of class 4 to class 3.

Mr. WINDOM. If the Senator wishes to make the number of fourth-class clerks only two, and then reinstate the clerk of class 3 and give a chief clerk, he will have the same number we proposed to give before; but if he leaves the three clerks of class 4 and then gives a clerk of class 3, that makes four clerks and the chief clerk makes five, whereas the design is to give but four clerks in these grades.

Mr. ANTHONY. Then let that be stricken out.

Mr. WINDOM. Has there been an amendment in line 313 changing the "four" to "six," Mr. President?

The PRESIDING OFFICER. Not yet.

Mr. DAVIS, of West Virginia. It should read \$13,600, instead of \$13,400, as the total for this item.

Mr. WINDOM. If that has not been done, I move to make the word "four" in line 313 "six." That makes the total amount to be appropriated \$13,600, to correspond with the other amendments just made.

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

The amendment was agreed to.

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

The Secretary continued the reading of the bill.

The next amendment of the Committee on Appropriations was, in line 346, to increase the appropriation for "improving" the Botanic Garden, "procuring manure, tools, fuel, and repairs, and purchasing trees and shrubs," from \$4,000 to \$5,000.

The amendment was agreed to.

The next amendment was, in line 360, after the word "thousand," to strike out "four" and insert "two;" in line 361, after the word "thousand," to strike out "five" and insert "three," and after the word "dollars," in line 361, to strike out the words "and the duties prescribed by section of the Revised Statutes No. 450 shall devolve upon and be discharged by one of the executive clerks;" so as to make the clause read:

For compensation to the following in the office of the President of the United States: Private Secretary, \$1,250; assistant secretary, \$2,250; two executive clerks, at \$2,000 each; stenographer, \$1,800; steward, at \$1,800; and messenger and usher, at \$1,200; in all, \$14,300.

The amendment was agreed to.

The next amendment was, in line 369, after the word "door," to insert "at \$1,400;" in line 371, after the word "dollars," to strike out "each;" and in line 373, after the word "thousand," to strike out "seven" and insert "nine;" so as to read:

For the following employes at the Executive Mansion, namely: for furnace-keeper, \$864; one night watchman, at \$900; one night usher, at \$1,200; two day ushers, one at the President's door, at \$1,400, and one at the door of the Secretary, at \$1,200; and two doorkeepers, at \$1,200 each; in all, \$7,964.

The amendment was agreed to.

The next amendment was, in line 376, after the word "for," to strike out "one clerk of class 4; one clerk of class 2; and one clerk of class 1," and insert "three clerks of class 3;" in line 379, after the word "thousand," to strike out "one" and insert "two;" and in line 381, after the word "thousand," to strike out "three" and insert "eight;" so as to read:

Also for the following additional employes for the executive office in lieu of those at present detailed from other Departments, namely: for three clerks of class 3; one telegraph operator, \$1,200; and four messengers, at \$1,200 each; in all, \$10,800.

The amendment was agreed to.

The next amendment was, in line 389, before the word "thousand," to strike out "five" and insert "seven;" so as to read:

For contingent expenses of the executive office, including stationery therefor, \$7,000.

The amendment was agreed to.

The next amendment was, in line 394, before the word "clerks," to strike out "nine" and insert "twelve;" in line 395, before "clerks," to strike out "four" and insert "five;" in line 396, to strike out "four clerks, at \$1,000 each;" before the word "clerks," in line 397, to strike out "ten" and insert "thirteen;" after the word "each," in line 397, to insert "one messenger, at \$840;" after the word "dollars," in line 399, to strike out "one page, \$480;" before the word "watchmen," in line 401, to insert "six;" and after "watchmen" to strike out "\$3,600;" before the word "laborers," in line 402, to insert "twelve;" after the word "laborers" to strike out "\$7,200;" in line 405, after the word "dollars," to strike out "firemen, \$4,320," and insert "six firemen, at \$720 each;" and after the word "all," in line 410, to strike out "eighty-seven thousand one hundred and forty," and insert "ninety-five thousand three hundred and sixty;" so as to make the clause read:

DEPARTMENT OF STATE.

For compensation of the Secretary of State, \$8,000; two Assistant Secretaries of State, at \$3,500 each; for chief clerk, \$2,500; twelve clerks of class 4; five clerks of class 3; ten clerks of class 1; and thirteen clerks, at \$900 each; one messenger, at \$840; assistant messenger, at \$720; one superintendent of the watch, at \$1,000; six watchmen; twelve laborers; chief engineer, who shall be a machinist, \$1,200; one assistant engineer, \$1,000; six firemen, at \$720 each; ten char-women, at \$180 each; and a conductor for the elevator, at \$720; in all, \$95,360.

The amendment was agreed to.

The next amendment was, in line 413, before the word "chiefs," to strike out "three" and insert "four," and in line 414, after the word "each," to strike out "eight thousand four" and insert "ten thousand five;" so as to read:

For four chiefs of bureau and one translator, at \$2,100 each, \$10,500.

The amendment was agreed to.

The next amendment was, in line 422, before the word "thousand," to strike out "three" and insert "five;" so as to read:

For extra clerk hire and copying, \$5,000.

The amendment was agreed to.

The next amendment was, in line 427, before the word "hundred," to strike out "two" and insert "five;" and in line 430, to strike out "two" and insert "five;" so as to read:

For contingent expenses, namely: For fuel, \$6,000; for lights, \$1,000; for repairs,

\$2,000; for care and subsistence of horses and repairs of wagons and harness, \$1,500; and for miscellaneous items, not included in the foregoing, \$2,000; in all, \$14,500.

The amendment was agreed to.

The next amendment was, in line 449, after the word "dollars," to insert "one chief of division of customs, at \$2,750;" in line 451, before the word "chiefs," to strike out "six" and insert "five;" in line 453, after the word "twenty" and before the word "clerks," to insert "three;" in line 456, after the word "Secretary," to strike out "one thousand eight hundred" and insert "two thousand;" in line 457, before the word "clerks," to strike out "fifteen" and insert "nineteen;" in the same line, before the word "clerks," to strike out "fifteen" and insert "eighteen;" in line 458, after the word "one," to strike out "ten clerks at \$1,000 each;" in line 459, before the word "female," to strike out "fifteen" and insert "twenty;" in line 460, before the word "messengers," to strike out "four assistant" and insert "eight;" after the word "and," in line 460, to strike out "for laborers, \$16,800," and insert "twenty-eight laborers;" in line 467, after the word "dollars," to strike out "for watchmen, \$36,000," and insert "sixty watchmen, at \$720 each;" in line 471, after the word "each," to strike out "firemen, \$4,320; four pages, at \$480 each," and insert "six firemen, at \$720 each;" and after the word "and," in line 475, to strike out "fifty-eight thousand one hundred and thirty" and insert "eighty-one thousand five hundred and sixty;" so as to make the clause read:

TREASURY DEPARTMENT.

Secretary's Office:

For compensation of the Secretary of the Treasury, \$8,000; two Assistant Secretaries of the Treasury, at \$4,500 each; chief clerk and *ex officio* superintendent of the Treasury building, \$2,700; one chief of division of warrants, estimates, and appropriations, \$2,750; one assistant chief of division of warrants, estimates, and appropriations, \$2,400; one chief of division of customs, at \$2,750; five chiefs of division, at \$2,500 each; six assistant chiefs of division, at \$2,000 each; twenty-three clerks of class 4, two disbursing clerks, at \$2,500 each; stenographer to the secretary, \$2,000; nineteen clerks of class 3, eighteen clerks of class 2, eleven clerks of class 1, twenty female clerks, at \$900 each; eight messengers; twenty-eight laborers; one captain of the watch, \$1,200; one engineer, \$1,400; one assistant engineer, \$1,000; one machinist and gas-fitter, \$1,200; one storekeeper, \$1,200; sixty watchmen, at \$720 each, and, additional to two of said watchmen, acting as lieutenants of watchmen, \$180 each; six firemen, at \$720 each, and seventy-five char-women, at \$180 each; in all, \$281,560.

The amendment was agreed to.

The next amendment was, after the word "thousand," in line 480, to insert "one hundred;" before the word "clerks," in line 481, to strike out "eight" and insert "ten;" before the word "clerks," in line 484, to strike out "four" and insert "six;" before the word "clerks," in line 485, to strike out "two" and insert "three;" after the word "one," in line 485, to strike out "five clerks, at \$1,000 each;" after the word "thirty," in line 486, to insert "five;" before the word "messengers," in line 487, to strike out "three assistant" and insert "six;" after the word "messengers," in the same line, to strike out "three pages, at \$4.80 each, and for laborers, \$7,200," and insert "six laborers, at \$720 each; and six laborers, at \$2.25 per day each;" and after the word "all," in line 492, to strike out "\$78,000" and insert "\$88,685.50;" so as to make the clause read:

For the consolidated division of loans and currency, namely: One chief of division, at \$2,500; two assistant chiefs of division, at \$2,100 each; ten clerks of class 4, and additional pay to three fourth-class clerks, namely, receiving clerk of bonds and two book-keepers, \$100 each; six clerks of class 3; three clerks of class 2; four clerks of class 1; thirty-five clerks, at \$900 each; six messengers; six laborers, at \$720 each; and six laborers, at \$2.25 per day each; in all, \$88,685.50.

The amendment was agreed to.

The next amendment was, after the word "thousand," in line 495, to insert "five hundred;" after the word "thousand," in line 497, to insert "two hundred and fifty;" in line 498, after the word "dollars," to insert "one principal clerk, at \$2,000;" in line 500, after the word "one," to strike out "one clerk, at \$1,000;" in line 502, before the word "messenger," to strike out "assistant;" and in the same line, after the word "all," to strike out "eighteen thousand two hundred and seventy" and insert "twenty thousand one hundred and forty;" so as to make the clause read:

Supervising Architect:

In the construction branch of the Treasury: For Supervising Architect, \$4,500; assistant and chief clerk, \$2,250; photographer, \$2,250; one principal clerk, at \$2,000; one clerk of class 4; two clerks of class 3; two clerks of class 1; one clerk, at \$900; and one messenger; in all, \$20,140.

The amendment was agreed to.

The next amendment was, in line 507, before the word "hundred," to strike out "five" and insert "seven;" in line 509, before the word "clerks," to strike out "seven" and insert "ten;" in line 510, before the word "clerks," to strike out "five" and insert "eight;" after the word "one," in line 510, to strike out "five clerks, at \$1,000 each;" in line 511, before the word "clerks," to strike out "five" and insert "six;" in line 512, before "messenger," to strike out "assistant;" after the word "and," in the same line, to strike out "for laborers, \$1,800," and insert "three laborers;" and after the word "all," in line 514, to strike out "fifty-eight thousand one hundred and twenty" and insert "sixty-three thousand seven hundred;" so as to make the clause read:

First Comptroller of the Treasury:

For First Comptroller of the Treasury, \$5,000; deputy comptroller, \$2,700; four chiefs of division, at \$2,100 each; four clerks of class 4; ten clerks of class 3; eight clerks of class 2; four clerks of class 1; six clerks, at \$900 each; one messenger and three laborers; in all, \$64,700.

The amendment was agreed to.

The next amendment was, in line 518, before the word "hundred," to strike out "five" and insert "seven;" in line 520, before the word "clerks," to strike out "four" and insert "six;" in line 521, before the word "clerks," to strike out "nine" and insert "thirteen;" in the same line, before the word "clerks," to strike out "ten" and insert "fourteen;" in line 522, after the word "one," to strike out "seven clerks, at \$1,000 each;" in line 523, before the word "clerks," to strike out "seven" and insert "nine;" in line 524, before the word "messenger," to strike out "assistant;" in the same line, after the word "and," to strike out "for laborers, \$1,800," and insert "three laborers;" and in line 525, after the word "all," to strike out "seventy-nine thousand and twenty" and insert "ninety thousand one hundred;" so as to read:

Second Comptroller of the Treasury:

For Second Comptroller of the Treasury, \$5,000; deputy comptroller, \$2,700; five chiefs of division, at \$2,100 each; six clerks of class 4; thirteen clerks of class 3; fourteen clerks of class 2; eight clerks of class 1; nine clerks, at \$900 each; one messenger, and three laborers; in all, \$90,100.

The amendment was agreed to.

The next amendment was, in line 532, before the word "clerks," to strike out "four" and insert "five;" in line 533, after the word "one," to strike out "three clerks, at \$1,000 each;" in line 534, before the word "messenger," to strike out "assistant;" and in line 535, after the word "all," to strike out "forty-nine thousand five hundred and seventy" and insert "forty-eight thousand four hundred and ten;" so as to make the clause read:

Commissioner of Customs:

For Commissioner of Customs, \$4,000; deputy commissioner, \$2,250; two chiefs of divisions at \$2,100 each; two clerks of class 4; five clerks of class 3; ten clerks of class 2; nine clerks of class 1; one messenger, and one laborer; in all, \$48,410.

The amendment was agreed to.

The next amendment was, before the word "chiefs," in line 540, to strike out "five" and insert "four;" before the word "clerks," in line 541, to strike out "four" and insert "two;" before the word "clerks," in the same line, to strike out "nine" and insert "six;" in line 542, before the word "clerks," to strike out "nine" and insert "seven;" in the same line, before the word "clerks," to strike out "fourteen" and insert "eleven;" after the word "one," in line 543, to strike out "six clerks, at \$1,000 each; three clerks, at \$900 each; two assistant messengers; one page, \$480; and for laborers, \$2,400," and to insert "one messenger; and two laborers," and after the word "all," in line 547, to strike out "seventy-nine thousand eight hundred and seventy" and insert "fifty-two thousand three hundred and thirty;" so as to make the clause read:

First Auditor:

For the First Auditor of the Treasury, \$3,600; deputy auditor, \$2,250; four chiefs of division, at \$2,000 each; two clerks of class 4; six clerks of class 3; seven clerks of class 2; eleven clerks of class 1; one messenger; and two laborers; in all, \$54,330.

The amendment was agreed to.

The next amendment was, to strike out after the word "dollars," in line 548, down to the end of line 561, in the following words:

And so much of sections of the Revised Statutes numbered 276 and 277 as authorizes the appointment and fixes the salary of a Fifth Auditor for the Treasury Department is hereby repealed, and the office is abolished and the President shall designate which of the two incumbents of the offices of the First and Fifth Auditor shall be retained under the provisions of this paragraph. And all acts and parts of acts now in force relating to and prescribing the duties of the same shall apply to the office of the First Auditor of the Treasury Department; and their fulfillment shall devolve on, and be performed under the direction of the incumbent of the said office, who shall be responsible for the same.

The amendment was agreed to.

The next amendment was, to strike out lines 562 to 566, in the following words:

And so much of the act of March 3, 1875, as creates the offices of deputy auditor in the offices of the Fourth Auditor and of the Fifth Auditor of the Treasury Department is hereby repealed; and the said offices of deputy auditors are hereby abolished.

The amendment was agreed to.

The next amendment was, in line 567, before the word "clerks," to strike out "two" and insert "three;" in line 568, before the word "clerks," to strike out "two" and insert "three;" after the word "one," in line 569, to strike out "and two clerks, at \$1,000 each;" and after the word "all," in line 570, to strike out "fourteen thousand" and insert "fifteen thousand four hundred;" so as to read:

For the division of loans, namely: three clerks of class 4, three clerks of class 3, two clerks of class 2, and two clerks of class 1; in all, \$15,500.

The amendment was agreed to.

The next amendment was line 574, before the word "chiefs," to strike out "seven" and insert "five;" in line 575, before the word "clerk," to strike out "seven" and insert "six;" in line 576, before "clerks," to strike out "thirty-two" and insert "twenty-eight;" in line 577, before the word "clerks," to strike out "fifty-seven" and insert "sixty;" in line 578, before the word "clerks," to strike out "thirty-nine" and insert "thirty-five;" after the word "one," in line 578, to strike out "nineteen clerks, at \$1,000 each; four clerks, at \$900 each; one assistant messenger; one page, at \$480; and for laborers, \$3,400," and insert "one messenger; and eight laborers;" and in line 583, after the word "and," to strike out "forty-two thousand four hundred" and insert "four thousand;" so as to read:

Second Auditor:

For Second Auditor, \$3,600; deputy auditor, \$2,250; five chiefs of division, at \$2,000 each; six clerks of class 4; twenty-eight clerks of class 3; sixty clerks of class 2; thirty-five clerks of class 1; one messenger, and eight laborers; in all, \$204,050.

The amendment was agreed to.

The next amendment was, to strike out from lines 584 to 597, in the following words:

And so much of sections of the Revised Statutes numbered 276 and 277 as authorizes the appointment and fixes the salary of the Fourth Auditor for the Treasury Department is hereby repealed, and the office is abolished; and the President shall designate which of the two incumbents of the offices of Second and Fourth Auditor shall be retained under the provisions of this paragraph. And all acts and parts of acts now in force relating to and prescribing the duties of the same shall apply to the office of the Second Auditor of the Treasury Department; and their fulfillment shall devolve on and be performed under the direction of the incumbent of the said office, who shall be responsible for the same.

The amendment was agreed to.

The next amendment was, in line 601, to strike out "twelve" before "clerks" and insert "fifteen;" before the word "clerks," in line 602, to strike out "fifty" and insert "sixty;" in line 603, after the word "one," to strike out "fifteen clerks at \$1,000 each;" before the word "clerks," in the same line, to strike out "ten" and insert "five;" in line 605, after the word "each," to strike out "and for laborers, \$3,600," and insert "four laborers at \$720 each;" and after the word "and," in line 608, to strike out "eighty-five thousand nine hundred and thirty" and insert "eighty-four thousand five hundred and ten;" so as to make the clause read:

Third Auditor:

For Third Auditor, \$3,600; deputy auditor, \$2,250; five chiefs of division, at \$2,000 each; six clerks of class 4; fifteen clerks of class 3; sixty clerks of class 2; thirty-five clerks of class 1; five clerks, at \$900 each; four laborers, at \$720 each; and one female laborer, at \$430; in all, \$184,510.

The amendment was agreed to.

The next amendment was, after line 610, to insert:

Fourth Auditor:

For the Fourth Auditor, \$3,600; deputy auditor, \$2,250; three chiefs of division, at \$2,000 each; two clerks of class 4; sixteen clerks of class 3; nine clerks of class 2; nine clerks of class 1; five clerks, at \$900 each; one messenger; and two laborers; in all, \$71,230.

The amendment was agreed to.

The next amendment was, after line 618, to insert:

Fifth Auditor:

For the Fifth Auditor, \$3,600; deputy auditor, \$2,250; two chiefs of division, at \$2,000 each; two clerks of class 4; six clerks of class 3; five clerks of class 2; six clerks of class 1; three clerks at \$900 each; one messenger; and one laborer; in all, \$41,510.

The amendment was agreed to.

The next amendment was, in line 632, before the word "clerks," to strike out "six" and insert "seven;" in line 634, before the word "clerks," to strike out "forty" and insert "fifty-two;" in the same line, before the word "clerks," to strike out "fifty" and insert "sixty-nine;" in line 635, before the word "clerks," to strike out "forty" and insert "fifty;" after the word "one," in line 635, to strike out "thirty-two clerks, at \$1,000 each; one assistant messenger; and for laborers, \$11,400," and insert "one messenger, nineteen laborers;" and in line 642, after the word "all," to strike out "two hundred and ninety-four" and insert "three hundred and twenty-four;" so as to make the clause read:

Auditor of the Treasury for the Post-Office Department:

For compensation of the Auditor of the Treasury for the Post-Office Department, \$3,600; deputy auditor, \$2,250; eight chiefs of division, at \$2,000 each; seven clerks of class 4, and, additional to one clerk as disbursing clerk, \$200; fifty-two clerks of class 3; sixty-nine clerks of class 2; fifty clerks of class 1; one messenger; nineteen laborers; twenty sorters of money-orders, \$20,000; also fifteen female sorters of money-orders, at \$900 each; ten char-women, at \$180 each; in all, \$324,270.

The amendment was agreed to.

The next amendment was, before the word "clerks," in line 656, to strike out "twenty-two" and insert "twenty-nine;" in the same line, before the word "clerks," to strike out "fifteen" and insert "nineteen;" in line 658, after the word "one," to strike out "eleven clerks at \$1,000 each;" in line 660, before the word "messengers," to strike out "six assistant" and insert "twelve;" after the word "messengers," to strike out "six pages, at \$480 each; and for laborers, \$15,000," and insert "twenty-six laborers, at \$720 each;" and in line 664, after the word "and," to strike out "seventy-four thousand four hundred" and insert "eighty-nine thousand;" so as to make the clause read:

Treasurer:

For compensation of the Treasurer of the United States, \$6,000; assistant treasurer, \$3,600; cashier, \$3,600; assistant cashier, \$3,200; chief clerk, \$2,500; five chiefs of division, at \$2,500 each; one principal book-keeper, at \$2,500; one assistant book-keeper, at \$2,400; two tellers, at \$2,500 each; two assistant tellers, at \$2,250 each; twenty-nine clerks of class 4; nineteen clerks of class 3; fifteen clerks of class 2; sixteen clerks of class 1; one hundred clerks, at \$900 each; twelve messengers; twenty-six laborers, at \$720 each; and seven laborers, at \$240 each; in all, \$289,080.

The amendment was agreed to.

The next amendment was, in line 673, before the word "clerks," to strike out "twenty-five" and insert "thirty-six;" in line 674, before the word "clerks," to strike out "twenty-four" and insert "thirteen;" in line 676, after the word "each," to insert "one messenger;" in the same line, before the words "assistant messengers," to strike out "three" and insert "four;" in line 677, after the word "messengers," to strike out "two pages, at \$480 each;" in line 678, before the word "employés," to strike out "three" and insert "two;" and in line 679, after the word "and," to strike out "fourteen thousand eight hundred and sixteen" and insert "seventeen thousand one hundred and eighty-four;" so as to make the clause read:

For the force employed in redeeming the national currency, namely: for superintendent, \$3,500; two principal tellers and one principal book-keeper, at \$2,500 each; one assistant book-keeper, \$2,400; and two assistant tellers, at \$2,000 each;

two clerks of class 4; four clerks of class 3; four clerks of class 2; thirty-six clerks of class 1; thirteen clerks, at \$1,000 each; twenty-six clerks, at \$900 each; one messenger; four assistant messengers; and two employes, at \$432 each; in all, \$117,184.

The amendment was agreed to.

The next amendment was, in line 685 before the word "clerks," to strike out "five" and insert "six;" in line 683, before the word "clerks," to strike out "five" and insert "six;" in line 689, before the word "clerks," to strike out "eight" and insert "ten;" in line 690, after the word "one," to strike out "four clerks, at \$1,000 each;" before the word "copyists," in line 691, to strike out "five" and insert "six;" after the word "each," in line 991, to strike out "one assistant messenger, and for laborers, \$1,800," and insert "one messenger and three laborers;" and in line 693, after the word "all," to strike out "fifty-five thousand two hundred and seventy," and insert "fifty-eight thousand eight hundred and fifty;" so as to make the clause read:

Register of the Treasury:

For compensation of the Register of the Treasury, \$4,000; assistant register, \$2,250; six clerks of class 4, one of whom shall receive \$207 additional for services as disbursing-clerk, and shall give bond in such amount as the Secretary of the Treasury may determine; six clerks of class 3; ten clerks of class 2; eight clerks of class 1; six copyists, at \$900 each; one messenger; and three laborers; in all, \$58,850.

The amendment was agreed to.

The next amendment was, in line 697, before the word "clerks," to strike out "seven" and insert "nine;" in line 698, before the word "clerks," to strike out "six" and insert "eight;" in line 699, after the word "one," to strike out "four clerks at \$1,000 each;" in line 700, after the word "fifty" and before the word "copyist," to insert "eight;" after the word "each," in line 701, to strike out "two assistant messengers; two pages, at \$480 each; and for laborers, \$2,400," and insert "four messengers, and four laborers;" and in line 704, after the word "all" to strike out "ninety-five thousand," and insert "one hundred and six thousand four hundred and forty;" so as to read:

For the division of loans, namely: five chiefs of division, at \$2,000 each; nine clerks of class 4; eight clerks of class 3; three clerks of class 2; four clerks of class 1; fifty-eight copyists and counters, at \$900 each; four messengers; and four laborers; in all \$106,440.

The amendment was agreed to.

The next amendment was, in line 709, after the word "thousand," to strike out "one" and insert "two;" in line 710, after the word "thousand," to strike out "five" and insert "eight;" in line 711, after the word "four," to strike out "additional to bond clerk, \$200;" in line 712, before the word "clerks," to strike out "nine" and insert "twelve;" in the same line, before the word "clerks," to strike out "seven" and insert "nine;" in line 713, after the word "one," to strike out "five clerks at \$1,000 each;" in line 714, after the word "twenty" and before the word "clerks," to insert "five;" after the word "each," in line 715, to strike out "two assistant messengers; one page, \$480; and for laborers, \$1,800;" and insert "three messengers, three laborers;" in line 718, after the words "night watchmen," to insert "at \$720 each;" and in line 719, after the word "all," to strike out "ninety-four thousand" and insert "one hundred and two thousand eight hundred;" so as to make the clause read:

Comptroller of the Currency:

For Comptroller of the Currency, \$5,000; deputy comptroller, \$2,800; four chiefs of division, at \$2,200 each; one stenographer, at \$1,800; eight clerks of class 4; twelve clerks of class 3; nine clerks of class 2; eight clerks of class 1; twenty-five clerks, at \$900 each; three messengers; three laborers; and two night watchmen, at \$720 each; in all, \$102,920.

The amendment was agreed to.

The next amendment was, in line 725, before the word "messenger," to strike out "assistant;" and in line 726, after the word "thousand," to strike out "two hundred and twenty" and insert "three hundred and forty;" so as to make the clause read:

For expenses of the national currency, namely: one superintendent, at \$2,000, one teller and one book-keeper, at \$2,000 each; and one assistant book-keeper, at \$2,000; fifteen clerks, at \$900 each; and one messenger; in all, \$22,340.

The amendment was agreed to.

The next amendment was, in line 734, before the word "messenger," to strike out "assistant;" and in line 735, after the word "thousand," to strike out "and twenty" and insert "two hundred and sixty;" so as to read:

Light-House Board:

For chief of the Light-House Board, \$2,400; two clerks of class 4; two clerks of class 3; one clerk of class 2; one clerk of class 1; one clerk at \$900; one messenger; and one laborer; in all, \$14,260.

Mr. SARGENT. After the word "chief," in the first line of the clause, the word "clerk" should be inserted. That is a typographical omission probably in line 730.

The PRESIDING OFFICER. The word "clerk" will be inserted. The question is on the amendment of the committee as thus modified. The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in line 739, before the word "clerks," to strike out "three" and insert "five;" in line 740, before the word "clerks," to strike out "four" and insert "six;" in the same line, before the word "clerks," to strike out "four" and insert "six;" in line 741, after the word "one," to strike out "four clerks, at \$1,000 each;" in line 742, before the word "copyists," to strike out "four" and insert "five;" in line 743, to

strike out "assistant" before "messenger;" and in line 745, after the word "all," to strike out "thirty-six thousand" and insert "forty-two thousand seven hundred and forty;" so as to make the clause read:

Bureau of Statistics:

For the officer in charge of the Bureau of Statistics, \$2,400; chief clerk, \$2,000; five clerks of class 4; six clerks of class 3; six clerks of class 2; four clerks of class 1; five copyists, at \$900 each; one messenger; one laborer; and one female laborer, at \$480; in all, \$42,740.

The amendment was agreed to.

The next amendment was, in line 749, before the word "thousand," to strike out "eight" and insert "twelve;" so as to make the clause read:

And for the additional duties imposed upon the Bureau of Statistics by the legislation of the second session of the Forty-third Congress, the sum of \$12,000, or so much thereof as may be necessary, is hereby appropriated, to be expended, under the direction of the Secretary of the Treasury, in payment of the services of experts, and for other necessary expenditures connected with the collection of facts relative to the internal and foreign commerce of the United States.

The amendment was agreed to.

The next amendment was, in line 761, before the word "clerks," to strike out "four" and insert "five;" in the same line, after the word "one," to strike out "one clerk, at \$1,000;" after the word "each," in line 762, to strike out "two assistant messengers and two pages, at \$480 each," and insert "four laborers;" and in line 765, after the word "thousand," to strike out "one hundred and fifty" and insert "eight hundred and thirty;" so as to make the clause read:

Bureau of Engraving and Printing:

For chief of bureau, \$4,500; one assistant, at \$2,250; accountant, \$2,000; one stenographer, \$1,500; one clerk of class 3; one clerk of class 2; five clerks of class 1; three copyists, at \$900 each; four laborers; in all, \$24,830.

The amendment was agreed to.

The next amendment was, in line 770, after the word "dollars," to strike out "seven" and insert "two heads of division, at \$2,500 each; five;" in line 773, before the word "hundred," to strike out "five" and insert "eight;" in the same line, after the word "twenty" and before the word "clerks," to insert "five;" in line 774, before the word "clerks," to strike out "twenty-two" and insert "thirty;" in line 775, before the word "clerks," to strike out "thirty-two" and insert "forty;" in the same line, before the word "clerks," to strike out "twenty-five" and insert "eighteen;" in line 776, after the word "one," to strike out "twenty-four clerks, at \$1,000 each;" in line 777, before the word "clerks," to strike out "forty" and insert "fifty;" after the word "each," in line 778, to strike out "two assistant messengers; two pages, at \$480 each; and for laborers, \$7,800," and insert "four messengers and ten laborers;" and in line 781, after the word "and," to strike out "forty-two thousand six hundred and fifty" and insert "fifty-three thousand four hundred and ten;" so as to make the clause read:

Commissioner of Internal Revenue:

For Commissioner of Internal Revenue, \$6,000; one deputy commissioner, \$3,200; two heads of division, at \$2,500 each; five heads of division, at \$2,250 each; one stenographer, \$1,800; twenty-five clerks of class 4; thirty clerks of class 3; forty clerks of class 2; eighteen clerks of class 1; fifty clerks, at \$900 each; four messengers; and ten laborers; in all, \$253,410.

The amendment was agreed to.

The next amendment was, in line 791, to increase the appropriation for salaries and expenses of collectors of internal revenue from \$1,800,000 to \$1,840,000.

The amendment was agreed to.

The next amendment was, in line 799, after the word "same," to insert "including payments for information and detection;" so as to read:

For detecting, and bringing to trial and punishment, persons guilty of violating the internal-revenue laws, or accessory to the same, including payments for information and detection, \$75,000; and the Commissioner of Internal Revenue shall make a detailed statement to Congress once in each year as to how he has expended this sum.

The amendment was agreed to.

The next amendment was, after the word "named," in line 806, to insert:

And the Secretary of the Treasury is hereby authorized to employ eight additional special agents in the customs service at a compensation not exceeding \$6 per day, in the discretion of the Secretary, and actual traveling expenses when actually employed in the duties of such agency.

The amendment was agreed to.

The next amendment was, in the miscellaneous appropriations for the Treasury Department, after the word "dollars," in line 823, to insert "and of this amount not more than \$500 may be used in the purchase of current publications;" so as to make the clause read:

For arranging and binding canceled marine papers, requisitions, and other important records; sealing ships' registers; for foreign postage, newspapers, books, hand-stamps, and repairs of the same, \$10,000; and of this amount not more than \$500 may be used in the purchase of current publications.

The amendment was agreed to.

The next amendment was, in line 837, in the appropriations for the Treasury Department, to increase the item, "for ice, buckets, file-holders, book-rests, labor, clerks, and repairs of the same," from \$5,500 to \$7,500.

The amendment was agreed to.

The next amendment was, in line 847, in the appropriations for the Treasury Department, to reduce the item "for carpets, oil-cloth, and

matting, and repairs, cleaning, and laying of the same," from \$15,000 to \$13,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the office of the assistant treasurer at New York, before the word "clerks," in line 887, to strike out "four" and insert "five;" so as to read:

Five clerks, at \$1,600 each.

The amendment was agreed to.

The next amendment was, in the same clause, before the word "clerks," in line 889, to strike out "ten" and insert "eleven;" so as to read:

Eleven clerks, at \$1,400 each.

The amendment was agreed to.

The next amendment was, in the same clause, in line 894, after the word "dollars," to strike out "assistant detective, \$1,400," and insert "two assistant detectives, \$1,400 each."

The amendment was agreed to.

The next amendment was, in line 900, to increase the total of the appropriations for the office of the assistant treasurer at New York from \$146,070 to \$150,470.

The amendment was agreed to.

The next amendment was, in line 928, after the word "dollars," to insert "one stamp clerk, \$2,400; after the word "at," in line 930, to strike out "seven hundred and twenty" and insert "one thousand;" and after the word "all," in line 931, to strike out "nineteen thousand six hundred and eighty" and insert "twenty-three thousand two hundred;" so as to make the clause read:

Office of assistant treasurer at San Francisco:

For assistant treasurer, \$5,500; for cashier, \$3,000; for book-keeper, \$2,500; for assistant cashier, \$2,000; for assistant book-keeper, \$2,000; one stamp clerk, \$2,400; for one clerk, \$1,800; for four watchmen, at \$1,000 each; in all, \$23,200.

The amendment was agreed to.

The next amendment was, in the appropriations for the office of assistant treasurer at Philadelphia, after the word "dollars," in line 943, to insert "fractional-currency clerk, \$1,600."

The amendment was agreed to.

The next amendment was, in the same clause, in line 945, after the word "dollars," to insert "one assistant registered-interest clerk, at \$1,400."

The amendment was agreed to.

The next amendment was, in the same clause, after the word "dollars," in line 949, to insert "superintendent of building, \$1,100."

The amendment was agreed to.

The next amendment was, in the same clause, in line 951, before the word "female," to strike out "two" and insert "seven;" so as to read:

Seven female counters, at \$900 each.

The amendment was agreed to.

The next amendment was, in line 953, to increase the total of appropriation for the office of assistant treasurer at Philadelphia from \$29,200 to \$36,900.

The amendment was agreed to.

The next amendment was, in the appropriation for the office of assistant treasurer at Baltimore, in line 958, before the word "clerks," to strike out "two" and insert "three," and in line 959, before the word "clerks," to strike out "two" and insert "three;" so as to read:

For three clerks, at \$1,800 each; for three clerks, at \$1,400 each.

The amendment was agreed to.

The next amendment was, in lines 963 and 964, to increase the total appropriation for the office of assistant treasurer at Baltimore from \$18,800 to \$22,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the office of assistant treasurer at Cincinnati, after the word "dollars," in line 988, to insert "fractional-currency clerk, \$1,000."

The amendment was agreed to.

The next amendment was, in line 992, to increase the total appropriation for the office of assistant treasurer at Cincinnati from \$13,760 to \$14,760.

The amendment was agreed to.

The next amendment was, in line 998, after the word "dollars," to insert "one clerk, \$1,000;" in line 1000, after the word "dollars," to strike out "one night watchman" and insert "two night watchmen;" after the word "dollars," in line 1001, to insert the word "each;" and after the word "all," in line 1002, to strike out "twelve thousand and ninety" and insert "thirteen thousand eight hundred and ten;" so as to make the clause read:

Office of assistant treasurer at New Orleans:

For assistant treasurer, \$4,000; cashier, \$2,250; receiving teller, \$2,000; book-keeper, \$1,500; one clerk, \$1,000; porter, \$900; one watchman, at \$720; two night watchmen, at \$720 each; in all, \$13,810.

The amendment was agreed to.

The next amendment was, in the appropriations for the office of the Director of the Mint, in line 1026, before the word "messenger," to strike out "assistant."

The amendment was agreed to.

The next amendment was, in line 1028, to increase the total appropriation for the office of the Director of the Mint from \$17,220 to \$17,460.

The amendment was agreed to.

The next amendment was, after the word "bullion," in line 1043, to insert:

But when the bullion received shall not, in the aggregate, be in such proportion of gold and silver as to admit of economical parting, or the necessary supplies of acids cannot be procured at reasonable rates, unported bullion may be exchanged for fine bars, as provided in section 3546 of the Revised Statutes of the United States.

Mr. WINDOM. The word on line 1047, "unported," should be "unparted."

The PRESIDING OFFICER. That correction will be made.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the appropriations for the mint at Carson, Nevada, after line 1093, to insert:

For replacing the boilers and enlarging and rebuilding the boiler-house, \$8,500.

The amendment was agreed to.

The next amendment was, in line 1104, in the appropriation for the mint at Denver, Colorado, to increase the item "for fuel, lights, acids, chemicals, crucibles, repairs, and other necessities," from \$3,000 to \$4,000.

The amendment was agreed to.

The next amendment was, in line 1106, to strike out "said mint at Denver" and insert "several mints and assay offices of the United States;" in line 1111 to strike out "said mint, as well as to the mints and assay office mentioned in said section," and insert "the several mints and assay offices of the United States;" so as to make the clause read:

And for the purpose of enabling the several mints and assay offices of the United States to make returns to depositors with as little delay as possible, the provisions of section 3545 of the Revised Statutes of the United States shall hereafter apply to the several mints and assay offices of the United States.

The amendment was agreed to.

The next amendment was, in line 1115, after the word "at," to strike out "said mint" and insert "the several mints and assay offices;" so as to read:

And the Secretary of the Treasury is hereby authorized to use, as far as he may deem it proper and expedient, for payment to depositors of bullion at the several mints and assay offices, coin certificates, representing coin in the Treasury, &c.

The amendment was agreed to.

The next amendment was, in line 1123, after the word "at," to strike out "said mint" and insert "the several mints and assay offices;" so as to read:

And it shall be lawful to apply the moneys arising from charges collected from depositors at the several mints and assay offices pursuant to law, to defraying the expenses thereof, including labor, material, wastage, and use of machinery.

The amendment was agreed to.

The next amendment was, in line 1127, after the word "made," to insert "for the mints and assay offices respectively," and in line 1128, after the word "mint," to insert "and assay offices;" so as to read:

And only so much of the appropriations herein made for the mints and assay offices respectively shall be used for said mint and assay offices as shall be necessary for the operations of the same, after the moneys arising from the charges aforesaid shall have been exhausted as herein provided.

The amendment was agreed to.

The next amendment was, in line 1132, after the word "mint," to insert "and assay office;" so as to read:

But in no event shall the expenditures of said mint and assay office exceed the amount of the specific appropriations herein made for same.

The amendment was agreed to.

The next amendment was, in the appropriations for the mint at New Orleans, Louisiana, in line 1158, after the word "dollars" to insert "each;" so as to read:

Weigh clerk, deposit clerk, and book-keeper, at \$1,600 each.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 1167, to insert:

Provided, That before the expenditure of any money for the mint at New Orleans, the city of New Orleans shall release and quitclaim to the United States all title and all claim of every character and all conditions of forfeiture to the lands and premises upon which said mint is located.

The amendment was agreed to.

The next amendment was, in line 1175, after the word "melter," to strike out "one thousand eight hundred" and insert "two thousand;" in line 1176, after the word "clerk," to strike out "of class one" and insert "one thousand five hundred dollars;" and after the word "all," in line 1177, to strike out "five thousand five hundred" and insert "six thousand;" so as to make the clause read:

Assay office at Helena, Montana:

For salaries of assayer in charge, \$2,500; and of melter, \$2,000; and one clerk, \$1,500; in all, \$6,000.

The amendment was agreed to.

The next amendment was, in line 1179, to increase the appropriation for "wages of workmen" in the assay office at Helena, Montana, from \$3,400 to \$5,000.

The amendment was agreed to.

The next amendment was, in the appropriations for the assay office at Boise City, Idaho Territory, in line 1190, to increase the item "for

wages of workmen, fuel, crucibles, chemicals, and repairs, and other incidental expenses," from \$2,000 to \$2,500.

The amendment was agreed to.

The next amendment was, before the word "dollars," in line 1196, to strike out "two hundred and fifty" and insert "five hundred;" and in the same line, after the word "all," to strike out "two thousand seven hundred and fifty" and insert "three thousand;" so as to make the clause read:

Assay office at Charlotte, North Carolina:

For salary of assayer in charge, \$1,500; and the assayer is hereby authorized in case of necessity to employ a clerk at not exceeding \$1,000 per annum; for labor and other expenses, \$500; in all, \$3,000.

The amendment was agreed to.

The next amendment was, under the head of "Government in the Territories," after the word "That," in line 1200, to strike out "the councils of each of the Territories of the United States shall not exceed nine members, and the houses of representatives of each shall not exceed eighteen members, and;" before the word "shall," in line 1206, to strike out "they;" and after the word "provides," in the same line, to strike out "Provided, That" and insert "and;" so as to make the clause read:

The members of each branch of the several territorial Legislatures shall receive a compensation of \$4 per day each during the sessions provided for by law, and shall receive such mileage as the law provides; and the president of the council and the speaker of the house of representatives shall each receive \$6 per day for the same time.

The amendment was agreed to.

The next amendment was to strike out from lines 1209 to 1223, in the following words:

And the governors of each of said Territories are hereby authorized and directed, prior to the next election for members of the Legislature thereof, to divide their respective Territories into as many council and representative districts as they are herein entitled to, which districts shall be as nearly equal as practicable, taking into consideration population, except Indians not taxed: *Provided*, that any of the Legislatures which may meet before said next election may make the said districts and apportionment: *And provided further*, That the Legislative Assemblies respectively of said Territories may readjust and apportion the representation of the two houses thereof among the several counties and districts in such manner, from time to time, as they may deem just and proper; but the members of either house as authorized herein shall not be increased, and all parts of sections 1847, 1849, 1853, 1923 of the Revised Statutes, in conflict with the provisions herein, are hereby repealed.

And in lieu thereof to insert:

And so much of section 1853 of the Revised Statutes as is in conflict with the provisions herein is hereby repealed.

The amendment was agreed to.

The next amendment was, in the appropriations for the Territory of Dakota, after the word "office," in line 1272, to strike out "thirteen thousand" and insert "fifteen thousand six hundred;" so as to make the clause read:

For legislative expenses, namely, for compensation and mileage of the members of the Legislative Assembly, officers and clerks, and contingent expenses thereof, and for rent, light, fuel, printing, stationery, incidentals, and porter or messenger for the secretary's office, \$15,600.

The amendment was agreed to.

The next amendment was, in the appropriations for the Territory of Idaho, in line 1284, after the word "office," to strike out "twelve thousand six" and insert "fifteen thousand nine;" so as to make the clause read:

For legislative expenses, namely, for compensation and mileage of the members of the Legislative Assembly, officers and clerks, and contingent expenses thereof, and for rent, light, fuel, printing, stationery, incidentals, and porter or messenger for the secretary's office, \$15,900.

The amendment was agreed to.

The next amendment was, in the appropriations for the Territory of Montana, after the word "office," in line 1297, to strike out "twelve thousand eight" and insert "fifteen thousand three;" so as to make the clause read:

For legislative expenses, namely, for compensation and mileage of the members of the Legislative Assembly, officers and clerks, and contingent expenses thereof, and for rent, light, fuel, printing, stationery, incidentals, and porter or messenger for the secretary's office, \$15,300.

The Secretary continued the reading of the bill till he reached the item "for salaries of governor, chief-justice, associate justices," &c., of the Territory of New Mexico.

Mr. DAVIS, of Illinois. I wish to offer an amendment to that clause. I will first inquire if it will be in order to do so after the bill is read through?

The PRESIDING OFFICER. It will be in order after the amendments of the committee have been acted on.

Mr. DAVIS, of Illinois. Very well. I shall withhold my amendment till then.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Appropriations was, in line 1346, after the word "thousand," to strike out "five" and insert "eight;" in line 1348, before the word "clerks," to strike out "four" and insert "six;" in line 1349, before the word "clerks," to strike out "three" and insert "four;" after the word "one," in line 1350, to strike out "three clerks at \$1,000 each; four assistant messengers; three pages at \$480 each; and for laborers \$4,200," and insert "eight messengers, seven laborers;" in line 1355, before the word "watchmen," to insert "six;" after the word "building," in the same line, to strike out "\$3,600;" and after the word "all," in line 1356, to strike out "sixty-four thousand seven hundred and twenty" and insert

"seventy-one thousand one hundred and eighty;" so as to make the clause read:

For compensation of the Secretary of War, \$3,000; one chief clerk, at \$2,500; one disbursing clerk, at \$2,000; one stenographer, at \$1,800; two chief clerks of division, at \$1,500 each; six clerks of class 4; four clerks of class 3; four clerks of class 2; twelve clerks of class 1; eight messengers; seven laborers; and six watchmen for the northwest executive building; in all, \$71,180.

The amendment was agreed to.

The next amendment was, in line 1367, before the word "clerks," to strike out "ten" and insert "eleven;" in line 1368, before the word "clerks," to strike out "thirteen" and insert "seventeen;" in line 1369, before the word "clerks," to strike out "thirty" and insert "forty-one;" in line 1369, after the word "one hundred" and before the word "clerks," to insert "and fifty-one;" after the word "one," in line 1370, to strike out "forty-five clerks, at \$1,000 each; forty-five clerks, at \$900 each; four assistant messengers; and four pages, at \$480 each," and insert "and eight messengers;" and in line 1374, after the word "and," to strike out "ninety-three thousand one hundred" and insert "ninety-four thousand three hundred and twenty;" so as to make the clause read:

In the office of the Adjutant-General:

One chief clerk, at \$2,000; eleven clerks of class 4; seventeen clerks of class 3; forty-one clerks of class 2; one hundred and fifty-one clerks of class 1; and eight messengers; in all, \$294,320.

The amendment was agreed to.

The next amendment was, in line 1379, before the word "messenger" to strike out the word "assistant," and, in line 1380, after the word "thousand," to strike out "five hundred and twenty" and insert "six hundred and forty;" so as to make the clause read:

In the office of the Inspector-General:

One clerk of class 4; one messenger; in all, \$2,640.

The amendment was agreed to.

The next amendment was, in line 1382, after the word "one," to strike out "clerk of class 4; one clerk, at \$1,000," and insert "chief clerk, \$1,800; one clerk of class 3; two clerks of class 1; and one messenger;" and after the word "all," in line 1385, to strike out "two thousand eight hundred" and insert "six thousand six hundred and forty;" so as to make the clause read:

Bureau of Military Justice:

One chief clerk, \$1,800; one clerk of class 3; two clerks of class 1; and one messenger; in all, \$6,640.

The amendment was agreed to.

The next amendment was, after line 1386, in the appropriations for the Bureau of Military Justice, to insert:

For contingent expenses, \$500.

The amendment was agreed to.

The next amendment was, in line 1389, before the word "messenger," to strike out "assistant;" and after the word "thousand" to strike out "three hundred and twenty" and insert "four hundred and forty;" so as to make the clause read:

In the Signal Office:

Two clerks of class 4; one messenger; in all, \$4,440.

The amendment was agreed to.

The next amendment was, before the word "clerks," in line 1393, to strike out "eight" and insert "seven;" in line 1395, after the word "twenty" and before "clerks" to insert "four;" in the same line, after the word "forty" and before "clerks" to insert "eight;" in line 1396, after the word "one," to strike out "twenty clerks, at \$1,000 each;" in line 1398, after the word "month," to insert "one messenger;" in line 1399, after the word "messengers," to strike out "one page, at \$480; for laborers, three thousand;" in line 1401, after the word "dollars," to insert "six laborers;" in line 1402, after the word "and," to strike out "for watchmen, \$3,000," and insert "five watchmen;" and after the word "dollars," in line 1405, to strike out "fifty-seven thousand four hundred" and insert "fifty-two thousand four hundred and eighty;" so as to make the clause read:

In the Office of the Quartermaster-General:

One chief clerk, at \$2,000; seven clerks of class 4; one draughtsman, at \$1,800; nine clerks of class 3; twenty-four clerks of class 2; forty-eight clerks of class 1; twenty copyists, at \$900 each; one female messenger, at \$30 per month; one messenger; two assistant messengers; \$600; six laborers; one engineer, at \$1,200; one fireman; and five watchmen; in all, \$152,480.

Mr. SARGENT. In line 1401 the words "six hundred dollars," between "two assistant messengers" and "six laborers," ought to be stricken out. There is a misprint.

The PRESIDING OFFICER. That correction will be made. The question is on the amendment of the committee.

The amendment was agreed to.

The next amendment was, in line 1409, before the word "clerks," to strike out "two" and insert "three;" in the same line, before the word "clerks," to strike out "three" and insert "four;" in line 1410, before the word "clerks," to strike out "eight" and insert "twelve;" after the word "one," in line 1411, to strike out "four clerks at \$1,000 each;" before the word "messenger," in line 1412, to strike out "assistant;" and after the word "messenger" to strike out "for laborers, \$1,200; and for watchmen, \$1,200" and insert "two laborers; and two watchmen;" and after the word "all," in line 1414, to strike out "twenty-seven thousand nine" and insert "thirty-two thousand three;" so as to make the clause read:

In the Office of the Commissary-General:

One chief clerk, at \$2,000; one clerk of class 4; three clerks of class 3; four

clerks of class 2; twelve clerks of class 1; one messenger; two laborers; and two watchmen; in all, \$32,320.

The amendment was agreed to.

The next amendment was, in line 1418, to increase the appropriation for "contingent expenses" of the Commissary-General's Office from \$5,000 to \$6,000.

The amendment was agreed to.

The next amendment was, in line 1421, before the word "clerks," to strike out "six" and insert "eight;" in line 1422, before the word "clerks" to strike out "four" and insert "six;" before the word "clerks," in line 1423, to strike out "five" and insert "nine;" before the word "clerks," in line 1424, to strike out "seventy" and insert "one hundred and twenty;" after the word "one," in line 1424, to strike out "twenty-eight clerks, at \$1,000 each; twenty-eight clerks, at \$900 each;" in line 1429, before the word "messenger," to strike out "assistant;" after the word "and," in line 1429, to strike out "for watchmen and laborers, \$13,800;" and insert "twenty-two watchmen and laborers;" and after the word "all," in line 1431, to strike out "one hundred and eighty thousand nine hundred and twenty" and insert "two hundred thousand eight hundred and forty;" so as to make the clause read:

In the Office of the Surgeon-General:

One chief clerk, at \$2,000; eight clerks of class 4; six clerks of class 3; nine clerks of class 2; one hundred and twenty clerks of class 1; one anatomist at the Army Medical Museum, at \$1,000; one engineer in division of records and museum, at \$1,400; one messenger; and twenty-two watchmen and laborers; in all, \$200,840.

The amendment was agreed to.

The next amendment was, in line 1436, before the word "enlisted," to strike out the words "a number of" and insert "twenty," and in line 1437, after the word "bureau" to strike out the words "sufficient to do the work necessary to the prompt examination of claims for pensions and payment of same. And the entire clerical force, six excepted, now employed on the Medical and Surgical History of the War, shall be employed on the work necessary to the prompt payment of pensions;" so as to make the proviso read:

Provided, That the Secretary of War, if the public necessity so require, may detail not exceeding twenty enlisted men for clerical service in this bureau.

The amendment was agreed to.

The next amendment was, in line 1444, after the word "stationery," to insert "rent;" and after the word "incidentals," in line 1445, to strike out "\$4,000; for rent, \$2,500; in all, \$6,500," and insert "\$7,000;" so as to read:

For contingent expenses, namely: blank books, stationery, rent, fuel, gas, furniture, repairs, and incidentals, \$7,000.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 1449, to strike out "one clerk" and insert "two clerks;" in line 1451, before the word "clerks," to strike out "two" and insert "three;" in the same line, before the word "clerks," to strike out "four" and insert "six;" after the word "one," in line 1451, to strike out "two clerks at \$1,000 each;" before the word "messenger," in line 1453, to strike out "assistant;" and in the same line, after the word "all," to strike out "seventeen thousand nine hundred and twenty" and insert "twenty-one thousand seven hundred and sixty;" so as to make the clause read:

In the office of the Chief of Ordnance:

One chief clerk, at \$2,000; two clerks of class 4; two clerks of class 3; three clerks of class 2; six clerks of class 1; one messenger; one laborer; in all \$21,760: Provided, That the Secretary of War is hereby authorized to employ in this bureau not exceeding ten enlisted men.

The amendment was agreed to.

The next amendment was, in line 1466, before the word "clerks," to strike out "five" and insert "six;" in line 1467, before the word "clerks," to strike out "five" and insert "seven;" before the word "clerks," in line 1468, to strike out "ten" and insert "fourteen;" after the word "one," in the same line, to strike out "three clerks, at \$1,000 each; four clerks at \$900 each; one assistant messenger; and for watchmen and laborers, \$3,000," and insert "one messenger; two watchmen; and three laborers;" and after the word "all," in line 1472, to strike out "fifty-four thousand one hundred and twenty" and insert "fifty-eight thousand eight hundred and forty;" so as to make the clause read:

In the office of the Paymaster-General:

One chief clerk, at \$2,000; six clerks of class 4; seven clerks of class 3; fourteen clerks of class 2; nine clerks of class 1; one messenger; two watchmen; and three laborers; in all, \$58,840.

The amendment was agreed to.

The next amendment was, in line 1478, before the word "clerks," to strike out "three" and insert "four;" in line 1479, before the word "clerks," to strike out "two" and insert "three;" in line 1480, before the word "clerks," to strike out "two" and insert "three;" after the word "one," in line 1480, to strike out "three clerks, at \$1,000 each; one assistant messenger, and for laborers, \$1,200," and insert "one messenger and two laborers;" and after the word "all," in line 1483, to strike out "twenty-one thousand nine hundred and twenty" and insert "twenty-four thousand and eighty;" so as to make the clause read:

In the office of the Chief of Engineers:

One chief clerk, at \$2,000; four clerks of class 4; three clerks of class 3; three clerks of class 2; three clerks of class 1; one messenger, and two laborers; in all, \$24,080.

The amendment was agreed to.

The next amendment was, in line 1496, after the word "for," to strike out "watchmen and laborers, \$3,600," and insert "four watchmen and two laborers;" and after the word "all," in line 1498, to strike out "four thousand eight hundred" and insert five thousand, five hundred and twenty;" so as to make the clause read:

War Department buildings;

For compensation of one engineer in the War Department building, \$1,200; and for four watchmen and two laborers; in all, \$5,520.

The amendment was agreed to.

The next amendment was, in line 1504, before the word "watchmen," to insert "five;" in the same line, before the word "laborers," to insert "two;" and after "Paymaster-General," in line 1505, to strike out "four thousand two hundred" and insert "five thousand and forty;" so as to make the item read:

For five watchmen and two laborers in the building occupied by the Paymaster-General, \$5,040.

The amendment was agreed to.

The next amendment was, in line 1511, before the word "watchmen," to insert "four;" in the same line, before the word "laborers," to insert "two;" after the word "streets," in line 1512, to strike out "three thousand six hundred" and insert "four thousand three hundred and twenty;" and after the word "all," in line 1520, to strike out "nine thousand six hundred" and insert "ten thousand three hundred and twenty;" so as to make the item read:

For four watchmen and two laborers in the building at the corner of Seventeenth and F streets, \$4,320; and for fuel for warming the entire building, including the Ordnance Office, and for operating the ventilating-fan in summer, repairs of steam warming and ventilating apparatus, pay of steam engineer and fireman, purchase of oil-cloth and matting for halls, and for general repairs and miscellaneous items, \$6,000; in all, \$10,320.

The amendment was agreed to.

The next amendment was under the head of "Public buildings and grounds," in line 1533, after the words "rent of," to insert "a portion of;" so as to read:

For rent of a portion of the building known as the Towson House, for the use of the clerical force employed under the Chief of Engineers of the Army upon the public buildings and grounds of the Government of the United States in the District of Columbia, for office for records and for transaction of business relating to the same, \$900.

The amendment was agreed to.

The next amendment was, after the word "grounds," in line 1543, to strike out "eighteen" and insert "twenty-six;" so as to read:

For a foreman and laborers employed in the public grounds, \$26,000.

The amendment was agreed to.

The next amendment was, before the word "dollars," in line 1547, to strike out "six hundred" and insert "seven hundred and twenty;" so as to read:

For watchman in Franklin Square, \$720.

The amendment was agreed to.

The next amendment was, in line 1549, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty;" so as to read:

For watchman in La Fayette Square, \$720.

The amendment was agreed to.

The next amendment was, in line 1551, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty," and after the word "each" in the same line, to strike out "one thousand eight hundred" and insert "two thousand one hundred and sixty;" so as to read:

For three watchmen in Smithsonian grounds, at \$720 each, \$2,160.

The amendment was agreed to.

The next amendment was, before the word "dollars," in line 1556, to strike out "five hundred" and insert "seven hundred and twenty," and after the word "thousand," in the same line, to insert "four hundred and forty;" so as to read:

For one watchman for Judiciary Square, and one for Lincoln Square and adjacent reservations, at \$720 each, \$1,440.

The amendment was agreed to.

The next amendment was, in line 1559, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty;" so as to read:

For one bridge-keeper at Chain Bridge, \$720.

The amendment was agreed to.

The next amendment was, in line 1566, before the word "clerks," to strike out "three" and insert "four;" in line 1567, before the word "clerks," to strike out "two" and insert "three;" in line 1568, after the word "one," to strike out "four clerks, at \$1,000 each; one assistant messenger; one page, \$480; and for laborers, \$1,200," and insert "two messengers, and two laborers;" and in line 1572, after the word "thousand," to strike out "seven hundred" and insert "eight hundred and twenty," so as to make the clause read:

For compensation of the Secretary of the Navy, \$8,000; for compensation of the chief clerk of the Navy Department, \$2,500; one disbursing clerk, \$2,000; four clerks of class 4; three clerks of class 3; one clerk of class 2; four clerks of class 1; two messengers; and two laborers; in all, \$33,820.

The amendment was agreed to.

The next amendment was, in line 1579, after the word "four," to strike out "one clerk," and insert "two clerks;" in line 1580, after the word "one" to strike out "one clerk, at \$1,000;" in line 1581, before the word "messenger," to strike out the word "assistants;"

and in line 1582, after the word "all," to strike out "eleven thousand nine hundred and twenty" and insert "twelve thousand seven hundred and sixty;" so as to make the clause read:

Bureau of Yards and Docks:

For one chief clerk, \$1,800; one draughtsman, \$1,800; one clerk of class 4; two clerks of class 3; one clerk of class 2; one clerk of class 1; one messenger; and one laborer; in all, \$12,760.

The amendment was agreed to.

The next amendment was, in line 1589, before the word "messenger," to strike out "assistant," and in line 1590, after the word "thousand," to strike out "seven hundred and twenty" and insert "nine hundred and sixty;" so as to make the clause read:

Bureau of Equipment and Recruiting:

For chief clerk, \$1,800; one clerk of class 4; one clerk of class 3; two clerks of class 2; two clerks of class 1; one messenger; and one laborer; in all, \$11,960.

The amendment was agreed to.

The next amendment was, in line 1596, before the word "messenger," to strike out "assistant," and in line 1597, after the word "thousand," to strike out "one hundred and twenty" and insert "three hundred and sixty;" so as to make the clause read:

Bureau of Navigation:

For chief clerk, \$1,800; one clerk of class 3; one clerk of class 2; one messenger; and one laborer; in all, \$6,300.

The amendment was agreed to.

The next amendment was, in line 1603, after the word "three," to strike out "one clerk" and insert "two clerks;" in line 1604, before the word "messenger," to strike out "assistant;" and in line 1605, after the word "all," to strike out "seven thousand nine hundred and twenty" and insert "nine thousand five hundred and sixty;" so as to make the clause read:

Bureau of Ordnance:

For chief clerk, \$1,800; draughtsman, \$1,800; one clerk of class 3; two clerks of class 2; one messenger; and one laborer; in all, \$9,560.

The amendment was agreed to.

The next amendment was, in line 1613, before the word "messenger," to strike out "assistant," and in line 1614, after the word "all," to strike out "ten thousand nine hundred and twenty" and insert "eleven thousand one hundred and sixty;" so as to make the clause read:

Bureau of Construction and Repair:

For chief clerk, \$1,800; draughtsman, \$1,800; one clerk of class 4; one clerk of class 3; one clerk of class 2; one clerk of class 1; one messenger, and one laborer; in all, \$11,160.

The amendment was agreed to.

The next amendment was, in line 1622, after the word "one," to strike out "one clerk at \$1,000;" in line 1623, before the word "messenger," to strike out "assistant," and in line 1624, after the word "all," to strike out "ten thousand one hundred and twenty" and insert "nine thousand three hundred and sixty;" so as to read:

Bureau of Steam-Engineering:

For chief clerk, \$1,800; one draughtsman, at \$1,800; one assistant draughtsman, at \$1,600; one clerk of class 2; one clerk of class 1; one messenger; and one laborer; in all, \$9,360.

The amendment was agreed to.

The next amendment was, in line 1630, before the word "clerks," to strike out "three" and insert "two;" in the same line, after the word "three," to strike out "one clerk" and insert "two clerks;" in line 1631, before the word "clerks," to strike out "two" and insert "three;" in line 1632, before the word "messenger," to strike out "assistant;" and in line 1633, after the word "all," to strike out "thirteen thousand five hundred and twenty" and insert "fourteen thousand seven hundred and sixty;" so as to make the clause read:

Bureau of Provisions and Clothing:

For chief clerk, \$1,800; one clerk of class 4; two clerks of class 3; two clerks of class 2; three clerks of class 1; one messenger; and one laborer; in all, \$14,760.

The amendment was agreed to.

The next amendment was, in line 1639, after the word "three," to strike out "one clerk, at \$1,000;" in line 1640, before the word "messenger," to strike out "assistant;" and in the same line, after the word "all," to strike out "five thousand seven hundred and twenty" and insert "four thousand nine hundred and sixty;" so as to make the clause read:

Bureau of Medicine and Surgery:

For chief clerk, \$1,800; one clerk of class 3; one messenger, and one laborer; in all, \$4,960.

The amendment was agreed to.

The next amendment was, in line 1647, after the word "all," to strike out "four thousand four hundred and fifty" and insert "five thousand two hundred and ninety;" so as to make the item read:

For one superintendent of the building occupied by the Navy Department and for five watchmen and two laborers; in all, \$5,294.

The amendment was agreed to.

The next amendment was, in line 1660, before the word "clerks," to strike out "four" and insert "two;" in line 1661, before the word "clerks," to strike out "four" and insert "five;" in the same line, before the word "clerks," to strike out "two" and insert "five;" in line 1662, before the word "clerks," to strike out "four" and insert "five;" in the same line, after the word "one," to insert "one of whom shall be the telegraph operator of the Department;" after the word "Department," in line 1663, to strike out "three clerks, at \$1,000 each; six;" and insert "three;" after the word "copyists," in

line 1665, to strike out "one assistant messenger; two pages, \$480 each; for laborers, \$2,400," and insert "two messengers; two assistant messengers; four laborers;" in line 1669, before the word "watchmen," to insert "forty;" after the word "watchmen," to strike out "\$24,000;" and in line 1672, after the word "all," strike out "eighty-five thousand two hundred and eighty" and insert "ninety-one thousand five hundred and fifty;" so as to make the clause read:

For compensation of the Secretary of the Interior, \$8,000; Assistant Secretary, \$3,500; chief clerk, \$2,500, and \$200 additional as superintendent of the Patent Office building; one law clerk in the office of the Assistant Attorney-General of the Interior Department, \$2,250; six clerks, at \$2,000 each, one of whom shall be disbursing clerk; two clerks of class 4; five clerks of class 3; five clerks of class 2; five clerks of class 1, one of whom shall be the telegraph operator of the Department; three copyists; two messengers; two assistant messengers; four laborers; for one captain of the watch, \$1,000; and for forty watchmen, to be allotted to day or night service, as the Secretary of the Interior may direct; in all, \$91,550.

The amendment was agreed to.

The next amendment was, after line 1674, to insert:

For secretary to sign patents for public lands, and to perform such other duties as may be assigned him by the Secretary of the Interior, \$1,500.

The amendment was agreed to.

The next amendment was, in line 1686, before the word "dollars," to strike out "eighteen hundred" and insert "two thousand;" and in line 1688, after the word "salary," to strike out "and section 450 of the Revised Statutes are" and insert "is;" so as to read:

For salary of the superintendent of the same, \$2,000; and so much of section 507 of the Revised Statutes as provides for said salary is hereby repealed.

The amendment was agreed to.

The next amendment was, in line 1710, before the word "clerks," to strike out "eighteen" and insert "twenty-two;" in line 1711, before the word "clerks," to strike out "thirty-five" and insert "forty;" in line 1712, before the word "clerks," to strike out "sixty-five" and insert "seventy-five;" in the same line, after the word "one," to strike out "twenty-six clerks at \$1,000 each;" in line 1715, after the word "dollars," to insert "two messengers;" in line 1716, after the word "messengers," to strike out "two pages at \$480 each;" and before the word "dollars," in line 1719, to strike out "eighteen thousand five hundred and sixty" and insert "nineteen thousand six hundred and forty;" so as to make the clause read:

General Land Office:

For the Commissioner of the General Land Office, \$4,000; chief clerk, \$2,000; law clerk, \$2,000; recorder, \$2,000; three principal clerks, at \$1,800 each; five clerks of class 4; twenty-five clerks of class 3; forty clerks of class 2; seventy-five clerks of class 1; one draughtsman, \$1,600; one assistant draughtsman, \$1,400; two messengers; three assistant messengers; eight laborers; and two packers; in all, \$219,640.

The amendment was agreed to.

The next amendment was, before the word "clerks," in line 1737, to strike out "six" and insert "eight;" in line 1738, before the word "hundred," to strike out "two" and insert "six;" in the same line, before the word "clerks," to strike out "eight" and insert "thirteen;" and in line 1739, before the word "clerks," to strike out "eight" and insert "thirteen;" in the same line, after the word "one," to strike out "eight clerks, at \$1,000 each; ten" and insert "six;" in line 1742, after the word "each," to strike out "two assistant messengers, one page, \$480" and insert "one messenger, one assistant messenger;" and in line 1743, after the word "all," to strike out "sixty-five thousand one hundred and twenty" and insert "sixty-nine thousand eight hundred and eighty;" so as to make the clause read:

Indian Office:

For compensation of the Commissioner of Indian Affairs, \$3,000; chief clerk, \$2,000; five clerks of class 4; eight clerks of class 3; one stenographer, at \$1,000; thirteen clerks of class 2; thirteen clerks of class 1; six copyists, at \$900 each; one messenger; one assistant messenger; and one laborer; in all \$69,822.

The amendment was agreed to.

The next amendment was, in line 1753, after the word "twenty," and before the word "clerks," to insert "eight;" in line 1754, before the word "clerks," to strike out "forty" and insert "fifty-five;" in line 1755, before the word "clerks," to strike out "sixty" and insert "eighty-four;" in line 1756, before the word "clerks," to strike out "thirty-five" and insert "fifty-seven;" in the same line, after the word "one," to strike out "thirty-four clerks, at \$1,000 dollars each;" in line 1758, before the word "copyists," to strike out "fifty-five" and insert "twenty-five;" in line 1761, after the word "dollars," to strike out "seven" and insert "one messenger; twelve;" in line 1762, after the word "messenger," to strike out "six pages, at \$480 each; and for laborers and watchmen, \$6,000," and insert "eight laborers; and two watchmen;" and in line 1767, before the word "dollars," to strike out "fifty-four thousand six hundred and seventy" and insert "ninety-four thousand eight hundred and thirty;" so as to make the clause read:

Pension Office:

For compensation of the Commissioner of Pensions, \$3,600; chief clerk, \$2,000; medical referee, \$2,250; twenty-eight clerks of class 4; fifty-five clerks of class 3; eighty-four clerks of class 2; one hundred and fifty-seven clerks of class 1; one skilled mechanic, at \$1,200; twenty-five copyists, at \$900 each; one engineer, at \$1,200, and one assistant engineer, at \$1,000; one messenger; twelve assistant messengers; eight laborers; and two watchmen; in all, \$494,830.

The amendment was agreed to.

The next amendment was to strike out the following proviso from lines 1770 to 1778:

Provided, That it shall not be lawful for the Commissioner of Pensions, acting under the Secretary of the Interior, to drop pensioners from the rolls upon ex parte

statements taken by special agents; but in all cases where evidence is taken to drop persons from the pension rolls, the pensioners shall be notified to attend and cross-examine, if they choose to do so. Section 4744, Revised Statutes, is hereby modified to conform to this amendment.

The amendment was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had concurred in the resolution of the Senate providing for the adjournment of the two Houses of Congress on Monday, June 10, 1878, at twelve o'clock noon, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. No. 3064) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1879, and for other purposes.

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 President *pro tempore*:

A bill (S. No. 363) granting a pension to James Newcomb;

A bill (S. No. 874) granting a pension to Alfred Richardson, late of Company A, Twelfth Indiana Volunteers;

A bill (H. R. No. 430) for the relief of John Clinton, postmaster at Brownsville, Tennessee;

A bill (H. R. No. 1918) for the relief of Milton B. Cushing, paymaster, United States Navy;

A bill (H. R. No. 1119) to confirm the title of Benjamin E. Edwards, his heirs, assigns, or legal representatives, to a certain tract of land in the Territory of New Mexico;

A bill (H. R. No. 2176) granting an increase of pension to Mattie McTaggart, widow of the late First Lieutenant McTaggart, Seventeenth United States Infantry;

A bill (H. R. No. 2132) to pay for clerical services and extraordinary expenses under the seventh section of the act of August 18, 1856, in the Pawnee land district, in Kansas;

A bill (H. R. No. 4413) to provide for the free entry of articles imported for exhibition by societies established for encouragement of the arts or sciences, and for other purposes;

A bill (H. R. No. 4425) to alter and amend a law of the District of Columbia relative to the inspection of flour; and

A bill (H. R. No. 4663) to forbid the further retirement of United States legal-tender notes.

ORDER OF BUSINESS.

The PRESIDING OFFICER, (Mr. ROLLINS in the chair.) The Senate resumes the consideration of the legislative, executive, and judicial appropriation bill.

Mr. HAMLIN. I wish to suggest to the Senator who has charge of this bill the propriety of taking up now and acting upon the resolution which has just come from the House fixing the time of adjournment.

Mr. WINDOM. I hope not—

Mr. HAMLIN. Listen to me one moment. I suggest this because I believe that every hour is worth something to us beyond the time when we shall fix it. I mean, to be more explicit, that the earlier we determine that question we shall the sooner feel and see the necessity of working up to it, and we had better do it now than to postpone it until to-morrow. We had better do it to-morrow than the next day, and the earlier the time is agreed upon the better. That is my idea.

Mr. WINDOM. I think we should interrupt the business a great deal more by seeking to pass upon the resolution now than if we were to go on and finish this appropriation bill.

Mr. HAMLIN. I think the amendment of the House to the resolution will meet the approbation of the Senate, without objection.

Mr. WINDOM. I prefer to make a motion to refer the resolution rather than to pass upon it now, and I would wish to discuss it a little.

Mr. HAMLIN. If the Senator is going to make that motion I shall not now interpose. I am going to vote for the resolution just as it is.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. KIRKWOOD submitted an amendment intended to be proposed by him to the bill (H. R. No. 4236) making appropriations for the construction, repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes; which was referred to the Committee on Commerce, and ordered to be printed.

PRINTING OF A MEMORIAL.

On motion of Mr. WHYTE, it was

Ordered, That the Baltimore merchants' memorial, introduced in the Senate on the 24th instant, be taken from the table and printed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 4104) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1879, and for other purposes.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Appropriations was, in line 1785, to increase the item for contingent expenses of the Pension Office from \$10,000 to \$12,000.

The amendment was agreed to.

The next amendment was, in line 1790, after the word "thousand," to insert "two hundred and fifty;" in line 1794, after the word "thousand," to strike out "five hundred" and insert "two hundred and fifty;" in line 1795, after the word "thousand," to strike out "two hundred and fifty" and insert "five hundred;" in line 1797, after the word "thousand," to strike out "six" and insert "eight;" in line 1799, after the word "thousand," to strike out "four" and insert "six;" in line 1800, after the word "thousand," to strike out "two" and insert "four;" in line 1806, before the word "clerks," to strike out "four" and insert "five;" in line 1807, before the word "clerks," to strike out "sixteen" and insert "twenty-one;" in line 1808, before the word "clerks," to strike out "twenty-five" and insert "thirty-five;" in line 1809, after the word "twenty-five," to insert "permanent;" in line 1810, before the word "copyist-clerks," to strike out "sixty" and insert "forty;" in line 1816, after the word "each," to strike out "and for laborers \$27,600" and insert "forty laborers, at \$720 each; six laborers, at \$600 each;" and before the word "hundred," in line 1822, to strike out "fifty-eight thousand eight" and insert "eighty-three thousand one;" so as to make the clause read:

United States Patent Office:

For compensation of the Commissioner of the Patent Office, \$4,500; for assistant commissioner, \$3,000; for chief clerk, \$2,250; three examiners-in-chief, at \$3,000 each; examiner in charge of interferences, \$2,500; trade-mark examiner, \$2,250; twenty-two principal examiners, at \$2,500 each; twenty-two first assistant examiners, at \$1,800 each; twenty-two second assistant examiners, at \$1,600 each; twenty-two third assistant examiners, at \$1,400 each; one financial clerk, \$2,000; who shall give bond in such amount as the Secretary of the Interior may determine; one librarian, \$2,000; one machinist, \$1,600; four clerks of class 4; five clerks of class 3, (one of whom shall be translator of languages); twenty-one clerks of class 2; and thirty-five clerks of class 1; twenty-five permanent clerks, at \$1,000 each; for forty copyist-clerks, at \$900 each; for three skilled draughtsmen, at \$1,200 each; for one messenger and purchasing clerk, \$1,000; for one skilled laborer, \$1,200; for ten attendants in model room, at \$500 each; forty laborers, at \$720 each; six laborers, at \$600 each; three folders and pasters, \$480 each; in all, \$383,140.

The amendment was agreed to.

The next amendment was, in line 1825, before the words "portfolios for drawings," to strike out "stationery" and insert "stationary."

The amendment was agreed to.

The next amendment was, in line 1832, after the word "That," to strike out "not more than \$10,000 of this sum may be used for employment of temporary clerks at not more than the rate of \$1,000 per annum for each clerk; and;" so as to read:

Provided, That no money appropriated by this paragraph shall be expended for advertising in newspapers published in the city of Washington other than the Patent Office Official Gazette.

The amendment was agreed to.

The next amendment was, in line 1841, after the word "temporary," to strike out "draughtsman" and insert "draughtsmen;" so as to make the item read:

For photolithographing, or otherwise producing copies of drawings of current and back issues, for the use of the office and for sale, including pay of temporary draughtsmen, \$25,000.

The amendment was agreed to.

The next amendment was, in line 1845, after the word "thirty" and before the word "thousand," to insert "five;" so as to make the item read:

For photolithographing, or otherwise producing plates for the Official Gazette, including pay of employes engaged on the Gazette, and for making similar plates, \$35,000.

The amendment was agreed to.

The next amendment was, in line 1854, before the word "rates," to insert "reasonable;" after "rates," to strike out "the same as elsewhere, those rates to be determined by bids, after public advertisement, as required by law;" and in line 1858, after the word "contracts," to strike out "after advertising for bids;" so as to make the clause read:

For photolithographing, or otherwise producing copies of the weekly issues of drawings, to be attached to patents and copies, \$3,500; the work of said photolithographing, or otherwise producing plates and copies, referred to in this and the two preceding paragraphs, to be done under the supervision of the Commissioner of Patents, and in the city of Washington, if it can be there done at reasonable rates, and the Commissioner of Patents, under the direction of the Secretary of the Interior, is authorized to make contracts therefor.

The amendment was agreed to.

The next amendment was, in line 1861, after the word "issues," to insert "and to fill orders;" so as to read:

For tracings of drawings preparatory to photolithographing back issues and to fill orders, \$5,000.

The amendment was agreed to.

The next amendment was, in line 1869, before the word "messenger," to strike out "assistant;" and in line 1870, after the word "thousand," to strike out "three hundred and twenty" and insert "four hundred and forty;" so as to make the clause read:

Bureau of Education:

For the Commissioner of Education, \$3,000; chief clerk, \$1,800; one clerk of class 4; one statistician, \$1,800; one clerk of class 3; one translator, \$1,600; one clerk of class 2; four copyists, at \$900 each; one messenger; in all, \$17,440.

The amendment was agreed to.

The next amendment was, in line 1899, before the word "thousand," to strike out "three" and insert "five;" so as to read:

For surveyor-general of the State of Colorado, \$2,500; and for the clerks in his office, \$5,000.

The amendment was agreed to.

The next amendment was, in line 1902, after the word "office," to strike out "five thousand" and insert "six thousand five hundred;" so as to read:

For surveyor-general of the Territory of New Mexico, \$2,500; and for the clerks in his office, \$6,500.

The amendment was agreed to.

The next amendment was, in line 1947, after the word "thousand," to strike out "five" and insert "eight;" after the word "one," in line 1948, to strike out "clerk of class 4" and insert "law clerk, at \$2,250;" after the word "Department," in line 1951, to insert "one clerk of class 2;" and after the word "all," in line 1955, to strike out "thirty-four thousand seven hundred and twenty" and insert "thirty-six thousand eight hundred and seventy;" so as to make the clause read:

For compensation of the Postmaster-General, \$3,000; chief clerk to the Postmaster-General, \$2,200; stenographer, \$1,800; appointment clerk of class 4, in lieu of a fourth-class clerk now provided for; one law clerk, at \$2,250, (office of Assistant Attorney-General for Post-Office Department); one clerk of class 2; one messenger, (clerk of class 1), \$1,200; one assistant messenger; topographer, \$2,500; temporary employes, \$15,000; in all, \$36,870.

The amendment was agreed to.

The next amendment was, in line 1960, before the word "clerks," to strike out "ten" and insert "fourteen;" in line 1961, before the word "clerks," to strike out "five" and insert "six;" in line 1962, after the word "one," to strike out "three clerks, at \$1,000 each; one assistant messenger," and insert "one messenger; two assistant messengers;" in line 1970, after the word "messenger," strike out "two pages, at \$480 each;" and in line 1973, after the word "all," to strike out "sixty-five thousand four" and insert "seventy thousand eight;" so as to make the clause read:

For First Assistant Postmaster-General, \$3,500; chief clerk, \$2,000; two clerks of class 4; fourteen clerks of class 3; six clerks of class 2; twelve clerks of class 1; one messenger; two assistant messengers; superintendent of blank agency, \$1,800; assistant superintendent of blank agency, \$1,600; four assistants to superintendent of blank agency, at \$1,200 each; two assistants to superintendent of blank agency, at \$900 each; one assistant messenger for blank agency; superintendent of free delivery, \$2,100; one clerk of class 2, (office of superintendent of free delivery); in all, \$70,800.

The amendment was agreed to.

The next amendment was, in line 1977, after the word "inspection," to strike out "and equipment;" in line 1979, before the word "clerks," to strike out "twenty-two" and insert "twenty-nine;" in the same line, before the word "clerks," to strike out "thirteen" and insert "twelve;" in line 1980, before the word "clerks," to strike out "ten" and insert "twelve;" in the same line, after the word "one," to strike out "five clerks at \$1,000 each," and insert "one messenger;" in line 1982, after the word "messenger," to strike out "one page, \$480;" and in line 1983, after the word "all," to strike out "ninety-one thousand seven hundred" and insert "ninety-nine thousand two hundred and sixty;" so as to make the clause read:

For Second Assistant Postmaster-General, \$3,500; chief clerk, \$2,000; chief of division of inspection, \$2,000; seven clerks of class 4; twenty-nine clerks of class 3; twelve clerks of class 2; twelve clerks of class 1; one messenger; one assistant messenger; in all \$69,360.

The amendment was agreed to.

The next amendment was, in line 1986, to change "thousand" to "thousand;" in line 1989, after the word "dollars," to strike out "one warrant clerk, \$1,800; four;" and insert "five;" in line 1991, before the word "clerks," to strike out "twelve" and insert "fifteen;" in the same line, after the word "twenty" and before the word "clerks," to insert "four;" in line 1992, before the word "clerks," to strike out "twenty-four" and insert "thirty-six;" in line 1993, after the word "one," to strike out "sixteen clerks, at \$1,000 each;" in line 1994, after the word "each," to insert "one messenger;" in line 1995, after the word "messengers," to strike out "one page, \$480; for laborers, \$3,000;" and insert "seven laborers, at \$720 each;" in line 1998, before the word "female," to strike out "three" and insert "four;" and before the word "dollars," in line 2001, to strike out "sixty-seven thousand one hundred and sixty" and insert "seventy-seven thousand six hundred and forty;" so as to make the clause read:

For Third Assistant Postmaster-General, \$3,500; chief clerk, \$2,000; chief of division of dead letters, \$2,250; chief of division of postage-stamps, \$2,250; five clerks of class 4; fifteen clerks of class 3; twenty-four clerks of class 2; thirty-six clerks of class 1; fifty-four female clerks, at \$900 each; one messenger; two assistant messengers; seven laborers, at \$720 each; four female laborers, at \$480 each; in all, \$177,640.

The amendment was agreed to.

The next amendment was, before the word "clerks," in line 2004, to strike out "two" and insert "three;" in line 2005, after the word "three," to strike out "two clerks" and insert "one clerk;" in the same line, after the word "two," to insert "one female clerk, at \$900;" and after the word "all," in line 2006, to strike out "thirteen thousand three" and insert "fourteen thousand four;" so as to make the clause read:

For superintendent of foreign mails, \$3,000; chief clerk, \$1,800; one clerk of class 4; three clerks of class 3; one clerk of class 2; one female clerk, at \$900; one assistant messenger; in all, \$14,430.

The amendment was agreed to.

The next amendment was, in line 2011, before the word "clerks," to strike out "four" and insert "five;" in line 2012, before the word "clerks," to strike out "eight" and insert "nine;" after the word "one," in the same line, to strike out "two clerks, at \$1,000 each; and for laborers, \$1,800;" in line 2015, after the word "messenger," to insert "three laborers;" and after the word "all," in the same line, to strike out "thirty-four thousand seven hundred and twenty" and insert "thirty-five thousand eight hundred and eighty;" so as to make the clause read:

For superintendent of the money-order system, \$3,000; chief clerk, \$2,000; two clerks of class 4; five clerks of class 3; four clerks of class 2; nine clerks of class 1; one assistant messenger; three laborers; in all, \$35,880.

The amendment was agreed to.

The next amendment was, in line 2019, after the word "thousand," to insert "two hundred and fifty;" in line 2020, before the word "clerks," to strike out "two" and insert "three;" in line 2021, after the word "one," to strike out "one clerk at \$1,000;" in line 2027, after the words "assistant engineer," to strike out "nine hundred" and insert "one thousand;" in line 2033, after the word "dollars," to strike out "for watchmen, \$9,000; and for laborers, \$15,000;" and insert "fifteen watchmen and twenty-five laborers;" and after the word "all," in line 2035, to strike out "forty-five thousand one hundred and twenty" and insert "fifty thousand four hundred and seventy;" so as to make the clause read:

For chief of division of mail depredations, \$2,250; one clerk of class 3; one clerk of class 2; three clerks of class 1; office of disbursing clerk and superintendent of building; disbursing clerk and superintendent, \$2,100; one clerk of class 2, (accountant); one clerk of class 1, (storekeeper); engineer, \$1,400; one assistant engineer, \$1,000; one fireman, who shall be a blacksmith, \$900; one fireman, who shall be a steam-fitter, \$900; one fireman, \$720; one carpenter, \$1,200; one assistant carpenter, \$1,000; captain of the watch, \$1,000; fifteen watchmen; and twenty-five laborers; in all, \$50,470.

The amendment was agreed to.

The next amendment was, after the word "clerk," in line 2039, to strike out "at \$1,000" and insert "of class 1;" and in line 2042, before the word "hundred," to strike out "four" and insert "six;" so as to make the clause read:

And for the following additional force in the money-order office, namely: one clerk of class 3; one clerk of class 1, and two clerks, at \$900 each; in all, \$1,600.

The amendment was agreed to.

The next amendment was, in line 2048, after the word "painting," to strike out "seven thousand" and insert "nine thousand five;" and in line 2057, after the word "all," to strike out "seventy-two thousand six" and insert "seventy-five thousand one;" so as to make the clause read:

For contingent expenses of the Post-Office Department: For stationery, \$9,000; fuel for the General Post-Office building, including the Auditor's Office, \$1,400; for gas, \$5,000; plumbing and gas-fixtures, \$4,000; telegraphing, \$3,000; painting, \$9,000; carpets, \$5,000; furniture, \$5,000; keeping of horses and repair of wagons and harness, \$1,200; hardware, \$1,500; and for rent of house numbered 915 E street, northwest, \$1,500; and for miscellaneous items, \$6,000; and for publication of copies of the Official Postal Guide, \$20,000; in all, \$75,100.

The amendment was agreed to.

The next amendment was, in line 2083, after the word "thousand," to strike out "two" and insert "four;" in line 2086, after the word "dollars" to insert "three clerks of class 4; four clerks of class 3; five clerks of class 2; six clerks of class 1; superintendent of folding-room, \$1,200;" in line 2091, after the word "force," to strike out "including two clerks of class 2, who shall be practical printers, forty-two thousand five hundred" and insert "fourteen thousand six hundred;" and after the word "all" in line 2094, to strike out "sixty-six thousand nine" and insert "sixty-five thousand one;" so as to make the clause read:

For compensation of the Commissioner of Agriculture, \$3,000; chief clerk, \$1,900; entomologist, \$1,900; assistant chemist, \$1,400; superintendent of experimental gardens and grounds, \$1,900; statistician, \$1,900; disbursing clerk, \$1,600; superintendent of seed-room, \$1,630; librarian, \$1,400; botanist, \$1,800; microscopist, \$1,800; engineer, \$1,200; three clerks of class 4; four clerks of class 3; five clerks of class 2; six clerks of class 1; superintendent of folding-room, \$1,200; and for clerks, copyists, laborers, watchmen, carpenters, attendants in museum, and other necessary force, \$14,600, or so much thereof as may be necessary; in all, \$65,100.

The amendment was agreed to.

The next amendment was, after the word "dollars," in line 2113, to strike out "and said seed, except flower seed, shall be distributed to each congressional district in the several States and Territories in proportion to the agricultural population residing in the same: *Provided*, That no more than \$7,000 of this amount shall be used in the putting up and distribution of said seeds and plants: *And provided further*" and insert "*Provided*;" so as to make the clause read:

For purchase and propagation and distribution, as required by law, of seeds, trees, shrubs, vines, cuttings, and plants, and expense of putting up the same, \$75,000: *Provided*, That the Commissioner shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Commissioner of Agriculture from sending flower, garden, and other seeds to those who apply for the same.

The amendment was agreed to.

The next amendment was, after line 2133, to insert:

For investigating the history and habits of insects injurious to agriculture; for experiments in ascertaining the best means of destroying them; for chemicals, traveling expenses, and other expenses in the practical work of the entomological division, \$5,000.

The amendment was agreed to.

The next amendment was, among the appropriations for the Department of Agriculture, in line 2156, after the word "items," to in-

sert "and for actual traveling expenses while on the business of the Department;" so as to make the clause read:

For stationery, freight and express charges, fuel, lights, subsistence, and care of horses, and repair of harness and wagon, paper, twine, and gum for folding-room, and for incidental and miscellaneous items, namely, for advertising, telegraphing, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, and care of stationery, purchasing supplies, and for other necessary items, and for actual traveling expenses while on the business of the Department, \$8,000.

The amendment was agreed to.

The Secretary continued the reading of the bill, and read the following paragraph, from lines 2183 to 2192:

For salaries of the fifty-one district judges of the United States, \$190,000. And section 619 of the Revised Statutes of the United States be amended to read as follows: "All the circuit courts of the United States shall have the appointment of their own clerks, the circuit and district judges concurring; and in case of a disagreement between the judges, the appointment shall be made by the associate justice of the Supreme Court allotted to such circuit, except in cases otherwise specially provided for by law."

Mr. HOAR. I want to ask some member of the committee in regard to lines 2187, 2188, and 2189, the clause for the appointment of clerks to the circuit courts, which the Secretary has just read. What is the reason for that manner of appointing the clerks of the circuit courts; that is, with the concurrence of the circuit and district judges?

Mr. WINDOM. The committee knew of no objection to the clause, but if the Senator objects I will agree to strike it out.

Mr. HOAR. I should like to have it stricken out, and the committee can reconsider it in conference.

Mr. WHYTE. We cannot hear the Senator on this side of the Chamber.

Mr. HOAR. The present law is that the judges of the circuit courts appoint their own clerks. This provision changes the law by inserting a provision that all the circuit courts of the United States shall have the appointment of their own clerks, the circuit and district judges concurring, requiring, therefore, the assent of all the district judges in the appointment of the clerks of the circuit courts, and in case of a disagreement between the judges the appointment is to be made by the associate justice of the Supreme Court assigned to the circuit. My suggestion was that if the Senate would strike it out the matter might be reconsidered by the committee of conference if they found reason for it. I do not want to detain the Senate.

Mr. DAVIS, of Illinois. I will simply state that, as I understand it, is falling back upon the old law before the creation of circuit courts; it was the old law from the beginning of this century. I am told the reason of this provision was because a circuit judge recently appointed, Mr. Baxter, has been engaged in the business of appointing new clerks, turning out all the old clerks, which has not been common with the circuit courts we know, and he has appointed some of his own relations to that office.

Mr. HOAR. That difficulty cannot be cured now; that is accomplished.

Mr. DAVIS, of Illinois. That I understand is the reason.

Mr. WINDOM. The committee would be very glad to have the advice of either Senator on that subject. The committee have no special desire to retain the provision.

Mr. DAVIS, of Illinois. The Senator from Ohio, [Mr. THURMAN,] who is not now here, introduced a bill upon the subject embodying some such provision as that, and it was referred to the Judiciary Committee.

Mr. WITHERS. I suggest to the Senator from Illinois whether it would not be better to let us get through with the bill as reported by the committee with amendments, and then Senators can suggest other amendments.

Mr. DAVIS, of Illinois. I am not making any point about it.

Mr. HOAR. I do not desire to detain the Senate, but I made a suggestion which I understand the members of the Committee on Appropriations concur in, and if the Senate will amend the bill by striking out those lines the matter can go into conference and be reconsidered, and if the clause is adhered to I shall make no further opposition.

Mr. WINDOM. I speak only for myself; I have no right to speak for the committee. I have no objection to striking out the lines which the Senator from Massachusetts indicates. They provide general legislation, and I have no personal objection to striking it out.

Mr. WITHERS. I think we had better go on and finish the bill first, according to the custom, and then go back and consider the proposition.

Mr. HOAR. I have no objection to that course.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Appropriations was, in line 2203, to increase the appropriation for salaries of the three judges of the southern claims commission from \$4,000 each to \$5,000 each, and to add after the word "dollars," in line 2204 the words:

One clerk, at \$2,500; one stenographer, at \$2,500; and one messenger, at \$1,200; in all, \$61,200.

The amendment was agreed to.

The next amendment was to strike out line 2212 to line 2223, inclusive, as follows:

In the following words, namely: "Salaries and expenses southern claims commission: to pay the salaries and actual expenses of office rent, furniture, fuel, stationery, and printing of the southern claims commission," and so much of the fifth section of the act of March 3, 1875, as fixes the salaries of said commissioners at

\$5,000 per annum, is hereby repealed; and the salaries of said commissioners from and after the 1st day of July, 1878, shall be \$4,000 per annum, to be paid as now provided by law.

And in lieu thereof to insert:

As makes the appropriation for "salaries and expenses of southern claims commission" permanent annual appropriations is hereby repealed.

So as to make the clause read:

For actual expenses of office rent, furniture, fuel, stationery, and printing of the southern claims commission, \$30,000. And so much of section 3689 of the Revised Statutes of the United States as makes the appropriation for "salaries and expenses of southern claims commission" permanent annual appropriation is hereby repealed."

The amendment was agreed to.

The next amendment was, in line 2228, before the word "thousand," to strike out "six" and insert "seven;" in line 2232, after the word "dollars," to insert "naval solicitor, \$3,500;" in line 2237, before the word "hundred," to strike out "five" and insert "eight;" in line 2241, after the word "dollars," to insert "one messenger;" in line 2242, after the word "messenger," to strike out "one page, at \$480; for laborers, \$1,200," and insert "two laborers and two watchmen;" in line 2245, after the word "all," to strike out "seventy-one thousand five hundred" and insert "seventy-seven thousand one hundred and forty;" and in line 2247, after the word "dollars," to strike out the words:

And so much of section 349 of the Revised Statutes as provides for the appointment and payment of a salary to a "naval solicitor" is hereby repealed, and the office is abolished.

So as to make the clause read:

For compensation of the Attorney-General, \$8,000; Solicitor-general, \$7,000; three Assistant Attorneys-General, at \$5,000 each; one assistant attorney-general of the Post-Office Department, \$4,000; solicitor of internal revenue, \$4,500; naval solicitor, \$3,500; examiner of claims, \$3,500; law clerk and examiner of titles, \$2,700; chief clerk, \$2,200; stenographic clerk, \$1,800; one law clerk, \$2,000; five clerks of class 4; additional for disbursing clerk, \$200; one clerk of class 2; two clerks of class 1; five copyists; one telegraph operator, at \$1,000; one messenger; one assistant messenger; two laborers; and two watchmen; in all, \$77,140.

The amendment was agreed to.

The next amendment was, in line 2268, after the word "dollars," to strike out "three" and insert "four;" in line 2269, after the word "four," to strike out "two" and insert "three;" in line 2270, after the word "one," to strike out "assistant;" and in line 2271, after the word "all," to strike out "twenty-four thousand six hundred and twenty" and insert "twenty-eight thousand two hundred and sixty;" so as to make the clause read:

Office of the Solicitor of the Treasury:

For compensation of the Solicitor of the Treasury, \$4,500; assistant solicitor, \$3,000; chief clerk, \$2,000; four clerks of class 4; three clerks of class 3; two clerks of class 2; two clerks of class 1; one messenger; and one laborer; in all, \$23,200.

The amendment was agreed to.

The Secretary resumed and concluded the reading of the bill.

The PRESIDING OFFICER. The amendments reported from the Committee on Appropriations are completed.

Mr. DAVIS, of Illinois. On page 54, line 1301, the bill provides: "For salaries of governor, chief-justice, and two associate judges of the Territory of New Mexico, at \$2,600 each." I move to amend by increasing the salaries of the chief-justice and two associate justices to \$3,000 each. It seems to me that this is very vicious legislation. Every judge, when he is appointed, is entitled to the salary that is fixed for him at the time of his appointment. On page 332 of the Revised Statutes, section 1879 reads in these words:

The annual salary of the chief-justice and associate justices of all the Territories now organized shall be \$3,000 each.

In my judgment these judges ultimately can recover from the United States the difference between \$2,600 and \$3,000. They certainly are entitled to the salary that is created by law. I think it is very vicious legislation to repeal a statute of the United States in relation to territorial judges in this way. Three thousand dollars is very small compensation for any gentleman worthy to fill the office of a territorial judge. I understand the late chief-justice of New Mexico, who is from the State of my honorable friend from Missouri, resigned his office there because the salary was too low. When he was appointed he supposed he was going to get \$3,000. This legislation is similar to what occurred last year, and he got \$2,600. The judge goes there with the understanding that he is to get the salary that is given to him by law. If I had the power I would increase the salaries of all of these territorial judges, for I do not believe any gentleman who is competent to hold the office should be restricted to a salary of \$3,000. They are obliged to give their entire services to the office, and everybody is interested in having an able judiciary.

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

Mr. DAVIS, of Illinois. I was mistaken in saying that the last appropriation was \$2,600.

Mr. BECK. The Senator has the act of August, 1876.

Mr. DAVIS, of Illinois. The Senator from Kentucky hands me the statutes, and for the salary of governors in the Territories the appropriation is \$3,000 each and for chief-justice and two associate justices in Colorado the same, Dakota the same, Montana and New Mexico the same, for all these Territories the same. We now propose to reduce their salaries.

Mr. WHYTE. Was that the appropriation last year?

Mr. DAVIS, of Illinois. I read from the laws of the Forty-fourth Congress, first session.

Mr. WINDOM. The salaries were reduced in 1876, I think.

Mr. DAVIS, of Illinois. The act is approved August 15, 1876.

Mr. WHYTE. There is a later one.

Mr. DAVIS, of Illinois. I do not know what was done in 1877.

Mr. WINDOM. The reduction was made in 1876, if I remember.

Mr. DAVIS, of Illinois. I do hope that the Senate will not deal with judges as it does with clerks in the different Departments. I think we should reduce salaries whenever we think it is proper, but the judges certainly of all these territorial courts ought to be paid the salaries that are given to them by law, and it is very poor economy to do otherwise.

Mr. PADDOCK. I wish the Senator from Illinois would couple with his amendment a proviso that if any judge of the Territories shall be absent, with or without leave, from his judicial district for sixty days, he shall not receive compensation for that time. I know of one judge, a judge from the Territory of Wyoming, who has been in this town for three or four months, and he has rendered no judicial service whatever. I think it would be very important to enact such a provision.

Mr. DAVIS, of Illinois. The law as it stands now is that if they are absent with leave they receive pay. I do not think we ought to interfere with it.

Mr. PADDOCK. Then, with a limitation of sixty days he may be detained under peculiar circumstances.

Mr. DAVIS, of Illinois. The Senator from Nebraska can move his amendment after I get the matter as to the salaries settled. I hope that my amendment will carry.

Mr. DAVIS, of West Virginia. Let the amendment be reported. I do not understand what it is.

Mr. DAVIS, of Illinois. The salary of the governor was \$3,000. The salary of the chief-justice and the associate justices was \$3,000 each. I only move to amend so far as the three judges are concerned, increasing it to \$3,000 each.

Mr. ANTHONY. Has not the salary of the governor been reduced?

Mr. DAVIS, of Illinois. I do not know about that. I did not look, because I was not interested in that.

Mr. WINDOM. These salaries were all changed in 1876, the salaries of the governors and of the judges of the Territories. I do not mean to say that the law was changed, but the long contest will be remembered very well in which the Senate adhered mainly to the law as it then existed; but there were certain exceptions made. In a few cases appropriations were made for less than the salaries fixed by law. These territorial judges I think were included in that class of cases. The Senate committee in framing this bill endeavored to reinstate the salaries as they are during the current year, and they have not attempted to place any above that grade. We have undertaken to adhere to the limit as to salaries that was made in 1876, and again agreed to in 1877, without any attempt to change the general question of compensation to officers. I think that it is the better way to adhere to it still. I agree with the Senator from Illinois that where the law fixes a salary it ought to be appropriated; but we have agreed on both sides to what I think is a slightly vicious style of legislation, leaving the salaries unchanged by law but providing at the beginning of the bill as we do in this case that all amounts herein appropriated shall be "in full compensation for the service of the fiscal year ending June 30, 1879."

The design is to appropriate so much money in full for the salary for that year. I think there ought to be a general revision of salaries by the committees who are authorized to make such investigations and who are competent to make such a revision. It has not been done. There has been a sort of general agreement during the last two years that the salaries should remain at a certain fixed sum, and the Committee on Appropriations have thought it best not to disturb it. I am inclined to think now that if my honorable friend from Illinois shall succeed in raising the salaries of these judges he will find a great many others who will make a similar claim, that the law provides a certain sum and that we ought to put the appropriation for the salary up to that. For one I would not have the slightest objection to doing it, though I am perfectly satisfied that we should have a very long and troublesome contest in conference to secure it. I believe that when the law provides a fixed salary it ought to be appropriated until the law is changed, but it has not been done for the last two years and to do so now by this bill would require a pretty general revision. There are a great many of that kind of salaries. I think we had better not change it.

Mr. DAVIS, of West Virginia. I think the chairman of the committee is right in his position. There are probably five hundred salaries in this bill just in the situation that is referred to of these judges. If you undertake to change one, it is probable you will have to go through most of them, as there is no good reason why one should be changed and not the other. I hope the Senate will adhere to the bill as it was reported by the committee. As the chairman has stated, the Senate committee endeavored to leave all the salaries just as they are for the current year, making no changes. The House made perhaps a thousand changes in this bill, I do not remember the number, but it is very large. Perhaps I am not extravagant when I say a thousand salaries of individuals have been changed by the House. The Senate endeavored to put them back where they are for the cur-

rent year; and any change from that standard of course opens up the whole question of two years ago when there was a general change made in the long conference as will be recollected, and we staid here until the 15th of August, trying to adjust these salaries. The committee endeavored to put them back to where that settlement fixed them in 1876, and any interference with that arrangement will make more serious disturbances.

Mr. WITHERS. That constitutes the whole difficulty with regard to the matter. In 1876, all who were here will remember that we had a very protracted struggle with the House. They insisted on a great reduction of salaries and we insisted that they should remain where the law fixed them. The salaries paid last year were the result of that compromise between the Senate and the House. If we attempt to violate the conditions of that compromise now, we shall find ourselves in a similar struggle at the present session.

Mr. BECK. I suppose I shall vote with the Committee on Appropriations, but the Revised Statutes, section 1879, page 332, make this provision:

The annual salary of the chief-justice and associate justices of all the Territories now organized shall be \$3,000 each.

After the very protracted struggle in the summer of 1876, as will be seen by volume 19 of the Statutes at Large, page 158, the House and the Senate agreed at the close of that struggle (August 15) that the chief-justice and associate justices of Arizona should receive \$3,000 each; of Colorado, \$3,000 each; of Dakota and Idaho, \$3,000 each; and it was agreed to for all the Territories. I supposed that we were agreeing to stand by the salaries wherever they were fixed in appropriation bills as they now exist, but wherever there was a statute of the United States that remains unrepealed and the salary is fixed in that statute, I thought that the Senate committee endeavored to come under that statute and to pay whatever the statute required should be paid. In other words, we did not intend to repeal the Revised Statutes by cutting down the salaries in this way. It seems as though last year, as in 1876, both Houses agreed at the end of that struggle to stand by the provisions of the Revised Statutes in regard to salaries.

It looks to me as if the judges of the Territories occupy a different position from the great mass of others who are simply cut down and their salaries fixed by the appropriation bills, and I cannot help agreeing in a great deal of what the Senator from Illinois has said on account of the fact that these men, if they go on and do the work, would have a claim against the Government, just as it was said the Army of the United States could go on when no appropriation was made last year and do their duty and come in and get their pay because their salaries were fixed by law. I am not sure that it is not safer to give them what the law fixes, though I think I shall stand by the committee; but it never occurred to me until now that there was a distinction between this case and the other cases.

Mr. WINDOM. I find on further examination, and it is also suggested by the Senator from Kentucky, that I was mistaken in the statement that this reduction was agreed to in 1876. It was in 1877. The general arrangement or compromise as to salaries was made in 1876, but the salaries of the judges were not touched until last year.

I fully agree with the Senator from Kentucky and the Senator from Illinois as to the propriety of appropriating what the statute prescribes as the salary; but in many cases that has not been done for the last two years, and it has been, as my friend from West Virginia has said, the result of a sort of understanding between the two Houses, a compromise, last year that they should remain as they were the year before. This bill has undertaken to reduce hundreds if not thousands of them and changed them from what we fixed last year. The Committee on Appropriations, deeming the true ground to be to let them rest where we had agreed upon them for the last two years, intended to reinstate this bill upon the basis of that settlement, and we have sought simply to restore the salaries to where they are during the current year.

The law, I know, in this case, as in a score of other cases, fixes a different salary from that which is appropriated in the bill; and if it be the judgment of the Senate that we shall stand upon the law, reinstate these salaries where the statute now places them, and the Senate are disposed to adhere to that position, they will find no one more ready to stand by them from now until December in insisting that the law shall be complied with than myself. But I hope the Senate will not restore one or two and make an exception without restoring all the others to what the law now fixes. I think it is a very unsafe thing to do, and it will lead us into trouble to attempt to restore them.

Mr. DAVIS, of Illinois. I think there is a difference between the salary of judges and that of any other class of men whose salaries are reduced. I do not believe they can be reduced. I believe these judges are part of the judicial force of the United States; but they are not political officers. Gentlemen accept the position of governor of a Territory or secretary of a Territory for political reasons. Judges do not. They devote their lives simply to the decision of cases that may come before them. They ought to be learned men, and their salaries should not be reduced during their continuance in office. That could not be done, of course, in regard to judges of courts of the United States, strictly speaking. Without expressing any opinion on the subject whether these territorial courts are courts of the United States or not, yet they are analogous, and it is bad policy to attempt

to do anything of the kind, and I think if it has only been done in 1877 we should now restore the former salary, so that these judges shall have what the law provides for them. Of course I merely select the judges for New Mexico because I had to select some. It will follow as to the judges of the other territories if this amendment is adopted. I feel rather more interest in this class of service than I do in that of the governors of Territories, and therefore I have not made any motion with reference to them.

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

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

Mr. WITHERS. There is evidently no quorum voting, and I ask for the yeas and nays.

Mr. DAVIS, of Illinois. I do not care about the yeas and nays.

Mr. MORRILL. Then withdraw the amendment.

Mr. DAVIS, of Illinois. No, I cannot withdraw it, because I promised to offer it.

The PRESIDING OFFICER. The yeas and nays are called for.

Mr. BLAINE. If Senators will vote there is evidently a quorum present.

Mr. DAVIS, of Illinois. I cannot withdraw the amendment.

Mr. BLAINE. Let us have another division.

Mr. DAVIS, of Illinois. Let everybody get up.

Mr. BECK. Is it in order to move that the Senate do now adjourn?

The PRESIDING OFFICER. That motion is in order.

Mr. BECK. I think I shall make a motion that the Senate adjourn, but I will withdraw it if the chairman of the committee objects. If there is a large class of cases of this sort and we have departed from the Revised Statutes in order to get the bill through, although I agree with the Senator from Illinois, yet rather than open them all up I would vote against his proposition. If, however, there are very few of this class or if this is an exceptional class, I would vote with the Senator from Illinois, because I believe that the law provides that these men shall have \$3,000 a year salary. It is only because I want further time to examine it that I suggest an adjournment. The committee can meet on Friday morning. There are a very large number of other amendments that I know are going to be offered, to which my attention has been called, and perhaps in a two hours' meeting of the committee they could be carefully considered. The business would be expedited very much by having two hours' consideration on Friday morning before the Senate meet again. I have seen a dozen amendments, and I suppose the chairman has seen two or three dozen amendments that are to be offered. We ought to have a chance to look at them. I believe we should gain time rather than lose by that course. However, if the chairman objects I shall not insist on the motion.

Mr. WINDOM. The Senate has voted to adjourn over to-morrow, and if we postpone this bill until Friday it will probably take all day. I think we had better go on an hour longer and see what we can do with this bill. The question as to the restoration of salary in these exceptional cases to where the law now places it is an old one to the members of the committee who were on the committee in 1876. I had supposed the Senator from Kentucky understood that there were exceptions to the general rule. I think the yeas and nays had better be taken or another division had on this question, and let us proceed with the bill an hour longer to-day.

Mr. DAVIS, of Illinois. A division will do without the yeas and nays. Of course I do not want to do anything contrary to the wish of the Senate; but I cannot withdraw the amendment, as I promised to offer it. I am perfectly willing, if there is a division on the subject, to submit to the result. I do not care about the yeas and nays being taken.

Mr. DAVIS, of West Virginia. I suggest that we have another division instead of the yeas and nays.

The PRESIDING OFFICER. By general consent the question will be taken by another division.

Mr. DAVIS, of West Virginia. As I understand, the salaries here are just as I suppose hundreds of others are. Now, if we undertake to change from what has been agreed upon and has been fixed, there are two hundred other cases probably that will have to be treated in the same way. I hope the Senate in this vote will take into consideration that this amendment is opening up a new field and will involve a revision of the whole list of salaries if it is adopted.

Mr. EATON. I hope the amendment of the Senator from Illinois will be voted down. There is no reason that can be given, none has been given, why these officers' salaries should be kept up to what they were in 1876 than any other men. The idea that because they are judges therefore they are not to be subject to the action of Congress is thoroughly defective. I hope the Senate will stand by the committee.

Mr. TELLER. I will say in reply to the Senator from Connecticut that there is some special reason why the feeling of the Senate is not to extend this provision beyond the judges. In most sections of the country where these men are now receiving by this bill \$2,600 a year a common clerk of the court would get as much as that and a justice of the peace would be able to make as much in his office. It is a contemptible sum for a judge of a court to have. A lawyer of any decent practice in that country would make probably from \$5,000 to \$20,000, and to ask a judge to sit on the bench and hear cases involving in

some instances a half million or a million dollars for the mere pittance of \$2,600 is simply absurd.

Mr. KERNAN. I am in favor of paying judges fair salaries, but I am embarrassed now because if we open this subject there will be others. It is proposed to raise the salary of the judges of the Territory of New Mexico from \$2,600 to \$3,000. I have the statute before me and I will call attention to it. The judge of the district court for the southern district of New York, who sits every working day of the year in court, gets but \$4,000. The same is true of a large number of others. I think I would rather live in New Mexico to make money at \$2,600 than in New York at \$4,000. I did ask leave to introduce an amendment to raise the salary of the district judge at New York because it is a very exceptional case, but I was told that there was a bill pending in the Judiciary Committee to revise and relegate as to all the district judges and fix their salaries justly, and therefore I have refrained from seeking to open the question on this bill. I think we had better not do it as to New Mexico.

Mr. WITHERS. There is no one who has resisted more strenuously than I have any proposition to reduce salaries below the amount fixed by law; but, sir, in this case it became necessary in order to secure the passage of the appropriation bills in 1876 and 1877; and while I feel perfectly sure that the amount proposed to be given as a salary to these judges is not at all too great for the services they render and the professional qualifications of the men who ought to be selected for these positions, I foresee an insuperable difficulty in adjusting the details of this bill in conference with the House committee if we attempt to go beyond the salaries which have been paid for the past year.

It is true that there is no reason upon earth that can be alleged why the exception should be made as to the judges in this case that will not apply with equal force to every other case where the Revised Statutes provide a different salary from that reported by this committee; and it will be an act of necessity, an act of strict justice, that the committee shall go over the whole bill and revise it in every particular, involving additional delays, when we all know that an adjournment is pressing upon us. But, sir, as to the difficulties which arise, I do not perceive that there is any difficulty whatever in securing the services of judges at the rate of salary fixed by this bill. We have no evidence that there is any difficulty whatever in that line. I will state that the chief-justice of the State of North Carolina only receives \$2,500 per annum; the judges of the court of appeals, the highest court of my own State, have never received over \$3,000; and I think that the judges of these Territories can get along very comfortably upon the salary fixed by the bill.

Mr. MATTHEWS. Mr. President, I understand this to be a proposition to change the salaries of these officers. I understand that the law fixes their salary at a certain amount, and we decline to appropriate the money necessary to pay the salary which we have promised. Is that right? I have heard a good deal on the floor of the Senate during this session about the performance of contracts, about the sanctity of public obligations, about the necessity of preserving the faith of the Government toward its creditor. Are not these officers with whom we have made this contract entitled to consideration? If the proposition is to change their salary, let it come in that shape, let us understand it; but if it comes in the shape of a proposition refusing to appropriate the money necessary to pay the salary which has been promised by law, and which still stands as the law, giving them a right of action against the Government, I do not see why there should be any hesitation. Even if it involves on the part of the Committee on Appropriations the necessity of revising the entire bill, let it be revised. I do not think it is acting in good faith to refuse to appropriate money which by law is due and which is necessary according to the stipulations of that law for the support comfortably of these gentlemen to whom we have promised it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Illinois, on which there will be another division of the Senate.

The question being put, the ayes were 20.

Mr. DAVIS, of West Virginia. I see the yeas and nays have got to come. I ask for the yeas and nays. We may as well settle the principle whether we shall have to go through the whole bill or not. It will involve a general change.

Mr. WITHERS. I am willing to accept the result of the yeas and nays as the settlement of the question.

The yeas and nays were ordered.

Mr. HILL. I understand the amendment is simply to make the appropriation conform to the statute.

Mr. DAVIS, of Illinois. Yes, sir.

Mr. HILL. I do not see how anybody can object to that.

Mr. DAVIS, of Illinois. The salary is fixed on page 58 of the Revised Statutes. The section fixing the salary of the territorial judges on page 58 is in these words:

The annual salary of the chief-justice and associate justices of all the Territories now organized shall be \$3,000 each.

And as was just said by the Senator from Ohio, the question is whether we will vote them their salaries or not.

Mr. HILL. How can the Senate object to giving the appropriation the law fixes?

Mr. MATTHEWS. This appropriation bill only gives them \$2,600. The law gives them \$3,000.

Mr. HOWE. I want to make one suggestion, and that is that this inconsistency can be reconciled in either of two ways: either by making the statute conform to the appropriation or making the appropriation conform to the statute. Undoubtedly the appropriation should conform to the statute; but, if reconciliation is insisted upon at this time, I beg leave to suggest that it may possibly result in making the statute conform to the appropriation, whereas if the appropriation be allowed to stand and the subject go over to another session, the probability is that the appropriation can then be brought up to the statute. Upon that theory I shall vote, for once in my life, against appropriating the sum which the statute requires for a salary.

Mr. WINDOM. I only want to say, in a single word, as the yeas and nays are to be called, that I hope the Senate will continue to vote hereafter upon reports of conferees as they vote to-day, if they shall vote to increase this salary, as I think they will have ample opportunity.

Mr. WALLACE. I beg to say that my vote on this question will be controlled by the fact that a judicial officer is entirely different from an officer of another character, and I do not believe that the voting of the salary fixed in the Revised Statutes for judicial officers should control us in voting against a salary fixed in the proposed bill for other officers. A judicial officer is, from the very position, from the recognized custom, excluded from engaging in other business, while in every other vocation men are permitted to engage in other business. Whenever we permit them to occupy the same ground with other officials, then perhaps the same rule would apply. I would stand by the Committee on Appropriations upon the subject of other officers where they have reduced the salary; but in regard to judicial officers where they cannot engage in other business, where the custom and practice—and that which is a good custom and practice and ought to be sustained—are to keep them from other business, I believe in giving them simply that which the law provides they shall have. I will stand by the Revised Statutes.

Mr. BECK. A few moments ago I suggested that the motion made by the Senator from Illinois, in my judgment, was right; but after hearing what the chairman of the Committee on Appropriations has said as to the impossibility without a revision of the whole bill of doing like justice to all others, and in view of the impossibility of agreeing in conference about it, I believe I shall vote with the committee, although I am thoroughly convinced that the motion of the Senator from Illinois is right in point of principle. I say this in explanation of my vote after what I have said before.

Mr. HEREFORD. Mr. President, it strikes me from the reading of this whole bill that there is something more in this clause than a simple appropriation of money; that this bill itself and the bill of twelve months ago not only made an appropriation but changed the Revised Statutes, not only made an appropriation of money in terms, but repealed the salary fixed by the Revised Statutes, or, if the bill of twelve months ago did not, this does. Look at it:

Territory of New Mexico:

For salaries of governor, chief-justice, and two associate judges, at \$2,600 each.

That not only makes an appropriation, but it fixes the salary; and if there were any doubt concerning that, the last section in the bill, it seems to me, makes it certain:

That all acts or parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

That does attempt to fix the salary of the chief-justice and of two associate justices in New Mexico at \$2,600 each. It says that is their salary and fixes it; and the last section says that if there is any law inconsistent with this it is hereby repealed, and if there is anything in conflict with it it is hereby repealed. So, then, there is something more in this than a simple appropriation of money. If the law twelve months ago did not, as I think it did, for it was *in haec verba* with this bill, repeal the Revised Statutes, this does. I do not like this character of legislation, it is true; but it did it; it made the law on this subject; and from that time on the salaries of these judges were changed.

As far as I am concerned, I have no fears that these judges could by a suit against the General Government obtain any more than the sum fixed in the bill of last year and this bill of this year, unless for salary accruing prior to the bill of last year. This certainly does change the salary, seeks to do it, does do it, and then repeals everything inconsistent with it; and if the Revised Statutes referred to by the Senator from Illinois are in conflict with this they are repealed. Any provision of the Revised Statutes inconsistent with this is repealed. There is more in this than simply an appropriation of money, or more in it, to use the language of other Senators, than a mere neglect to appropriate; it is a repeal of any law in conflict with it and fixes the salaries of these judges.

Mr. BECK. I rose when the Senator from West Virginia [Mr. HEREFORD] was speaking to prevent him falling into the error into which he has just fallen. As he did not seem to desire that I should interrupt him, I did not. I now rise to say that the statute of last year, which he asserts did repeal the Revised Statutes, has no repealing clause in it at all.

Mr. HEREFORD. But this has.

Mr. BECK. The bill we are now proposing to pass has, but the one to which he refers did not contain a repealing clause, but simply failed to make the appropriation fixed by law; did not attempt to repeal that law; and certainly the Revised Statutes stand just as

though the act of March 3, 1877, had not been passed. All it says is that the sums appropriated by it shall be "in full compensation for the fiscal year ending June 30, 1878, for the objects herein expressed," without any repealing clause. In the bill before the Senate we are proposing to change the Revised Statutes, but the question is, ought we to do it in this way? They have not been repealed by any prior act.

Mr. HEREFORD. There is more in it than that. The Senator from Illinois said that if we did not make this appropriation in full he did not know but that they could maintain a suit against the General Government. I say they cannot maintain a suit against the General Government unless it be for something due under the past act; but under this they cannot, because here is a repealing clause, here is a clause in this bill repealing all laws in conflict with it. Thus the argument that I stated in the first place I yet maintain to be good, that any law in conflict with this is hereby repealed. The first section that I read does attempt to fix the salary. Whether it is too much or too small is a different proposition. As to the propriety of such legislation upon an appropriation bill I have nothing to say. But there is no danger of any suit being maintained against the General Government with success, for this does repeal the law giving them any other salary than that fixed by this bill. So the argument I stated originally I yet maintain as good, and I say that there is more in this than simply making an appropriation or failing to make an appropriation. There is a repeal of the Revised Statutes so far as the salaries of these judges are concerned, and the salaries that are given these judges are as much as the salaries that are given many of the judges in the States. They are as large as the salaries given to judges in my own State, as large as the salaries given the judges in the State of Virginia; I think more than the salaries paid to the judges in several of the New England States.

Mr. BECK. Now, will the Senator from West Virginia allow me to ask him a question?

Mr. HEREFORD. Yes, sir.

Mr. BECK. I desire to ask the Senator from West Virginia whether he has referred to section 1, article 3, of the Constitution of the United States, which provides that—

The judges, both of the Supreme and inferior courts shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Does that apply to these judges? I am advised that it does not apply to territorial judges.

Mr. HEREFORD. I thought the Senator from Kentucky would yield the point that that does not apply to territorial judges. What I am talking about was these territorial judges. That does not apply to territorial judges, but to a very different class of judges. That provision applies to United States judges. It has no application to territorial judges whatever.

Mr. DORSEY. If the chairman of the Committee on Appropriations will consent, I desire to move an adjournment.

Mr. WINDOM. I hope the Senate will not adjourn. I wish to present the report of the committee of conference on the consular and diplomatic bill whenever the Senate decide that they will go no further with this bill; but I think we might continue longer in session.

Mr. DORSEY. I think it is hardly worth while to continue this bill longer to-night. There is a misunderstanding on this point which ought to be considered further, but I will yield for the purpose of allowing the Senator from Minnesota to present the conference report.

Mr. BLAINE. Before that I ask that the Army bill from the House be referred.

Mr. DORSEY. I yield for that.

Mr. BLAINE. I want the Army bill printed and referred to the Committee on Appropriations.

The PRESIDING OFFICER. The Chair will lay before the Senate, House bills for reference.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. No. 4200) relating to the national road in the State of Maryland and to give consent of the United States to a certain act of the General Assembly of Maryland in relation to said road;

A bill (H. R. No. 4824) to amend section 3843 of the Revised Statutes, in relation to settlements of postmasters;

A bill (H. R. No. 5052) to amend section 3835 of the Revised Statutes of the United States.

ARMY APPROPRIATION BILL.

The bill (H. R. No. 4866) making appropriations for the support of the Army for the fiscal year ending June 30, 1879, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

Mr. SARGENT. On the question of reference I take occasion to say that it seems to me the Senate had better remain to-day half an hour longer on the legislative appropriation bill. Many Senators desire to adopt the resolution as amended by the House making the adjournment on the 17th of June. The Senate has already agreed to adjourn over to-morrow, which makes a day lost for business. Now,

it seems to me that in view of the early adjournment desired all around, we had better sit half an hour later to-night and finish the legislative bill, which is nearly through.

Several SENATORS. All right.

Mr. WINDOM. Certainly, if there is any disposition to adopt that resolution, we ought to finish the bill to-night.

Mr. SARGENT. There is a very strong disposition to adopt it.

The PRESIDING OFFICER. Does the Senator from Arkansas withdraw the motion to adjourn?

Mr. DORSEY. I do not.

Mr. BURNSIDE. I desire to give notice that at the proper time I shall move to refer that portion of the Army appropriation bill which relates to the reorganization of the Army to the Committee on Military Affairs. If it is in order I move now that that portion of the bill referring to the reorganization of the Army be referred to the Military Committee.

Mr. WINDOM. That is not in order now.

Mr. SARGENT. I raise the point of order that that is not in order. You cannot divide a bill for the purpose of reference.

Mr. BURNSIDE. I give notice that at the proper time I will make that motion.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from California.

AMENDMENTS TO BILLS.

Mr. TELLER submitted an amendment intended to be proposed by him to the bill (S. No. 376) to provide for ascertaining and settling private land claims in certain States and Territories; which was referred to the Committee on Private Land Claims, and ordered to be printed.

Mr. HOWE submitted an amendment intended to be proposed by him to the bill (H. R. No. 4104) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1879, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

RIVER AND HARBOR BILL.

Mr. SPENCER. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. No. 4236) making appropriations for the construction, repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes, to report the same back with various and sundry amendments. I give notice that I shall call this bill up as soon as practicable.

Mr. MORRILL. How much is the amount appropriated?

Mr. SPENCER. It increases the appropriations of the House about \$900,000.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 4104) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1879, and for other purposes.

Mr. DORSEY. At the suggestion of the chairman of the Committee on Appropriations and other members of that committee, I withdraw the motion to adjourn.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Illinois, [Mr. DAVIS.]

Mr. SARGENT. I hope the five-minute rule will be lived up to hereafter on this bill.

The PRESIDING OFFICER. The yeas and nays will be taken on the amendment of the Senator from Illinois.

The question being taken by yeas and nays, resulted—yeas 17, nays 30; as follows:

YEAS—17.

Anthony,	Christiancy,	Hoar,	Teller,
Bayard,	Davis of Ill.,	Jones of Florida,	Wallace.
Booth,	Dennis,	Kirkwood,	
Bruce,	Ferry,	Matthews,	
Burnside,	Hill,	Paddock,	

NAYS—30.

Bailey,	Dorsey,	Kernan,	Randolph,
Barnum,	Eatou,	McCreery,	Rollins,
Beck,	Eustis,	McDonald,	Sargent,
Butler,	Gordon,	McMillan,	Saulsbury,
Cameron of Wis.,	Hamlin,	Maxey,	Windom,
Cockrell,	Hereford,	Merrimon,	Withers.
Coke,	Howe,	Morgan,	
Davis of W. Va.,	Johnston,	Morrill,	

ABSENT—29.

Allison,	Edmunds,	McPherson,	Spencer,
Armstrong,	Garland,	Mitchell,	Thurman,
Blaine,	Grover,	Oglesby,	Voorhees,
Cameron of Pa.,	Harris,	Patterson,	Wadleigh,
Chaffee,	Ingalls,	Plumb,	Whyte.
Conkling,	Jones of Nevada,	Ransom,	
Conover,	Kellogg,	Saunders,	
Dawes,	Lamar,	Sharon,	

So the amendment was rejected.

Mr. HOWE. I move to amend this bill, in line 324, by inserting "five" in place of "two," where it occurs near the end of the line. The effect of the amendment is to give the Librarian of Congress three additional assistants at \$1,200 each. The necessity for it I can make apparent in a very few words, if any Senator wishes any evidence on the point.

Mr. WINDOM. Is it recommended by the Committee on the Library?

Mr. HOWE. The amendment comes from the Joint Committee on the Library.

Mr. WINDOM. And I understand it has the approval of a majority of the Committee on Appropriations. I make no objection.

The amendment was agreed to.

Mr. CHRISTIANCY. By the authority of the Committee on the Revision of the Laws and with the concurrence of the Committee on Appropriations, I offer the following amendment, to be added at the end of line 334:

And \$3,000, or so much thereof as may be found necessary, for the purpose of purchasing the copyright and stereotype plates of a work entitled Reference Index to the Revised Statutes of the United States, published by Little, Brown & Co., of Boston, to be expended under the direction of the Secretary of State; the legal evidence of such purchase, if made, together with said plates, to be deposited in the Department of State for use as required.

Mr. COCKRELL. I should like to hear some explanation of that.

Mr. CHRISTIANCY. I will state what this amendment relates to. Mr. Lyman, an employé in the Treasury Department, has spent two years in preparing an index of the statutes of the United States down to and including the whole of the sixteenth volume, taking all the statutes in the order of their date and showing where each section of every statute in the Statutes at Large is revised in the Revised Statutes. It constitutes a work of sixty-eight pages only. The Committee on the Revision of the Laws have unanimously recommended the amendment which I have offered, and the Committee on Appropriations have been all individually consulted upon it to-day and they all agree also in the same amendment. I am informed by Mr. Boutwell, the commissioner of revision, who is himself strongly in favor of it, that it can be inserted in the edition of the Revised Statutes, now being prepared, without increasing the size of that volume beyond the size of the present edition of the Revised Statutes. I hope, therefore, the amendment will be adopted.

Mr. DAVIS, of West Virginia. Does the chairman of the committee assent to it?

Mr. WINDOM. I understand that the Committee on the Revision of the Laws recommend this unanimously and that a majority, if not all, of the Committee on Appropriations have been consulted and agree to it. On that statement I make no objection.

Mr. DAVIS, of West Virginia. This is the first I have heard of it. There is no reason why I should know more of it than anybody else.

Mr. CHRISTIANCY. I will say that when I went this morning to consult the members of the Committee on Appropriations I did not find the Senator from West Virginia in his seat; that is the only reason why he was not consulted.

Mr. DAVIS, of West Virginia. Do I understand the Senator that a majority of the Committee on Appropriations have consented to it?

Mr. CHRISTIANCY. Yes, sir; all that I consulted.

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

Mr. COCKRELL. I desire to ask the Senator from Michigan if this interferes with the index to the Revised Statutes, which will soon be published.

Mr. CHRISTIANCY. Not at all; they relate to entirely different things. This is a cross-index from the Statutes at Large to the Revised Statutes, showing where each section of every act of Congress heretofore passed is to be found in the Revised Statutes. It is entirely distinct from the index now under preparation by the commissioner of revision, which is an index of subjects. This is an index of statutes, as I have explained it, entirely.

Mr. WITHERS. I understand the Senator from Michigan to say that this amendment is recommended by the Committee on the Revision of the Laws unanimously.

Mr. CHRISTIANCY. Unanimously.

Mr. KERNAN. Allow me to say further that the gentleman who is preparing the general index has examined this carefully, and he has advised in favor of its being put into the volume with the index which he is preparing. It will aid very much in examining the statutes.

Mr. CHRISTIANCY. I have the letter of Mr. Boutwell here strongly recommending this.

Mr. COCKRELL. To what date does this index come?

Mr. CHRISTIANCY. It comes down to the date of the Revised Statutes.

Mr. COCKRELL. Of the present edition?

Mr. CHRISTIANCY. Of the present edition.

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

The amendment was agreed to.

Mr. SARGENT. I am instructed by the Committee on Naval Affairs to offer this amendment, to be inserted after line 1573:

For additional compensation to the chief clerk of the Navy Department while performing duties as Assistant Secretary of the Navy by assignment of the Secretary, \$500, or so much thereof as may be necessary, taking effect from February 10, 1878.

For additional compensation to clerk of the fourth class performing the duties of chief clerk under similar assignment, \$500, or so much thereof as may be necessary, taking effect from February 10, 1878.

One stenographer, \$1,600.

Mr. President, the Navy Department, as it will be seen, is run by a very slight force of clerks. We are continually calling on them for

documents of various kinds for reference. I have been surprised myself at the amount of clerical duty that the Committee on Naval Affairs of the Senate have been compelled to require of the Navy Department, and am at a loss almost to know how they succeed in complying with the demands we make upon them.

In addition to that I wish to say that there is no assistant Secretary of the Navy. All the duties which in other Departments devolve on one, two, or three assistants, fall solely upon the head of the Secretary; and he is a very hard-worked man for that reason, and always has been. This is not a proposition to make an assistant Secretary of the Navy, but to allow the Secretary from time to time to detail the chief clerk to act, probably for a few months in a year, when he is absent, so as to give an opportunity for official papers to be signed by this officer.

I also desire to make the statement that there is not in the whole Navy Department a stenographer. Many of the bureaus in the other Departments have stenographers. It is now a necessity of public business that stenographers be used. That has got to be a great art, and it facilitates work so much that it saves an immense amount of time. By this amendment the committee ask that a stenographer be allowed the Secretary of the Navy. I think there will be no objection to the amendment.

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

The amendment was agreed to.

Mr. DAVIS, of Illinois. I move, in line 2028, after the word "seven," to insert "and five hundred;" so as to read:

Solicitor-General, \$7,500.

This is a single officer whose compensation for this year is fixed at \$7,000 by the bill, while the Revised Statutes creating the Department of Justice provided that there should be as an assistant to the Attorney-General "an officer called the Solicitor-General, learned in the law," who was to take the place of the Attorney-General in case of his absence and perform his duties whenever it was necessary to do so. Then there were three Assistant Attorneys-General, with salaries fixed at \$5,000 each. This bill preserves the salaries of the Assistant Attorneys-General, preserves the salary of the Attorney-General, but the Solicitor-General, whose salary is \$7,500 by law, is reduced \$500. Why make that discrimination?

Besides, this gentleman is to my knowledge one of the most useful officers in this Government. The whole business of preparing the Federal cases in the Supreme Court and Court of Claims has to be supervised by him. He is constantly arguing cases in the Supreme Court, and I think I shall be borne out by the Senators from North Carolina in saying he is not only a gentleman learned in the law but one of the most estimable gentlemen in the country. I think that reducing his salary to \$7,000 when it is fixed by law at \$7,500 is a matter that is too small for the consideration of the Senate.

Mr. BECK. Will the Senator from Illinois allow me to say that by the act of March 3, 1877, the Solicitor-General was put at \$7,000, and by the act of 1876 it was \$7,000.

Mr. DAVIS, of Illinois. They are appropriation bills. Of course I do not want to complain of this thing; but there has been no provision of the law except the present bill changing the Revised Statutes upon this subject.

Mr. BECK. The House struck him down to \$6,000 and the Senate has raised him to \$7,000.

Mr. DAVIS, of Illinois. Then you ought to repeal the law giving a salary of \$7,500. It is the most vicious legislation in the world to proceed in this way. The chief law officer of the Government, the Attorney-General, has to supervise the Department; he cannot argue cases before the Supreme Court; he has not the time to do it. I do not mean that he is not able to do it, for the present Attorney-General is a very able man, but he has not the time to do it. The business is given to an officer who really could earn a great deal more money than that. To make a distinction between him and his Assistant Attorneys-General, when they are paid \$5,000, the legal salary, and say he shall be paid \$500 less than the law provides, seems to me rather small business.

Mr. WITHERS. It strikes me that this involves precisely the same principle which we debated some time ago, and it was generally agreed that the yeas and nays upon that amendment would settle the question.

Mr. WINDOM. Precisely the same question.

Mr. WITHERS. I can see no difference in it, except that it applies to one particular individual instead of to a class. I hope the Senate will not go back and have this whole argument gone over again as to the necessity of adhering to the agreement which was had with the House. The present bill fixes the salary at \$7,000. The last year's bill fixed it at \$7,000. The House bill reduced it to \$6,000. This committee put it back at just what it was before, \$7,000, and I hope the Senate will permit it there to remain. As to the repeal of the Revised Statutes, that is done by this very bill which we have now under consideration.

Mr. WINDOM. The Senator from Virginia has stated the precise facts in regard to this matter.

Mr. DAVIS, of Illinois. When we voted on the other question it involved a change of dozens of places in the Revised Statutes.

Mr. WITHERS. This will involve precisely the same thing if we act with fair and even-handed justice. The whole principle in it is

that the Revised Statutes fix the salary at \$7,500 and this appropriation bill reduces it to \$7,000. In every other case where the Revised Statutes fix a salary and this bill reduces it, the same principle would apply.

Mr. DAVIS, of Illinois. I think there is more merit in the case of this officer than any other whose name is mentioned in this bill.

Mr. WITHERS. I make no question as to the merits of the officer.

Mr. DAVIS, of Illinois. I ask a separate vote on it, because there is more merit in the case.

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

Mr. SARGENT. The salary is \$7,000. The House reduced it to \$6,000, and we put it back to \$7,000 upon the principle that we would stand upon the salaries as heretofore existing.

Mr. DAVIS, of Illinois. I read the salary as provided by law. It is exactly the same case as that of the judges; it is a salary provided by law.

Mr. SARGENT. This is exactly the salary he has been receiving. We put it at \$7,000. To put it at \$7,500 is to violate the principle and lose the whole moral force of the position of the Senate in reference to salaries. We say to the House conferees when we meet them: "The Senate are not disposed to legislate on appropriation bills; the law has fixed the price; and if not, the appropriation bills have fixed the price over and over again; there is a certain standard; now we ask that an amount which the law allows be appropriated; we do not ask to increase salaries ourselves, but we resist the attempt to decrease them; if that is to be done let it be done by general legislation." That is the principle upon which we stand, and the House conferees in repeated conferences have yielded to the soundness of the principle; and to violate in a single instance, as is now proposed to do, takes away the argument of consistency on the part of the Senate. For that reason, as well as for the reason that \$7,000 is an ample salary for this office, nearly as large as that of a Cabinet minister, with all the high duties devolved on that place, I trust the Senate will vote down the amendment.

Mr. DAVIS, of Illinois. The matter must go to a conference committee, because the House bill was \$6,000, and you raise it to \$7,000 instead of \$7,500, which is the salary prescribed by law; and this officer is one of the ablest this country has at the present time.

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

The amendment was rejected.

Mr. WINDOM. I have a few formal amendments from the Committee on Appropriations which I intended to propose a moment ago, but some Senator wished to offer an amendment and I postponed them. On line 104 I move to strike out "six" and insert "seven." That is merely to correct a footing so as to make it "\$14,700" instead of "\$14,600."

The amendment was agreed to.

Mr. WINDOM. On line 134 I move to insert after the word "dollars:"

And of this amount not exceeding \$400 may be used for the purchase of platform scales for weighing coal.

The purpose is to enable the architect of this building to weigh the coal that is bought for the use of the two Houses of Congress and to prevent frauds.

The amendment was agreed to.

Mr. WINDOM. On line 249, after the word "library," I move to insert "at \$720."

This is to supply an omission.

The amendment was agreed to.

Mr. WINDOM. On line 327 I move to change the footing to correspond with an amendment already made by the Senate. On motion of the Senator from Wisconsin [Mr. HOWE] the number of clerks in the office of the Librarian was changed, which requires a change in the footing.

Mr. WITHERS. I suppose it is hardly necessary to make a specific motion with regard to every change in the footing which is necessitated by a change in salary.

Mr. WINDOM. It is necessary in committee, I suppose. After the words "in all," in line 327, I move to strike out "\$26,640" and insert "\$30,240."

The amendment was agreed to.

Mr. WINDOM. On line 759 I move to strike out the word "five" and insert "eight;" so as to read:

One stenographer, \$1,800.

I have not had the opportunity of consulting the committee, but I understand the committee are unanimously agreed in that. It is to conform to what is paid to the other stenographers.

The amendment was agreed to.

Mr. WINDOM. I move to strike out from line 1106 to line 1133. The Senate will notice that is a somewhat sweeping amendment, and I will call the attention of the Senator from Kentucky to it. The bill now provides:

And for the purpose of enabling the several mints and assay offices of the United States to make returns to depositors with as little delay as possible, the provisions of section 3545 of the Revised Statutes of the United States shall hereafter apply, &c.

I can, if desired, present reasons for moving to strike that out more

readily by having a brief letter read than by any other way. I think it will meet the approval of the Senate.

The PRESIDING OFFICER. The letter will be read.
The Secretary read as follows:

TREASURY DEPARTMENT,
OFFICE OF THE DIRECTOR OF THE MINT,
Washington, D. C., May 23, 1878.

DEAR SIR: The effect of the provisions of lines 962 to 984, pages 40 and 41, bill H. R. 4104, now pending in the Senate, if enacted into a law, will be to require the mint at Denver to pay the value of bullion which may be deposited thereat in coin or coin notes, less the lawful mint charges.

The bullion will become the property of the United States and will have to be transferred at Government expense to one of the coinage mints for coinage on account of the United States.

The Treasury would hold the resulting coin as an offset for the coin paid for the bullion or for the redemption of the coin notes given in payment for the bullion. In so far as the receiving, assaying, and accounting for the bullion and its transfer to another institution for coinage on account of the United States is concerned, there would be no difficulty, but it would be necessary to increase the bond of the superintendent of the Denver mint to \$100,000; it is now but \$10,000.

If this provision is retained, it will largely increase the responsibility of the superintendent at Denver, and his salary should be, in my opinion, increased to \$3,000 per annum.

As to the expediency of issuing coin notes through an assay office or mint, the Secretary of the Treasury would be a better judge than myself, and I therefore say nothing upon that point.

I am, sir, very respectfully,

H. R. LINDERMAN, *Director.*

Hon. WM. WINDOM,
United States Senate.

Mr. WINDOM. I am willing to submit the question on that statement without any further discussion. I move to strike out the entire clause from line 1106 to line 1133, inclusive.

Mr. BECK. It came to us applying to the mint at Denver. We heard there were several other applications to make it apply to other mints, and therefore upon my suggestion it was amended as it now reads, "the several mints and assay offices," so as to make it general, applicable to all the mints.

Mr. WITHERS. We understood that several already enjoyed the privilege.

Mr. BECK. But after hearing the letter read I think we had better strike out the clause, and in conference we can look at it and determine what to do.

Mr. TELLER. I should like to call attention to section 3545 of the Revised Statutes, which provides:

For the purpose of enabling the mints and the assay office in New York to make returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in such mints and assay office, when the state of the Treasury will admit thereof, such an amount of public money, or bullion procured for the purpose, as he shall judge convenient and necessary, out of which those who bring bullion to the said mints and assay office may be paid the value thereof, in coin or bars, as soon as practicable after the value has been ascertained. On payment thereof being made, the bullion so deposited shall become the property of the United States. The Secretary of the Treasury may, however, at any time withdraw the fund or any portion thereof.

This was a proposition put in the bill by the House for the purpose of buying bullion at Denver. A year ago an attempt was made to induce the Department to make an order for the buying of bullion, as we understand they might at Denver. It would be a great accommodation to all the people in that State who are mining, as well to the people of Idaho, Montana, New Mexico, and Arizona. Denver is a central position through which all the mining products of that region come. The miners of that section of country are compelled to send all their money either to New York City or to Philadelphia, or they are compelled to sell it at the banks. The superintendent of the mint at Denver was willing at that time and is willing now to take charge of and do this business, giving the additional bond, as I understand, without any claim for extra compensation at all. It costs the Government nothing except the mere charge upon the transportation of the bullion from Denver to New York or Philadelphia. Cannot the Government of the United States afford to give this vast region west of the Mississippi River a little facility to enable the people to dispose of their productions which are especially desirable in this country, and which it ought to be the policy of the Government to encourage? If it is upon the theory that the Government cannot afford to do it, I suppose those people will have to submit to the same difficulties that they have experienced for the last fifteen or eighteen years; and you thus give the bankers an opportunity to buy their gold at less than it is worth in many instances.

In this case I think it is extremely desirable that the mint at Denver should have this privilege; and so does my colleague. While he is connected with the largest bank, the one that buys probably the most gold in that country, and I am individually connected with another bank that makes some money in buying gold, yet we know that it is not the interest of the people that they should sell their gold bullion to the banks, but that the Government should establish this depository for the purchase of bullion at Denver. It is not a simple question of accommodating the people of Colorado, but a question of accommodating the people of the extreme western mining regions, except it may be California.

Mr. MERRIMON. What the Senator from Colorado has stated is in a very large measure applicable to the assay office at Charlotte.

Mr. SAULSBURY. I move that the Senate adjourn.

Mr. WINDOM. I hope that motion will not be made. We can complete this bill now in fifteen or twenty minutes. It will take all day Friday if we adjourn now.

Mr. MERRIMON. This bill is a very important one, and we have got on with it very much more rapidly than was anticipated when it was taken up. It appropriates millions and millions of dollars. If we are going to hurry through in a few minutes' work that which ought to take hours, it is rather remarkable to me. And now it is proposed to strike out a very important provision of the bill. I for one am opposed to striking it out, and would like to have an opportunity to acquaint the Senate with the reasons why I am so opposed to it.

Mr. WINDOM. The Senate will be very glad to hear the Senator; and with the consent of the Senate I will withdraw the motion to strike out and leave the subject to the conference.

Mr. MERRIMON. I am content to adopt that course.

Mr. WINDOM. With the consent of the Senate I will do that. I withdraw the motion.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. WINDOM. One other proposition only. I move on line 98 to strike out the words "during the session six," and insert "twelve;" so as to read:

Telegraph operator, \$1,200 per annum.

The Senate has already passed a bill appropriating \$1,200 for that purpose. I do not wish to argue it. The Senate has expressed its opinion on the subject.

The amendment was agreed to.

Mr. WINDOM. Then there should be a change of the total corresponding with the amendment just made to \$78,630 by inserting "six hundred" after "thousand;" so as to read "\$78,630."

The amendment was agreed to.

Mr. WINDOM. I believe the committee have no further amendments.

Mr. CAMERON, of Wisconsin. I desire to offer a slight amendment at lines 2148 and 2149. By those two lines the sum of \$1,500 is appropriated to the chemist and microscopist connected with the Agricultural Bureau. The duties of those two officers are entirely distinct, and they desire, as I am informed, and I think it is very proper, that the appropriation should be made separately to each of them. I do not propose by my amendment to increase the appropriation. I propose to insert after the word "chemist" the words "\$1,000," appropriating to the chemist \$1,000 for the purposes indicated, and then to strike out line 2149 in these words:

And microscopist, \$1,500.

And insert in lieu thereof:

To investigate the history and habits of cryptogamic plants injurious to agriculture, for experiments in ascertaining the best means of preventing their growth and destroying them, for traveling expenses, chemicals, and other expenses connected with the practical works of the microscopical division, \$500.

Mr. PADDOCK. I should like to inquire of the Senator from Wisconsin if both the chemist and microscopist understood that this is the relative amount that they need. Are they agreed as to the division of the sum?

Mr. WINDOM. I must beg pardon of the Senator from Wisconsin. I did not understand his statement as I was engaged in another matter. I think I have no objection to the amendment proposed by the Senator from Wisconsin if this is understood among these officers.

Mr. DAVIS, of West Virginia. I should like to know the object of the amendment.

Mr. CAMERON, of Wisconsin. One object is to divide the appropriations. The bill appropriates \$1,500 jointly for the use of these two officers. The officers themselves desire that the appropriations should be divided and a certain amount appropriated to each.

Mr. DAVIS, of West Virginia. Does the Commissioner of Agriculture recommend this change?

Mr. CAMERON, of Wisconsin. I am not aware that he has recommended it officially, but he is satisfied with it.

Mr. DAVIS, of West Virginia. Has he said so to the Senator?

Mr. CAMERON, of Wisconsin. He is satisfied that the change shall be made. I am informed that until last year this appropriation was divided, but last year it was made jointly, and this year that example has been followed.

Mr. DAVIS, of West Virginia. The Commissioner of Agriculture was before the Committee on Appropriations and the bill, as I understand, is as he then desired it. Now I ask the Senator if any new light has come to the committee or himself, or has it only come to some of the officers who are to expend this money and who want this change?

Mr. CAMERON, of Wisconsin. The officers have not the spending of the money; the money is spent under the direction of the Commissioner of Agriculture.

Mr. DAVIS, of West Virginia. But my friend knows well that if the accounts are transferred from one to the other the Commissioner has no control except to spend the money for the particular objects specified. Unless the Senator from Wisconsin has properly considered this matter and knows that the Commissioner of Agriculture desires this change, I think it is unsafe to vote it.

Mr. MORRILL. On the face of it the Senator, if he will look at it, will see that it is proper, and I understand the Senator from Wisconsin has had ample information on the subject. It is to give the chemist a thousand dollars and the microscopist \$500. Any one with a knowledge of the duties of the two professors under the Commis-

sioner of Agriculture will see at once that the professor of chemistry ought to have a larger sum than the other.

Mr. DAVIS, of West Virginia. With all due respect to both the Senators, I happen to be a member of the Agricultural Committee and also of the Committee on Appropriations, and I ought to have known what took place in either committee; and so far as I now know, no request has come from the Agricultural Department, either to the Committee on Agriculture or to the Committee on Appropriations, to make this change; and unless there is such a request I see no reason for it.

Mr. PADDOCK. That is my embarrassment. I am also connected with the Committee on Agriculture as its chairman, and I have had no intimation from the Commissioner of Agriculture that he desired to have this change; but if the Senator from Wisconsin says that he understands it to be satisfactory both to the Commissioner of Agriculture and to the officers interested, I shall waive any objection I might otherwise make. I understand this sum to have been put in the appropriation bill in accordance with the general suggestions in relation to all these matters made by the Commissioner of Agriculture, with whom I went to the committee for the purpose of determining what should be done in reference to these matters. I should be very glad to accommodate the two officers concerned.

Mr. SAULSBURY. I move that the Senate adjourn.

Mr. WITHERS. I hope the Senator will withdraw that motion and let us see if we cannot get through with the bill.

Mr. WINDOM. There is no trouble in finishing the bill within the next fifteen minutes.

Mr. SAULSBURY. I insist on my motion.

Several SENATORS. Vote down the motion.

The PRESIDING OFFICER. It is moved that the Senate do now adjourn.

The motion was not agreed to; there being on a division—ayes 12, noes 29.

Mr. COCKRELL. I call for the yeas and nays. ["No!" "No!"] It is impossible for us to do business in this way.

Mr. WITHERS. We have just voted down the motion to adjourn. Why further attempt to consume time by calling the yeas and nays?

Mr. COCKRELL. I am astonished that the Committee on Appropriations insist upon going on.

Mr. WINDOM. We can finish the bill before the yeas and nays are called, I think.

The PRESIDING OFFICER. The yeas and nays are demanded.

Mr. PADDOCK. I hope the Senator from Missouri will withdraw his call. There is no serious cause of disagreement here at all so far developed.

The PRESIDING OFFICER. The yeas and nays are called for upon the motion to adjourn. Is there a second?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wisconsin, [Mr. CAMERON.]

Mr. COCKRELL. I should like to have the amendment reported again.

The Secretary read the amendment.

Mr. WITHERS. I suggest to the Senator from Wisconsin that as this whole amount of \$1,500 can be expended under the direction of the Commissioner of Agriculture he has a perfect control of the whole matter; and if in his opinion it requires the expenditure of \$1,000 for the one and \$500 for the other he will so divide it, but if he prefers a different division and the public service may in his opinion demand it, we ought not to prevent his distributing this fund between the two objects of investigation as in his opinion may be most judicious.

Mr. DAVIS, of West Virginia. In addition to what the Senator from Virginia says, it will be noticed that the amendment gives traveling expenses. Just below he will find that there is already a provision for the traveling expenses of the Commissioner and others who may go out. This "traveling expenses" is a new thing in the place the Senator from Wisconsin desires to put it, and it will take a part of this money that ought to go to legitimate purposes.

Mr. CAMERON, of Wisconsin. On the preceding page, page 87, the Senate Committee on Appropriations proposed an amendment, which amendment has been adopted by the Senate in Committee of the Whole. It provides—

For investigating the history and habits of insects injurious to agriculture; for experiments in ascertaining the best means of destroying them; for chemicals, traveling expenses, and other expenses in the practical work of the entomological division, \$5,000.

That is the only provision which I find in the bill in regard to traveling expenses. Is there any other?

Mr. DAVIS, of West Virginia. If the Senator will notice in lines 2157 and 2158 he will find:

And for actual traveling expenses while on the business of the Department.

It confines it to actual traveling expenses while on business of the Department. The Senator's amendment goes to another portion of the bill and says for traveling expenses whether on business or not.

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

The amendment was rejected.

Mr. BUTLER. On line 219 I move to strike out the words "archi-

tect of the Capitol," and insert "Doorkeeper;" so as to put the engineers and others engaged in heating and ventilating the House under the orders of the Doorkeeper.

Mr. HOAR. Was it ever known that when the House passed a bill regulating as it chose the management of its own officers, the Senate undertook to make an amendment to that? This is something which has passed the House relating exclusively to the conduct of the officers of the House in the management of its Hall.

Mr. WINDOM. I will say to the Senator from South Carolina, if he will allow me, that there is already an amendment in this clause, and it will be within the jurisdiction of the conference committee. If the House desires to change it they can have it done in conference.

Mr. BUTLER. I make this motion by the request of gentlemen of the House. I do not know what has been the rule heretofore on the subject, but I was informed that it was simply an accident that this matter was made subject to the order of the architect of the Capitol instead of the Doorkeeper. I am not at all particular about it.

Mr. WINDOM. I think it had better be referred to the conference. I did not notice that when the Senator spoke to me about it a few minutes ago, but it is within the jurisdiction of the conference.

Mr. BUTLER. I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. SPENCER. I offer the following amendment: in line 54, after the word "Pensions," insert the words:

And clerk to the Committee on Military Affairs.

Mr. WINDOM. I dislike to resist the amendment proposed by the Senator from Alabama; but I think if we undertake to increase the number of permanent committee clerks it will be quite a large task; we shall have to go through all the clerks of committees.

Mr. SPENCER. In answer to the chairman of the Committee on Appropriations, I notice that they have increased the number of permanent clerks.

Mr. WINDOM. In one case, the Committee on Pensions.

Mr. SPENCER. They give the Committee on Pensions a permanent clerk. If there is any reason for any committee of the Senate having a permanent clerk, it is certainly the Committee on Military Affairs. The Committee on Private Land Claims has a permanent clerk.

Mr. WITHERS. Not under this bill.

Mr. SPENCER. Certainly, under this bill.

Mr. WITHERS. No; I mean it is not provided for originally in this bill.

Mr. SPENCER. He is provided for this year by this bill and so are several others.

Mr. WITHERS. It is no new legislation.

Mr. SPENCER. The clerk of the Committee on Pensions is new legislation.

Mr. WITHERS. The clerk to the Committee on Pensions is added to this list because the Committee on Pensions have a very large amount of work he can do in the vacation.

Mr. SPENCER. So has the Committee on Military Affairs a very large amount of work that he can do during vacation. I submit to the Senate that if there is any committee in the Senate which is entitled to a permanent clerk it is the Committee on Military Affairs.

Mr. MAXEY. I will state that the Committee on Military Affairs has charge of one Department of the Government. An immense amount of work is done by that committee, as I happen to know as a member of the committee, and I believe it is wise and proper that it should have a permanent clerk. I therefore agree to the amendment proposed by the chairman of that committee.

Mr. SARGENT. There is really no necessity in this case, and I do not think there is in the case of the Committee on Pensions. The rule of the Senate is that on the adjournment of the Senate the papers shall be returned to the Secretary's office. I know of no power of the Committee on Pensions to sit during the recess nor of any power or disposition on the part of that committee or its clerk to work during the recess of the Senate. I doubted in committee whether this addition ought to be made. The argument was, "It does not increase the number, because we forego one permanent clerk." The majority of the committee thought it ought to be reported; but the principle certainly ought not to be extended to the Committee on Military Affairs. There is no business of the Committee on Military Affairs during the recess in a state of peace at any rate. If there is any I should like to know what it is. I should like any Senator to suggest any business the Committee on Military Affairs has during the recess. It is only an attempt to prolong the pay of a clerk. The Committee on Naval Affairs is just as important a committee, has just as much work. Put the work side by side and I think it has more, for I believe we are bothered more by naval officers than the Committee on Military Affairs is by military officers. There is no necessity for a permanent clerk for either. If there is a necessity for it in one case there is in the other, and there is just as much reason for it.

You might run through all the committees and you would find that just as good arguments can be advanced in favor of others as for the clerk of the Committee on Military Affairs. One committee that has had a permanent clerk, the Committee on Privileges and Elections, is now dropped from that list. There are exigencies when a committee may require the assistance of a permanent clerk. When

there was so much dispute in reference to seats in this body, when that committee was required to send subcommittees to the Southern States, &c. there was a good deal of necessity for a permanent clerk to the Committee on Privileges and Elections, because the business piled up mountain-high, and by consent of the Senate they sat during the recess of the Senate—in fact, sat during the daily sittings of the Senate. The same is true of the Military Committee during a time of war when war measures have to be originated and other matters of legislation of great importance are before that committee; but in a time of peace there can be no necessity for it at all. It is the most extravagant method of paying public servants, this making permanent clerks during the recess. I do not think it ought to be done, and am opposed to it.

Mr. SPENCER. There are seven or eight committees that pay their clerks annual salaries; and if there is a reason why one committee should have its clerk paid an annual salary there is the same reason why the Committee on Military Affairs should have it. The committee considered this question and unanimously directed me to report this amendment. I hope the Senate will adopt it. Seven or eight other committees have permanent clerks. Some of them have a great deal less business to do than the Committee on Military Affairs.

Mr. MERRIMON. What will the clerk have to do in vacation?

Mr. SPENCER. The same as other clerks. We have missed from our library at different times valuable works and books which if the committee had a permanent clerk we should not have lost. Now, we must ask for an appropriation, as we shall have to do, of several hundred dollars to furnish that committee with books that have been taken from the committee-room. If we had a permanent clerk who would be responsible for them, that necessity would be obviated. What have other clerks of committees to do during the recess? What does the clerk of the Committee on Appropriations do during the recess? So with the clerk of the Committee on Private Land Claims.

Mr. WINDOM. Let us vote.

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

The question being put, there were on a division—ayes 19, noes 16.

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

The yeas and nays were ordered.

Mr. SAULSBURY. I move that the Senate adjourn.

Mr. SARGENT. I hope we shall adjourn if we have got down to this kind of propositions.

Mr. WINDOM. I hope we shall not adjourn.

The PRESIDING OFFICER put the question on the motion to adjourn, and declared that the noes appeared to prevail.

Mr. SARGENT. Let us have the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The motion is to adjourn.

Mr. DAVIS, of West Virginia. It is out of order, but I ask the chairman what he has to say about adjournment.

Mr. SARGENT. That is out of order.

Mr. DAVIS, of West Virginia. I know it is out of order, and I said so; but I should like to know what the chairman says.

The PRESIDING OFFICER. The Clerk will call the roll.

The yeas and nays were taken; and the result was announced—yeas 24, nays 25; as follows:

YEAS—24.

Armstrong,	Cockrell,	Hill,	Morgan,
Bailey,	Coke,	Jones of Florida,	Ransom,
Barnum,	Conkling,	Kernan,	Sargent,
Bayard,	Dennis,	Lamar,	Saulsbury,
Beck,	Eustis,	McCreery,	Spencer,
Bruce,	Gordon,	Merrimon,	Wallace.

NAYS—25.

Anthony,	Davis of W. Va.,	McMillan,	Saunders,
Blaine,	Dorsey,	Matthews,	Teller,
Booth,	Ferry,	Maxey,	Windom,
Burnside,	Hereford,	Morrill,	Withers.
Butler,	Hoar,	Paddock,	
Cameron of Wis.,	Howe,	Randolph,	
Davis of Illinois,	Kirkwood,	Rollins,	

ABSENT—27.

Allison,	Edmunds,	Jones of Nevada,	Plumb,
Cameron of Pa.,	Garland,	Kellogg,	Sharon,
Chaffee,	Grover,	McDonald,	Thurman,
Christianity,	Hamlin,	McPherson,	Voorhees,
Conover,	Harris,	Mitchell,	Wadleigh,
Dawes,	Ingalls,	Oglesby,	Whyte.
Eaton,	Johnston,	Patterson,	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Alabama, [Mr. SPENCER,] upon which the yeas and nays have been ordered.

Mr. SAULSBURY. I desire to be heard one moment on that. I understand the proposition is to make the clerk of the Military Committee a permanent clerk and pay him a salary by the year. Inquiry was made of the chairman of that committee what special duties that clerk would be required to perform during the recess of the Senate. Here is a proposition, now, to take money out of the public Treasury to give to a clerk when the chairman of the committee can-

not state one single duty he would have to perform during the recess of the Senate. Have the people of this country no rights? Have the tax-payers of the country, who furnish every dollar that goes into the Treasury, no interests to be protected by the Senate? Why, sir, during the last fifteen years there has never been such a strain upon the people of any portion of the earth as has been placed on the American people by the unwise appropriations passed through Congress.

Sir, we hear some talk of depressed labor, we hear some talk of the risings of men because they are oppressed and cannot get employment. If there is any cause of complaint existing anywhere for an uprising in this country, it is that the tax-payers of the country should rise up and protest against the squandering of the money which they have paid into the public Treasury. Here is a proposition to give to the clerk of a committee a few hundred dollars during the recess of the Senate when he has not a single duty to perform so far as I can learn from the chairman of the committee.

Mr. RANDOLPH. May I interrupt the Senator from Delaware and save a little time? One of the members of the Military Committee, the Senator from Texas, stated a few moments ago that it was the wish of the entire Military Committee that it should have a permanent clerk. The reasons he did not assign perhaps as fully as he might have done, because he did not want to occupy the time of the Senate. It was the sober judgment of the Military Committee that a clerk could be profitably employed during the whole session and during the whole year. The chairman of the committee was asked the question what could be done by that clerk during the recess. I regret to say that he did not answer it quite as I should have answered it. I say as a member of that committee that the clerk of that committee and three other men can be profitably employed during the whole of the coming vacation in performing this sort of duty; in gathering information concerning bills now before that committee sufficient in number to keep the committee at work continuously from now till Congress meets again. I have given hours almost every day for the last two months to doing work which a clerk ought to have done. It may be my duty; I cannot say; but I do know that if the clerk of that committee, an unusually intelligent gentleman, gives his time during the vacation, there will be presented by the Military Committee at the opening of the next session a mass of testimony concerning delicate cases before the committee such as will not be given without his assistance. That is what the clerk will have to do.

Mr. WINDOM. I am informed by so many Senators on the other side of the House that they have amendments which they desire to offer that, if it meets the approval of the Senate, I will ask leave to make a report from a committee of conference which will take but two minutes, and then I will move an adjournment.

Several SENATORS. That is right.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. WINDOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. No. 3064) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1879, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows: That the Senate recede from its amendments numbered 46, 47, 49, 50, 54, 55, 57, and 58.

That the House recede from its disagreement to the amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 51, 52, 53, 56, and 59, and agree to the same.

That the House recede from its disagreement to the amendment numbered 11, and agree to the same with an amendment striking out lines 3 and 4, page 2, of the bill, and inserting in lieu thereof the following:

That hereafter *chargés d'affaires ad interim* shall receive no additional pay beyond that which the law provides for the regular offices which they hold in their respective legations.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 19, and agree to the same with an amendment striking out the comma between the words "Paraguay" and "Uruguay," and inserting the word "and;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 15, and agree to the same with an amendment striking out lines 14 and 15, page 2 of the bill; and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 24, and agree to the same with an amendment striking out "ten" and inserting in lieu thereof "four;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 43, and agree to the same with an amendment striking out the words "Turk's Island;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 48, and agree to the same with an amendment striking out the word "Milan;" and the Senate agree to the same.

WM. WINDOM,
W. B. ALLISON,
WM. W. EATON,
Managers on the part of the Senate.
O. R. SINGLETON,
WM. A. J. SPARKS,
EUGENE HALE,
Managers on the part of the House.

The report was concurred in.

Mr. WINDOM. I move that the Senate do now adjourn.

The motion was agreed to; and (at six o'clock p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 29, 1878.

The House met at eleven o'clock a. m. Prayer by the Chaplain, Rev. W. P. HARRISON.

The Journal of yesterday was read.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed, without amendment, a bill of the House of the following title:

A bill (H. R. No. 463) to forbid the further retirement of United States legal-tender notes.

ORDER OF BUSINESS.

Mr. WOOD. I rise to a privileged question.

Mr. DAVIS, of North Carolina. I desire to submit a request to the House.

Mr. WOOD. I will yield for that purpose.

EVENING SESSION FOR DEBATE.

Mr. DAVIS, of North Carolina. I ask unanimous consent that there be an evening session of the House to-day, commencing at half past seven o'clock, for debate only, no business whatever to be transacted.

Mr. BURCHARD. I think we had better have an evening session for business.

The SPEAKER. The Chair desires to state that there is a great pressure to have a session for debate.

Mr. HALE. Let them have a night session for debate this week. There was no objection, and it was so ordered.

VENEZUELAN CLAIMS.

Mr. BRIDGES. As one of the Committee on Foreign Affairs, I ask consent to present some views upon House bill No. 4799, in relation to the Venezuelan mixed commission. I ask to have them printed and recommended to the Committee on Foreign Affairs, to be considered in connection with the report of the majority of the committee upon the same subject.

There was no objection.

ADJOURNMENT SINE DIE.

Mr. WOOD. I now call up from the Speaker's table the concurrent resolution of the Senate providing for the final adjournment of this session of Congress on the 10th day of June next. I move that the further consideration of that resolution be postponed until Saturday, the 8th day of June, after the reading of the Journal, and on that motion I call the previous question.

Mr. GARFIELD. And if that is voted down, the resolution will come up for action on its merits.

Mr. BURCHARD. Should the previous question be seconded and the main question ordered, will it run to the adoption or rejection of the resolution, should the motion to postpone not be agreed to?

The SPEAKER. It will.

Mr. HALE. I call for the regular order.

Mr. WOOD. Do not be in a hurry; we will get along.

The SPEAKER. The resolution will be read.

The Clerk read the resolution, as follows:

Resolved, (the House of Representatives concurring,) That the President of the Senate and Speaker of the House of Representatives be, and they are hereby, directed to adjourn their respective Houses without day on Monday, June 10, 1878, at twelve o'clock noon.

The previous question was seconded and the main question ordered.

Mr. HALE moved to reconsider the vote by which the main question was ordered; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question is upon the motion to postpone the further consideration of the resolution, which has been read, until Saturday, June 8, after the reading of the Journal.

Mr. PATTERSON, of New York. And on that motion I call for the yeas and nays.

The yeas and nays were ordered.

Mr. REAGAN. Is it in order to move a call of the House at this time?

Mr. HALE. Not until after a vote has been taken, and not then unless a quorum does not vote.

Mr. WOOD. The rule requires that we shall know whether there is a quorum present or not.

Mr. HALE. We can tell that by voting.

Mr. WOOD. No vote has yet been had.

Mr. REAGAN. It is not indispensable to a call of the House that there shall be no quorum.

Mr. CONGER. There is no doubt of a quorum being present. If the gentleman will look around the House he will see that there is a quorum here.

Mr. BURCHARD. Is a call of the House in order after the previous question has been ordered until a vote shows no quorum voting?

Mr. WOOD. Do not be in such a hurry. For the purpose of ascertaining whether there is a quorum present or not, I move that the House now adjourn, and on that motion I call for the yeas and nays.

Mr. HALE. The yeas and nays have been ordered on the motion to postpone.

The SPEAKER. That does not prevent them being ordered on a motion to adjourn.

Mr. HALE. Can the House now adjourn, after the previous question has been ordered?—

The SPEAKER. The House can adjourn at any time. The Chair was examining the rule in regard to a call of the House. The Chair thinks there is a quorum present.

Mr. HALE. Does the gentleman from New York [Mr. WOOD] want to filibuster on his own motion?

Mr. WOOD. I want to have a full House.

Mr. HALE. We gave the gentleman the previous question on his motion, as he asked. Now, does he want to adjourn on that?

Mr. WOOD. I want to have a full House, and the yeas and nays on the motion to adjourn will give members an opportunity to come in.

The yeas and nays were ordered.

The question was taken; and there were—yeas 0, nays 245, not voting 46; as follows:

YEA—0.

NAYS—245.

Acklen,	Cutler,	Hubbell,	Rice, William H.
Aiken,	Danford,	Humphrey,	Riddle,
Aldrich,	Davidson,	Hungerford,	Robertson,
Atkins,	Davis, Horace	Hunter,	Robinson, G. D.
Bacon,	Davis, Joseph J.	Hunton,	Robinson, M. S.
Bagley,	Dean,	James,	Ross,
Baker, John H.	Deering,	Jones, Frank	Ryan,
Baker, William H.	Denison,	Jones, John S.	Sampson,
Ballon,	Dibrell,	Jones, James T.	Sapp,
Banks,	Dickey,	Joyce,	Saylor,
Banning,	Douglas,	Keifer,	Scates,
Bayne,	Dunnell,	Keightley,	Schleicher,
Bell,	Dwight,	Kenna,	Sexton,
Bicknell,	Eames,	Ketcham,	Shallenberger,
Bisbee,	Eden,	Killinger,	Singleton,
Blackburn,	Eickhoff,	Kimmel,	Sinnickson,
Blair,	Elam,	Knott,	Smalls,
Bland,	Ellis,	Landers,	Smith, A. Herr
Bliss,	Errett,	Lapham,	Smith, William E.
Boone,	Evans, I. Newton	Lathrop,	Southard,
Bouck,	Evins, John H.	Ligon,	Sparks,
Boyd,	Ewing,	Lindsey,	Springer,
Bragg,	Felton,	Lockwood,	Steele,
Brentano,	Finley,	Lynde,	Stenger,
Brewer,	Forney,	Mackey,	Stephens,
Bridges,	Fort,	Maish,	Stewart,
Briggs,	Foster,	Marsh,	Stone, Joseph C.
Bright,	Franklin,	Mayham,	Stone, John W.
Brogden,	Frye,	McGowan,	Strait,
Browne,	Fuller,	McKenzie,	Thornburgh,
Buckner,	Gardner,	McMahon,	Throckmorton,
Bundy,	Garfield,	Metcalfe,	Tipton,
Burchard,	Garth,	Mills,	Townsend, R. W.
Butler,	Gause,	Mitchell,	Turner,
Cabell,	Giddings,	Money,	Turney,
Cain,	Goode,	Monroe,	Vance,
Caldwell, John W.	Gunter,	Morgan,	Van Vorhes,
Caldwell, W. P.	Hale,	Morrison,	Veeder,
Calkins,	Hamilton,	Morse,	Wait,
Candler,	Hanna,	Muldrow,	Ward,
Cannon,	Hardenbergh,	Neal,	Warner,
Carlisle,	Harmer,	Norcross,	Walsh,
Caswell,	Harris, Benj. W.	O'Neill,	Watson,
Chalmers,	Harris, Henry R.	Overton,	Welch,
Chittenden,	Harris, John T.	Page,	White, Michael D.
Clafin,	Harrison,	Patterson, G. W.	Whithorne,
Clark, Alvah A.	Hart,	Patterson, T. M.	Williams, Andrew
Clark, RUSH	Hartbridge,	Peddie,	Williams, A. S.
Clymer,	Hartzell,	Phelps,	Williams, C. G.
Cobb,	Haskell,	Phillips,	Williams, James
Cole,	Hatcher,	Pollard,	Williams, Richard
Collins,	Hayes,	Potter,	Willis, Albert S.
Conger,	Hazelton,	Pound,	Willis, Benj. A.
Cook,	Hendee,	Powers,	Willits,
Covert,	Henderson,	Price,	Wilson,
Cox, Jacob D.	Henkle,	Pridemore,	Wood,
Cox, Samuel S.	Henry,	Rainey,	Wright,
Crapo,	Herbert,	Randolph,	Yeates,
Cravens,	Hewitt, Abram S.	Rea,	Young.
Crittenden,	Hewitt, G. W.	Reagan,	
Culberson,	Hooker,	Reed,	
Cummings,	House,	Reilly,	

NOT VOTING—46.

Beebe,	Gibson,	McKinley,	Thompson,
Benedict,	Glover,	Muller,	Townsend, Amos
Blount,	Hiscock,	Oliver,	Townsend, M. I.
Burdick,	Ittner,	Pugh,	Tucker,
Camp,	Jorgensen,	Quinn,	Waddell,
Campbell,	Kelley,	Rice, Americus V.	Walker,
Clark of Missouri,	Knapp,	Robbins,	White, Harry
Clarke of Kentucky,	Loring,	Roberts,	Wigginton,
Durham,	Luttrell,	Shelley,	Williams, Jere N.
Ellsworth,	Manning,	Slemmons,	Wren.
Evans, James L.	Martin,	Starns,	
Freeman,	McCook,	Swann,	

So the motion to adjourn was not agreed to.

During the roll-call the following announcements were made:

Mr. SHELLEY. I am paired with the gentleman from Indiana, [Mr. EVANS.] If he were present, I should vote "no."

Mr. LIGON. My colleague from Alabama, Mr. WILLIAMS, is detained from the House by sickness.

Mr. MULLER. I am paired with my colleague, Mr. STARN. If he were present, I would vote "no."

Phillips,	Singleton,	Tucker,	Williams, A. S.
Potter,	Smith, William E.	Turner,	Williams, James
Reagan,	Southard,	Turney,	Willis, Albert S.
Reilly,	Sparks,	Vance,	Wilson,
Rice, Americus V.	Springer,	Veeder,	Wood,
Riddle,	Steele,	Waddell,	Wright,
Robertson,	Stenger,	Walker,	Yeates,
Ross,	Stephens,	Walsh,	Young.
Saylor,	Swam,	Warner,	
Scales,	Throckmorton,	Whithorne,	
Schleicher,	Townshend, R. W.	Wigginton,	

NAYS—131.

Aiken,	Cummings,	James,	Randolph,
Aldrich,	Cutler,	Jones, John S.	Rea,
Bacon,	Danford,	Joyce,	Reed,
Bagley,	Davis, Horace	Keifer,	Rice, William W.
Baker, William H.	Deering,	Keightley,	Robinson, G. D.
Ballou,	Denison,	Ketcham,	Robinson, M. S.
Banks,	Dunnell,	Killingier,	Sampson,
Bayne,	Dwight,	Landers,	Sapp,
Bell,	Eames,	Lapham,	Sexton,
Bisbee	Ellsworth,	Lathrop,	Shallenberger,
Blair,	Errett,	Lindsey,	Simmickson,
Bouck,	Evans, I. Newton	Marsh,	Smalls,
Boyd,	Fort,	McGowan,	Smith, A. Herr
Brentano,	Foster,	Metcalfe,	Stewart,
Brewer,	Frye,	Mitchell,	Stone, John W.
Bridges,	Fuller,	Monroe,	Stone, Joseph C.
Briggs,	Gardner,	Morgan,	Strait,
Brogden,	Garfield,	Morse,	Thornburgh,
Browne,	Hale,	Neal,	Tipton,
Burchard,	Hanna,	Norcross,	Townsend, Amos
Butler,	Hardenbergh,	Oliver,	Van Vorhes,
Cain,	Harmer,	O'Neill,	Wait,
Calkins,	Harris, Benj. W.	Overton,	Ward,
Campbell,	Hayes,	Page,	Welch,
Cannon,	Hazleton,	Patterson, G. W.	White, Harry
Caswell,	Hendee,	Peddle,	White, Michael D.
Chittenden,	Henderson,	Pollard,	Williams, Andrew;
Clafin,	Hiscock,	Pound,	Williams, C. G.
Clark, Rash	Hubbell,	Powers,	Williams, Richard
Cole,	Humphrey,	Price,	Willis, Benj. A.
Conger,	Hungerford,	Pridemore,	Willits,
Cox, Jacob D.	Hunter,	Pugh,	Wren.
Crapo,	Ittner,	Rainey,	

NOT VOTING—35.

Baker, John H.	Evans, James L.	Loring,	Ryan,
Beebe,	Evins, John H.	Lattrell,	Shelley,
Benedict,	Freeman,	Manning,	Shemons,
Bundy,	Gibson,	McCook,	Starin,
Burdick,	Glover,	McKinley,	Thompson,
Camp,	Haskell,	Muller,	Townsend, M. I.
Clarke of Kentucky,	Jorgensen,	Quinn,	Watson,
Covert,	Kelley,	Robbins,	Williams, Jere N.
Durham,	Knapp,	Roberts,	

So the House refused to lay the resolution of final adjournment on the table.

During the roll-call,

Mr. LIGON said: My colleague, Mr. WILLIAMS, is detained from the House on account of sickness.

Mr. ROBBINS. I am paired with Mr. LORING. If he were here, he would vote in the negative and I would vote in the affirmative.

Mr. COVERT. I am paired with my colleague, Mr. TOWNSEND. If he were here, I would vote in the affirmative and he would vote in the negative.

Mr. SHELLEY. I am paired with Mr. EVANS, of Indiana.

Mr. EVINS, of South Carolina. I am paired with Mr. MCCOOK, of New York.

Mr. KELLEY. I am paired with Mr. MCKINLEY, who is detained from the House by sickness. If he were here, I would vote in the affirmative and he would vote in the negative.

Mr. HUNGERFORD. My colleague, Mr. CAMP, is paired with Mr. BENEDICT. Mr. CAMP would vote in the negative.

Mr. BURDICK. I am paired with Mr. MANNING. If he were here, I would vote in the negative and he would vote in the affirmative.

Mr. RYAN. I am paired with Mr. QUINN. If he were here, I would vote in the negative and he would vote in the affirmative.

Mr. BUNDY. I am paired with Mr. BEEBE.

Mr. CARLISLE. My colleague, Mr. DURHAM, is paired with Mr. BAKER, of Indiana. If Mr. DURHAM were here, he would vote in the affirmative.

Mr. MULLER. I am paired with my colleague, Mr. STARIN. If he were here, I would vote "ay" and he would vote "no."

Mr. REA. My colleague, Mr. GLOVER, is paired with Mr. JORGENSEN.

The vote was then announced as above recorded.

Mr. GOODE. I move to amend the Senate resolution by striking out "Monday, June 10," and inserting "Thursday, June 20."

The SPEAKER. This matter came up this morning as a question of privilege. The gentleman from New York moved further to postpone the consideration of the Senate resolution until the 8th day of June, and the question was asked of the Chair whether the effect of the previous question would be to carry the House to a vote upon the resolution itself in case the motion to postpone did not prevail. The Chair decided and so stated to the House that that would be its effect; so that the House was perfectly well advised as to the effect of ordering the main question. The Chair thinks his decision is in accordance with the rule and the practice. He desires further to say

that there is but one way he knows of by which this proposition can be reached for amendments. If the motion to concur is voted down and that vote is then reconsidered the proposition would be stripped of the main question and the resolution would be open to amendment.

Mr. KNOTT. I desire to ask a parliamentary question. Would a motion be in order to reconsider the vote by which the main question was ordered?

The SPEAKER. That motion has already been made, and has been laid upon the table.

Mr. GOODE. I desire to inquire of the Chair if, when the gentleman from New York made a motion to take this resolution from the Speaker's table and postpone its consideration until the 8th day of June, upon which motion the main question was ordered, the effect of that was not simply to bring the House to a vote upon the pending motion, which motion was to postpone until the 8th day of June?

The SPEAKER. The question was called up as a question of privilege, and the Chair has stated that under the rules, and under the practice, when a motion to postpone is pending and the previous question is seconded, the operation of the previous question runs to the main question involved if the motion to postpone is voted down.

Mr. COX, of New York. Will the Chair permit me to read the rule?

The SPEAKER. The rule has already been read, but the Chair will cheerfully listen.

Mr. COX, of New York. I ask the attention of the Chair to the statement at page 277 of the Manual in regard to the previous question:

But its only effect if a motion to postpone is pending shall be to bring the House to a vote upon such motion.

The SPEAKER. That is a part of the rule which has been read. But the ordering of the main question has always the effect of bringing the House to a vote upon the main question, if the motion to postpone does not prevail or if a motion to commit, if entered, does not prevail.

Mr. HOOKER. I desire to say in reference to the inquiry made by my friend from Virginia, [Mr. GOODE,] that if you read the whole rule together, when you come to the clause that has been referred to by the gentleman from New York, [Mr. COX,] it will be found consistent with the prior sentence, constituting a new sentence beginning with the word "but," which in this instance is used as a qualification of the general operation of the rule. The statement of the Speaker that if the House has ordered the main question it goes to all the questions then pending, both amendments and main question, is undoubtedly correct. But where there is a motion to postpone to a day certain that is a distinct, positive, self-subsisting proposition, and if the previous question is ordered upon it and the vote taken, then the operation of the previous question is exhausted absolutely. That must be the effect of that portion of the rules because it is in the form of an exception to the general effect of the rule that when the previous question is ordered it is not exhausted till the whole subject-matter has been disposed of.

The SPEAKER. The Chair must construe the whole rule together, and he has so construed it in relation to this matter. And he would state in addition that the practice of the House has been uniform, so far as the Chair recollects. When the previous question has been ordered the practice has been that it shall run to the main question, and the Chair distinctly stated so in the early part of this controversy.

Mr. WOOD. I desire to make a parliamentary inquiry in regard to the position of the question now before the House. The Chair having, in my judgment, very properly determined that the previous question is operating all the way through down to the resolution itself, if the House should now proceed to vote upon a concurrence in the Senate resolution, and should refuse to concur, the previous question thus having been exhausted, would it not then be competent to move a new proposition fixing some later day on which Congress should adjourn?

The SPEAKER. The Chair has already stated how that object could be reached. The Chair will cause to be read a paragraph on page 278 of the Manual.

The Clerk read as follows:

Where a vote taken under the operation of the previous question is reconsidered, the question is then divested of the previous question, and is open to debate and amendment.

The SPEAKER. The Chair therefore answers the question of the gentleman from New York in the affirmative. The resolution would then be open to amendment.

Mr. WOOD. As I understand, the question is now upon concurrence in the Senate resolution.

The SPEAKER. It is.

Mr. WOOD. And if that shall be voted down—[Cries of "Regular order!"]

The SPEAKER. The gentleman from New York is entitled to ask a parliamentary question.

Mr. WOOD. If that shall be voted down, then it would be in order to offer an amendment as to the time?

The SPEAKER. It would.

Mr. HUBBELL. And if the resolution should be concurred in, then I suppose no amendment would be in order.

Mr. SPRINGER. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. Was the point of order sustained that the motion of the gentleman from Virginia [Mr. GOODE] was not in order?

The SPEAKER. The Chair so decided; he reaffirmed his former decision.

Mr. SPRINGER. I desire to make another parliamentary inquiry. If the House refuse to reconsider the vote upon the concurrent resolution after it is given, then there is no remedy, no way in which its decision can be altered.

The SPEAKER. There is a remedy. The motion to reconsider, if carried, would strip the proposition of the previous question.

Mr. SPRINGER. But if the House lays the motion to reconsider on the table?

The SPEAKER. That is a question for the House to determine and not for the Chair.

Mr. SPRINGER. I desire to appeal from the decision of the Chair upon that question. [Loud cries of "Too late!" "Too late!"]

The SPEAKER. The Chair will entertain the appeal.

Mr. WILSON. Then I move to lay the appeal upon the table.

The SPEAKER. The Chair always entertains an appeal from his decision, taking no advantage of a member's tardiness.

Mr. HARRIS, of Virginia. There can be no appeal when the Chair has only decided as to what may be in order after the pending vote shall have been taken.

The SPEAKER. The gentleman from Illinois does not appeal from that, but from the construction which the Chair has given to the rule.

Mr. COX, of New York. I hope the gentleman from Illinois will withdraw that appeal. We can reach the object in another way.

Mr. WILSON. If he insists upon his appeal I move that it be laid upon the table.

MESSAGE FROM THE SENATE.

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

A bill (H. R. No. 430) for the relief of John Clinton, paymaster at Brownsville, Tennessee;

A bill (H. R. No. 1119) to confirm the title of Benjamin E. Edwards, his heirs, assignees, or legal representatives, to a tract of land in the Territory of New Mexico; and

A bill (H. R. No. 1918) for the relief of Milton B. Cushing, paymaster, United States Navy.

The message further announced that the Senate had passed, with amendments in which the concurrence of the House was requested, a bill (H. R. No. 1896) for the relief of Nancy A. Herrick, of Rochester, New York.

The message further announced that the Senate insisted on its amendments, disagreed to by the House, to the bill (H. R. No. 3259) providing a form of government for the District of Columbia, and agreed to the conference asked by the House upon the disagreeing votes of the two Houses thereon, and had appointed Mr. DORSEY, Mr. INGALLS, and Mr. BARNUM conferees on the part of the Senate.

ADJOURNMENT SINE DIE.

Mr. ATKINS. I hope the gentleman from Illinois will withdraw his appeal from the decision of the Chair.

Mr. SPRINGER. Having been assured by my friends that the course pointed out by the Speaker will be pursued, I will withdraw the appeal.

The SPEAKER. The appeal being withdrawn, the question is upon ordering the yeas and nays upon concurring in the resolution of the Senate.

The yeas and nays were ordered. The question was taken; and there were—yeas 127, nays 131, not voting 33; as follows:

YEAS—127.

- Aiken, Aldrich, Bacon, Bagley, Baker, William H., Ballou, Banks, Bayne, Bisbee, Blair, Bouck, Boyd, Brentano, Brewer, Bridges, Briggs, Brogden, Browne, Burchard, Butler, Cain, Calkins, Campbell, Cannon, Caswell, Chittenden, Claflin, Clark, Rush, Cole, Conger, Cox, Jacob D., Crapo, Cummings, James, Jones, John S., Danford, Joyce, Davis, Horace, Keifer, Deering, Keightley, Denison, Ketcham, Dunnell, Killinger, Dwight, Lapham, Eames, Lathrop, Ellsworth, Lindsey, Errett, Marsh, Evans, I. Newton, McGowan, Fort, Metcalfe, Foster, Mitchell, Frye, Monroe, Fuller, Morgan, Gardner, Morse, Garfield, Neal, Hale, Norcross, Hanna, O'Neill, Harmer, Overton, Harris, Benj. W., Page, Hayes, Patterson, G. W., Hazelton, Peddie, Hendee, Pollard, Henderson, Pound, Hiscock, Powers, Hubbell, Price, Humphrey, Pridemore, Hungerford, Pugh, Hunter, Rainey, Ittner, Randolph, Rea, Reed, Rice, William W., Robinson, G. D., Sampson, M. S., Sampson, Sapp, Sexton, Shallenberger, Sinnickson, Smalls, Smith, A. Herr, Stewart, Stone, John W., Stone, Joseph C., Strait, Thornburgh, Tipton, Townsend, Amos, Van Vorhes, Wait, Ward, Welch, White, Harry, White, Michael D., Williams, Andrew, Williams, C. G., Williams, Richard, Willis, Benj. A., Willits, Wren.

NAYS—131.

- Acklen, Atkins, Banning, Bell, Bicknell, Blackburn, Bland, Bliss, Blount, Boone, Bragg, Bright, Buckner, Cabell, Caldwell, John W., Caldwell, W. P., Candler, Carlisle, Chalmers, Clark, Alvah A., Clark of Missouri, Clymer, Cobb, Collins, Cook, Cox, Samuel S., Cravens, Crittenden, Culberson, Davidson, Davis, Joseph J., Dean, Dibrell, Dickey, Douglas, Elen, Eickhoff, Elam, Ellis, Ewing, Felton, Finley, Forney, Franklin, Garth, Gause, Gibson, Giddings, Goode, Gunter, Hamilton, Hardenbergh, Harris, Henry R., Harris, John T., Harrison, Hart, Hartridge, Hartzell, Haskell, Hatcher, Henkle, Henry, Herbert, Hewitt, Abram S., Hewitt, G. W., Hooker, House, Hunton, Jones, Frank, Jones, James T., Kenna, Kimmel, Knott, Landers, Ligon, Lockwood, Lynde, Mackey, Maish, Martin, Mayham, McKenzie, McMahon, Mills, Money, Morrison, Muldrow, Oliver, Patterson, T. M., Phelps, Phillips, Potter, Reagan, Reilly, Rice, Americus V., Riddle, Robertson, Ross, Saylor, Scales, Schleicher, Singleton, Smith, William E., Southard, Sparks, Springer, Steele, Stenger, Stephens, Swann, Throckmorton, Townshend, R. W., Tucker, Turner, Turney, Vance, Veeder, Waddell, Walker, Walsh, Warner, Whitthorne, Wigginton, Williams, A. S., Williams, James, Willis, Albert S., Wilson, Wood, Wright, Yeates, Young.

NOT VOTING—33.

- Baker, John H., Beebe, Benedict, Bundy, Burdick, Camp, Clarke of Kentucky, Covert, Durham, Evans, James L., Evins, John H., Freeman, Glover, Jorgensen, Kelley, Knapp, Loring, Luttrell, Manning, McCook, McKinley, Muller, Quinn, Robbins, Roberts, Ryan, Shelley, Slemons, Starin, Thompson, Townsend, M. I., Watson, Williams, Jere N.

So the House refused to concur in the resolution of the Senate. During the roll-call the following announcements were made:

Mr. ROBBINS. I desire to state that I am paired with Mr. LORING. If he were present, I should vote "no."

Mr. COVERT. I desire to announce that I am paired with my colleague, Mr. TOWNSEND. If he were present, I would vote "no."

Mr. FREEMAN. I desire to say that upon all political questions I am paired with Mr. SLEMONS. I am assured by gentlemen upon both sides of the House that this is considered a political question; and therefore I do not vote.

Mr. SHELLEY. I desire to say that I am paired with Mr. EVANS, of Indiana. If he were here, I would vote "no."

Mr. MULLER. I am paired with my colleague, Mr. STARIN. If he were here, I would vote "no."

Mr. EVINS, of South Carolina. I am paired with Mr. MCCOOK, of New York.

Mr. RYAN. On this question I am paired with Mr. QUINN, of New York. If he were present, he would vote "ay" and I would vote "no."

Mr. JORGENSEN. I am paired with Mr. GLOVER, of Missouri.

Mr. KELLEY. On this question I am paired with Mr. MCKINLEY, of Ohio. If he were present, he would vote "ay" and I would vote "no."

Mr. HUNTER. I desire to announce that my colleague from Indiana, Mr. BAKER, is paired with Mr. DURHAM, of Kentucky.

Mr. BURDICK. I am paired with Mr. MANNING, of Mississippi. If he were present, he would vote "no" and I would vote "ay."

Mr. HUNGERFORD. I desire to state that my colleagues, Mr. CAMP and Mr. BURDICK, are paired. If Mr. CAMP were here he would vote in the affirmative.

Mr. JAMES. My colleagues, Mr. STARIN and Mr. MULLER, are paired.

The result of the vote was then announced as above stated.

Mr. WOOD. I now move to reconsider the vote by which the House refused to concur in the Senate resolution.

The motion was agreed to. The question recurred upon concurring in the Senate resolution.

Mr. WOOD. I move to amend the resolution by striking out "10th" and inserting "17th," after the words "Monday, June."

Mr. COX, of New York. Is that open to amendment?

The SPEAKER. The proposition is now stripped of the operation of the previous question, and of course is open to amendment.

Mr. WOOD. I will modify my amendment so as to insert "24th."

Mr. CLYMER. I move to amend the amendment so as to make it the "17th," and on that I call the previous question.

Mr. SPRINGER. I rise to a parliamentary question. The SPEAKER. The gentleman will state it.

Mr. SPRINGER. I understand that the House refused to concur in the Senate resolution.

The SPEAKER. That is correct. Mr. SPRINGER. Is not that the end of the matter?

The SPEAKER. The gentleman from New York then moved to reconsider the vote by which the House refused to concur in the Senate resolution, and that motion was agreed to. That stripped the

resolution of the previous question. The gentleman from New York [Mr. Wood] then moved to amend the resolution so as to make it read "Monday, June 24;" and the gentleman from Pennsylvania moves to amend the amendment by inserting "17th" in place of "24th."

Mr. CLYMER. And on that I have called the previous question.
Mr. WOOD. Is not the question to be taken on the longest time first?

The SPEAKER. That rule applies to filling blanks. The question before the House is in the nature of an amendment.

Mr. HARRIS, of Virginia. I rise to a point of order.
The SPEAKER. The gentleman will state it.
Mr. HARRIS, of Virginia. There is so much confusion in the Hall that we cannot understand what is being done.

The SPEAKER. The point of order is well taken, and the Chair will suspend all further business until gentlemen resume their seats and order is restored in the Hall. [After a pause.] The Chair will state the question before the House. The gentleman from New York [Mr. Wood] moves to amend the Senate concurrent resolution by striking out "Monday, June 10th" and inserting "Monday, June 24th." The gentleman from Pennsylvania [Mr. CLYMER] moves to amend the amendment by striking out "24th" and inserting "17th," and on that calls the previous question.

The previous question was seconded and the main question ordered. The question was upon the amendment to the amendment.

Mr. SPRINGER. I rise to a point of order.
The SPEAKER. The gentleman will state it.
Mr. SPRINGER. I desire to know whether the rule does not require that the question shall be first put upon the longest time, as in the case of filling blanks?

The SPEAKER. This is not a case of filling blanks, because there is no blank in the original proposition, which provides for the final adjournment on the 10th day of June.

Mr. SPRINGER. But the amendment is to strike out "10th," which will make a blank.

The SPEAKER. The amendment is to strike out and insert. The Clerk will read the rule.

The Clerk read as follows:
In filling up blanks, the largest sum and longest time shall be first put. [But where a specific time or sum stands part of a motion, it is not until it is struck out, and a blank thereby produced, that this rule can begin to operate.]

The question was taken upon the amendment of Mr. CLYMER, and upon a division there were yeas 150.

Before the negative vote was counted,
Mr. BLACKBURN called for the yeas and nays.
The yeas and nays were ordered.

The question was taken; and there were—yeas 165, nays 93, not voting 33; as follows

YEAS—165.		
Acklen,	Cox, Jacob D.	Ittner,
Aiken,	Crapo,	James,
Aldrich,	Cummings,	Jones, Frank
Bacon,	Cutler,	Jones, John S.
Bagley,	Danford,	Joyce,
Baker, William H.	Davis, Horace	Keifer,
Ballou,	Dean,	Keightley,
Banks,	Deering,	Ketcham,
Bayne,	Denison,	Killinger,
Bell,	Dickey,	Landers,
Bisbee,	Dunnell,	Lapham,
Blair,	Dwight,	Lathrop,
Bland,	Eames,	Ligon,
Bliss,	Eden,	Lindsey,
Blount,	Eickhoff,	Lockwood,
Bouck,	Ellsworth,	Lynde,
Boyd,	Errett,	Mackey,
Bragg,	Evans, I. Newton	Marsh,
Brentano,	Felton,	McGowan,
Brewer,	Fort,	Metcalf,
Bridges,	Foster,	Mitchell,
Briggs,	Franklin,	Monroe,
Brogden,	Frye,	Morgan,
Browne,	Fuller,	Morrison,
Buckner,	Gardner,	Morse,
Bundy,	Gardfield,	Neal,
Burchard,	Hale,	Norcross,
Butler,	Hanna,	O'Neill,
Cain,	Hardenbergh,	Overton,
Caldwell, W. P.	Harmer,	Page,
Calkins,	Harris, Benj. W.	Patterson, G. W.
Campbell,	Hart,	Peddle,
Candler,	Hatcher,	Phelps,
Caswell,	Hayes,	Pollard,
Chittenden,	Hazelton,	Potter,
Cladlin,	Hendee,	Pound,
Clark, Alvah A.	Henderson,	Powers,
Clark, Rush	Hewitt, Abram S.	Price,
Clymer,	Hiscock,	Pridemore,
Cole,	Humphrey,	Pugh,
Collins,	Hungerford,	Randolph,
Conger,	Hunter,	Rea,

NAYS—93.		
Atkins,	Caldwell, John W.	Cox, Samuel S.
Banning,	Cannon,	Cravens,
Becknell,	Carlisle,	Crittenden,
Blackburn,	Chalmers,	Culberson,
Boone,	Clark of Missouri,	Davidson,
Bright,	Cobb,	Davis, Joseph J.
Cabell,	Cook,	Dibrell,

Gause,	House,	Reagan,	Waddell,
Gibson,	Hunton,	Rice, Americus V.	Walker,
Giddings,	Jones, James T.	Riddle,	Walsh,
Goode,	Kenna,	Robertson,	Warner,
Gunter,	Kimmel,	Saylor,	Whitthorne,
Hamilton,	Knott,	Seales,	Wigginton,
Harris, Henry R.	Maish,	Schleicher,	Williams, A. S.
Harris, John T.	Martin,	Singleton,	Williams, James
Harrison,	Mayham,	Smith, William E.	Willis, Albert S.
Hartridge,	McKenzie,	Springer,	Wilson,
Hartzell,	McMahon,	Steele,	Wood,
Haskell,	Mills,	Stenger,	Wright,
Henkle,	Money,	Throckmorton,	Yeates,
Henry,	Muldraw,	Turnshend, R. W.	Young.
Herbert,	Oliver,	Tucker,	
Hewitt, G. W.	Patterson, T. M.	Turner,	
Hooker,	Phillips,	Vance,	

NOT VOTING—33.		
Baker, John H.	Evins, John H.	Manning,
Beebe,	Freeman,	McCook,
Benedict,	Glover,	McKinley,
Burdick,	Hubbell,	Muller,
Camp,	Jorgensen,	Quinn,
Clarke of Kentucky,	Kelley,	Rainey,
Covert,	Knapp,	Robbins,
Durham,	Loring,	Roberts,
Evans, James L.	Luttrell,	Ryan,

So, Mr. CLYMER's amendment to the amendment of Mr. WOOD was agreed to.

During the roll-call the following announcements were made:
Mr. CLARK, of New Jersey. I have been requested by the gentleman from New York, Mr. MULLER, to announce that he is paired with his colleague, Mr. STARIN, and that, if not paired, he would vote "no."

Mr. ROBBINS. I am paired with the gentleman from Massachusetts, Mr. LORING. If he were here, I should vote "no."

Mr. COVERT. I am paired with my colleague from New York, Mr. TOWNSEND. If he were present, I should vote "no."

Mr. SHELLEY. I am paired with the gentleman from Indiana, Mr. EVANS. Were he here, I should vote "no."

Mr. RYAN. I am paired with the gentleman from New York, Mr. QUINN. If he were present, he would vote "ay" and I should vote "no."

Mr. KELLEY. I am paired with the gentleman from Ohio, Mr. MCKINLEY. If he were present, I should vote "no."

Mr. FREEMAN. I am paired with the gentleman from Arkansas, Mr. SLEMONS. If he were here, I do not know how he would vote; I should vote "ay."

Mr. HUNGERFORD. My colleague, Mr. MCCOOK, is paired with the gentleman from South Carolina, Mr. EVINS. Mr. MCCOOK would vote in the affirmative.

Mr. BURDICK. I am paired with the gentleman from Mississippi, Mr. MANNING. If he were here, he would vote "no" and I should vote "ay."

The result of the vote was announced as above stated.
The question then recurring on the amendment of Mr. WOOD as amended by the adoption of the amendment of Mr. CLYMER, it was agreed to.

The resolution of the Senate, as amended, was then concurred in.
Mr. CLYMER moved to reconsider the vote by which the resolution was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. RAINEY, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

- An act (S. No. 363) granting a pension to James Newcomb;
- An act (S. No. 874) granting a pension to Alfred Richardson, late of Company A, Twelfth Indiana Volunteers;
- An act (H. R. No. 430) for the relief of John Clinton, postmaster at Brownsville, Tennessee;
- An act (H. R. No. 1119) to confirm the title of Benjamin E. Edwards, his heirs, assigns, or legal representatives, to a certain tract of land in the Territory of New Mexico;
- An act (H. R. No. 1918) for the relief of Milton B. Cushing, paymaster United States Navy;
- An act (H. R. No. 2132) to pay for clerical services and extraordinary expenses, under the seventh section of the act of August 18, 1856, in the Pawnee land-district in Kansas;
- An act (H. R. No. 2176) granting an increase of pension to Mattie McTaggart, widow of the late First Lieutenant McTaggart, Seventeenth United States Infantry;
- An act (H. R. No. 4413) to provide for the free entry of articles imported for exhibition by societies established for encouragement of the arts or sciences, and for other purposes;
- An act (H. R. No. 4425) to alter and amend a law of the District of Columbia relative to the inspection of flour; and
- An act (H. R. No. 4663) to forbid the further retirement of United States legal-tender notes.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. SINGLETON. I rise to make a privileged report—the report of the committee of conference on the consular and diplomatic appropriation bill.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. No. 3064) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1879, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

That the Senate recede from its amendments numbered 46, 47, 49, 50, 54, 55, 57, and 58.

That the House recede from its disagreement to the amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 51, 52, 53, 56, and 59, and agree to the same.

That the House recede from its disagreement to the amendment numbered 11 and agree to the same, with an amendment striking out lines 3 and 4, page 2 of the bill, and inserting in lieu thereof the following:

That hereafter *chargés d'affaires ad interim* shall receive no additional pay beyond that which the law provides for the regular offices which they hold in their respective legations.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 12, and agree to the same, with an amendment striking out the comma between the words "Paraguay" and "Uruguay," and inserting the word "and;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 15, and agree to the same, with an amendment striking out lines 14 and 15, page 2 of the bill; and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 24, and agree to the same, with an amendment striking out "ten" and inserting in lieu thereof "four;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 43, and agree to the same, with an amendment striking out the words "Turks Island;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment numbered 48, and agree to the same, with an amendment striking out the word "Milan;" and the Senate agree to the same.

O. R. SINGLETON,
W. A. J. SPARKS,
EUGENE HALE,
Managers on the part of the House.
WILLIAM WINDOM,
W. B. ALLISON,
W. W. EATON,
Managers on the part of the Senate.

Mr. SINGLETON. One word. I will not take the time of the House to explain the matter unless required to do so. I wish simply to say that by the bill as it passed the House the amount appropriated for the consular and diplomatic service was \$100,000 below that of last year. The Senate, by amendments, put on in round numbers \$84,000. When the conference committee met the Senate agreed to yield \$44,500 and the House \$39,000. So the bill as it is now by report of the conference committee makes the expenditures next year below that of this year \$61,000. If any gentleman desires to know how it is made up I will state it, but if not, I will demand the previous question.

The previous question was seconded and the main question ordered; and under operation thereof the report of the conference committee was adopted.

Mr. SINGLETON moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BURCHARD. I demand the regular order of business.

Mr. COX, of New York. I move to take up the special order, being the bill to organize the life-saving service.

The SPEAKER. Does the gentleman from New York desire to test the sense of the House?

Mr. COX, of New York. I do.

Mr. BURCHARD. I am on the floor and call for the regular order.

The SPEAKER. The House will have an opportunity of deciding what business next to consider.

Mr. ATKINS. I ask the gentleman from New York to yield the floor to me.

Mr. COX, of New York. I do for a report from the Committee on Appropriations.

EXPENSES OF SELECT COMMITTEE.

Mr. ATKINS, from the Committee on Appropriations, reported a bill (H. R. No. 5053) to provide for the expenses of the select committee on alleged frauds in the late presidential election; which was read a first and second time.

The bill, which was read, appropriates the sum of \$20,000, or so much thereof as may be necessary, from any moneys in the Treasury not otherwise appropriated, to defray the actual expenses necessarily incurred by the select committee of the House of Representatives appointed under resolution of the House of May 17, and under that resolution, and the resolution of May 22 following, directed to investigate alleged frauds in the late presidential election, said to have been committed in Louisiana and Florida, or which may be charged to have been committed in any other State; said appropriation to be added to the contingent fund of the House of Representatives, and to be disbursed upon vouchers approved by the chairman of said committee, and the Clerk of the House shall pay such parts of said sum as the chairman of said committee shall in writing direct for the purpose aforesaid to the Sergeant-at-Arms of the House, who shall as soon thereafter as practical make a report in writing to the House of the manner in which the sums thus paid to him have been expended, accompanied by vouchers in detail; which report and vouchers, when

examined and approved by the Committee of Accounts of the House, shall be deemed a sufficient settlement of his accountability, and any unexpended balance remaining in his hands after such settlement shall be paid by him into the Treasury of the United States, to the credit of the fund for which it was appropriated.

Mr. ATKINS. I demand the previous question on the third reading and engrossment of the bill.

Mr. CONGER. I make the point of order that the bill must have its first consideration in the Committee of the Whole.

The SPEAKER. The Chair sustains the point of order.

Mr. ATKINS. I move that the House resolve itself into the Committee of the Whole for the purpose of considering that bill.

Mr. COX, of New York, rose.

Mr. ATKINS. I hope the gentleman will allow us to go into committee, as this will take but a very short time.

Mr. BURCHARD. That is not in order, to proceed to the consideration of particular business.

The SPEAKER. The gentleman states his object is to take up that bill for consideration.

Mr. BURCHARD. He will have to set aside all prior bills.

Mr. ATKINS. I did not suppose there would be any objection to it.

Mr. WILLIAMS, of Oregon. Yes, sir; there will be. It is all wrong to go into committee to consider this in advance of all other business. The House divided; and there were—ayes 83, noes 57; no quorum voting.

The SPEAKER ordered tellers, and appointed Mr. ATKINS and Mr. CONGER.

The House again divided; and the tellers reported—ayes 92, noes 64.

So the motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole on the state of the Union, (Mr. CALDWELL, of Tennessee, in the chair.)

Mr. ATKINS. I now move to proceed to the consideration of the bill just reported from the Committee on Appropriations.

Mr. WILSON. Is it competent to raise the question of consideration as to what the committee shall consider? I desire to proceed with the consideration of House bill No. 2117, known as the Mexican award bill, and I shall raise the question of consideration.

Mr. CONGER. I demand the regular order of business in the committee.

Mr. ATKINS. Would it be competent to move to set aside the regular order and proceed with the consideration of the bill which has just been referred to the Committee of the Whole?

Mr. GARFIELD. The gentleman will have to make the motion on each bill.

Mr. ATKINS. Then I will make it on each.

Mr. CONGER. I ask that the bills in Committee of the Whole be read in their order.

The CHAIRMAN. The Clerk will read the title of the first special order in Committee of the Whole.

The Clerk read as follows:

A bill (H. R. No. 2695) to regulate the compensation of postmasters, and for other purposes.

Mr. BURCHARD. That is not the regular order. The regular order in the Committee of the Whole is the tariff bill; but I do not know that the chairman of the Committee of Ways and Means desires to bring that up so as to antagonize the measure reported by the gentleman from Tennessee.

Mr. CONGER. I ask that the first bill on the Calendar be read.

Mr. REAGAN. I submit that the reading of the bill is not in order on a motion to set aside.

Mr. CONGER. I ask that the business before the committee be stated.

The CHAIRMAN. The title of the first special order has been read. The Clerk will again read it.

The Clerk read as follows:

A bill (H. R. No. 2695) to regulate the compensation of postmasters, and for other purposes.

Mr. ATKINS. I move that that bill be laid aside.

The question being taken on Mr. ATKINS's motion, there were—ayes 75, noes 8.

Mr. CONGER. No quorum has voted.

The CHAIRMAN. A quorum not having voted, the Chair will order tellers, and appoints the gentleman from Tennessee [Mr. ATKINS] and the gentleman from Michigan, [Mr. CONGER.]

The committee again divided; and the tellers reported—ayes 80, noes 4.

Mr. ATKINS. I move that the committee rise.

Mr. BURCHARD. I would suggest to the gentleman that the point has not been made that a quorum has not voted.

Mr. ATKINS. Very well; let the next bill be called.

The CHAIRMAN. The motion of the gentleman from Tennessee to lay aside the first order is agreed to.

Mr. CONGER. Mr. Chairman, a quorum did not vote.

The CHAIRMAN. Did the gentleman from Michigan make the point that a quorum had not voted?

Mr. CONGER. I did make the point, and the Chair ordered tellers to ascertain whether there was a quorum.

Mr. ATKINS. I understood the gentleman from Michigan to make

the point that a quorum had not voted, and it was for that reason that I made the motion that the committee rise.

Mr. CARLISLE. I ask that the roll be called, as required by the rule.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee that the committee rise.

Mr. HARRIS, of Virginia. I believe there is a misapprehension on the part of members. I suggest that the tellers again take their places.

Mr. ATKINS. I have no right to suppose that gentlemen who did not vote intended to vote.

Mr. CONGER. A quorum not having voted there is but one thing to be done, and that is to call the roll.

Mr. HARRIS, of Virginia. I understand that there is no intention on the part of gentlemen to refrain from voting to prevent a quorum.

The CHAIRMAN. The gentleman from Michigan [Mr. CONGER] having made the point that no quorum has voted, the tellers will resume their places.

The count was resumed; and the tellers reported—ayes 80, noes 62.

So the motion to lay aside the bill (H. R. No. 2695) was agreed to.

The Clerk read the title of the next special order, as follows:

A bill (H. R. No. 3258) to regulate the granting of pensions on account of death, or wounds or injuries received or diseases contracted in the service of the United States since the 4th day of March, 1861, and for the payment of arrears of pensions; also to authorize the Secretary of the Interior to restore to the roll of invalid pensioners the names stricken therefrom on account of disloyalty, and to repeal sections 4709, 4716, and 4717 of the Revised Statutes of the United States.

Mr. ATKINS. I move that that bill be laid aside.

Mr. McMAHON. I hope it will not be laid aside.

Mr. CONGER. I would like to hear the bill read.

Mr. RICE, of Ohio. I ask for the reading of the bill and for its present consideration.

The bill was read.

Mr. ATKINS. I made the motion to lay that bill aside because I did not suppose that gentlemen wanted to act upon it at this time. But as there seems to be a difference of opinion on the part of gentlemen with regard to taking action upon that bill just now, and not desiring to place any gentleman in a false attitude—for myself, I know nothing about the bill, and perhaps when I understand it I may vote for it—having made the motion to go into the Committee of the Whole merely with the view of reaching the bill I offered in the House, and as I got the floor not in my own right, but by the courtesy of the gentleman from New York, [Mr. COX,] who had the floor for the purpose of moving to take up the bill in reference to the life-saving service, not desiring to treat that gentleman with discourtesy and not desiring to retard the business of the House, wishing that everything may move along smoothly that we may adjourn on the 17th of June, seeing that the road appears now to be entirely blocked, and not desiring to contribute on my part to any blocking of the public business, I move that the committee rise.

Mr. RICE, of Ohio. I hope that the committee will not rise and I give notice now—

The CHAIRMAN. The motion is not debatable.

The question being taken on the motion of Mr. ATKINS, there were—ayes 79, noes 53.

Mr. RICE, of Ohio. I ask for tellers.

Tellers were ordered; and Mr. ATKINS, and Mr. RICE of Ohio, were appointed.

The committee again divided; and the tellers reported—ayes 90, noes 54.

So the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CALDWELL, of Tennessee, reported that the Committee of the Whole on the state of the Union had had under consideration various matters and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. COX, of New York. I call for the regular order, which is the consideration of the bill with reference to the life-saving service.

Mr. BURCHARD. I also call for the regular order, which is the bill (H. R. No. 4414) relating to the internal revenue.

Mr. REAGAN. I submit that the regular order is the unfinished business, being the interstate-commerce bill. But if the Committee on the Judiciary wish to occupy the morning hour I shall not antagonize them.

The SPEAKER. The Chair will give each gentleman an opportunity to obtain the opinion of the House, so that whatever business the House desires to take up at this time may be proceeded with.

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

The SPEAKER. The gentleman will state it.

Mr. FREEMAN. My question is whether it would be in order to go into Committee of the Whole to take up the letter-carrier bill.

The SPEAKER. The House has just come out of Committee of the Whole.

Mr. FREEMAN. I am aware of that. But would it be in order to move to go into Committee of the Whole again in order to reach that bill.

The SPEAKER. If the House should go into the Committee of the Whole it would be for the committee to decide what business it should take up.

Mr. FREEMAN. Would it be in order to make the motion to go into Committee of the Whole?

Mr. COX, of New York. I wish to say that my motion pertains to a bill which has been reported from the committee and made a special order.

Mr. FREEMAN. I would like to have a decision upon the point of order.

The SPEAKER. On what point?

Mr. FREEMAN. Whether it would be in order to move to go into Committee of the Whole on the state of the Union to consider the bill to regulate and fix the pay of letter-carriers.

The SPEAKER. The Committee of the Whole regulates the order of its business just as the House does, and the technical motion is that the House resolve itself into Committee of the Whole on the state of the Union, and then the committee can regulate its order of business.

Mr. FREEMAN. Would it be in order to make the motion which I have suggested?

The SPEAKER. The motion which the gentleman suggests is never made technically.

Mr. FREEMAN. Is it in order to make it?

The SPEAKER. The Chair thinks not.

Mr. FREEMAN. I move to go into Committee of the Whole on the state of the Union to take up that bill.

Mr. CARLISLE. I object to the latter part of the motion.

Mr. COX, of New York. I was upon the floor before the House went into Committee of the Whole and yielded to the gentleman from Tennessee, [Mr. ATKINS.]

Mr. FREEMAN. Do I understand that my motion has been ruled out?

The SPEAKER. The motion to go into Committee of the Whole on the state of the Union is in order.

Mr. FREEMAN. Then I make that motion.

The question was taken on Mr. FREEMAN'S motion, and it was not agreed to.

Mr. REAGAN. I wish to say one word. I do not want to antagonize the bill called up by the gentleman from New York, [Mr. COX,] but I wish to say that that bill, like the one which I am endeavoring to bring up, was reported by the Committee on Commerce, and the gentleman from Maryland [Mr. ROBERTS] who reported that bill is absent on account of indisposition. I think that either he or some other member of the committee ought to have control of the bill, and I do not like this idea of some one else, who is not a member of the committee, taking up a bill that has been reported by the committee and antagonizing another bill reported from the same committee.

Mr. COX, of New York. I desire to remind the gentleman from Texas that it was at his special instance and request, and also at the request of the gentleman from Maryland [Mr. ROBERTS] who is absent, that I agreed to bring up the bill at the earliest opportunity. I know it was reported from his committee, but it is my bill.

Mr. BURCHARD. I shall raise the question of consideration upon the bill of the gentleman from Texas. I have supported him in his efforts to bring the bill before the House until I find that the House does not care to take it up, and I shall therefore raise the question of consideration for the purpose of taking up the bill relating to the administration of the Internal Revenue department. That bill has been under consideration for some length of time and was prepared at the suggestion of the bureau, and it is very important that it should be disposed of.

Mr. COX, of New York. When we are talking about the importance of bills, I desire to say that the bill I propose to bring up affects human life and unless it is passed and sent to the Senate we shall have the same trouble in the future that occurred on the coast of North Carolina in the cases of the Huron and the Metropolis.

Mr. BURCHARD. We have passed bills in relation to the life-saving service time and again.

The SPEAKER. The Chair desires to state that the proposition of the gentleman from Texas [Mr. REAGAN] is the next business in order. If the House should decline to go on with that, then the Chair is bound to recognize the gentleman from Illinois, [Mr. BURCHARD,] and if the House should decline to proceed with his bill then the Chair will recognize the gentleman from New York, [Mr. COX.]

Mr. CONGER. I should like to know why the bill of the gentleman from Illinois has precedence.

The SPEAKER. He has called up the bill on two occasions and it remains as unfinished business.

Mr. CONGER. I would state that whenever he has called up that bill I have objected and it has not come before the House for consideration.

Mr. REAGAN. We have reported a bill in regard to interstate commerce, a subject on which I am daily receiving letters and telegrams. If it is the purpose of the House not to act upon the bill I should like to know that fact. I have been antagonized by committees desiring a morning hour and it would require but a short time to dispose of the bill one way or the other. It is of sufficient importance to be either passed or rejected by a vote of the House, and I hope the House will let me dispose of it and get it out of the way of other business.

Mr. COX, of New York. There was a vote against taking it up the other day and I voted with the gentleman and I think it would be kind of him to help me now to take up my bill. This is greater than tobacco or revenue or interstate commerce.

Mr. REAGAN. Not greater than the whole commerce of the country.

Mr. BURCHARD. Tobacco is not in my bill.

The SPEAKER. The Chair will state that the first business in order under the rules would be the bill in regard to interstate commerce. The gentleman from New York [Mr. Cox] raised the question of consideration upon it and the question is, will the House consider the bill?

The question was put; and on division, there were—ayes 71, noes 87. So the House refused to consider the bill.

Mr. BURCHARD. I now call up the unfinished business, which is the bill (H. R. No. 4414) to amend the laws relating to internal revenue.

Mr. CONGER. I submit that that is not the unfinished business until after the morning hour, and we have had no morning hour today.

Mr. COX, of New York. I hope the gentleman from Michigan will allow me to "antagonize" the bill—I believe that is the word.

The SPEAKER. The recollection of the Chair is that the bill is unfinished business. The Chair recollects very distinctly that it was unfinished business.

Mr. COX, of New York. Allow me to refresh the recollection of the Chair. The gentleman from Illinois [Mr. BURCHARD] called up the bill at a night session and made a speech on it himself. He is the only person who considered it; and that certainly is not properly "consideration by the House." [Laughter.]

Mr. BURCHARD. I suppose if the gentleman from New York [Mr. Cox] had made a speech upon it, then it would have been considered by the House. [Laughter.]

The SPEAKER. The fact that it was called up and a speech made on it makes it unfinished business.

Mr. CONGER. The RECORD shows that it was made a special order after the morning hour.

The SPEAKER. The journal clerk informs the Chair that the Journal shows that the bill was called up for consideration.

Mr. CONGER. Then I raise the question of consideration upon it now. I desire that the House may take up and consider the life-saving-station bill.

The SPEAKER. The gentleman has the right to raise the question of consideration. The question is, Will the House now proceed with the consideration of the bill (H. R. No. 4414) to amend the laws relating to internal revenue?

The question was taken; and upon a division there were—ayes 89, noes 77.

Before the result of the vote was announced,

Mr. COX, of New York, called for tellers.

Tellers were ordered; and Mr. COX, of New York, and Mr. BURCHARD were appointed.

The House again divided; and the tellers reported that there were—ayes 90, noes 75.

Before the result of this vote was announced,

Mr. COX, of New York, called for the yeas and nays.

Mr. PAGE. Then I move that the House now adjourn.

Mr. COX, of New York. I withdraw my call for the yeas and nays.

Mr. PAGE. I withdraw the motion to adjourn.

The SPEAKER. The tellers report that there are—ayes 90, noes 75. So the House determines to proceed with the consideration of the bill. The bill is to be considered in the House as in Committee of the Whole, and the gentleman from Kentucky [Mr. CARLISLE] will take the chair as Speaker *pro tempore*.

INTERNAL REVENUE.

The SPEAKER *pro tempore*. The House now resumes the consideration of the bill (H. R. No. 4414) to amend the laws relating to internal revenue.

Mr. BURCHARD. I ask that the first and formal reading of the bill be dispensed with.

Mr. CONGER. I hope that the bill will be read. It has never been read to the House, and I want to hear it.

Mr. BURCHARD. I hope the gentleman will not insist upon the bill being read at length.

Mr. CONGER. This is a very good time of the day to have it read.

Mr. BURCHARD. I ask that the first reading of the bill be dispensed with, so that the House can proceed at once to the consideration of the bill by paragraphs under the five-minute rule. That will give the fullest opportunity for debate and amendment.

Mr. CONGER. I will withdraw my call for the reading of the bill.

The SPEAKER *pro tempore*. The Clerk will proceed to read the bill by paragraphs for amendment under the five-minute rule.

The Clerk began the reading of the bill and read the following:

That section 3163 be amended by striking out all after the number thereof, and inserting in lieu thereof the following:

Every collector within his collection district and every internal-revenue agent shall see that all laws and regulations relating to the collection of internal taxes are faithfully executed and complied with, and shall aid in the prevention, detection, and punishment of any frauds in relation thereto; and, when specially authorized so to do by the Commissioner, any internal-revenue agent may exercise the power conferred by law upon collectors of internal revenue to examine persons, books, papers, accounts, and premises, to administer oaths, and to summon persons to produce books and papers, or to appear and testify under oath before him, and to compel a compliance with such summons under the provisions of section 3175, which are hereby made applicable to cases of disobedience of any summons issued under this section. And it shall be the duty of every collector and of every internal-revenue agent to report to the Commissioner in writing any neglect

of duty, incompetency, delinquency, or malfeasance in office of any internal-revenue officer or agent of which he may obtain knowledge, with a statement of all the facts in each case, and any evidence sustaining the same.

Mr. BURCHARD. I move to amend the paragraph just read by adding to it that which I send to the Clerk's desk.

The Clerk read as follows:

The said Commissioner may, by notice in writing, suspend from duty any deputy collector, inspector, gauger, or storekeeper, and he may suspend any collector for fraud, gross neglect of duty, or abuse of power. And in case of any suspension of a collector as aforesaid, the Commissioner shall, as soon thereafter as practicable, report the case to the Secretary of the Treasury for such action as he may deem proper.

Mr. SAYLER. I would inquire if this is not entirely new legislation? Is it not conferring upon the Commissioner of Internal Revenue a power over collectors which he has not heretofore had?

Mr. BURCHARD. All of the paragraph last read, from line 59 on page 4 of the bill to line 84 on page 5 inclusive, is new legislation; it gives new power to the Commissioner of Internal Revenue.

I will add that this is a suggestion made by the Commissioner of Internal Revenue. I myself question whether it is desirable to confer upon him power to the extent that would be given by this amendment if adopted. The Committee of Ways and Means felt that it would be well to submit the amendment for the consideration of the House. It gives power to the Commissioner of Internal Revenue to suspend a collector, a deputy collector, an inspector, a gauger, or a storekeeper, in case of fraud, and in such other cases as are mentioned in the amendment.

The Commissioner of Internal Revenue holds that there are cases where collectors and other officers might be concerned in a fraud, and in regard to whom the power of suspension should be given. It is an arbitrary power. These officers, especially the collectors, are appointed by the President and confirmed by the Senate. Whether a bureau officer, even with the consent of the Secretary of the Treasury, should have the power of suspending a collector is a question for the House to determine.

Mr. SAYLER. I have great confidence in the gentleman who now occupies the position of Commissioner of Internal Revenue; and I am not inclined to think that he would be disposed to exercise his office arbitrarily. Yet it does seem to me that the amendment of the gentleman from Illinois [Mr. BURCHARD]—and I want the House to understand that it is his amendment, it is not a proposition from the Committee of Ways and Means, for that committee has not authorized any such amendment to be offered, and I hope the House will bear that fact in mind in regard to this amendment as well as in connection with other amendments that may be offered—it seems to me that the amendment will confer an arbitrary power upon the Commissioner of Internal Revenue which he should not possess. Unless the gentleman from Illinois [Mr. BURCHARD] can give good reason why the amendment should be adopted I hope the House will not agree to it.

Mr. TUCKER. In the bill as reported from the committee there was a proposition to strike out of section 3163 of the Revised Statutes the substance of what is now offered as an amendment at the suggestion of the Commissioner of Internal Revenue. In section 3163 of the Revised Statutes will be found these words:

He [the Commissioner of Internal Revenue] may, by notice in writing, suspend from duty any inspector, gauger, or storekeeper, and he may suspend any collector for fraud, or gross neglect of duty, or abuse of power.

Now, the subcommittee, composed of the gentleman from Illinois [Mr. BURCHARD] and myself, struck out that in the bill which we reported to the Committee of Ways and Means and which that committee directed us to report to the House. The Commissioner of Internal Revenue proposes that we shall re-enact the particular words which were proposed by the gentleman from Illinois. I confess that the power thus proposed to be vested in the Commissioner of Internal Revenue seemed to me liable to abuse, and I think we agreed that it should not be re-enacted, though the Commissioner of Internal Revenue desired that it should be done. I am myself opposed to the extension of the power.

Mr. BURCHARD. I felt it my duty to call the attention of the House to the proposed change of the law. My own opinion concurred with that of the gentleman from Virginia [Mr. TUCKER] that there should be a restriction. The Commissioner, however, thought that in some cases this power should be exercised by him. But as the provision seems to strike unfavorably members of the committee who have examined it, I withdraw the amendment.

Mr. CONGER. I move to amend by striking out all after the word "thereto," in line 64, down to and including the word "section," in line 74.

The Clerk read the words proposed to be stricken out, as follows:

And, when specially authorized so to do by the Commissioner, any internal-revenue agent may exercise the power conferred by law upon collectors of internal revenue to examine persons, books, papers, accounts, and premises, to administer oaths, and to summon persons to produce books and papers, or to appear and testify under oath before him, and to compel a compliance with such summons under the provisions of section 3175, which are hereby made applicable to cases of disobedience of any summons issued under this section.

Mr. CONGER. Whether it was proper to confer upon a collector such powers as are here conferred, is a question that I do not raise at this time. The inquisitorial powers exercised by collectors of internal revenue are offensive enough to the American people; but here

is a provision that any person appointed a revenue agent may be authorized by the collector of internal revenue to exercise powers which are not given to any court in the United States without some restrictions: powers in the examination of persons, books, papers, accounts, and premises, to administer oaths, and to summon persons to produce books and papers or to appear and testify under oath before him and to compel compliance.

In my judgment a great part of the odium which has heretofore attached to the internal-revenue laws of the United States has arisen from the fact that secret agents of the Department have been permitted, under powers either granted or supposed to be granted, to go upon the premises of individuals, examine their private papers and books, and to compel them to testify, not in court, but in the private chamber of the agent, in regard to all matters touching their private business. I do not believe the enforcement of the internal-revenue laws of the country requires that any such power shall be given to the wandering agents of the Government—a power which is not exercised by many of the inferior courts of the country, and which we have reason to believe may in the hands of these agents be exercised to the oppression and wrong of the people of the United States.

I make this motion that I may ask gentlemen who are supporting this provision, and especially the gentleman from Virginia, [Mr. TUCKER,] who is usually so earnestly watchful of the interests of the people, why we should grant to a wandering revenue agent a power which is not given to recognized courts of the United States or of the States, to invade premises, examine private books and papers without limitation, and to inflict penalties for disobedience of summonses to appear or refusal to answer and produce papers?

Mr. TUCKER. Mr. Chairman, I am as ready as the gentleman from Michigan [Mr. CONGER] or any other man can be to limit the powers of these internal-revenue agents; but if the gentleman from Michigan will look at the present law he will find that in section 3163, to which the proposed provision is an amendment, power is given to every supervisor under the direction of the Commissioner "to see that the laws and regulations relating to the collection of internal taxes are faithfully executed," &c. This power is transferred by this provision to the internal-revenue agents who are authorized to be appointed by the Commissioner of Internal Revenue. I think that if gentlemen will compare the provision of the bill with the present law they will find that the Committee of Ways and Means have limited this power of investigation very much. It has certainly been our purpose to limit it so far as was consistent with the requirements of the public service.

The power which is conferred upon the collector of internal revenue "to examine persons, books, papers, accounts, and premises, to administer oaths, to summon persons to produce books and papers or to appear and testify under oath," applies only to the books of parties engaged in distilling; and those books and papers are a part of the public archives, so to speak, of the internal-revenue system. That is to say, every person engaged in distilling has to keep certain books and papers which are open to inspection; and his distilling premises must be open to the inspection of the collector of internal revenue. Now, the only additional provision here is that the power already vested in the supervisor shall be given to these agents who may be appointed by the Commissioner of Internal Revenue. In other words, if the Commissioner should suspect that a collector is permitting improper practices in the distilleries of his district, the internal-revenue agent, under authority expressly given to him, will have power to examine the books which the distiller is obliged to keep for the inspection of the revenue officers.

Mr. CONGER. I will say in reply that these powers conferred upon the collector are conferred upon an officer established by law, appointed by the President, confirmed by the Senate, having at least some little notoriety in the very mode and manner of his appointment. The powers transferred from the supervisors to these revenue agents were conferred upon an officer who had charge of one or more States, appointed by the President and confirmed by the Senate whose duties and powers were defined by law, a responsible person known to all. Now, these powers are conferred upon any revenue agent whom the collector may appoint, and upon any revenue agent whom he may authorize to exercise the power which the law gives to the collector. The law may give to that higher officer, the collector, certain powers with some degree of safety, but that they shall be given to every person who may be appointed an agent, not nominated by the President, not confirmed by the Senate, but appointed for a longer or shorter time by the Commissioner of Internal Revenue, seems to me to place distillers, for whom I have no particular charity, at the mercy of wandering agents of the Government.

I speak of it because I do believe the great odium and the great trouble which exists throughout the country between the collectors and the collection of internal revenue and those from whom it is collected arises more from the ill-advised efforts of irresponsible men to enforce doubtful provisions of law than it does from the legal exercise of collecting known taxes of the United States by the regularly recognized and known officers of the Government.

Mr. CRITTENDEN. Mr. Speaker, I fully concur with the gentleman from Michigan in his views.

Mr. TUCKER. My friend from Missouri will allow me a single word.

Mr. CRITTENDEN. Certainly.

Mr. TUCKER. I will merely state that as far as I am concerned I am perfectly willing to strike out the power to internal-revenue agents. The only reason we gave the power was at the earnest instance of the Commissioner of Internal Revenue, who said it was necessary to the faithful execution of the internal-revenue laws. We were willing to concede that much to the wishes of the Commissioner of Internal Revenue, but we are not pertinacious upon this point.

Mr. CRITTENDEN. As I stated before, I fully concur in what the gentleman from Michigan has said. If these agents of the department were always reliable as the commissioner himself, I would feel no hesitancy in delegating that power, but we cannot find many such men as the Commissioner of Internal Revenue, and I think we had better restrain him from delegating that power to the thousand and one men all over the country who generally, if you invest them with too much power, are likely to abuse it.

Mr. BURCHARD. The power proposed to be conferred here is not conferred upon every internal-revenue agent. The committee in considering this limited it to the cases where specially authorized so to do by the Commissioner. The collector has the power. We cut out the power now given by law to suspend the officers. But if there is a collector or deputy who is in collusion with the men who are defrauding the Government, and one of the agents appointed as a trusted officer to represent the Internal Revenue Bureau and the Government shall go to the premises he ought to have the power to make the same examination of the books of the distiller or the books of the tobacco manufacturer that the collector has. He should have the same power to enter upon the premises. As it is now he cannot do it without he takes the collector with him, who may be acting against the Government. He must take him along and act under him. We thought the power asked should be granted to that extent that, in a certain case where the Commissioner of Internal Revenue shall be satisfied the officers were not doing their duty, there the agent may specially be authorized to enter upon the premises and make examination of the books and papers. It is not a general power for the examination of books and papers of every person. It only relates to books and papers of a party who is engaged in the manufacture of tobacco or in the distillation of spirits or fermented liquors. There is where the power is specially given. And the power to summon is limited under section 3175 to cases where the court makes the order for examination.

But, as the gentleman from Virginia says, we have no desire on our part to be pertinacious about this. We agreed with the Department there are cases where there should be this power granted and provided in this bill as suggested by the Internal Revenue Bureau.

The SPEAKER *pro tempore*. Debate is exhausted on the pending amendment.

Mr. CABELL. I move to strike out the last word. I am heartily in favor of the amendment offered by the gentleman from Michigan, [Mr. CONGER.] The Commissioner of Internal Revenue already has too much power, and to confer upon him the right to delegate his power to other persons is more than I think this Congress should do. The amendment, I conceive, is a proper one, and I trust the House will vote for it.

Mr. DAVIS, of North Carolina. This clause as it now stands confers on the internal-revenue agents a power I should not be willing to commit to any but intelligent and discreet persons. These agents in the country are not always of that character and I therefore hope the amendment will be adopted.

Mr. HANNA. I apprehend it is the purpose of every good citizen, first, that we shall have a proper system of laws, and then that those laws be rigidly executed. And while the enforcement of certain of our revenue laws may be deemed harsh in certain localities, while those who advocate a rigid enforcement of our revenue laws incur the displeasure sometimes of certain classes, or of persons engaged in a certain class of business, yet the people as a whole desire that these revenue laws shall be enforced.

Now, it does seem to me that my friend from Michigan, [Mr. CONGER,] as well as my friend from Missouri, [Mr. CRITTENDEN,] have discovered what is a mere scarecrow which need not give any alarm. Let us read what precedes the provision which they propose to strike out:

Every collector within his collection district and every internal-revenue agent shall see that all laws and regulations relating to the collection of internal taxes are faithfully executed and complied with, and shall aid in the prevention, detection, and punishment of any frauds in relation thereto.

And then follows that portion of the section which seems to be obnoxious to my friend.

Mr. CRITTENDEN. I desire to ask the gentleman from Indiana the question which I desired a few moments ago to address to the gentleman from Illinois, [Mr. BURCHARD.] This is a delegated power, delegated to the Commissioner of Internal Revenue. Now, would it be proper for us to give him the power to delegate that power to Tom, Dick, and Harry, all over this country?

Mr. HANNA. It would be just as competent for us, I think, in this act to give the Commissioner of Internal Revenue the power to delegate to an agent what is proposed in this section as it was in the first instance to give to the Commissioner of Internal Revenue the power to delegate it to a collector of internal revenue—unquestionably so.

Now, I can conceive of a state of things where it may be material to the best interests of every honest tax-paying citizen that this power should be given. It is only a power to be given by the Com-

missioner of Internal Revenue, and it is not proposed that he is to give it indiscriminately to agents as a class. He is only to give it in those cases where, as Commissioner of Internal Revenue, acting under his oath in the discharge of his duty, he may deem it material to the interests of the country that a given state of things should be thoroughly investigated.

Now, I assume that the Commissioner of Internal Revenue in selecting an agent to discharge that duty will select a competent and faithful agent. That agent would be powerless to unearth a given fraud; powerless to subvert the public interest, unless he had authority to make the power given to him effective.

Now, suppose he goes into any given district to investigate a fraud in connection with a distillery, if the agent has not the power to call for the books, so as to make a thorough investigation, in the name of God, what does his investigation amount to? He is powerless to investigate. He is powerless to unearth the fraud. It cannot be pretended that the Commissioner of Internal Revenue has the time to go and make personal investigation of these cases; nor will it be pretended that the collectors have time to investigate all these cases.

If, then, it is the purpose of the representatives of the people to see that the laws are enforced, if you intend to collect the tax from the persons engaged in these pursuits, I say give to your agents the power necessary to execute the law and to unearth fraud or crime wherever it may be committed. It is no answer to say that if you do this some man's private papers will be brought to light—that if you do this you will render the law more obnoxious. It will not render a good law obnoxious to effectively and faithfully execute that law. All good citizens are interested in the faithful execution of the law, and it will not do to say that the faithful execution of the law will make it obnoxious. The law itself will become a failure if you take that position.

Mr. BROWNE. I think if gentlemen will reflect for a moment they will find that it is indispensable for the efficiency of the internal-revenue service that this power should be given to revenue agents. This does not contemplate an inquisition into the private books, strictly so-called, of persons engaged in the business of distilling spirits. The law requires that these books shall be kept, and that they shall be open to the inspection of the revenue officers.

Under the old system supervision over these matters was given to a class of revenue officers known as supervisors. They were abolished, I suppose, because they were expensive. But in the recent investigations into the giant frauds that were committed upon the internal-revenue laws in the Northwest it was discovered that these frauds have been systematized; that railroad companies had been subsidized; that railroad clerks had been purchased to keep shipments off their books. Now the law requires that the wholesale dealer and distiller shall keep books stating the amount of spirits he has produced, when he produced them, the amount of material used in their production, when they were sold, with the name, residence, &c., of the person to whom sold; so that by an inspection of that book it can be ascertained how much has been produced and what disposition has been made of it. I undertake to say, unless you can examine the books of the distiller, unless you can ascertain where his shipments have been made, unless you can go into railroad offices, unless you can examine the books of transportation companies, unless you can go into every department of business involved in the manufacture of distilled spirits, frauds will be perpetrated in the future as they have been perpetrated in the past.

I remember in the city of Evansville, where a large quantity of spirits that were manufactured at distilleries were sent to New York, they did not appear upon the distillery books as a matter of course, and you could not find any account of their shipment on the shipping books of the railroad company. The freight was paid and little slips were kept and they were reported to the auditor of the railroad company, but there was no memorandum or statement found anywhere at the railroad depot of the shipment, and it would have been impossible for the Government to unearth these frauds had not the power been given to the Commissioner of Internal Revenue to go to the books of the railroad company and examine the books; and I say to gentlemen to-day that if you deprive the Government of this power of examining books and papers in reference to the shipping of distilled spirits and their distillation, you practically stop the collection of the tax upon that product.

[Here the hammer fell.]

Mr. CABELL. I withdraw my amendment.

Mr. SCALES. I renew the amendment. No gentleman is more ready than I am to admit the importance of the collection of the revenue. It is important to the country. It is important to the honest traders and distillers that the law should be enforced and the revenue honestly collected; but while that ought to be done, I think it is time in this country that we should be paying some attention to the rights and liberties of citizens.

Now, this is a very high power which is sought to be conferred upon these agents and such agents as now traverse the country. The collector of internal revenue has this power now, and let it reside there. Do not go below him. Do not give any man the power to authorize men who are irresponsible, as many of these men are, to traverse this country from one end to the other for the purpose of summoning men and looking into their affairs and see whether they are violating the revenue laws or not. If in any case there is a sus-

picion or probable cause for belief that fraud is being committed, there is a remedy. Have the parties carried before the proper officer, the officer appointed by law; but do not give him power to delegate his powers to others. I hope the paragraph will be stricken out.

Mr. RIDDLE. Would it be in order to offer an amendment to perfect the section previous to a vote being taken on striking it out?

The SPEAKER *pro tempore*. It is in order to perfect that portion of the paragraph which is proposed to be stricken out.

Mr. RIDDLE. Then I move to insert after the word "Commissioner," in line 65, the words "upon the recommendation of the collector of the district in which the examination is to be made;" so that it will read:

And when specially authorized so to do by the Commissioner upon the recommendation of the collector of the district in which the examination is to be made, &c.

Mr. BROWNE. Will the gentleman allow me to ask him a question?

Mr. RIDDLE. Yes, sir.

Mr. BROWNE. Suppose it turns out, and the Commissioner of Internal Revenue has cause to believe, that the collector in any district is in collusion with the distillers and he desires to send a special agent to that point without the knowledge of the collector, would it be possible to do it under the gentleman's amendment?

Mr. RIDDLE. I think not. But now will the gentleman allow me to ask him a question?

Mr. BROWNE. Certainly.

Mr. RIDDLE. Does not the law now require the collector to make this examination?

Mr. BROWNE. Not necessarily so; a special agent may do it if appointed by the Commissioner of Internal Revenue, and the object is to clothe that agent with the necessary powers when appointed.

Mr. RIDDLE. I will state the object of my amendment. I do not know but what it is proper that the amendment of the gentleman from Michigan [Mr. CONGER] should be adopted. But it seems to me that the collector of the district where the examination is to be made should be in some measure responsible for the acts of the agent or for his appointment. Now, in my part of the country I notice that the subordinates of the collector are much less cautious and careful in the performance of their duties than the collector himself. I would be willing to confide a great many powers, and extraordinary powers, to the collector in my own district, but he has subordinates who transcend the law every day. Murders are committed, and most extraordinary proceedings are resorted to, and I think the collector should be in some degree held responsible for the action of these subordinates.

The object I have in view is that the collector himself may recommend the appointment of the agent. I admit that the amendment is open to objection where there is reason to believe that the collector is in collusion with parties who are seeking to defraud the Government. I admit that then it would not be proper.

Mr. TUCKER. I desire to say a word in reference to some remarks made by my friend from North Carolina [Mr. DAVIS] and my friend from Virginia, [Mr. CABELL.] If the committee will examine this paragraph as carefully as it was examined by my colleague from Illinois [Mr. BURCHARD] on the Committee of Ways and Means and myself, they will find that the only power which is vested in the Commissioner of Internal Revenue in regard to the examination of books, papers, and premises is to examine the books, papers, and premises of parties who are engaged in the subject-matter of taxation. He has no power to examine the premises or the books and papers of any stranger, but to examine the premises of the distiller, to examine the books of any manufacturer who is engaged in the business which is the subject of taxation. Gentlemen will notice that the only power given to these internal-revenue agents is authority to exercise the power which is now vested by the Revised Statutes in the collector of internal revenue. The whole purpose of giving it to any internal-revenue agent, I will say to my friend from Tennessee, [Mr. RIDDLE,] is that if the Commissioner of Internal Revenue thinks the collector is not doing his full duty he can send some agent of internal revenue who will do the work for him and detect any fraudulent collusion on the part of the collector himself.

Mr. RIDDLE. I thought the object was this: that perhaps the duties of the collector might be so multifarious as to render it advisable to transfer this duty to another.

Mr. TUCKER. Oh, no; not at all.

Mr. RIDDLE. Then I withdraw my amendment.

Mr. SAYLER. Will the gentleman from Virginia [Mr. TUCKER] permit me to ask him a question?

Mr. TUCKER. Certainly.

Mr. SAYLER. I would inquire of the gentleman whether, in case the collector of any district is suspected of dishonest collusion with parties for the purpose of cheating the Government, he would not be subject to discipline by the Secretary of the Treasury, and whether there is not power over him in that respect.

Mr. TUCKER. Only in accordance with the amendment offered by the gentleman from Illinois, [Mr. BURCHARD,] at the suggestion of the Commissioner of Internal Revenue that he be authorized to suspend a collector in case of fraud.

Mr. SAYLER. But the Secretary of the Treasury would have power over the collector.

Mr. TUCKER. He would have power to remove him; but he would not remove him upon a mere suspicion.

Mr. SAYLER. Certainly not. But there is a difficulty on the other side of this question, and it is very well put by the gentleman from Michigan, [Mr. CONGER. I am very glad occasionally to agree with that gentleman.]

These revenue agents who are sent throughout the districts where large operations in whisky and tobacco are conducted make it their business to oppress business men. I do not say that unadvisedly; I know it. They subject the men who are engaged in this business, and who pay largely the revenue of the country, to all sorts of annoyances, inconveniences, and trouble. Oftentimes they will suspend the run of their distilleries for a day, shut up their establishments, and call for their books in the most arbitrary manner. All this is an outrage.

I do not say that all restraint should be removed and that all men who make whisky and manufacture plug tobacco or cigars are honest. But I do say that the proportion of honest, decent, well-meaning men among that class of people is vastly greater than among your revenue agents, who are sent out as a set of spies, and who generally only want to be bought off.

Mr. HANNA. May I ask the gentleman from Ohio a question?

Mr. TUCKER. All this is in my time, and my five minutes is about out.

Mr. HANNA. Just a question.

Mr. SAYLER. Certainly.

Mr. HANNA. Does the gentleman know of any distiller who honestly pays his taxes, who at any time ever objects to the production of his books and papers? On the contrary—

Mr. SAYLER. I can answer that question.

Mr. HANNA. On the contrary, does not the complaint come from that class of men against the moonshiners who are defrauding the revenue?

Mr. SAYLER. I know honest distillers who pay their taxes, and pay large amounts of taxes, who have protested to me time and again against the annoyances to which they were subjected by the intrusion of these revenue agents. If the gentleman has any distillers in his district, I think he must know that himself.

Mr. HANNA. I have no distillers in my district who are—

Mr. SAYLER. I thought so.

Mr. HANNA. Who are not anxious to have any officer authorized by law to fully investigate their books and papers, because they pay their taxes honestly. And they are praying Congress to give them relief against the dishonest distillers and the moonshiners who curse that section of the country.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. TUCKER. Has my time run out?

The SPEAKER *pro tempore*. It has.

Mr. TUCKER. Then I hope some gentleman who has taken up so much of it will take the floor and yield his time to me.

Mr. HANNA. I will take the floor and yield to the gentleman from Virginia, [Mr. TUCKER.]

Mr. PRICE. I desire to say—

Mr. TUCKER. I hope the gentleman will excuse me from yielding further.

Mr. PRICE. I only want to say this: the objection of the gentleman from Ohio [Mr. SAYLER] seems to be that agents can go into these establishments and examine the books of the manufacturers of liquors and put them through a regular process of examination and see whether there is anything wrong or not in their business.

Now let me say to that gentleman and to the House that there are in the United States two thousand national banks. Special agents walk into these banks at any time, without a moment's notice; not only examine the books and accounts and every bill receivable and every dollar of cash, but they take possession of the concern for the time being, without anybody's leave, and examine everything. They overhaul everything in every possible direction and keep possession just as long as they think proper to do so. That is the existing law, and, if that can be done in the case of national banks, what possible objection can there be in allowing the same thing to be done in regard to distillers?

Mr. TUCKER. Now I want to say to my friend from North Carolina [Mr. SCALES] especially that I am as jealous of the rights of the citizen as any man on this floor, and I think he will accord me that merit.

The only thing that he refers to is the power of these agents to call upon persons to testify, and he seems to think that that is a power which may be exercised coercively by one of these administrators of the law. That is not so. I have looked at this matter very carefully. If gentlemen will refer to lines 71 and 72 of this paragraph they will find that while one of these officers may summon a person to appear and testify, if he does not choose to do so he need not come forward; and he cannot be compelled to come, except under the provisions of section 3175 of the Revised Statutes, "which are hereby made applicable to cases of disobedience of any summons under this section."

Now, under that provision, if the collector summons a party to testify or produce his books, and the party does not choose to do so, the

collector must go before a judge of the district court and have a summons issued; and if the judge does not think the inquiry a proper one to be made, he has power to act in the matter himself; hence in all these cases the right of examination cannot be enforced except under judicial supervision; and this we look to under the present system.

I admit that the only remaining question is, whether this power should be given as well to these internal-revenue agents at the instance of the Commissioner as to the collector. If gentlemen think that there ought not to be these internal-revenue agents, they must go further and repeal section 3152, which provides that "the Commissioner of Internal Revenue may, when the necessities of the service so require, employ competent agents not exceeding at any time twenty-five in number," to whom he shall assign certain duties in connection with this very matter.

Now I confess that I entertain the same jealousy which other gentlemen express in regard to sending these internal-revenue agents to spy out abuses in the land; but I do not see any more objection to this than to granting the same power to the collector.

[Here the hammer fell.]

Mr. BROWNE obtained the floor, and yielded his time to Mr. TUCKER.

Mr. TUCKER. It is further provided in the existing law that the "Commissioner may assign any such agent to duty under the direction of any officer of internal revenue, or to such other special duty as he may deem necessary." I say that the only question is whether it is safe to give to the internal-revenue agent the same power we give to the collector, for we do not propose to give any larger power; and this power of the collector and the internal-revenue agent cannot be exercised coercively upon a citizen except under judicial supervision.

Mr. SCALES. Would it not be very dangerous to intrust such a power as this to the class of men who, as we know, are generally appointed to attend to this business?

Mr. TUCKER. I do not know anything about the character of the agents; I have never had much to do with them; but if the gentleman thinks this power too dangerous, I am willing to vote with him to strike out the provision.

Mr. BROWNE. The gentleman will allow me to say that but for the special agent of the United States, who is now the chief of the secret-service division, none of the frauds in Missouri and Indiana would probably have been ascertained.

Mr. RIDDLE. Has not the Commissioner of Internal Revenue this power now where he suspects that the collector is in collusion with the distiller?

Mr. TUCKER. I do not think he has.

Mr. RIDDLE. How, then, have these frauds heretofore been detected?

Mr. SCALES. Can you not under the existing law arrest any man and carry him before a commissioner upon probable cause and have him examined?

Mr. TUCKER. Unquestionably you can upon probable cause where the matter in question is a crime.

Mr. SCALES. Can you not do so when a man is suspected of carrying on an illicit distillery?

Mr. TUCKER. Yes, sir.

Mr. SCALES. Then, why give this power?

Mr. TUCKER. The power proposed now to be conferred is not to arrest for crime, but to examine into the question whether there are abuses or frauds upon the revenue.

I am not enamored of this provision. As I have stated, we agreed to it at the instance of the Commissioner, who said it was necessary in order to make the service efficient. I for one am willing to vote with the gentleman to strike out the clause.

Mr. CONGER. Having heard the explanations of these gentlemen, I ask leave to withdraw my amendment.

The SPEAKER *pro tempore*. The amendment is withdrawn.

Mr. SCALES. I renew the amendment.

Mr. BURCHARD. Before the vote is taken upon this amendment, I desire to say one word in regard to these frauds. When the Revised Statutes were passed we had, in addition to a large number of collectors and internal-revenue agents, ten supervisors with special powers—greater powers than those of the collectors; and very many of the frauds that have been spoken of were detected by the exercise of the power given to those supervisors. It was thought best for the purpose of retrenchment to abolish the office of supervisor and to give those powers to the collectors.

Now, I do not know that among all the collectors of internal revenue we have found any case where there has been actual proof that the collector has been in collusion with the distillers. It has been proved that gangers and storekeepers and in some cases deputy collectors have thus been in collusion with distillers; but no case has come to my knowledge (though perhaps there have been such cases) where the collector has been concerned in any such transaction. There is now no other officer than the collector who has power, under the authority of the bureau, to make such an examination as is here contemplated. Where there is a suspicion of fraud the Commissioner of Internal Revenue should have authority to designate some person to go to the distillery, to go upon the premises; and the honest distiller will not object. The collector is now the only internal revenue officer having authority under the law to go upon the premises with-

out the consent of the distiller himself. Any special agent sent out to make examination must get the collector to accompany him. Such an agent cannot make examination of the books which the law requires the distiller to keep, though the collector can do so.

It has seemed to us that this additional authority requested by the Commissioner for the detection of frauds should be granted. I hope, therefore, the amendment will not be adopted.

Mr. BROWNE. I wish to make a single observation. The collector has the right to visit distilleries, but every distiller who wishes to commit a fraud upon the Government has his watch on the outer wall for the coming of the collector, and if there is anything wrong about the distillery then, before the collector reaches it, everything wrong is made right. It is indispensable, therefore, that revenue agents at times should be sent to distilleries, so that men who are unknown can light down upon those engaged in defrauding the Government. For that reason I think it is indispensable power should be given to revenue agents specially appointed to enter upon the premises and make examination.

Mr. HANNA. One word. We have been told, not in any exactly authoritative form, that the income tax is to be restored by this Congress. I submit to you if that is to be done a provision of this sort will be vitally necessary. If you intend to restore the income tax and expect to collect it from those who ought to pay it, I submit to you who are specially interested in behalf of the tobacco and whisky men, you want a provision of this sort to enforce that when it becomes enacted into law. Without some such provision to aid in enforcing the income tax it will become as powerless on a given class of capitalists in my section of the country as the Government is powerless to-day to collect this tax from a certain class of distillers. So, let us look at this in both ways; and I say to each and all who desire an honest enforcement of the law for the benefit of the General Government there is nothing in this objection, and that the provision ought to be insisted upon.

Mr. DEAN. I trust we shall not all desire to have the land flooded with spies.

Mr. HANNA. One word in reply. This is not flooding the land with spies. I repeat again that I never heard of an honest man fearing spies. What honest lawyer ever feared to exhibit his books to any internal-revenue collector or agent? Those who fear spies, as a rule, are those who are seeking to defraud the Government. That is the truth about it. This cry of spies and prying into business comes from those who build little distilleries down in ravines or in cellars, and refuse to pay honest taxes while other large distillers are doing it. The large distillers say, "Here are my books, investigate them; I want to obey the law, and I ask you to enforce it against those who seek to avoid paying their taxes to the Government." It is those who refuse to pay who compel the Government to resort to spies. That is the truth about it.

Mr. DAVIS, of North Carolina. I am glad the gentleman from Indiana is not afraid of investigation. [Laughter.]

Mr. DEAN. It is not fear alone that controls the judgment with regard to spies. Every manly feeling that any Anglo-Saxon has is utterly against the employment of spies. The gentleman speaks of a coming income tax, and he wants this provision in regard to the collection of that tax. When you get that tax there will not be a merchant in the country who would not be visited by spies. Spies would go to every merchant's counting-room and insist upon examining his books. Such a thing is revolting to every manly sentiment.

The question recurred on Mr. SCALES's amendment.

The House divided; and there were—ayes 56, noes 46; no quorum voting.

Mr. BURCHARD. I move the House adjourn. [Cries of "Regular order."]

Mr. SAYLER. What is the regular order?

The SPEAKER *pro tempore*. There has been an order for an evening session for debate only.

Mr. BURCHARD. I withdraw the motion to adjourn and will call for tellers, and pending that will move to take a recess.

Mr. HUMPHREYS. I hope, by unanimous consent, we will be permitted to take from the Speaker's table a concurrent resolution from the Senate in reference to printing the report of the Polaris expedition.

Mr. BURCHARD. I have no objection.

The SPEAKER *pro tempore*. The gentleman from Illinois moves to take a recess until half past seven o'clock this evening.

Mr. DUNNELL. What is the business for the evening session.

The SPEAKER *pro tempore*. For debate only.

Mr. BANNING. Is that in order when the House is dividing?

The SPEAKER *pro tempore*. The gentleman from Illinois moves to take a recess.

Mr. BANNING. But that cannot be done when there is no quorum present.

Mr. MILLS. There was a demand made for tellers.

Mr. EDEN. Is this bill to be considered to-night or is it a meeting for debate only?

The SPEAKER *pro tempore*. For debate only.

Mr. MILLS. I move the House do now adjourn.

Mr. SINGLETON. I ask, by unanimous consent, to take from the Speaker's table some resolutions for reference to the Committee on Printing.

The SPEAKER *pro tempore*. The motion to adjourn cuts off all other business.

Mr. MILLS. I withdraw the motion to adjourn.

NARRATIVE OF POLARIS EXPEDITION.

Mr. SINGLETON. I ask unanimous consent to take from the Speaker's table, for reference to the Committee on Printing, the bill (S. No. 1208) authorizing the publication, for sale, of an edition of the narrative of the Polaris expedition.

There being no objection, the bill was taken from the Speaker's table, read a first and second time, and referred to the Committee on Printing.

REPORT OF COMMISSIONER OF FISH AND FISHERIES.

Mr. SINGLETON. I ask unanimous consent that the concurrent resolution of the Senate providing for the printing of five thousand extra copies of the report of the Commissioner of Fish and Fisheries for the year 1876-77 be taken from the Speaker's table and referred to the Committee on Printing.

There was no objection, and the resolution was taken from the Speaker's table and referred to the Committee on Printing.

REPORT OF THE COMMISSIONER OF AGRICULTURE.

Mr. SINGLETON. I ask unanimous consent that the concurrent resolution of the House for the printing of 300,000 copies of the report of the Commissioner of Agriculture for 1877, with amendments by the Senate, be taken from the Speaker's table and referred to the Committee on Printing.

There was no objection, and the resolution, with the Senate amendments, was taken from the Speaker's table and referred to the Committee on Printing.

ARMS FOR THE ARMY AND MILITIA.

Mr. BRAGG, by unanimous consent, introduced a bill (H. R. No. 5054) to secure the most efficient arms for the use of the Army and militia of the United States; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PAYMENT FOR SERVICES IN DOORKEEPER'S DEPARTMENT.

Mr. BOONE. I ask unanimous consent to offer, for reference to the Committee of Accounts, the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be authorized to pay out of the contingent fund of the House the following-named persons, for services rendered in the Doorkeeper's department during the Forty-fourth Congress, the amounts specified in this resolution, to wit: to Robert Coates, the sum of \$210, for services rendered from August 15 to 1st day of December, 1876; to Charles Carter, J. Cook Nickens, James Hall, and Henry Hall, each the sum of \$180, for services from the 1st day of September to the 1st day of December, 1876.

Mr. CONGER. I object to the reference.

Subsequently the objection was withdrawn, and there being no further objection the resolution was referred to the Committee of Accounts.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

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

To Mr. GARTH, until Monday next;

To Mr. BOYD, until Tuesday next, on account of important business;

To Mr. WILLIAMS, of Alabama, for three weeks, on account of sickness in his family;

To Mr. SWANN, for three days, on account of important business;

To Mr. MCCOOK, for four days, on account of important business;

To Mr. TURNER, indefinitely, on account of important business; and

To Mr. WADDELL, for one week from Friday.

SAN ANTONIO AND LAREDO RAILWAY.

The SPEAKER *pro tempore*, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting a report of Quartermaster-General on the proposed construction of a railway from San Antonio, Texas, to Laredo, and on Corpus Christi, San Diego, and Rio Grande Railroad; which was referred to the Committee on Railways and Canals.

ADDITIONAL SIGNAL STATIONS.

The SPEAKER *pro tempore* also, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting report on House bill providing for the establishment of additional signal stations in several States; which was referred to the Committee on Appropriations.

MILTON KENNEDY.

The SPEAKER *pro tempore* also, by unanimous consent, laid before the House a letter relative to the claim of Milton Kennedy; which was referred to the Committee on War Claims.

ORDER OF BUSINESS.

Several members called for the regular order.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Illinois, [Mr. BURCHARD,] that the House take a recess.

Mr. BURCHARD. I desire to say just one word. The House has

fixed a session to-night for debate only, and I hope gentlemen will not antagonize that order.

The question being taken on Mr. BURCHARD'S motion, it was agreed to; and accordingly (at four o'clock and forty-two minutes p. m.) the House took a recess until seven o'clock and thirty minutes p. m.

EVENING SESSION.

The recess having expired, the House reassembled at seven o'clock and thirty minutes p. m., Mr. STEELE in the chair as Speaker *pro tempore*.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The House is in session this evening for debate only, no business to be transacted. The gentleman from Kentucky [Mr. TURNER] is entitled to the floor.

PENSIONS TO SOLDIERS OF MEXICAN WAR.

Mr. TURNER. Mr. Speaker, it is not my purpose to discuss the merits of this bill in detail. They have been exhaustively set forth by the gentleman from Alabama [Mr. HEWITT] and by others, and I do not care to reinstate the attention of the House to the vast domain and incalculable wealth acquired to the Union by the sacrifices and services of the soldiers of the Mexican war, nor to rehearse their heroic deeds, their trials and endurance in a malarious climate, under the burning rays of a tropical sun. They are a part of the wealth, the history, and heritage of the country. But I must remind the House that these hardships and perils were endured from a spirit of patriotism and not for the paltry pay meted to those gallant soldiers. Allow me to add that when they volunteered to leave home and comfort and to peril their lives and health for their country they had a right to believe, from its past history and practice, that it would in due time extend to them some token of its regard and gratitude, some substantial recognition of its appreciation of their services, to solace and assist them in the evening of their days.

My purpose in taking the floor was to respond to what, with all due deference, seemed to me an ungenerous argument urged against the bill by the gentleman from Vermont [Mr. JOYCE] and the gentleman from Illinois, [Mr. HAYES,] to wit, that the bill should be rejected because, forsooth, some soldiers would be entitled to the benefit of it who in obedience to honest convictions or local prejudice had joined the rebel army or sympathized with the rebellion.

I bore a humble part in the Mexican war, and was a friend of the Union and adhered to the fortunes of the old flag in our late unhappy sectional strife in a section where it involved a sacrifice of property and popular favor, and brought neither place nor fat contracts, and I hope I may, without offense, be permitted to doubt whether the gentlemen from Illinois and Vermont and their constituents could have been successfully subjected to such a test of their devotion to the Union as were the Union men of my section.

The sensitive loyalty and assured infallibility of those who never cease to pursue their fellow-citizens who have dared to differ with them, and which would withhold from a whole class of deserving veteran soldiers a just and merited pension lest some of them who had dared to differ with it, and to express that difference in words or acts, should receive the benefit of the general provision, might well be cited to the noble conduct of the officers of the army of Spain toward their fellow-officers who had participated in the late Carlist rebellion and fought against them in obedience to local sympathy and honest convictions.

I have somewhere read that after the Carlist rebellion was over and the insurgents had laid down their arms and returned to their allegiance to King Alfonso, that the rebel officers who had left his army and joined the insurgents applied to be reinstated to their former rank and positions in the king's army, and he at first refused their request, and thereupon the officers of the regular army who had sustained the king and conquered the insurgents met and with one accord signified their determination to resign their commissions unless the request was acceded to, and thus compelled King Alfonso to restore their rebel brethren to their ancient rank in his army. I commend this generosity to the members of this House and the officers of the United States Army as worthy of imitation.

Let it not be said that the American people are less generous and have less Christian charity and more intolerance than the historically vindictive Spaniard. I trust there is no one on this floor who, from motives of personal, political, or party advantage, would be willing to keep alive the passions of war, or who, in their sectional hatred, are willing to deliberately give forth utterances which subject the whole American people to the charge of vindictive malignity. Such sentiments may command the approbation of pot-house politicians and contract patriots, but I cannot believe they meet an approving response from the gallant Union soldiers who bore their country's banner aloft upon the red field of battle. I, for one, Mr. Speaker, would scorn to accept the provisions of an act which excluded from its benefits a portion of my fellow-soldiers because of subsequent differences of political opinions.

I wish, Mr. Speaker, (and every patriot should,) that the bitter memories of our late civil war could be forever buried in the waters of Lethe, and that we could only remember the noble deeds, the gallant acts, and the generous conduct of the gallant soldiers of the armies of both sections. They were Americans all; they are now all

citizens of the same American Union. I wish we could realize how much more important it is to restore the prosperity and promote the interest and preserve the liberties of the present and future, than to approve the opinions or gratify the prejudices of the past; and now that the war is over we would unite in an earnest and honest effort to cement the Union and make our country one of equal rights to all and exclusive privileges to none; a Republic and a Union in fact as well as in name and worthy of all emulation.

I hope the bill will pass and that no distinction will be made between Mexican soldiers because of late differences of political opinion; and in expressing this hope I am sure I voice the sentiments of every true and gallant Mexican soldier who was also a Union soldier.

Mr. Speaker, I have often wondered why a benign Providence permitted the sections in their madness to wage our late cruel civil war; but since I have had a seat on this floor I have arrived at the conclusion that His chief purpose was to furnish the average republican Congressman with something to talk and speak about who else would have been kept in an enforced silence.

SOUTHERN CLAIMS.

Mr. DAVIS, of North Carolina. Mr. Speaker, I have not often trespassed upon the attention of the House, and I would not do so now but for the fact that the section from which I come, its aims, and its purposes are being grossly misrepresented, not intentionally of course, by gentlemen whose feelings and prejudices so warp their judgments that they can form no accurate estimate with regard to anything that relates to the South. It is made manifest by what we have heard time and again upon this floor, and by the utterances of the public press, that it is the purpose of the republican party to seek to regain its lost power in the North by rearing the passions and hatreds that were engendered by the war, and to this unhappy end there is a systematic and persistent attempt to show that it is the purpose of the South to get control of this Government and then bankrupt and destroy it, by what they are pleased to term "raids upon the Treasury with southern claims."

Our republican friends remember that their party had its birth in an attack upon an institution which unfortunately existed in the South alone, and which, though guaranteed by the Constitution which our fathers made, was one upon which the passions of good men could be easily excited, and upon this sectional question they fed and grew till that institution was wiped out of the Constitution in blood, and seeing now that any patriotism that is sufficiently comprehensive to embrace the whole country will leave them wrecked high and dry upon the political shore, they return to their old device and talk of "southern masters."

I propose to show how utterly unfounded are the statements upon which this attempt is made and how utterly unfair the means by which it is sought to be maintained. The CONGRESSIONAL RECORD has been burdened with figures, and column after column has been published with a reckless (I will not say willful) disregard of the truth that is sad and sickening.

I shall, by an appeal to facts and figures, expose some of the misstatements upon which the charges against the South rest and show how unjust—not to say unpatriotic—these charges are. In doing this, I desire to say that I, for one, make no apology for presenting claims from the South. Any man who has or who thinks he has a just claim against the Government has a right to present it here, and in this respect there can be no difference whether the claimant comes from the South, the East, the West, or the North. It is the duty of Congress to hear and consider every claim that is presented in proper form. If the claim be just and proper it should be paid; if it be one that ought not to be allowed it should be rejected; and in passing upon any claim, as a member of this House, I should scorn myself as mean and worthless if I could be knowingly influenced by the question as to whether the claimants came from the South or from the North, from the East or from the West.

I say, then, in discussing this question, I am making no apology for introducing claims here from the South. Gentlemen from the South stand here with precisely the same rights that gentlemen from the East, the West, or the North, and when they present claims those claims are entitled to the same fair and just consideration as those presented by gentlemen from other sections. The gentleman from Indiana, [Mr. HANNA,] in his speech commenting upon war claims, said, (I read from the RECORD:)

Ever since the suppression of the rebellion the persistence with which this class of claims has been pressed upon the attention of Congress has furnished well-grounded and grave fears in the mind of the people that it is the determined purpose of the democratic party in the event of ascendancy to compel the Government to assume and pay all losses and damages resulting from the prosecution of the war in defense of our nationality. Each succeeding year furnishes cumulative evidence in support of the truth of the charge that such is the well-settled purpose of those who control the action of that party. For a time the approaches to the Treasury were cautious, guarded, gradual, and well calculated to deceive the unsuspecting.

Now, sir, this is a broad and unqualified statement from the gentleman from Indiana. He then says:

I have carefully examined thirty-seven hundred and ten of the bills introduced and the abstract of the character stated of those referred to the Committee on War Claims, I will, by leave of the House, print as part of my remarks.

And the list is published, headed:

Abstract of war-claim bills introduced in the Forty-fifth Congress.

I have taken pains to count the list and I find the number to be

six hundred and thirty-one. To make this terrible array of long columns—six pages of the RECORD—I find that bill No. 415, introduced by my friend from Tennessee, [Mr. DIBRELL,] has been repeated just fifty-four times; bill No. 582, by the gentleman from Missouri, [Mr. CRITTENDEN,] four times; No. 878, by Mr. HOUSE, twenty-four times; No. 955, by my friend Mr. VANCE, eight times; No. 1025, by Mr. TURNER, six times; No. 1030, by Mr. CARLISLE, twenty-nine times; No. 1049, by Mr. ATKINS, forty-nine times; No. 1722, by Mr. GIDDINGS, nineteen times; No. 2568, by Mr. WILLIAMS, eight times, and No. 2780, by Mr. CARLISLE, seventeen times.

Of course I will not do the gentleman the injustice to charge that this was done for the purpose of misleading anybody, but it does make the array look imposing, and then, too, it shows how careful was the "examination." But it so happens, as I am informed by my friend from Kentucky, [Mr. CALDWELL,] that bill 1049, introduced by Mr. ATKINS, and which is divided by the gentleman from Indiana [Mr. HANNA] into forty-nine parts, was reported back to the House from the Committee on War Claims, and the same bill, appropriating \$24,257.31, is charged again in the list to Mr. CALDWELL, thus not only doubling the number many times, but doubling the amount. Now it seems to me that a little careful examination would have sufficed to show not only that Mr. CALDWELL was reporting a substitute, but that the names of the parties were the same. How many more errors there are in the gentleman's "carefully prepared statement" I am unable to say, but I have added up the figures and I find the whole to amount to \$5,000,107.06. One would infer, naturally, from the gentleman's speech that all those were southern war claims—"rebel claims," as gentlemen call them—which the "controlling element of the democratic party"—this is his language, not mine—intended to "extort" from the people by "a raid upon the Treasury."

I have already shown the means—I will not say the disingenuous means—by which these claims have been magnified; but that is not the worst of it; I have taken some pains to examine and analyze the character of these claims, not as carefully perhaps as did the gentleman from Indiana and others on that side of the House, but still with sufficient care to find out some things that were strangely overlooked by them in their "careful" examinations. I find in the first place that only \$2,573,028.69 of the claims in the gentleman's schedule are from the late Confederate States. I find that ten of his bills are for loyal churches, seven of them in loyal States; one of the bills is for a loyal temperance society in a loyal State; two for loyal academies in loyal States; one for Touro almshouse in Louisiana (possibly this may have been some disloyal charity, I do not know how this is;) one for the loyal State of West Virginia; one for an agricultural association in Kentucky, the State from which my friend near me [Mr. TURNER] comes, a State which sent more Union soldiers to the war, if I mistake not, than Massachusetts.

Mr. TURNER. It sent more than Maine and Vermont together, and yet they would call it a disloyal State.

Mr. DAVIS, of North Carolina. Certainly my gallant friend from Kentucky has not expressed such sentiments on this floor as have fallen from gentlemen from Maine and Vermont.

Now, Mr. Speaker, I have had neither the time nor the patience to examine all the claims in the list published by the gentleman from Indiana with the minuteness and carefulness with which he professes to have done, but I have made quite an extensive inquiry in regard to them and I have been able to find only one claim that originated during the war which is not that of some loyal person—most of them are for loyal republicans. I find a few of them—not one in ten—are for property or services growing out of transactions subsequent to the war.

Now let us take a running review of the gentleman's list of war claims which are going to bankrupt the Treasury. Here it is. [Holding it up.]

To begin with, the very first we find on the list is a claim from the loyal State of Connecticut for \$8,655, first introduced into the republican Forty-third Congress by Mr. Kellogg, a republican; and next on the list is a claim for \$5,000 from the State of New Jersey. The next comes from Tennessee; there is not a claimant from that State who is not a loyal man. Then there is a claim from Pennsylvania—the State from which our Speaker comes. Then comes New York; and then Maryland with twenty-two claims, all in a bunch, as I learn from my friend from Maryland, [Mr. WALSH,] they are all the claims of loyal men. Then comes Virginia. Then comes North Carolina, which is a little claim, but North Carolina has been very modest in this respect. Then Ohio comes for one-fourth of a steambot. Then comes Pennsylvania for \$22,927; and then the loyal State of Kentucky with a long array of these claims and the bill H. R. No. 415 which is repeated fifty-four times on the list, and that claim as I learn from my friend [Mr. DIBRELL] is for persons some of whom were soldiers and the widows of soldiers in the Union Army—one of them a widow who lost her husband and two sons in the Union Army.

Mr. SCALES. What does the gentleman mean by saying that the claim has been repeated fifty-four times.

Mr. DAVIS, of North Carolina. I say that the bill has been repeated fifty-four times upon the list as you see it here, [holding it up,] of course not for the purpose of deceiving anybody, but to make the thing look large. Then comes Kentucky again, and then comes Indiana, the State from which the gentleman [Mr. HANNA] hails; and then comes Illinois, with a claim of \$29,000 for losses on account of

the steamer S. C. Baker. Then comes the claim of A. L. H. Crenshaw, from Missouri, and that is an interesting case about which I wish to say a word.

This "war claim" was first introduced in the Forty-third Congress. It will be remembered that was a republican Congress. There was a report made by Mr. Cobb, a republican, in which he gives the character of the claim. It was for fifty-five mules of which "he was robbed," I quote from the report, "by United States officers * * * in September, 1863, for the loss of which he claims the Government was rendered liable by subsequently taking possession of them. His claim was referred for investigation to a board of Army officers convened at Kansas City, Missouri, who, after full inquiry into the facts of the case, report that Crenshaw, a licensed cattle-dealer, * * * and an unconditional Union man, was the victim of a conspiracy organized by Lieutenant Lindsay, Eleventh Kansas Volunteers, Wiley Aiken, W. Logan, John Hampton, Andrew Hammond, and Major Plumb, provost marshal, * * * to rob him of his property." The report then details one of the most infamous conspiracies and robberies that ever disgraced humanity, and this is put to the charge of the South. The claim was reported favorably to the Forty-third Congress by Mr. Cobb, a republican, and to the Forty-fourth by Mr. EDEN, democrat, and any one who wishes to read a dark page can find it in the report of the board of Army officers and in House report 819, Forty-fourth Congress, in which the outrages are detailed. Surely if the gentleman from Indiana had been a little more "careful" he never would have laid this claim to the South, and for humanity's sake he would have kept it out of view.

Then comes another long list from Missouri; then Tennessee again; then Ohio comes in for several thousand dollars; and then again comes in one introduced by my friend Mr. CARLISLE, which is enumerated twenty-nine times upon this list, for some property belonging to Union men in Kentucky. Then comes Tennessee again with loyal claims, and then follows Illinois with a claim for chattels furnished to the Union Army, and then comes in Michigan for \$62,480 for a steambot, and then again Ohio, and then there are two cases from Massachusetts. Then comes a claim from Illinois, and then two from Pennsylvania, and then a number from the District of Columbia, and then New Jersey and Pennsylvania again, and then Massachusetts comes in again for property taken. Well, then comes in a claim from Tennessee for the destruction of a Presbyterian church, and I know that my colleague who sits near me [Mr. SCALES] would be in favor of that.

Mr. SCALES. Yes; if it is just.

Mr. DAVIS, of North Carolina. My friend knows that the Presbyterian Church would not present any claim that was not just. Then comes another claim from New York and another from Pennsylvania. I only enumerate these claims for the purpose of showing how utterly unjust is this charge about southern claims. I hold in my hand a republican paper, the Cincinnati Commercial, containing a letter written from this city by a republican, giving an account of the claims introduced by Mr. DIBRELL:

Mr. DIBRELL, from the third Tennessee district, many of the counties of which had more men in the Union than in the confederate army, and which counties are republican to-day, has introduced this session thirty or forty bills for the payment of loyal men, some of them a mere pittance of a few hundred dollars, and none for very large amounts. Yet several republicans have made speeches this session on "southern claims," and they have all paraded DIBRELL's bills before the country as a part of the evidences of a rebel raid on the Treasury. I happen to have a large acquaintance in that district, and every man I know on DIBRELL's list was a Union man, and stands ready to prove his unionism. Some of them can prove it by scars on their bodies, received in the Federal service. I submit if this is just treatment of these men. One of DIBRELL's claimants is now eighty years old; yet, old as he was, he served as captain in the Union Army, and not only that, but piloted over five hundred men through the mountains into Kentucky on foot, and enlisted them under the flag of the Union, where they fought till the close of the war. He sacrificed his property for the Union cause. Yet this man's claim, along with others just as worthy and meritorious, is paraded around the country as a "rebel claim," and made to adorn the beautiful stump-speeches that are to serve as campaign thunder in the North this fall. DIBRELL was a "confederate general," to be sure, but he has put in no claim for himself or for any fellow-confederate.

So much for the speech of the gentleman from Indiana, [Mr. HANNA.] But the gentleman from Illinois [Mr. HAYES] came in with a long list of figures, and I have taken some pains to analyze his table also. Here is one introduced into the Senate by Senator HARRIS for the relief of James Clift, of Tennessee, and the same bill is introduced into the House by Mr. DIBRELL, and repeated twice; that is, it is made to speak three times in the list. This James Clift was a captain in the Union army, and that is one of the disloyal claims that are going to bankrupt the Treasury. Of course, Mr. Speaker, I only know in regard to these claims what I learn from such information as I can gather from the bills and from gentlemen who introduce them. Here is one, for \$100,000, of Eugene Leitensdoerfer, of Missouri, for services rendered to Colonel Doniphan, in his great Santa Fé expedition, more than thirty years ago. I find also upon the list a bill for the removal of the political disabilities of somebody, and that is put down as a war claim. And if the gentleman from Indiana and the gentleman from Illinois had examined the bills which they include in this array of southern claims, they would have found that more than one-third of them were for pensions to soldiers, and not one of them to a confederate.

They would have found that nearly every one of these claims was the claim of a Union man. There is a claim, and a large one, for \$135,500, for citizens of Brenham, Texas. That is a large amount,

but that claim originated fifteen months after the war. There was a Major Smith, I think his name was Smith, commanding United States troops at Brenham, in Texas, and his soldiers went to a colored ball, broke up the ball, and there was a riot, and the town was burned down. The proof goes to show that it was burned down at least with the sanction of the commanding officer. In a report to be found in Executive Document No. 145, third session of Forty-first Congress, will be found a full account of this case. It stamps Major Smith with infamy, and I have been told that afterward, not for this offense however, he was dismissed from the Army, but I do not know how this is. He certainly ought to have been punished.

That is one of these claims which occurred long after the war and had nothing at all to do with the war. Five of these bills are for pensions to Mexican soldiers. Then comes my friend from Wisconsin [Mr. LYNDE] with a bill for the widow of a Union soldier; and there is one for the relief of Alden M. Woodruff, of Little Rock, Arkansas, introduced by the gentleman from Illinois, [Mr. ALDRICH;] it is a bill for \$225,000. I would like to know what sort of a rebel in Arkansas the loyal gentleman from Illinois [Mr. ALDRICH] would introduce a bill for? I apprehend it will not be found that he was a very disloyal man, for if he was the gentleman from Illinois would not seek to commend himself to the favor of his republican constituents by introducing a bill for the relief of any such person. Then comes a bill for the relief of Hiram Johnson and others, the same which the gentleman from Indiana [Mr. HANNA] repeated so many times. Then there is one introduced by the gentleman from Georgia [Mr. HARTRIDGE] for the relief of James Johnson, late collector of the port of Savannah. That collector had a deputy collector, a loyal man, who ran away with some Government money.

By the way, I make here a statement, astounding as it may seem, and which I would not have believed if I had not found it to be so. During the last three or four Congresses there has been more money appropriated to meet embezzlements by subordinates in the employ of the Government than has been allowed for the whole State of North Carolina. Well Johnson, the collector, wants relief for the money stolen by his deputy.

Then here is one introduced by my friend from North Carolina [Mr. VANCE] for the relief of James Roberts. It is charged here to Mr. ELLSWORTH, my friend from Michigan, who reported it from the Committee of Claims.

Then here is one which was introduced by my friend from Missouri [Mr. CRITTENDEN] for the relief of certain soldiers of the Eighth Cavalry, State of Missouri. He tells me that they were all Union men.

Then I find one introduced by Mr. STEPHENS, of Georgia, for the relief of the heirs of General Count Pulaski. Now, I suppose that, Count Pulaski having fought in our first rebellion, it is thought right that the bill for his heirs should be charged to the South in this last rebellion. Then there is one introduced by Mr. COOK, of Georgia, for the relief of the tobacco trade. [Laughter.] There is one to authorize the erection of a light-house. Then there is a bill introduced by the gentleman from Texas [Mr. THROCKMORTON] for the relief of a gentleman who was entitled, as he alleges, to commissions under a contract for gathering up cotton.

The gentleman from Illinois [Mr. HAYES] says in his speech that these claims amount to \$300,000,000. And he repeats that three times.

Now, I say that is such a mistake that it ought not to have gone out from this Hall. All the claims put together, that have been introduced here by all the Representatives from the South, will not amount to anything like that. And if you put in all the appropriations for rivers and harbors and for the improvement of the Mississippi, they would not altogether make three hundred millions, nor one-tenth of it. Yet the gentleman says:

Why, sir, the idea that the Government owes and ought to pay all damages occasioned by the war throughout the South is so firmly imbedded in the southern mind that it will take several generations to root it out. No man, I care not how great his ability, can be a leader among the southern people unless he openly indorses this idea. There is not a southern gentleman on this floor who would not be overwhelmingly defeated at the coming election if he should dare to stand up here and declare that these claims ought not to be paid.

I am utterly astounded when I hear such statements. I defy the gentleman to name a man on this floor who ever said that he was in favor of making good all the damages sustained by the South in the war. I defy him to find a southern man who has taken an oath to support the Constitution who ever claimed any such thing. I do not mean every one who will say that he was loyal, because I do not vouch for the loyalty of all those who claimed to be such during the war. But I defy him to find a man who fought in the southern army and who has sworn here to support the Constitution who will say that he is in favor of paying for all the damages so sustained. I know that it is sometimes stated that if the democratic party gets into power the Government will be made to pay for all the negroes and other property lost by the South and even the confederate debts, and this has had some effect in some sections; but the charge is so absurd, so preposterous that the man who believes it is to be pitied for want of sense rather than censured.

I say there is not a man on this floor who would come back here from any district in a southern State if he were to go there and declare that he was in favor of adding to the burden of debt now resting upon this Government by the payment of all the losses and damages sustained by the South in the late war.

But there are many claims that are just, and all those claims that are just stand here precisely as they would if they came from any other section of the country. So much for that.

By the way, he says he has evidence in the form of a memorial from a gentleman from North Carolina, (Dr. Ford,) who says that he is in favor of paying all the damages on both sides. Now, I have inquired among my colleagues and friends, and no one from North Carolina has ever seen a memorial presented here signed by a living man asking any such thing.

I have no doubt that Dr. Ford is a very clever gentleman, but I defy the gentleman from Illinois [Mr. HAYES] to show a single memorial ever signed by anybody for such purpose. He says that two editions of Dr. Ford's pamphlets have been exhausted; it was so popular. It may be popular with the gentleman, but I am sure it was not so in North Carolina. There is nobody there who expects all these damages by the war to be paid; and certainly no one there ever will get paid for such damages until the Constitution is amended. And the gentleman need have no fear about that, for it would require a larger vote than the South has got to do that. Sir, how puny and puerile is such a charge! But, sir, I desire also to review some remarks made by my good friend from the Committee of Claims, [Mr. CUMMINGS.] He joins in the howl against southern claims.

The first count in the charge of the gentleman from Iowa is this: That we want to restore to the pension-roll the soldiers of the Mexican war, about whom my friend from Kentucky [Mr. TURNER] spoke so eloquently just now, and I wish my friend from Iowa could have heard him. He seems to think it is a monstrous thing that we should endeavor to secure for the maimed and crippled and disabled soldiers of the Mexican war who may happen to live in the South precisely the same benefits accorded to the maimed, crippled, and disabled soldiers who live in the North.

Why, sir, it does seem to me strange, in view of the fact that there are \$28,122,683.48 voted as pensions, all of which with insignificant exceptions go to the people of the North—all of it—we do not complain of that; we have nothing to say about that—but it does seem strange to hear this objection in view of that fact. How magnanimous is it that gentlemen who are getting \$28,000,000 and upward for their own section shall not be willing to let a few old, crippled Mexican soldiers of the South, who fought to bring States into this Union, have at least a little of it. It does seem to me if my friend from Iowa had listened to the remarks made by my friend from Kentucky he would reconsider that matter and conclude that there was no great danger to the Treasury from these poor, maimed, crippled Mexican soldiers.

I trust my friend does not represent the sentiment of the people of Iowa, but if he does may the Lord help their poor souls!

Again, my friend goes on and says "there is the Texas Pacific scheme for the special benefit of the South, representing \$30,000,000 or more." My friend has an eye as keen as an eagle's to see any claim which comes from down toward the South, but he is as blind as an owl at noonday when he looks to his own big section.

But let us see how this matter stands. Thirty millions and more for the special benefit of the South, says he, for the Texas Pacific. There is a great mistake in saying that is for the benefit of the South alone. California and the Northwest are interested in it and New York and Pennsylvania are as much interested in it as North Carolina and South Carolina. So it is not for the special benefit of the South.

But let us stop to inquire how generous a thing it is in gentlemen from the great Northwest to make this objection. I have taken the pains to look over the list of bonds in the Treasurer's report and I find that \$64,623,512 have been issued in bonds for railroads, all of which have gone to northern and northwestern railroads, every dollar of it, and yet \$30,000,000 for the South, less than one-half, disturbs my friend.

But that is not all. In looking at Spofford's American Almanac, where I find a good deal of statistical information, I find 128,066,374 acres of land have been voted to railroads in the Northwest. This land at \$1.50 per acre would amount to \$192,000,000 in round numbers. All that has gone to the Northwest. Add that to \$64,000,000 in bonds and we have \$256,000,000, more than the whole State of North Carolina is worth. The land given to railroads in the Northwest is nearly four times as much as the whole State of North Carolina. Yet the gentleman says it is monstrous in the South to ask for \$30,000,000 for the Southern Pacific Railroad when in point of fact it is not a southern measure any more than it is a western or northwestern measure; it is a national measure.

Look again at the generosity of my friend from Iowa; that glorious young State—and I am proud of the young States as well as the old States of the Union—Iowa, a State not as old as the gentlemen who come here to represent it upon this floor; that State of Iowa has received in money only the little sum of \$3,250,824.57, and it has received 3,252,000 acres of land, which at \$1.50 per acre would make \$5,150,528. That young State has received in land and money more than two and one-half times as much as the State of North Carolina, one of the original thirteen States, has received since the war of Independence or during all the years coming down from 1776. Is that fair and just?

He says in addition that bills are pending for the improvement of southern rivers and harbors other than the Mississippi River to the

amount of over \$5,000,000. Had my friend examined he would have seen that less than one-half of that sum for southern States is in the river and harbor bill which has passed the House. If he will look near home he will find that Wisconsin gets \$408,000 and Michigan \$567,000, while North Carolina gets only \$135,000. And here again my friend shows his keen eye for the South and his blind eye for the North.

Then again the cotton tax is put down at \$68,000,000, and North Carolina is charged with \$1,959,704 of that, being a little more than one-third of what Iowa has got in the shape of public lands. As to this cotton tax I have not time to enter into an explanation now, but I will say the receipts are held largely by northern men who bought the cotton, paid the tax, and a large portion of it would not go back to the South.

The question has been before the Supreme Court, and that court, if I mistake not, was equally divided upon the question of its constitutionality. I myself should be perfectly willing to abide the decision of the courts upon this as upon all other questions. I hope the gentleman will not find fault with us for believing the tax unconstitutional when republican judges of the highest court in the land concur with us. But I must say to the gentleman that no one in my State troubles himself about this tax half so much as he does. It may be some capital to him; it is none to us.

Then again we are told that there is a large amount of claims for captured and abandoned property which the gentleman puts down at \$24,251,269.

Now, with regard to that I have only this to say, that the Supreme Court of the United States, a court to whose decisions gentlemen should be willing to bow, has declared that that amount is in the Treasury as a trust for those who may be entitled to receive it. And I would like to ask my friend if it is a tax upon this Government to pay over to men property to which they are entitled? If, as the Supreme Court says, it belongs to the individuals who are the owners when they prove their claims, is there an honest man who would say they are not entitled to it? And with what propriety can that be put down as one of these claims?

Well, sir, I will hurry on. I will publish with my remarks a short list giving in contrast the appropriations that have been made for the Southern States and those for the Northern States, respectively, taking it from the speech of my friend from Mississippi, [Mr. MONEY,] and to that I will add \$13,346,000 added by the bill of my friend from Illinois [Mr. HARRISON] since Mr. MONEY's speech was made.

I know that the gentleman from Kansas [Mr. PHILLIPS] said that he was misrepresented in regard to his magnificent bill. But then just think of two basins, one at Memphis and the other at Saint Louis, with granite sides and bottoms, large enough to harbor fifty sea-going vessels, and then canals sufficiently large for two ocean steamers to pass each other from the mouth of the Mississippi to Saint Louis, with arms to Pittsburgh, to the lakes, and to Omaha. It is a magnificent scheme, entirely too large for my comprehension.

I invite the attention of the House to the following:

Statement showing the amount of money expended by the Government of the United States from the adoption of the Constitution to 30th of June, 1873, in each State and Territory of the Union, for navy-yards, custom-houses, court-houses, and other public buildings; for the improvement of rivers and harbors, and for the construction of forts, arsenals, and armories, railroads, canals, and wagon-roads.

TOTAL RECAPITULATION—NORTHERN AND WESTERN STATES AND THE TERRITORIES.	
Maine	\$7,564,194 93
New Hampshire	4,894,954 02
Vermont	638,471 25
Massachusetts	19,667,630 45
Rhode Island	3,163,157 93
Connecticut	1,590,345 69
New York	38,836,701 93
New Jersey	1,790,826 69
Pennsylvania	8,295,152 46
Delaware	2,360,773 63
Ohio	4,994,388 06
Indiana	2,910,423 29
Illinois	10,500,645 29
Michigan	6,542,934 06
Wisconsin	\$2,718,369 97
Iowa	3,250,824 57
Minnesota	1,490,818 18
Kansas	2,558,806 76
California	18,567,310 99
Oregon	1,518,793 45
Nebraska	474,822 49
Nevada	423,681 23
Colorado	104,550 29
Territory of Arizona	246,415 29
Territory of Idaho	86,233 15
Indian Territory	7,920 00
Territory of Montana	41,575 00
Territory of New Mexico	335,718 67
Territory of Utah	76,197 55
Territory of Washington	496,478 36
Territory of Wyoming	77,454 92
Maine and Massachusetts	10,000 00
Connecticut and New Jersey	23,499 79
Wisconsin and Michigan	50,000 00
Utah, Nevada, and California	34,267,704 49
Utah, Nebraska, and Wyoming	34,359,763 79
Kansas and Colorado	7,766,912 11
Iowa and Nebraska	2,182,703 38
Total	227,886,202 17

TOTAL RECAPITULATION—SOUTHERN STATES.	
Maryland	\$5,909,980 90
Virginia	16,034,724 99
West Virginia	5,094 25
North Carolina	3,314,899 58
South Carolina	4,868,155 08
Georgia	2,485,584 92
Florida	14,738,509 86
Alabama	3,792,201 22
Mississippi	1,857,430 46
Louisiana	12,032,075 24
Texas	846,309 26
Arkansas	976,105 22
Missouri	2,569,683 48
Kentucky	1,597,249 28
Tennessee	537,932 84
Maryland and Virginia	180,645 18
Louisiana and Arkansas	95,000 00
Total	71,841,581 76

And to this, showing the number of acres of land granted the North and West for public improvements, in round numbers, one hundred and seventy-six million acres. For the Southern States, seventeen million acres.

My friend from Mississippi [Mr. MONEY] then publishes a table showing in detail the claims introduced into this Congress for the Northern States. I will not publish the table, but the aggregate is \$1,569,122,035 13. Add the bill of my friend from Illinois 13,346,000 00.

Making the sum of 1,582,468,035 13

This is more than five times the sum charged to the South by the gentleman from Illinois, [Mr. HAYES,] and at least fifty times as much as the true amount of southern claims presented to this Congress.

The bills reported favorably by the republican Committee on War Claims at the first session of the Forty-third Congress were one hundred and eight, amounting to \$5,912,790. The number reported favorably at the first session of the Forty-fourth Congress by a democratic committee was fifty-one, and the amount \$215,361. These facts ought to show our northern friends that the Treasury is much safer in democratic than in republican hands.

But this is not all. Under the law no war claims can be paid to any but loyal people. Our republican friends would require democrats to be particularly observant of this law. Let us see what Mr. John Sherman, now Secretary of the Treasury, said in his campaign speech in Ohio in 1876:

When the war closed innumerable claims against the United States were made from the lately rebel States, and Congress in the most liberal spirit made provision for the payment of all that by the well-settled rules of civilized war could be properly made against the United States. The officers of the Departments, Supreme Court, the Court of Claims, and the southern claims commission were authorized to adjust and pay different classes of claims, and Congress passed many acts for equitable relief; so that it may with safety be said that more than \$100,000,000 was paid after the war was over to citizens of the South for losses caused by the rebellion.

Now all this sum was paid of course by republicans, but since 1876 our republican friends have become more careful. In the seventh general report of the commissioners of claims, for instance, they have devised a long list of questions that would exclude from that court nearly every man and woman in the South who has any heart. There are twenty-two questions put to female claimants. One of them is:

Did you ever belong to any sewing society organized to make clothing for confederate soldiers or their families, or did you assist in making any such clothing, or making flags or other military equipments, or preparing or furnishing delicacies or supplies for confederate hospitals or soldiers?

This would exclude every good woman in the South. I never yet knew a woman who was not willing, when she could, to administer to the wants of sick soldiers in the hospitals, whether they were confederate or Union soldiers. I can say that of a truth for the noble, generous women of the South.

At my request, Mr. Smith, the excellent and efficient clerk to the Committee of Claims, has prepared a statement of the claims referred to that committee. I will not repeat the details, for, without doubling, it would make a list nearly as large as that of the gentleman from Indiana, [Mr. HANNA;] but I can, with perfect safety, vouch for the accuracy of Mr. Smith, and I give the result as follows: whole amount of claims, \$5,373,731.23, of which \$4,069,527 are from the North and only \$1,304,203.31 are from the Southern States. The States of Missouri, Kentucky, Maryland, and this District are included in the Southern States.

Thus largely over one-third of the population of this country are represented before that committee by much less than one-fourth of the claims. And yet my friend from Iowa thought that little matter of \$43,000 that came from North Carolina was an evidence of the "southern raid" to bankrupt the Government. And when the gentleman from Maine [Mr. REED] was making his speech the gentleman from Iowa felt it his duty to call attention to that enormous claim of the State of North Carolina, but he was sweetly oblivious to the fact that more than two-thirds of the claims before that committee were for northern people. If the gentleman had made an inquiry of our clerk he would have found that much the larger proportion of these claims belonged to the North; that they belonged to the North in the proportion of nearly four to one, putting Maryland, Kentucky, and Missouri with the South.

But, not only is the amount of appropriations for various purposes

largely in favor of the North, but the revenue system has been made to operate mainly against the South by a system of unequal taxation. I shall quote the preamble and resolution offered by me on the 15th of January last, to show how unequally this works:

INTERNAL-REVENUE TAX.

Mr. DAVIS, of North Carolina. I ask unanimous consent to present the following preamble and resolution, and, as it is a subject in which a great many people take a deep interest, I ask that they be read, ordered to be printed, and referred to the Committee of the Whole on the state of the Union.

The Clerk read as follows:
 "Whereas it appears from the annual report of the Secretary of the Treasury for 1876 that the whole amount of tax collected from internal revenues for that year was \$115,417,747.33, of which sum the State of Illinois, with a property valuation, according to the census of 1870, of \$2,121,680,579, paid \$25,582,960.71, while the State of New York, with a property valuation of \$6,500,841,264, paid only \$14,655,081.89; the State of Ohio, with \$2,235,430,300, paid \$16,610,446.09, while Pennsylvania, with \$3,508,340,112, paid only \$5,981,273.46; the State of Kentucky, with \$604,318,552, paid \$7,648,612.13, while the State of Massachusetts, with \$2,132,148,741, paid only \$2,759,653.61, thus showing that Kentucky, with less than one-third the wealth of Massachusetts, paid nearly three times as much of said tax; the State of Virginia, with \$409,588,133, paid \$7,313,021.13, while the States of Maine and Rhode Island, combined, with \$645,121,317, paid only \$314,826.48, or less than one-thirtieth, in the proportion, paid by Virginia; the State of North Carolina, with \$200,757,245, paid \$1,679,345.09, while Vermont, with \$235,349,553, paid only \$48,097.15, thus making it manifest that the burdens of this tax are unequally and unjustly distributed and made to bear most heavily upon States least able to pay; and

"Whereas it appears from said report that the whole amount assessed was \$130,756,374.40, while the amount collected was only \$115,417,747.33, showing a loss of \$21,338,627.07, while the cost of collection was \$4,239,288.22; and

"Whereas the temptations to frauds, evasions, and violations of said law, by reason of its unequal impositions and the modes of its collection, have tended to demoralize the country and diminish that respect and reverence for law which have characterized the American people; and

"Whereas an equal apportionment of the burdens of taxation among the different States and sections of the Union is the dictate of sound policy as well as of justice: Therefore,

Resolved, That the Committee of Ways and Means, in providing the means for defraying the expenses of the Government, be instructed to provide for the total abolition of the internal-revenue system, or, if this shall be found impracticable, then to so modify and change the same as to impose its burdens equally upon all sections, and, by reducing the taxes now imposed and providing a less obnoxious mode of collecting the same, remove the just ground for complaint which now exists, and remove also the temptations to fraud, evasions, and violations which have brought reproach upon the whole system."

Mr. COVERT. I object.

The facts set forth in the preamble to this resolution show how unequally and unjustly the internal-revenue tax operates. They show that the burdens of this tax are not fairly distributed. This tax falls with heavy weight upon the tobacco and agricultural States. North Carolina, for instance, pays in proportion to its wealth more than twenty times as much as Maine or Vermont or Massachusetts, and Virginia pays thirty times as much. We have endeavored to get this changed, and I had hoped that a just sentiment would have corrected the inequality, at least as far as this House is concerned, before now, but thus far we have appealed in vain.

I know it is said the consumer pays the tax. This is true where the tax is moderate and reasonable, but not true when the tax is three or four times the value of the article taxed. It then paralyzes production, as can be illustrated by its effect upon tobacco. Let us examine this a moment.

In 1850, according to the census, the tobacco crop was 200,000,000 pounds. In 1860 it had increased to 434,000,000 pounds, largely more than doubling in ten years. After the tax was imposed the crop fell off to 263,000,000 pounds, as appears from the census of 1870. I give round numbers. And according to Mr. Dodge, the statistician of the Agricultural Department, in 1871 it was 263,196,100 pounds, and in 1874 as low as 178,355,000 pounds, or more than 20,000,000 pounds less than the crop of 1850, and about one-third of the crop of 1860. The largest crop raised since the imposition of the tax—that of 1876—was only 331,002,000 pounds, or 53,000,000 less than the crop of 1860. So much for the production.

Now, look at the price: Mr. Spofford, in his valuable American Almanac, a work that entitles him to the thanks of the public, has given the average price of twenty-five leading staples of the country for fifty-three years, taking the month of January in the New York market. You will see from this table that beef, butter, cheese, ham, lard, coffee, mackerel, molasses, pork, bar-iron, rice, sugar, hops, and leather have sold since the war at prices ranging from 25 to 250 per cent. higher than before the war, and cotton, corn, flour, and other articles are as high or higher. Coal, imported pig-iron, and tobacco are the only articles in the list that have fallen below the average with war prices. For thirty-seven years preceding the war, the average price of leaf tobacco for the month of January in New York was 16 cents; for the last seven years (since the tax) it has been less than 8½ cents, or about one-half of what it was before the war. If the price of leaf-tobacco now were equal to what it was before the war, the crop of 1876 would be worth in the market to the farmers about \$60,000,000; instead of that it is worth to them only about \$30,000,000. Can this falling off be attributed to increased supply? Of course not; for we have shown that since the war the crops have also fallen off, showing the anomaly of decreased price with decreased supply; in other words, the tax is destroying the production and is a burden upon the producer as unjust as it is ruinous, for it is, as my colleague [Mr. ROBINS] well said, "destroying the goose that lays the golden egg."

I am also indebted to my friend [Mr. SMITH] for a statement showing that in the Forty-second (republican) Congress, bills were passed allowing claims to the amount of \$2,438,172.35, while the Forty-fourth

(democratic) Congress passed only \$1,378,267.43, making \$1,119,904.93 more passed by the Forty-second (republican) Congress than by the Forty-fourth (democratic) Congress. This included claims from the Court of Claims, the southern claims commissioner, and the Commissary and Quartermaster-General's departments. The whole amount of claims allowed other than those, by the Forty-second Congress, was \$989,550.68, of which \$860,014.06 were from the North, and only \$129,536.44, or less than one-sixth, were from the South. Of the amount appropriated by that Congress \$62,019.15 were allowed for embezzlements of subordinates in the pay of the Government, that is, to make good money stolen.

A similar statement for the Forty-third (republican) Congress shows whole amount of private claims allowed was \$2,541,238.65 and by the Forty-fourth (democratic) Congress, \$1,566,282.42, making a difference of \$974,956.23.

But that is not all; deducting the claims from the Court of Claims, the southern claims commissioners, and the Commissary-General and Quartermaster-General's departments and the Forty-third republican Congress paid claims to the North amounting to..... \$818,088 65
 To the South amounting to..... 90,514 34

Excess to North over South..... 727,574 31

That is more than nine to one. But that is not the worst. The Forty-third Congress passed bills to the amount of \$247,968.28 to make good losses by the defalcations and embezzlements of subordinates for the relief of various officers. That is, leaving out the claims from the Court of Claims, southern claims commissioners, and Commissary and Quartermaster-General's departments, the Forty-third Congress paid to relieve officers for defalcations and embezzlements \$247,968 28
 For South..... 90,514 34

157,453 94

That is, if you exclude loyal claims, the Forty-third Congress allowed and paid (for it has all been paid) more money to make good such defaults as are contained in the extract below from Senate Report No. 236, Forty-fifth Congress, second session, than was paid to all the South. The report refers to bills to relieve officers for defaults (that is, the stealing) of deputies, &c.

William J. Patton, collector of internal revenue, second district of Arkansas, \$36,081.88; S. S. Bailey, collector of internal revenue, fourth district of Michigan, \$1,752.23; E. B. Pendleton, collector of internal revenue, fifth district of Virginia, \$26,476.25; J. L. Thomas, jr., collector of customs, Baltimore, \$27,540.25; F. E. Spinner, United States Treasurer, default of Seth Johnson, \$37,894.20; also for default of F. A. Marden, \$11,413.97.

The following cases are similar in principle:
 E. H. Webster, (16 Stats. at L., 703.) John T. Mason, (17 Stats. at L., 704.) R. R. Bolling, (17 Stats. at L., 768.) Logan H. Roots, (16 Stats. at L., 690.) W. B. Thomas, (18 Stats. at L., 555.) Thomas Hillhouse, (18 Stats. at L., 532.) Willard Davis, (18 Stats. at L., 533.)

These were the defaults of subordinates; there were millions that were never made good. Mr. Boutwell, Secretary of the Treasury, gives, in Executive Document No. 140, Forty-first Congress, third session, a "statement of balances due from collectors of internal revenue who were out of office on the 30th day of June, 1870." This statement was made on the 18th day of February, 1871. It shows the amount of balances on that day to be \$20,700,983.33. A portion of this was made good by the securities of the collectors and perhaps other sums were paid, but a large portion of it was never paid. Joshua F. Bailey, of New York, for instance, absconded, March 15, 1870, nearly twelve months before the statement was made. He was behind nearly \$1,200,000.

Mr. Speaker, I have another table which I have prepared, and which shows some interesting facts.

A comparative statement of the expenditures of the public money on account of miscellaneous expenditures during the presidential election years 1864, 1868, and 1872, and the next preceding and the next succeeding year to each election, respectively.

MISCELLANEOUS EXPENSES.			
Fiscal year—	Amount.	Increase.	Decrease.
1863-'64.....	\$27,572,216		
1864-'65, election year.....	42,989,383	\$15,417,167	
1865-'66.....	40,603,114		\$2,376,269
1867-'68.....	53,009,867		
1868-'69, election year.....	56,474,061	3,464,194	
1869-'70.....	53,237,461		3,237,600
1871-'72.....	60,384,757		
1872-'73, election year.....	73,325,110	12,940,353	
1873-'74.....	69,641,593		3,683,517

Showing an increase in the miscellaneous expenses of the Government for the three election years over the years preceding each to the amount of \$31,224,714 and an excess over the years succeeding each of \$9,300,386. I have compiled this statement from the report of the Secretary of the Treasury for the year 1876, and any one wishing to verify the figures can do so by referring to page 16 of that document.

It will be observed that in the Secretary's report for the year ending June 30, 1874, the amount is put down at \$85,141,593; but this includes \$15,500,000, as the Secretary says, expended under the Geneva award, which should be deducted, leaving the amount I have

stated for that year. This is a statement of what the Secretary calls miscellaneous expenses only, and it is pretty good miscellany.

Now let us examine the receipts and see how the accounts stand. Take the receipts from internal revenue:

Fiscal year 1867-'68	\$191,067,589
Fiscal year 1868-'69, election year	158,356,460
Fiscal year 1869-'70	184,899,756
Decrease	32,731,129
Increase	26,543,269

Showing the receipts for the election year to be over \$32,000,000 less than the year preceding, and over \$26,000,000 less than the year succeeding. These figures can be verified by reference to page 12 of the same report.

I have not referred to the last presidential election, because the appropriations having been under the control of a democratic Congress, our republican officials were limited in their resources, and the report of the Secretary of the Treasury for the year ending June 30, 1877, shows the net ordinary expenses of the Government to be \$144,209,963 against \$164,857,813 for the year ending June 30, 1876. That is a decrease in the ordinary expenses of the Government of just \$20,647,850; and this result is due to a democratic House. These figures can be verified by reference to the report of the Secretary of the Treasury for the year 1877, page 17.

Is it simply a coincidence that during the three presidential years I have named the miscellaneous expenditures of the Government were largely in excess of the preceding and succeeding years? Is it a mere accident that the receipts from internal revenue were more than \$32,000,000 less than the preceding and \$26,000,000 less than the succeeding year of the presidential election? No, they were not mere coincidences, not mere accidents; there was a reason for it, and it was this: the republican officials acted and treated the Government as if it had been the property of the republican party. The revenue officers and marshals and agents of the Government and all the machinery of the Government all over the country, instead of being employed in the interest of the public, were employed in the interest of the republican party, spending the public money to the amount of millions, thus increasing the expenditures, and neglecting the duties of their offices, and thus diminishing the receipts.

No one can estimate even approximately the loss to the Government resulting from the maladministration of its affairs under republican rule. I make the charge, and I propose to make it good, that if all the revenues of the Government had been honestly collected and disbursed we would to-day be without a public debt.

According to the report made to the Forty-second Congress by the civil-service commission appointed by President Grant it is calculated "that one-fourth of the revenues of the United States are annually lost in the collection." This is the conclusion reported by seven distinguished gentlemen, republican gentlemen, with George William Curtis at their head.

Mr. John Sherman, in a speech made in 1876, wished to charge the administration of Andrew Johnson with \$182,000,000 lost in one year in the collection of revenue from distilled spirits alone, and this was placed to the charge of a democratic administration, when everybody ought to have known that Mr. Johnson was elected by republicans, that the Senate and House were more than two-thirds republican, that his Cabinet was republican, and that he was allowed no power in the control of the administration, not even to the extent of removing one of his own Cabinet advisers or a defaulter from office. The collectors and revenue officers and agents were republicans.

Any one who will take the pains to examine the statistics relating to the collection of customs and internal revenue will readily see that the estimate of Mr. Curtis and his associates as to the revenue lost to the Government is not too high, and there has been but little improvement since their report. We have shown how the expenses increased and the collections decreased during the years of presidential elections. The report of the Fifth Auditor for the year ending June 30, 1876, shows the aggregate internal-revenue assessments to amount to the sum of \$136,756,374.40, and the amount collected, \$115,417,747.33; difference between the amount assessed and the amount collected, \$21,338,627.07. Now there are no exemptions of any sort as against taxes, and there is no reason why the amount assessed should not be collected. The expenses of collecting this internal revenue amount to the goodly sum of \$4,233,288.22; but where do these \$21,000,000 go? Is it lost by carelessness? How much of it is in the shape of abatements? And what are these abatements for? Do favorites and political partisans reap the benefit? Are the public or official morals of the country improved by it? Any one who will examine the report of the Secretary of the Treasury for 1876, page 424, can verify the figures I have given. They need explanation.

But we have seen, from the highest republican authority, the estimate that one-fourth of the revenue never finds its way into the Treasury, and I think they underestimate the loss. Now, if this is correct, and I think no one can doubt that it is below the mark, it can be shown from official data that enough has been lost to the Government to pay the entire national debt. This is a startling statement, but let us see if it is sustained. Any one who will take the pains to add up the figures to be found on pages 11 and 12 of the report of the Secretary of the Treasury for 1877 will find that since the republican party came into power the net ordinary receipts of the

Treasury have been \$5,057,869,221.65, full nineteen-twentieths of which is derived from customs and internal revenue. This is a very large sum and it is not easy to comprehend it, but we have seen that only three-fourths of the revenue finds its way into the Treasury, the other fourth is lost—lost by carelessness; lost by stealings; lost by neglect; lost by rings and combinations of rogues, of which the Saint Louis disclosures, though showing millions in one city, was but as a drop in the bucket. Now, if \$5,057,869,221.65 be all that has gone into the Treasury, and that is, as we have shown from high authority and no one ought to doubt the fact, only three-fourths of what ought to have gone there, by a very simple rule in arithmetic we can ascertain what the other fourth—the lost fourth—is, it is just \$1,685,956.21.

But this loss was through the period of republican rule, and interest should be added in order to determine the full extent of it; this by a fair estimate will amount to at least \$800,000,000, making the aggregate over \$2,485,000,000. It will thus be seen that if the revenues of this Government had been fairly and honestly administered more than enough would have been saved to discharge the public debt. It is true that there would not now be quite so many millionaires, nor quite so many tramps and beggars, both to a great extent the legitimate growth of republican rule produced by legislation in favor of a class against the interest of the millions. There would be no bonds creating wealth to the amount of hundreds of millions that pays no tax but is supported and maintained by tax upon the labor of the many. The incomes of some people would not be quite so large, but then they would not labor under the fear of an income tax, for none would be needed. There would be no unjust taxes upon tobacco and the fruit of the orchard and other industries, for it would not then be needed to pay the golden interest of the bondholder. Peace and happiness and prosperity would prevail throughout the land, and we should hear of no strikes nor threats of labor *vs.* capital.

It is to divert attention from all these sins of commission and omission that the old cry is raised against the South, and gentlemen from that section well understand that, and we wish our friends in the North not to be deceived by misrepresentations in regard to the people of the South. Our people want peace; they wish to see prosperity again; they long and pray for a good and honest administration of the Government, and they despair of getting it until a change by dismissing from control the party that has had power for the last seventeen years.

The gentleman from Vermont, [Mr. JOYCE,] in his very bitter speech uttered some time ago, could give the South no credit for sincerity when it declared its acceptance of the situation and its desire for a restoration of harmony and good feeling between the sections. If I supposed that he represented the prevailing sentiment of the North I should utterly despair of such restoration.

The language used by him and other ultra gentlemen on that side is in my judgment as unwise as it is offensive, as unjust as it is insulting. He says, "I can forgive the treason, but I can never commend the traitor." He can forgive the crime, but not the criminal; pardon the sin, but not the sinner. This is a new development of the beauties of Christian statesmanship. And even the gentleman from Maine [Mr. REED] has a relenting heart, and in consoling tone and manner, that should fill our souls with everlasting gratitude, can remind us that in his opinion "it would have been a pitiful and miserable close after the magnificent contest" to have had "struggling wretches kicking out their lives on the gallows." But to return to the gentleman from Vermont. He says "the people of the North will no longer listen enchanted as they have done to this siren song of peace and reconciliation while the political fetters are being forged for their limbs." The South "forge fetters" for northern limbs! How absurd the thought! The idea would be as foolish on the part of the South as it would be cowardly on the part of the North and in the name of the South and in behalf of the manhood of the North I repel it. There is not a brave man in the North who ought not to feel it as an insult; and for the South, I repeat, the charge has no shadow of foundation.

Why, sir, what Southern State has ever at any time or in any way attempted to control or interfere with the domestic institutions of any other State? Name the instance in which any Southern State, or any convention of any Southern State, or any Legislature of any Southern State, or any Representative of any Southern State ever in any way, directly or indirectly, attempted to control or interfere with the institutions of Vermont or any other State. I appeal to history and defy the gentleman to name an instance. The charge is utterly groundless. While New England could turn loose as voters in the South nearly a million of emancipated slaves, reclaimed from African barbarism by contact with the white man of the South, what southern man ever complained that in her leading State no man could vote who could not read the Constitution in the English language? While in the South the ballot is open to every man, what southern man ever complained that one of the New England States disfranchises more than one-half its population by requiring a property qualification, which, if applied to the South, would disfranchise more than two-thirds of her citizens? While we of the South believe that all men should be left free to worship according to the dictates of their consciences, what southern man ever complained that until within the last year in one of the New England States no man could hold office unless he professed a certain religious faith? And yet even now in Massachusetts no one can vote who cannot read, &c.; and in Rhode

Island more than one-half of the men cannot vote because her constitution requires every voter to own real estate to the amount of \$134 over and above all incumbrances.

But this New England defender of equal rights says that—

They [the South] should accept the constitutional amendments and grant equal political rights to all men. The trouble is they do not do this.

As a test of sincerity upon this point, tell me as honorable men whether you think a republican could to-day go into the parish of East Feliciana, in the State of Louisiana, make republican speeches and organize republican clubs, without danger of molestation, and if not there, could be in any county in any State south of Virginia. These, sir, are facts plainly spoken in a spirit of fairness and candor, and the sooner we all understand them and act upon them the better.

Now, I desire to state to the gentleman that there was never a greater mistake, that there is no fact about it. I am told by the gentleman from Louisiana that in the parish of East Feliciana, which he represents, the gentleman from Vermont [Mr. JOYCE] or anybody else could go and make a speech without disturbance. So far as my own State is concerned, I can say that I have taken part in every political contest since the war, and have spoken from the stump a hundred times side by side with my republican competitors, and from the mountains to the seaboard of my State, Governor Vance and his competitor, Mr. Settle, now a Federal judge in Florida, were heard addressing the people from the same stump, and there was no disturbance. Will the gentleman say that there would be no disturbance if they had such joint discussions in the State of Vermont, at least in these latter days?

If all the people of Vermont are as bitter as the gentleman who represents it in part, I should be afraid to make a speech before them. But I will tell him that he can come to North Carolina and speak everywhere throughout the borders of our State and nobody will disturb him. He would be just as safe there as a democrat would be, and I apprehend much safer than a democrat would be in Vermont. The charge made by the gentleman from Vermont is not founded in fact. If I were to say that a southern democrat could not go into Vermont and speak, there is not a man in my district who would not believe me, because all know that I would not state to the people what I did not know to be true affecting the character of a whole State. And yet the gentleman made this statement in regard to my people, and I have no doubt it is believed in Vermont. When he goes back to his State he should tell the people that he was mistaken. If he doubts my statement as to free and open discussion in North Carolina, let him ask my republican colleague of that State [Mr. BROGDEN] if there is a word of truth in the charge. The gentleman has doubtless been misinformed and thus misleads his people. I would make no statement affecting the character of an individual or of a community which I did not believe to be true.

[Here the hammer fell.]

Mr. SCALES. I ask consent that the time of my colleague be extended.

Mr. DAVIS, of North Carolina. No, I will not trespass longer; but, with permission of the House, will incorporate in my remarks the tables to which I have referred.

PRESIDENTIAL TITLE.

Mr. GARDNER addressed the House. [His remarks will appear in the Appendix.]

THE TARIFF.

Mr. PEDDIE. Mr. Speaker, it is not my intention to review in detail the present tariff bill introduced by the honorable gentleman from New York, who has so faithfully given his attention to this complicated subject, but representing as I do the great manufacturing district of my State and the city of Newark, which is now called the Birmingham of America, I wish to express my views in regard to the proposed change, the very discussion of which is having a most depressing effect upon the business of the country and threatens to destroy the possibility of a revival in trade and return of commercial activity.

We have exhausted theories and endless delusive arguments presented to us by political economists, but as a manufacturer I regard practical business experience above all their fallacies, and in my opinion we had better let well enough alone and consider the results which necessarily would follow any change taking as a safe guide for the future our past experience rather than that of other nations whose condition and products are so varied that like laws will not produce the same results.

I feel our great development in the manufacturing industries of the country is sufficient argument to prove the wisdom of the law as it now stands, faulty in some respects as it may be, but taking it as a whole it has accomplished results which have no parallel in history and its maintenance has brought to our shores millions of capital, employing thousands of skilled workmen who would to-day have been on the other side of the Atlantic, but here have developed our internal resources, opened up our mines, built up our mills and factories, so that we are now almost able to stand upon an independent footing, and not only to supply our own market, but with little help from this Congress in building up our merchant marine we would be able to place our goods side by side with those of other countries in foreign markets, and successfully compete with England, which has so long held the supremacy and is called the workshop of the world.

Let those opposed to protection apply their free-trade maxims as the

outgrowth of natural causes peculiar to that country and not apply the same to this. One with a contracted area, a limit of natural resources, densely populated, dependent upon other countries for its raw material; and this, with our vast undeveloped resources, an area covering millions of square miles, with every variety of climate, and soil capable of producing all the luxuries and necessities for the wants of man. Again, this is not the time to agitate the question, just as we are trying to work out of a long and distressing business depression, the result of great waste in our late war followed by extravagant and financial mismanagement of our people. And now upon the eve of returning prosperity we can ill afford to change a policy which is the very foundation of our national wealth, and thus throw us back into deeper misery by stopping the mills now barely able to keep in operation and which must certainly close should the bill before the House become a law, and thereby throw out of employment thousands of honest laborers who are now struggling hard for the bare necessities of life.

If the law is defective, better let it rest until we are able to stand the shock of its revision, and in the mean time let Congress turn its attention to the real wants of the people. Give us a department of commerce as a base through which to foster our commercial relations with those countries which are willing to open their ports and join us, hand in hand, in establishing steam communication for the exchange of our various and abundant products.

Mr. HANNA. Is the gentleman in favor of subsidies to steamship lines?

Mr. PEDDIE. I know the American people do not like the word "subsidies," but I am in favor of a liberal compensation being paid by the Government for carrying the mails to foreign countries. Through this only can we expect to compete with other nations for the commerce of the world, or wade out of our present prostrated condition? Give us foreign markets for our goods and we shall soon stand independent of a protective tariff and solve the maxims laid down to us in the interest of foreign manufacturers. What our people want is legislation that will give them work, not agitation of the tariff nor the appointment of extravagant investigating committees spending millions of their money for partisan purposes in which they have no heart, to the exclusion of everything that will tend again to set in motion our mills and factories, giving employment to the workmen, who are the bone and sinew of our country and upon whose prosperity is based our success.

Legislation of this kind will be far more acceptable to the people, and will do more to maintain our credit than the partisan political discussions which only plunge us still further into the sea of uncertainty and paralyze the energy of the nation and destroy every opportunity we might have to resist the present downward tendency, which can only lead to universal bankruptcy.

TARIFF.

Mr. ERRETT. Mr. Speaker, the authors of this bill doubtless started out with a distinct purpose in view, that of framing a tariff suited to a particular idea or purpose; but before they got through with it they succeeded only in making a bill that is faithful to no one idea and which pleases or satisfies no one. In the attempt to please everybody they have pleased nobody. Protectionists and free-traders alike disown it, and its one sole merit, in any one's eyes, is that it is a change. Those who think that all change is reform and that any change must be for the better may possibly accept it; but those who believe in letting well enough alone are opposed to it, and they are, I think, a decided majority of the people, if not of their Representatives.

Of all the varied manufacturing and producing interests in this country there is not one that is satisfied with it, so far as I have heard; the sugar-producing interest may be, for it has been amply taken care of, apparently; it always has been. In the days when the spirit of free trade was rampant the sugar interest was always made an exception; tea and coffee might come in free, but sugar never. It is as much an article of necessity as tea and coffee; but the section which produces it believes in protection to sugar, and has always had it. That section believes in free trade in everything else; but, notwithstanding its faith in that fanciful theory, it is to be hoped that it will learn the golden rule and concede to others what it demands for itself.

But while the sugar-producing interest may possibly be the exception which proves the rule, it is certain that no other is. From all over the country comes a protest from the wool-producing interest, which exclaims against the injury that will be inflicted upon it by the passage of this bill, and this is an interest which extends from Maine to Texas, being worthy of much more care than it receives. The manufacturers and dealers in woolsens in like manner protest that their interests have been sacrificed. A remonstrance forwarded here shows that the bill imposes specific duties upon one class of woolen cloths and ad valorem upon another class, although both cost the same price and are almost identical in character.

The manufacturers of cotton-bagging, the paper manufacturers who use jute butts and other foreign materials in their factories, the new industries engaged in producing Portland cement and tin plates, the workers in iron, steel, glass, and copper, and almost every other industrial enterprise, all join in lifting up their voices against a tariff that is fated to carry destruction to their interests. It is not

necessary to enter here into details. Where a bill excites such general hostility as this does there is no need to be specific in objection; and I leave it to those who are specially concerned in particular branches of industry to present the reasons for their specific objections, as they doubtless will do, fully and satisfactorily. I am content for the present to base my opposition to it on the general ground that it is wrong from top to bottom, from beginning to end, in general and particular, in body and in spirit. It is not based on the doctrine of specific duties, nor on the opposite doctrine of ad valorem duties; but is an uncongenial admixture of the two, without system or reason, a mere hodge-podge of the two, without any special regard to either. It is not a compromise where the friends of each doctrine have yielded something to the other, but a mere jumble of crudities and inconsistencies. Like the church at Laodicea, it is neither hot nor cold—would that it were—and being lukewarm, the only fitting and natural thing to do with it is to spew it out of our mouths.

I will not enter upon the general question of protection to American industry, but I fully believe in the doctrine that it is the duty of the General Government to extend its protecting and encouraging hand to every branch of industry throughout the length and breadth of the land. The friends of protection are more catholic in their views than are the sugar and cotton interests, for while asking protection for themselves they are perfectly willing to accord it to every other interest, to sugar, and rice, and cotton, and tobacco, and hemp, as well as to wool, and iron, and steel, and all the multiplied interests of the North. On this subject they know no North, no South, no East, no West; but treating all honest labor as worthy, and every laborer as worthy of his hire, would secure to every class of workers a sufficient remuneration for their toil. In this they stand upon the same ground as Washington, who stated to Congress in 1790—

That the interests and safety of the people require that they promote such manufactures as shall render them independent of others (foreigners) for essential supplies.

They believe also with Lincoln—

That plenty of money from well paid labor elevates, while the reverse degrades.

And with the venerable Peter Cooper that—

National prosperity cannot be restored by forcing idleness on the masses, since we cannot, as a nation, import anything cheap that leaves our own good raw materials unused and our own people unemployed.

But this is a subject too vast to be entered upon in a limited speech, and I content myself with saying that, even if it be conceded that revenue is the primary object of all tariffs, that is a poor government which cannot afford in levying its duties for revenue to so arrange them as to make them conducive to national prosperity by encouraging and protecting every national industry. It is a foul bird that soils its own nest; and it is a heartless government that not only withholds its protecting hand from its own children but extends its encouragement to the workers and capitalists of other nations. The first duty of a government to its people is protection; and it is as much its duty to protect their industries as to protect their property, their lives, or their rights.

Protection to American industry was the doctrine of the fathers of the Republic. Their first step, when the idea of independence had taken full hold of their minds, was to form a voluntary league to bind themselves not to wear or use any but home-made goods. The self-denial which prompted them to do this sprang from the consciousness that it would be idle to talk of independence while they depended upon foreign wares for their daily use; and it is just as idle to talk of our independence while we are more indulgent to foreign industries than to our own. We are far more able to-day to manufacture nearly all we need than we were then; and although we lack the immediate motive which prompted them to put a voluntary embargo on foreign goods we have the motive, which they had not, of so guarding our home industries as to make us fully and truly independent of foreign nations.

It is urged that we have a surplus of some products to sell, and that unless we buy of other nations they will not buy of us. But that does not follow. This is a favorite fallacy, but it is a syllogism in which the conclusion does not agree with the premises. Other nations buy of us, not because we buy of them, but because they cannot help it. During the ten years from 1863 to 1873 we bought liberally from Europe—so liberally that we bankrupted ourselves; but Europe did not as a consequence buy liberally from us, for at the end of that memorable decade we had bought of Europe one thousand millions of dollars' worth more than we had sold to her. Liberal buying, therefore, does not induce liberal selling. Europe buys from us only what she cannot produce herself, and is sharp and keen enough to take advantage of our tariff legislation to sell us a great deal of what we could and should produce for ourselves. We do not stand upon an equality in the exchange of products, and now it is proposed to give her still greater advantage by opening the doors wider to her products and shutting out our own. The legs of the lame are not equal, and the legs of this syllogism are too unequal to stand upon. The weak cannot contend even-handed with the strong, nor a poor nation with a rich one. Europe has advantages which we have not, and until we are nearer an equality it is idle to talk of an equality in the exchange of products. We buy largely of Brazil in coffee. We are, in fact, her best customer. Yet Brazil does not return the compliment by buying from us. We remit gold to England to be sent thence to Brazil for her coffee, and that gold is transmuted

into British goods which are shipped to Brazil instead of the gold. Our purchases in that country have never yet induced Brazil to buy of us, and never will. If she ever does become a customer of ours it will be because she can suit herself better here, and not on account of our liberal purchases of her.

But I will probably be told just here that that is caused by protection, which makes our market too dear for Brazil and other South American nations to buy in. I do not admit the allegation; but even if it were true it would not militate against my argument. Young nations like ours (for, although we boast of our hundred years' existence, we are still very young as a nation) cannot produce cheaply until capital has been freely encouraged to invest in production, and under that encouragement been made secure enough to compete to the point of cheapness. This is to be attained slowly and by very gradual progress. Long-continued protection will bring it about, and if we but have patience it will come. The fault of this bill is that it is an attempt (an awkward one but still an attempt) to bring about suddenly what can come only by degrees; for a sudden cheapening of production must either destroy our power of producing, or must result in such a readjustment of the cost as must materially lower the wages of labor and the cost of the native raw material. This consideration brings us face to face with the great labor problem of the day. Are we to stop our factories, and so turn the laborers out of work, or are we to reduce their wages to the bare point of ability to maintain a miserable existence? There are already hundreds of thousands of men out of work; shall we add to their number? Shall we close up our furnaces, our mills, our workshops, and turn other hundreds of thousands adrift upon the cold charities of an already overburdened people? Or shall we grind down their wages to the European standard, and compel them to live upon black bread and cabbage-broth, with the luxury of meat only upon Christmas and the Fourth of July?

The wisest of *doctrinaires* stand appalled at the contemplation of this labor problem. No one of them has yet been able to solve it or find a way out of its difficulties. It is a millstone into which their eyes cannot peer; and their terrible fear is that there may be both an upper and a nether millstone that will grind society between them into a powder.

I submit that men who aim to be statesmen cannot afford to trifle with this problem. In monarchical countries, where the laborer is little better than a serf, with no political rights and a cipher as a political power, the strong arm of the government may be able to keep him in his degraded condition and force him to work at wages that barely sustain life, but in a free Government like ours, where the laborer is a voter and a very potent political power, this cannot be done. You may reduce tariffs and with them reduce wages or close up the workshops, but you have got to answer to him for that reduction or for turning him penniless upon a pitiless world. The already unemployed thousands are dangerous beyond all that we are willing to confess; how are we going to confront a maddened half million more? Pass this bill and you have got to meet one or the other of these alternatives: either closed workshops and the hungry cry of the famished men, women, and children who have no means beyond their ability to labor, or an enforced reduction of wages upon an already poorly paid class of men. Either alternative is full of danger to the community; and I do not envy the condition of those who are willing to take the responsibility of making a choice between them.

In the former discussions of this question the workingmen took but little part or interest, and from that fact men have drawn the conclusion that this is a matter in which the capitalists are alone involved. There are those who think that capital is the only thing benefited or to be benefited by the incidental protection of a fair tariff; and probably there are some who lay the flattering unction to their souls that the passage of this bill will simply curtail the profits of the manufacturers. Let them not deceive themselves. Capital is in the main able to take care of itself. Already, under the present tariff, the profits of manufacturing have been cut down so low that any reduction in price must come off of labor, and not from capital. No one knows this so well as the workingman. He has studied this whole subject with as much care as the most studious political economist. He knows precisely what a new tariff means. It means to him less work and poorer pay; and having got this knowledge by heart he is taking to-day more interest in the settlement of this issue than even the foreigner who has come across the wide sea to open up warehouses here for the sale of his wares. This is a new element in tariff discussions, and those who favor this bill may as well understand at once that they are aiming their lances, not at men of means only, but at the million of workers who earn their bread literally in the sweat of their face.

The reason for this new awakening is to be found in the fact that within the last forty years the condition of the worker has been materially changed. The system of common schools which was founded between 1830 and 1840 has made an educated man of the worker, and a thinking man as well. He has not been highly educated it is true, and his thoughts may at times be too crude for the cultured professors of science and believers in philosophical theories and abstractions; but he is the graduate of the people's school and must be dealt with as a man who knows, reads, thinks, and reasons for what he has learned. In all this he differs from the main body of European workers, and he must not be judged from their stand-point nor dealt with as they

are dealt with. Forty years ago the workmen of the country were comparatively ignorant. A visit to the furnace or iron-mill showed them living in squalid and dirty cabins; a house of two rooms perhaps, but frequently only one. The floors were uncarpeted, the furniture was mean and scanty, the cooking-utensils few, and the whole miserable dwelling bore about it the air of constant privation and discomfort. Now, the workingman, although still but poorly paid and compelled to look ahead with some feeling of apprehension, has risen to a higher plane. His house is still a poor one, but he has learned to make it bear the look of comparative comfort. The floors are carpeted with some cheap material; the house is clean; there are more rooms, more furniture, and more attention to personal comfort. There are books and papers, magazines and pamphlets on the table; and altogether the advance is striking enough to be noted and pondered. Then they did not know enough to reason about tariffs; now they do. Tariffs affect them, and the men who undertake to pass a tariff which does not take them into the account are as thoughtless as the man who undertook to build a house without first counting the cost. You cannot deal with these men as European governments deal with their workers or legislate upon their basis, because, in addition to the different degree of intelligence which our workers possess, they have with that intelligence, whatever its degree may be, political power.

It would be the poorest possible policy in this juncture to flourish this fact as a threat, and I do not use it in that way. I only call attention to it as a fact which cannot be ignored or which, if an attempt is made to shut it out of sight, will still demonstrate its existence. Like Banquo's ghost, it will not down at any one's bidding. You cannot legislate for an intelligent working class as you would for an ignorant one, nor for men who have political power as for those who have not. Our labor problem is not that of Europe and is not to be solved by European philosophy. We must treat it as we find it. You cannot make intelligent labor cheap, because it knows too much to submit to the degradation of living in squalor upon ten cents a day. You have established your systems of general education and have even passed laws to send policemen out into the highways and byways to compel the children to come into schools; and now, having educated them, having given them higher tastes and more refined aspirations, you ask them in this bill to grovel in dirty hovels, live upon the cheapest food, wear the cheapest clothes, and drudge out their educated lives in a desperate struggle for existence upon wages gauged by the European standard. Why lift them up if they are to be thus cast down? You have cast the seven devils of ignorance out of the worker and he finds as he starts out in life his house swept and garnished, and then you drive him into the company of seventy times seven devils of destitution and poverty, and the last end of that man is worse than the first. Believe me, it is the part of wisdom and statesmanship to legislate for the elevation of labor rather than for its degradation; for its encouragement and protection rather than for its impoverishment.

I may instance in this connection, because it comes so near home that I can speak of it knowingly, the duties imposed by this bill on iron. The bill in this one respect is not nearly so bad as it was at first, nor so unfair as it might have been, but it establishes an average reduction in duties of \$5 a ton. Under the present tariff prices have declined to the point where the manufacturer cannot realize a profit of over one or two dollars a ton at furthest. It is plain, then, that in this reduction in duties the manufacturer has no margin to go and come upon. The reduction cannot come off of him, and the only alternative left is to take it off the workers in iron. If they submit to the reduction their means of living are thereby curtailed; if they refuse, then they have before them all the miseries of a lock-out or a strike. In either event they are the sufferers, and not the only ones; for if you reduce the purchasing capacity of a man you injure every other department of industry. The man who earns nine dollars a week can and does buy more than the man who earns but six, and in reducing his wages you reduce his capacity to buy what others produce.

Again, the present tariff produced last year \$131,000,000 of revenue; the duties imposed by this bill, if the same quantities and qualities of goods were imported under it as last year, would produce but \$122,000,000. As we have not revenue enough now, it is plain that, even to get up to last year's revenue, we must import much more goods; and still more, if we are to realize the revenue expected from it. Under any circumstances, the free list being greatly enlarged and rates of duty lowered, there must be a great deal more foreign goods imported than now to make up the needed revenue, and every dollar's worth of goods imported in excess of present quantities must deprive some American workman of the chance of producing the same kind of goods here. An increase of foreign imports means a decrease of home products, and a decrease of home products means a decrease in the amount of labor employed and in the amount of its compensation. The passage of this bill may carry joy to Birmingham and Sheffield, but it must carry dismay into the homes of many thousands of American mechanics. If the mission of an American Congress is to legislate for the benefit of foreigners, then this bill is in the right direction; but I know full well that the John Hancock and George Washingtons of 1776 had too much of the spirit of patriotism to engage in the success of any such measure.

It has been urged as an argument in behalf of a reduction of duties that the agricultural laborer of this country has no protection, because

none is possible; but as he is compelled to compete with the cheap agricultural laborer of Europe he is entitled to the privilege of buying what he wants at lower rates than he now pays. I answer that the agricultural laborer of this country does not compete, in the proper sense of that word, with the agricultural laborer of Europe; and if Europe were capable of producing what breadstuffs and provisions it consumes it would never buy a dollar's worth from us. Whatever market we have abroad grows out of a demand which Europe is not able to supply. We simply furnish what is needed over and above the European supply. We make up merely what she lacks, and do not enter into any competition whatever. Europe, under this bill, can flood our markets with goods which we can as well produce ourselves; but we furnish to Europe only what she cannot produce. Any great calamity in Europe increases our market there, while the absence of such calamity decreases it. A war, a plague, or a bad harvest may increase the demand for our products; but it is only their bad luck which makes ours good; and things have come to a pretty pass when we have to depend upon war, pestilence, or famine to create us a market, and when we are compelled to look complacently upon human sufferings as the means of putting money into our pockets. It would be far better if the agriculturists would help, by what General Jackson once called "a judicious tariff," to build up our home industries and thus create a home market for our own products. The extension of manufacturing interests to Cincinnati and Indianapolis, to Chicago and Saint Louis, to Detroit and Toledo, has created a home demand which has been of incalculable benefit to the farmers of the West; and the success of agriculture depends much more upon fostering these industries than in cheapening a few foreign products. Whatever Europe must have she will buy of us under any circumstances, because she cannot help herself; and in no case will she buy what she can produce herself.

If the free-trade argument be true that all duties imposed on imports are paid by the consumers, and if this bill produces as much revenue as the present tariff does, the result is the same to the consumers. They pay their \$131,000,000, and it can make no difference to them, viewing it as a tax, whether that sum is collected from them in high or low rates; but to the country at large it makes this difference: that the less we import the less money we have to send abroad and the more we have to spend at home, while the more we import the more money we have to send abroad and the less we have to spend at home. Even so dull a political economist as Mr. Micawber discovered that if his income was £20 a year and his outgoes £20 6s. the result was misery, but if the outgoes were only £19 14s. the result was happiness. In like manner we may say that if we buy more abroad than we sell, as we are sure to do under free trade, the result is misery; while if we buy less abroad than we sell, as we are most likely to do when the tariff is adjusted with a view to encouraging home industries, we can serenely enjoy that supreme happiness which may befall Mr. Micawber or any other man who after his debts are paid has ever so small a balance in his exchequer.

This idea is not popular in the city of New York, which is interested in a big import trade and has the faculty of regarding all the world as happy if the import trade is brisk. But New York is not the United States, however much she may be inclined to think so, nor is she of sufficient importance to have a tariff framed for her exclusive benefit. London may be England and Paris may be France, but New York is simply a city by herself and but a small integral part of this wide-spread nation with its diversified interests. There are many other cities to be taken into the account whose interests are as worthy of attention as hers; and it behooves the representatives of the people to remember that they were not sent here to legislate either for foreign capitalists or for New York importers. The millions of workmen, whose bread is dependent upon their labor and whose labor is dependent upon the demand for its employment, have more than an equal right with importers to be heard and heeded here. In their name and by their authority I utter a solemn protest against the passage of a bill which must either reduce the revenues or increase importations.

In either event it must be disastrous to the nation; but in the latter event it must inevitably result in exasperating people already sufficiently restless and uneasy. They are in one sense the wards of the nation. Their interests are in the hands of Congress, and they cannot be struck down with impunity. One act, that of simply defeating this bill, will go a long way toward settling the labor problem, because it will give assurance of a chance to recuperate from past troubles and contribute to that stability of legislation, which is the breath of life to capital and labor alike; while one act, that of passing this bill, will unsettle everything, destroy confidence, and either drive capital and labor into a destructive conflict or drive labor into the terrible necessity of trying to live upon starvation wages. For one I shall stand by the men who are striving to keep their heads above water by honest, earnest work; and if they are to be struck down, let those who aim the blow at them take the responsibility. Of one thing the friends of this hermaphrodite measure may rest fully assured, that in every hamlet, village, town, or city in which the workingman is to be found there will they be held to a strict accountability for their act, and no party cry, no party conjuring, no party appeal will save them from political condemnation.

The time has been when party overslaughed all such considerations; but that time has gone by. There is no longer any magic in

party names, and he will be unwise who relies upon them. The great object of an American Congress should be to elevate, exalt, and dignify labor by securing to it remunerative employment, while the great object of this bill seems to be to try to grind down wages to the European standard. It is an experiment fraught with danger, and while I fear that no warning of mine will have any effect in staying off that danger, I only discharge my duty in giving it. If wisdom has its way, this bill will be remitted to the limbo of forgotten vanities; and if not, those who will be victimized by its passage will no doubt find an effectual way of making their voices heard. They may be on the underside of the wheel just now; but ever the right comes uppermost, and when their turn comes let those who have offended them keep themselves out of the way of an overflowing public indignation.

Mr. TURNER submitted some remarks on the tariff and internal-revenue taxation, which will appear in the Appendix.

CONDITION AND NEEDS OF THE NAVY.

Mr. HARRIS, of Massachusetts, addressed the House upon the subject of the present condition of the American Navy and what is needed for its re-establishment. [His remarks will appear in the Appendix.]

PAYMENT OF BONDS, COIN, AND CURRENCY.

Mr. WILSON. Mr. Speaker, on the 29th day of April last I offered the following bill:

A bill to repeal an act approved March 18, 1869, entitled "An act to strengthen the public credit."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act approved March 18, 1869, entitled "An act to strengthen the public credit," as pledged the faith of the Government to pay such of the Government bonds in coin or its equivalent as were before the date of said act payable in lawful money, be, and the same is hereby, repealed.

PETITIONS FROM THE PEOPLE—WIDE-SPREAD DISTRESS.

Mr. Speaker, there never has been a time in the history of this Government when the people were so largely and so directly interested in congressional legislation as they are now. Never before has Congress been so universally petitioned and appealed to by people of every occupation and from all sections of the country as it has been this session. Petitions touching the repeal of the resumption act, the remonetization of silver, national-bank circulation, currency, tariff, internal revenue, and various other subjects of legislation, have come in upon us like snow-flakes.

In no other period of our history have our crop productions been so extensive and the balance of trade between this country and foreign countries so large in our favor as during the last year. And yet, Mr. Speaker, the sad and painful spectacle is presented to us and to the country of wide-spread distress and suffering; a paralysis of business such as has never been experienced in this country. Failures aggregating hundreds of millions of dollars have occurred. Thousands of the strongest houses in America have gone down into insolvency. Enterprises of all kinds have been stopped. Nearly two hundred railroads, it is said, have failed to meet their interest obligations. Millions of our laborers have been forced into idleness and cut off from the means of earning a subsistence. Many of our workshops are idle and our jails, penitentiaries, and poor-houses are filled. A gloom hangs over the country and the land is filled with disquietude and want.

Run your eye over the recent past and see how it was a few years ago. Take the year 1867, eleven years back. The country was then comparatively prosperous and the people were happy. Since that time we have been blessed with general good health, we have been at peace with all the world, and have harvested good crops. We have not been scourged by war, pestilence, or famine. Then, what is it, I ask, that has so changed the situation? What is it that has hushed the active hum of business industry and stricken down great numbers of our people from prosperity to pauperism? What is it that has driven millions of our laborers out of employment and torn away from men of moderate means their little homes, filling the land with tramps, beggars, and criminals?

WHAT CAUSED THE DISTRESS.

To a large extent, Mr. Speaker, the trouble has grown out of congressional legislation touching Government bonds, coin, and currency. Eleven years ago, as I have said, we were comparatively prosperous. The Government had withstood the rebellion of 1861-'65. It had tided over that terrible internecine strife; the doctrine of secession had been rejected then and for all time to come; the institution of slavery had been destroyed and the former slave had been elevated to citizenship. Notwithstanding the great waste of public money during the war and up to that period the public debt was, on the 1st day of March, 1868, less cash in the Treasury, \$2,519,829,622.84; but of this amount \$1,407,321,700 was in 5.20 bonds. Of these bonds I shall have occasion to speak after awhile. The coin receipts were about \$24,000,000 more per annum than was needed to pay the interest on the public debt.

By the census returns of 1870 it is estimated that the value of the real and personal property in the United States was, in round numbers, \$30,000,000,000, or about eleven times as much as the public debt; and in that year the estimated value of our farm productions, with betterments and additions to stock, was \$2,447,538,658, the value of

manufacturing products \$4,232,325,442, and the value of mining products \$158,598,994.

We then had a circulating medium of \$1,311,515,016. Business enterprises were active, money was brisk, labor was in demand, and the laborer was fully rewarded. It was a source of national congratulation that we had so far rallied from the shock of war, then only two years past. Ten years later we had a circulating medium of \$731,002,481.84, or \$580,512,534.68 less than we had in 1867. To show how unequally what money we have is distributed through the several sections of the country I submit the following interesting table:

Money in the South, West, and East.

Locality.	National-bank notes.		Total currency.		Annual production to each dollar in circulation.
	Outstanding.	Per capita.	Per capita.	Per square mile.	
Eastern States.....	\$112,528,279	\$28 05	\$56 10	\$3,447 03	\$21 40
Middle States.....	110,752,981	9 77	19 54	1,932 56	43 40
Western States.....	67,480,503	3 98	7 96	204 36	74 94
Southern States.....	24,620,788	2 25	4 50	65 50	71 24

The total currency in the United States averages \$14.60 per capita. The Eastern or New England States have a circulation per capita almost four times as much as the average of the whole country, nearly eight times as much as the Western States, and over eleven times as much as the Southern States.

There is more than fifty times as much money in circulation to each square mile in New England as there is in the South, while the South and West have severally to transact more than three times as much business in the way of industrial productions on each dollar of currency as is done in New England; or, in other words, have for the business they do less than one-third the capital necessary.

These figures account for the great difference of opinion that exists in the several sections of the Union upon current financial questions.

The statement that the New England States have \$56.10 per capita, the Western States \$7.96 per capita, and the Southern \$4.50 per capita shows the inequality so plainly that it needs no comment from me.

The money that is ostensibly in circulation is not really in circulation. Much of it is hoarded up by capitalists in the East to await resumption.

A LEGISLATIVE SWINDLE.

Mr. Speaker, I have said that the financial troubles of the country have, to a large extent, grown out of the legislation of Congress concerning bonds, coin, and currency. I refer to the legislation from the year 1869 to the year 1875, both years included. About two-thirds of the indebtedness of the country was represented by 5.20 bonds. The principal of these bonds was payable in coin or lawful money at the pleasure of the Government. I mean by lawful money the legal-tender, non-interest-bearing notes, commonly called greenbacks.

With the affairs of the Government economically administered and the various industries of the country encouraged, this debt could have been paid off, and no man or section would have been distressed by it. But the money power of the country conspired for their own gain and demanded otherwise, and Congress, in an evil hour, yielded to that demand.

Now, sir, the first move of this conspiracy was entitled "An act to strengthen the public credit," approved March 18, 1868. Those 5.20 bonds had been purchased with greenbacks when the greenbacks were worth about fifty cents on the dollar. The act to which I have just referred falsely declared that they were payable in coin. Its immediate effect was to enhance the value of the bonds to the extent of \$500,000,000; and to that extent the burdens of the people were increased and the bondholder was benefited. If it was true that they were so payable in coin, then there was no necessity for that act; but if it was not true and they were not so payable, the act contained a falsehood upon its face and operated as a fraud and a swindle.

Following close upon its heels came the funding act of 1870, by which the holders of many of those 5.20 bonds were enabled to fund them into longer-ranging coin-bearing bonds bearing 4, 4½, and 5 per cent. interest. This completed what may be called the first great achievement of the money power.

ANOTHER LEGISLATIVE SWINDLE.

The next in this series of iniquitous enactments was the act of 1873 demonetizing silver. This act, without discussion on the floor of this House, without previous discussion in the country, with representatives in high standing demanding in vain that it should be read even for information, was forced to its passage under a suspension of the rules. It should have been entitled an act of assassination. It assassinated a coin that our fathers made a legal tender and handed down to us—a coin that was recognized as money more than a thousand years before the Christian era—a coin which, upon the day of its assassination, was worth more upon the American market than gold.

The motive for this act is easy to perceive. About the time Congress provided for the payment of the whole Government debt in coin, silver mines of unexampled richness were discovered in our western mountain ranges and the means wherewith to easily pay the debt were placed in our hands, as if by the interposition of Providence. The

bondholders, foreseeing that an abundant supply of this precious metal would reduce the value of their bonds, procured the demonetization of it and the silver dollar was stricken down. The act was so clandestinely passed that not a member of this House raised his voice against it and not a newspaper in all the land proclaimed the fact. This act, Mr. Speaker, was an offense against God and man.

THE RESUMPTION ACT FINISHES THE WORK.

The money power having succeeded by the several acts to which I have referred in changing the payment of the Government's indebtedness from currency to coin, there remained but one thing more to be done for the accomplishment of their purpose, and that was the procurement of the resumption act. By it the 1st day of January next, less than eight months from this time, was fixed for the resumption in gold coin of every form of Government indebtedness payable at that time. This was the crowning iniquity in the conspiracy of which I have spoken. It has done greater violence to popular right, to the honest relations between man and man, than any other act of any Congress convened since the foundation of the Republic. It has destroyed more fortunes, it has silenced more workshops, annihilated more values, bankrupted more homes and blasted more prospects, inflicted more idleness, and harmed more men, women, and children than any other act that ever disgraced a statute-book.

THE RESULT OF THE CONSPIRACY.

The estimated value of the real and personal property of the United States in 1870 was, in round numbers, \$30,000,000,000. The contraction of the currency growing out of these several acts has produced a shrinkage, as it is generally estimated, of from 40 to 50 per cent. of that real and personal property of the country; a shrinkage that, in the aggregate, amounts to about \$15,000,000,000, a sum more than seven times as great as the amount of our entire national debt. The judgment of mankind will be that this is a most shameful and ruinous oppression for the benefit of a favored few.

The fact that two years after the war the country was in a more prosperous condition than it is now, thirteen years after the war, and the further fact that to secure the payment of these 5.20 bonds in coin instead of currency has, by shrinkage of values, destroyed ten times as much of the national wealth as the bonds amounted to, shocks the moral sense.

WHAT CONGRESS SHOULD DO.

To my mind it is the duty of Congress to repeal these acts which have worked such disastrous results. There was no propriety or necessity for the act "to strengthen the public credit." Its object was to change the contract under which the 5.20 bonds were payable in currency and make them payable in coin. It imposed an additional heavy burden upon the people and gave to the holders of our bonds a bonus amounting to hundreds of millions of dollars.

I see by a statement furnished me by the Treasury Department a few days ago that these bonds now outstanding and unfunded amount to \$454,937,650. Congress should by appropriate legislation at this session direct the Secretary of the Treasury to call in and cancel these bonds, paying them in legal-tender notes to be provided for that purpose. This would increase the circulating medium, leaving it less, however, than it was in 1867. It would revive trade and infuse life into the various industries, and prevent a further shrinkage of values which, if not checked, will virtually transfer the property of the debtor class into the hands of the creditor class.

To more effectually get this additional money into circulation, to prevent its being hoarded, to settle the financial policy of the Government, and for other obvious reasons, the resumption act should be repealed.

I know, Mr. Speaker, that greenbacks are now almost at par with gold. They will remain so if these acts shall be repealed; but if resumption is to be forced upon us on the 1st day of January next, as the volume of currency to be redeemed is much greater than the coin on hand to redeem with, the attempt will necessarily advance the premium on coin and intensify the contraction of the currency that has already worked so much injury to property and business.

SILVER AND NATIONAL-BANK NOTES.

The act passed during the present session remonetizing silver, notwithstanding its narrow scope, has already been largely beneficial in its results. It has re-established silver as money and made it a legal tender for all debts, public and private. It has knocked down the premium on gold and elevated the standard of our national credit, and it is to be hoped that before this Congress shall adjourn silver will be fully reinstated as it was before its assassination.

Mr. Speaker, in the light of recent events it must be apparent to every gentleman upon this floor that it is necessary to avoid in the future what has been so ruinous in the past, a wide margin between the money for the bondholders and the money of the people. This can best be accomplished by making greenbacks receivable for duties on imports. That will give the greenback dollar the purchasing power of the gold and silver dollar, make it as good as either and as good as a Government bond.

Add to this the further reform that is loudly called for of retiring the national-bank notes and substituting greenbacks in their stead.

GREENBACKS AND THE CONSTITUTION.

Mr. Speaker, I am an original greenbacker. I have believed from the first, and I insist upon it to-day, that this country can have no

well-regulated financial system until it ranks its greenbacks side by side with its gold and silver. Every consideration of fairness and justice to a tax-ridden and oppressed people demands that this be done.

In order to answer the objection of gentlemen who doubt the constitutional authority of the Government to issue paper money and make it a legal tender, I read the following

OPINIONS OF JOHN C. CALHOUN, ALBERT GALLATIN, AND THOMAS JEFFERSON.

I now undertake to affirm positively, and without the least fear that I can be answered, what I have but suggested, that a paper issued by Government, with the simple promise to receive it in all its dues—leaving its creditors to take it, or gold and silver, at their option—would, to the extent it would circulate, form a perfect paper circulation, which could not be abused by the Government; that would be as steady and uniform in value as the metals themselves.

No one can doubt but that the Government credit is better than that of any bank—more stable, more safe. The question is not between credit and no credit, as some would have us believe, but in what form credit can best perform the functions of a sound currency.—*J. C. Calhoun.*

The right of issuing paper money as currency, like that of gold and silver coin, belongs exclusively to the nation, and cannot be claimed by any individual.—*Albert Gallatin.*

Thomas Jefferson, in a letter to his son-in-law Eppes, dated June 24, 1813, recommended the issue of Government notes, instead of allowing bank-notes to be circulated, giving at the same time cogent reasons for his conclusions. "And," says Mr. BUCKNER, "he thus foreshadowed the proper monetary system of the country."

But, in addition to these opinions, we have that of the Supreme Court of the United States in the "legal-tender cases" decided in 1870, (Wallace's Reports, volume 12, page 457,) sustaining the constitutional power of Congress to issue these greenbacks and make them legal tender. In speaking of the difficulties the Government had to contend with at the beginning of the war and during its prosecution, and of the absolute necessity of having money to maintain its Armies and Navy, the court said:

That they [the greenbacks] did work such results is not to be doubted. Something revived the drooping faith of the people; something brought immediately to the Government's aid the resources of the nation; and something enabled the successful prosecution of the war and the preservation of the national life. What was it if not the legal-tender enactments?

Mr. Speaker, if there ever has been another time when something was needed to revive "the drooping faith of the people" that time is now.

SOURCES OF WEALTH NEGLECTED.

I am met by the objection urged by various gentlemen upon this floor who represent the wealth of New York and New England that the plan I propose will throw too much money into circulation. That objection applies to those whose coffers are filled to overflowing, but it does not apply to the millions who are to-day without the means to purchase food and raiment; it does not apply to the thousands whose farms are mortgaged and shingled over with judgment liens; it does not apply to the great West which has \$7.96 *per capita*; it does not apply to the down-trodden and impoverished South, which has \$4.50 *per capita*, while New England has nearly eight times as much as the West and over eleven times as much as the South.

I think, Mr. Speaker, I can satisfy the mind of any reasonable man who will contemplate this great subject from an impartial and patriotic stand-point, how we can readily and profitably employ this additional capital and more, too, if it were issued. Bear in mind the drooping industries of the country, or, to put it in the language of the Supreme Court, that something is required to revive "the drooping faith of the people." I might give many instances in which the money could be well used, but I shall content myself with one or two. Take the article of sugar. We are now sending to foreign countries over \$100,000,000 a year to buy sugar for our own consumption in addition to the sugar produced at home. The fact has been demonstrated by past experience and verified by General Le Duc, the competent head of the Department of Agriculture, that we can produce here in the United States all the sugar we consume and thereby save the expenditure of this vast sum of gold annually paid out to foreign countries.

We have every element necessary to accomplish this result except the money. The lands fit for sugar-producing are principally uninclosed and waste. Laborers, white and black, would be anxious to begin the enterprise. But while the land and the labor are abundant and cheap, there is yet wanting houses, horses, mules, harrows, plows, hoes, and other requisite articles which only money can obtain.

There is another interesting subject well worthy the consideration of this Congress. We are now purchasing from abroad, and paying for it in gold, over twenty millions' worth of tea every year. Experiments in the growth and curing of tea in this country have demonstrated that this article of common use can also be produced in the United States. Through the enterprising spirit of the Commissioner of Agriculture thirty thousand tea plants have already been distributed through the States and they are now growing luxuriantly. And he contemplates distributing a million more before long. The tea already produced in this country in quality and flavor is ascertained to be equal to that produced in China.

Mr. Speaker, there is one other subject of great national importance that I wish to speak of a moment in this connection. It relates to our shipping interest. I have attempted to draw a parallel between the condition of the country in the year 1867 and its condition in 1877. And now, for the purpose of showing the decline in our

shipping interest, I desire to call attention to the year 1857. That I may be exact in dates and amounts I quote from the report accompanying House bill No. 3580:

The decadence of our foreign navigation is alarming. Since 1857 the proportion of tonnage as between our own and foreign ships engaged in trade to and from this country has been reversed, although the commerce has increased nearly 100 per cent. In 1857 the value of the foreign trade carried to and from all American ports in American bottoms was \$510,000,000, and the total carried in foreign bottoms was \$213,000,000. In 1867 the figures were reversed, foreign ships carrying \$580,000,000, while American ships carried only \$296,000,000. In 1877 the proportion was still greater against us, foreign bottoms carrying \$858,000,000, to \$315,000,000 carried in American bottoms, and this being a million less than our vessels carried twenty-five years ago. It is estimated that we now pay yearly to foreign ship-owners, for carrying passengers, goods, and mails, at least \$50,000,000. Steam is rapidly superseding sails, and with the same tonnage does three times the work. Our steam marine is insignificant, and therefore we cannot compete with the other nations of the world in the carrying trade until we build it up. Europe has two hundred steamships running to and from the United States, and the United States has less than fifteen steamships running across the Atlantic and Pacific Oceans. Three-fifths of the exports, nine-tenths of the imports, and all the passengers and mails to and from New York go by steamships. Twenty years ago we spent for ship-building \$25,000,000 per annum, exclusive of the immense sums expended for repairing old vessels. Nearly all this money was paid for labor. Now we expend less than half this sum, or about \$11,000,000.

From this carefully prepared statement it will be seen that we are now paying to "foreign ship-owners for carrying passengers, goods, and mails, at least fifty millions" annually, and that we are paying to our own ship-builders about \$15,000,000 less than we paid them twenty years ago.

THE POWER OF CONGRESS IN THIS CRISIS.

Mr. Speaker, if this Congress will by appropriate legislation remove all inducements for capitalists to hoard money, and will increase the circulation to meet the wants of trade, our starving thousands will bound with alacrity from idleness into the pursuits of labor; our vacant lands will go into cultivation; we will soon resume our supremacy in the carrying trade of the ocean, and by the means I have suggested save to the country millions of dollars that we now pay as tribute to foreign countries.

Do this, and it will revive "the drooping faith of the people;" it will revive the drooping industries of the country; it will feed the hungry and clothe the naked; it will remove the disquiet that sends us warning through every mail; and if there is one element of communism in all the country it will wipe it out forevermore; it will send a thrill of joy throughout the land and gladden the hearts of forty millions of people.

Mr. Speaker, I am not an alarmist, nor am I an extremist, nor would I array one class against another; on the contrary, I would gladly do whatever I can to give repose to the country; but I cannot shut my eyes, nor can this House shut its eyes to the fact that the country is filled with want and alarm. It is a high duty we owe to our fellow-man to give him relief. I will not go into detail or point out the suffering that stalks throughout the land; other gentlemen get the information as I do; it comes to us by newspapers morning, noon, and night.

Why, sir, right here in this capital city of Washington the Labor League has appealed to Congress upon this subject. After stating that the \$75,000 which had been appropriated to pay them had been misapplied, if not embezzled, by the contractors, they say:

We are therefore compelled to appeal to you for personal aid, as there are now twenty thousand men, women, and children in the District who are actually starving.

I read from the Washington Capital the following graphic account of the situation:

This is the time when people should reflect that more than a million hands are out of work, which means that four or five millions of mouths are without bread. There is no prospect of relief through revival of industry. The alternative which confronts the starving millions is that of being helped or of helping themselves. The experience of the past summer should admonish those who are in condition to do the helping that it is not wise to wait for starving mobs to begin the dreadful business of helping themselves.

There pauperism is accepted as a necessary evil, and the body of society is taxed by Parliament to remedy the inequalities of fate. Here pauperism is a festering sore, sapping the vitals of society, but no treatment is applied. We have provided nutriment for the pauper mind in our public-school system, but the needs of the pauper stomach, which are of equal importance at least to the pauper himself, are not recognized.

In another issue the same writer says:

One wrong does not justify another wrong. But this high moral maxim has not much weight with a man excited by a sense of wrong, when his family is suffering for food. On the contrary, regarding the attempted resumption and the refusal to remonetize silver as infamous wrongs perpetrated for heartless Shylocks who have fattened upon the distresses of the people, the next popular outbreak will be one that will fill the moneyed mind with abject terror. They are making a word less obnoxious by their obnoxious course and familiar use of it, and that word is "repudiation."

Mr. Speaker, people of this country desire to see our Government perpetuated and all of its honest obligations paid according to the letter of the bond. They are not willing, however, by unwarranted and vicious legislation, for selfish ends, to see their obligations swelled beyond their ability to pay, and then to have the currency hoarded beyond their reach. It seems to me that if the money power were to consult its own ultimate interest it would come promptly to the front and take the lead in giving relief to the people. It must not be forgotten that they are the source of all political power in this Government, and that if they shall be further oppressed they may, as they can, send representatives to Congress in

the future who will suspend the interest on these bonds, scale that interest, or, if you please, repudiate the debt itself. The people are reasonable, their demands are reasonable; they are not voluntarily idle and helpless and without bread; they are suffering and petitioning to Congress to unfetter the wheels of trade and commerce and give them work.

Mr. Speaker, during the Forty-fourth Congress, now nearly two years ago, in a speech I made on this floor advocating the remonetization of silver, I used this language:

I have said, and here repeat, that if this Congress does not afford the relief which the people of the country are clamoring for, distress, deep and heart-rending distress must follow.

The people of this country are in no frame of mind to be driven to the wall and beggared. They will not go into involuntary bankruptcy nor have their property improperly wrung from them to pay in coin Government bonds that should and would without question have been paid in greenbacks except for the fraudulently procured acts of Congress to strengthen the public credit.

What has occurred since that time was eloquently described the other night by the gentleman from Ohio [Mr. GARFIELD] in discussing the Army bill. Referring to the labor strikes of last summer he used this language:

The American people are not likely soon to forget the events of July last, when, in a great group of States belting the continent from ocean to ocean, the lives and property of many millions of citizens were rescued from sudden and imminent peril by the prompt and effective response of our Army to the constitutional demand of the States for its aid.

Here, Mr. Chairman, I hold in my hand the copies of brief but eloquent letters and telegrams from ten great States of this Union, (see note,) and all of them were sent within the space of one week—calling upon the President of the United States for help; ten great States, reaching from the Atlantic to the Pacific, Maryland and West Virginia among them; ten great States, among them California and the empire States of the Northwest, calling for the arms of the Republic to shield and save in their hour of distress.

My friends, had we been at that moment in session do you think we would have voted to decrease the Army to twenty thousand men? Would we not rather have put it up to fifty thousand?

I do not agree in the conclusion of the gentleman from Ohio. I do not admit that I would under the circumstances pointed out by him have voted to increase the Army to fifty thousand men, nor do I admit that Congress would have done so. If a wanton and inexcusable uprising shall occur against the Government, then all will agree to put it down; but if the laboring-men of the country, impelled by hunger and a want of the means to support their families, shall strike for wages commensurate with their toil, the question is addressed to the legislative and not to the military department of the Government.

I rather agree with the sentiment expressed by the gentleman from Massachusetts [Mr. BUTLER] on the night of the 21st instant. Speaking of events that now surround us, he said:

Mark my words, for I desire to be held responsible for them, there is great danger if we allow ourselves to go home and give no relief to the present condition of the country. When the day of reckoning comes, as come it must, how mean and pitiful will our economies in appropriations appear.

Gentlemen may as well dispel from their minds now as hereafter the delusion that this Government ever was intended to be or ever will be controlled by the Army, anything that may have been said upon that subject by General Sherman to the contrary notwithstanding. I was surprised, Mr. Speaker, to see that military chieftain step aside from his duties as commander of our Army, at the Chamber of Commerce in this city last year, and enter into a disquisition upon the conduct of civil government, holding that the United States cannot exist without the aid of the Army. I quote from his speech upon that occasion:

Without your Army what are you but a mob? The Government of the United States cannot exist without an army, and a good one, too.

As our country increases in population and wealth, and as great cities become numerous, it must be clearly seen that there may be great danger of uprisings of large masses of people for the redress of grievances, real or fancied; and it is a well-known fact that such uprisings enlist in a greater or less degree the sympathies of the communities in which they occur. This fact alone renders the local militia unreliable in such an emergency. * * * Coolness, steadiness, and implicit obedience to orders are the qualifications most needed in soldiers who are to deal with an excited and exasperated mob; and they are qualities acquired only by training, and are seldom found in inexperienced militia.

In view of these considerations it is respectfully recommended that authority be given to the President to increase the strength of the depleted companies now embraced within Army organization.

Military commanders are slow to believe that the people possess a sufficient amount of virtue, patriotism, and intelligence to conduct the affairs of a republican government without the aid of the military, and are ever ready to believe that the military can at any and all times be usefully and profitably employed in the conduct of civic affairs.

Mr. Speaker, history is repeating itself. We are passing through a fearful monetary crisis that is shrinking values, blasting hopes, and destroying homes. We are approaching an ordeal similar to that through which England passed in her resumption iniquity between 1819 and 1823. Will gentlemen on this floor blindly and persistently force this country into the position of hushing the cries of its starving millions with the sword, the ball, and the bayonet? England did this, but it shook her from center to circumference. Nothing but her powerful army sustained the government. The result of that ordeal was to build up a moneyed and landed aristocracy. We have no such army in this country, and as long as the people retain their

intelligence and the love of self-government we will have no such army.

It is worthy of remark that wherever silver has been demonetized people are suffering more from stagnation of business, monetary panics, and starvation than where the double standard exists; and this is particularly applicable to England, Germany, and the United States. It is essentially different in France. Notwithstanding the fact that France recently passed through an exhaustive war with Germany, within three years after that war she paid to Germany a thousand million of dollars in coin, and now has, at the lowest estimate, fifteen hundred millions in circulation. Her population is less than that of the United States, and yet the volume of her circulating medium is doubly as great. She has money enough in circulation to answer all the purposes of trade and commerce and her paper currency as well as her gold and silver is a legal tender for all debts public and private, and hence her prosperity.

Mr. Speaker, I desire before taking my seat to repudiate the idea that there is a communistic element in my State. It is true there was an uprising last summer, and if the apprehensions of gentlemen are well founded, there may be similar uprisings in the future; but these did not and will not grow out of any vicious desire to reorganize society, or to disturb or destroy the rights of others. Such uprisings as have occurred and such as may unfortunately hereafter occur have been and will be purely attributable to the suffering of the people. Such men as have struck or may strike for remunerative wages have done and would do no more than the millionaires of the country would do if they were similarly situated.

Mr. Speaker, uprisings, seditions, and rebellions are not new in the history of the world. We are taught by the essays of Lord Bacon, which were written three hundred years ago, that they existed at that period and were attributable to any one of the various causes that operated oppressively upon the people. I quote the following interesting passage from one of those essays:

The first remedy or prevention is to remove by all means possible that material cause of sedition whereof we spoke, which is want and poverty in the estate. To which purpose serveth the opening and well balancing of trade; the cherishing of manufactures; the banishing of idleness; the repressing of waste and excess by sumptuary laws; the improvement and husbanding of the soil; the regulating of prices of things vendible; the moderating of taxes; and the like.

There be but three things which one nation selleth unto another: the commodity as nature yieldeth it, the manufacture, and the vecture or carriage. So that if these three wheels go, wealth will flow in as a spring-tide.

We are taught by this distinguished writer that of all the rebellions known to man "the rebellion of the belly is the worst." Fanaticism may be appeased, political uprising may be quieted, sectional discords adjusted, but "the rebellion of the belly" knows no law and will yield to no compromise that does not satisfy the cravings of hunger.

Elevated statesmanship will not justify the use of force to suppress the "rebellion of the belly." The crack of the musket is not the proper answer to the cry for bread, nor is the plunge of the bayonet the remedy. Self-preservation is the first law of nature. When a man is starving it is his God-given right to protest against the cause of his distress. Whenever that distress and suffering is produced by unwise legislation gentlemen will find it to be a costly and sad mistake to use the Army against the sufferers. An army of double or quadruple the size of our present Army raised for this purpose would disappear before an indignant people as frost before the morning sun.

NOTES.—As was very well said by the Senator from Indiana a moment ago, unless this contraction that is going on by the million every day is stopped, there will be no money with which to meet the appropriations that may be passed by Congress. Talk about voting to provide for armies to keep down mobs! No wonder there are mobs when all of your laws are against the wishes of the people, as they have said, and against their interest. Make your laws in consonance with the wishes and the interests of the people, and then there will be no necessity for an Army except a mere skeleton of one.—*Extract from speech by Senator Hereford.*

Whether the sure way to supply people with tools and materials and set them to work be not a free circulation of money, whether silver or paper.—*Berkeley's Querist.*

MILLIONS LOST BY IDLENESS.

As it stands to-day, there is a sad lack of opportunity. With the exhaustless productiveness of the earth to mine, to cultivate, to explore, the channels of industry are everywhere blocked and gorged, and the hand of labor is palsied. The earth teems with raw material, awaiting the magic transformation of man's energies; but labor stands idle in the market-places, and capital lies piled up uselessly in banks. Millions of men are either in enforced idleness, or are unprofitably employed.

The waste of productive energy may be counted by the daily loss of millions of dollars, and yet all this is but an atom in comparison to the miseries of the people, the shipwreck of human life, and the general demoralization from enforced idleness.—*Charles Dupuy.*

CLAIMS IN THE DISTRICT OF COLUMBIA.

Mr. MAYHAM. Mr. Speaker, I have not since I have occupied a seat upon this floor consumed much of the time of this House in discussing the measures that have been before its members for their deliberation and determination, but have usually been content with expressing my judgment by the votes which I have cast upon the questions under consideration. And I should not depart from that custom on this occasion did I not feel that the measure under consideration had not fully arrested the attention of gentlemen on this floor; and that the importance of this bill to the people of this District not only, but to the Government of the United States was not fully understood and appreciated by all the members of this House who will be called upon to vote upon the measures embraced in it.

This apparent want of attention and understanding of this measure does not arise from any intentional neglect on the part of the

members of this House of the general business of legislation, but rather from the fact that the legislation for this District is not of a national, but of a local character, and that the Congress of the United States feels called upon to devote its time and energies to the great subject of legislating for the whole people, and cannot turn aside from those great and responsible duties to consider questions of detail pertaining to the government of a District only ten miles square, embracing a population of only about two hundred thousand inhabitants. Gentlemen seem to forget or at least to ignore the fact that the inhabitants of this District are completely and absolutely dependent upon Congress for all legislation and for all the protection of a government in all its departments, that the people living in this District are but the helpless wards of a paternal Government, and that when that Government withdraws from them its care and protection they are shorn of all available means of defending or maintaining their just rights of person or property.

But, Mr. Speaker, it is no part of my purpose to lecture gentlemen upon this floor in reference to their duty, but rather to call attention, as briefly as I may, to the provisions of this bill, trusting that the measures which it contains will be judged by their merits without passion or prejudice, and that so far as they commend themselves to the judgment of the House they will receive indorsement and approval without regard to any preconceived opinions against either the District of Columbia or any individual who may happen to reside within the limits of its territory.

The Constitution provides that Congress shall have exclusive legislation over this District; and by this provision the inhabitants of the District are not only rendered powerless to legislate for themselves, but the duty is imposed upon Congress to legislate for the District in all matters whatsoever. We cannot, therefore, if we would, relieve ourselves of the constitutional obligation to enact all needful laws for the government of the District, but also for the protection of all the just rights of its citizens.

Under this provision of the Constitution laws have been enacted conferring authority upon certain officers of the District to make improvements and contract debts; under which it is alleged that contracts have been made, and services and materials furnished, and other liabilities have been created and debts contracted against the District of Columbia, which are due and unpaid; for the ascertainment and payment of which no provision has been made by law; and the holders of such claims are clamoring at the door of Congress for some law by which these claims may be adjusted and some provision made for the payment of such amounts as are found due from the District.

It is not my purpose now to enter into any extended argument as to the justice of these claims. It is sufficient for the purpose of this bill that it is conceded on the part of the commissioners of the District that large liabilities do exist against the District, growing out of such contracts and services for the District, for which the commissioners of the District have no power or authority to pay. The practice has heretofore existed for Congress to adjudicate such claims against the District and enact the proper laws to collect the necessary money and liquidate and pay the same out of the taxes and other revenues of the District.

This practice probably arose out of the peculiar relations existing between the District and Federal Government, and was founded upon the principle that the District of Columbia was in the relation of a sovereign territory or a part of the sovereignty of the Federal Government, and could not be prosecuted before the judicial tribunals of the country. But the Federal Government in the establishment of the Court of Claims innovated upon that principle, and provided that even the United States might be prosecuted before that court, in certain enumerated cases, and the stern rule of the common law having been relaxed as to the sovereignty of the United States, it is not perceived that its relaxation may not even with more propriety be applied to the District of Columbia, which in itself is scarcely distinguishable from a municipality which may always be sued in a court of law.

But there is another and much stronger reason arising from the situation of the case, which may be urged for allowing this District to be prosecuted in the Court of Claims.

The difficulty and almost impossibility of properly and intelligently examining and adjusting the claims against the District of Columbia before Congress must be apparent to every gentleman upon this floor. To require Congress, with the vast accumulation of the legislation of this great country, to examine and adjudicate the numerous claims that may arise between individuals and corporations and the District, and expect a just and satisfactory result would be to aim at miracles. Such duty cannot in the nature of things be properly done before Congress.

For the three hundred men in this House to examine as judges and suitably investigate the thousands of claims, take the necessary testimony, examine the legal questions, and intelligently decide the same would occupy more time than can be given by them to the subject of legislation for the whole Government.

Besides, Mr. Speaker, it is not in the line of the constitutional duty of Congress to adjudicate such claims. It is not clothed with constitutional power, and its exercise of that prerogative is little less than a bold usurpation of authority properly vested by the Constitution in a co-ordinate department of the Government.

The Constitution provides that—

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish.

No judicial power or authority whatever is vested in Congress; and it is not a little surprising to me that gentlemen of democratic notions and proclivities, strict constructionists, who believe in the exercise by the different departments of the Government only of such powers as are conferred by the Constitution, should be found giving such latitudinarian powers to Congress in reference to the exercise of judicial authority over the District of Columbia.

The bill under consideration is intended to remedy this evil; to place the exercise of this judicial power in the courts, where it constitutionally belongs, and to relieve Congress from the burden and responsibility of judicially determining the claims against this District and to remand them to the courts to be determined according to the forms of law and judicial rules.

The Court of Claims constituted as it is seems admirably adapted to the performance of this duty. Its whole machinery is adapted to the examination of claims against the Government, and its present and permanent existence as one of the courts of the country obviates the necessity of creating a new tribunal and relieves the Government of any additional expense in that direction.

This bill provides for the extension of the jurisdiction of that court and conferring upon it both legal and equitable powers for the adjudication of all claims against the District of Columbia. It makes it the duty of the Attorney-General of the United States, through his assistants and deputies, to defend the District of Columbia before said court, and on appeal when any appeal may be taken to the Supreme Court of the United States from its adjudications.

It provides for appealing from the decision of the Court of Claims in all cases provided for in this bill to the Supreme Court of the United States, according to the existing practice on appeals from said court when the United States is a party.

By these provisions the bill throws all suitable guarantees around the treasury of the District to protect it against any possibility of fraud and speculation, and at the same time makes it possible for those having claims against the District to realize on them the full measure of their just dues.

I am aware that it is claimed that many of these claims are unjust and should not be paid, but it cannot be seriously pretended that injustice will be done to the District even if unjust or fraudulent claims are presented, with an impartial and intelligent court to examine and a vigilant and efficient law officer of the Government to resist and litigate them.

To the action of such tribunals the rights of parties in all litigated cases in this country are submitted, and all experience has demonstrated that the rights of all have in the main been justly and fairly administered. If we cannot trust the courts, then indeed has human government proved a failure, and society should be dissolved into its native elements, where might becomes right, and law and justice cease to exercise control over the conduct of mankind.

I for one cannot subscribe to any such monstrous and unreasonable theories. In a practice of over a quarter of a century before the various courts of this country, I have been established and confirmed in the conviction that the courts at least may be trusted and that an impartial judiciary is the surest bulwark against anarchy and the safest depository of the rights of the citizen.

In addition to the adjudication of these claims by the court, this bill provides for the payment of final judgments of this court by the Treasurer of the United States out of any money in the Treasury not otherwise appropriated, and directs that officer to reimburse the Treasury of the United States out of funds in the Treasury belonging to the District of Columbia. The object of this provision is to provide for the speedy payment of the judgment, so that the claimants whose claims may be established by the judgment of the court without unnecessary and, to many of the claimants, ruinous delay; and it will be seen that by this means the Government of the United States is not called upon to lose one dollar by reason of these claims.

The justice of this provision will be apparent when it is remembered that all of these claims originated in contracts and transactions made with officers created and appointed by the Government of the United States under various acts of Congress.

And now, Mr. Speaker, I come back to the question: ought not this tribunal to be established? No just man can for one moment contend that the just claims against this District ought not to be justly and promptly paid. If no just claims exist, then no judgments will be rendered against the District and none will be paid. If just claims exist, common honesty and even-handed justice demand their payment.

To determine whether or not such claims do exist either a court like this or some other judicial tribunal must be created, or Congress must take upon itself the unauthorized prerogative of assuming judicial power not belonging to it; and in the exercise of which there is great danger from its want of adaptability to judicial proceedings that great injustice will be done, both to the District and claimants.

By creating this tribunal Congress will have done its duty in providing a high and impartial tribunal for the adjudication of these claims, and claimants will no longer have any just grounds of complaint; at the same time Congress will have relieved itself from the

burden and annoyance of sitting in judgment upon the questions which belong essentially to the court, and may devote its time and attention to the great and pressing legislative duties which alone pertain to it.

Mr. Speaker, after a careful examination of this question in all its various aspects, I am forced to the conclusion that the method proposed in this bill is the best that can be devised to meet the demands of the people and the District upon this subject, and that this bill ought promptly to pass.

Mr. ERRETT. I move that the House do now adjourn.

The motion was agreed to; and accordingly at (nine o'clock and thirty minutes p. m.) the House adjourned till Friday next at eleven a. m.

PETITIONS, ETC.

The following petitions, &c., were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. BLISS: The petition of F. Von Egloffstein, for compensation for services rendered and disbursements made in constructing the model of Rock Island Arsenal for the board on behalf of the executive department, international exhibition of 1876—to the Committee on Military Affairs.

By Mr. BRENTANO: The petition of Wilhelm Wuthenow, for compensation as an officer in the United States Army—to the same committee.

By Mr. CLAFLIN: The petition of Houghton, Osgood & Co. and others, publishers, booksellers, paper-makers, printers, binders, and persons interested in the manufacture and sale of books, against any change in the duties on books and the materials which enter into their manufacture, without a thorough investigation, and that, if alteration be made in the duty, it be made specific—to the Committee of Ways and Means.

By Mr. KELLEY: The petition of over 1,200 residents of the District of Columbia, wholesale and retail merchants, storekeepers, bankers, hotel proprietors, teachers of schools, government officials, and others, for the use of the atomic-steam coal-gas for light and heat in the city and public buildings of Washington, District of Columbia, or for a charter for the company applying to furnish it—to the Committee for the District of Columbia.

By Mr. VANCE: The petition of Jearum Atkins that he be paid a reasonable sum in gross upon surrendering his patent for an improvement in rakes for harvesters—to the Committee on Patents.

By Mr. WALSH, (by request:): The petition of Ignatius Fulks, for compensation for supplies taken and used by the United States Army—to the Committee on War Claims.

By Mr. WILLIAMS: The petition of Andrew T. McReynolds, who was a captain in the Mexican war and a colonel in the late war, for arrears and an increase of pension—to the Committee on Invalid Pensions.

By Mr. YOUNG: Papers relating to the war claims of John O. Graves, of Fayette County, and Fannie T. Hunt, of Shelby County, Tennessee—to the Committee on War Claims.

IN SENATE.

FRIDAY, May 31, 1878.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.

The Secretary proceeded to read the Journal of the proceedings of Wednesday last, when, on motion of Mr. DAVIS, of Illinois, and by unanimous consent, the further reading was dispensed with.

ADJOURNMENT SINE DIE.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the concurrent resolution of the Senate providing for the adjournment of the two Houses of Congress on Monday, June 10, 1878, at twelve o'clock.

The amendment of the House of Representatives was read, being to strike out the words "June 10th" and insert "June 17th."

Mr. WINDOM. I move the reference of the resolution to the Committee on Appropriations.

Mr. HAMLIN. I hope the amendment will be agreed to and the resolution disposed of by this body this morning. I say so because I believe the postponement of a week will leave us no nearer the end of the session than we are now, and that if we fix the time now and know certainly that we have three weeks within which to accomplish our business, we shall accomplish all the necessary business of the session. Postpone it a week and then you will extend it just as much further from that time. Such being my belief, I shall vote against the reference of the resolution and vote for its adoption.

Mr. EDMUNDS. Of course the chairman of the Committee on Appropriations is a person whose opinion is of great value on a question of this kind, and what the Senator from Maine has stated has great influence with me also. In order that I may think it over and see what the state of the business is in the committee with which the Senate has charged me with the responsibility of getting on with its business, I think that we had not better decide the question either