

it will require the rules, within very reasonable limits, to be obeyed in future. It is due to the gentleman from Mississippi to say that, as far as the Chair has any knowledge of him in this and in other Congresses, he has behaved with great courtesy toward every person, with this exception.

Mr. BUTTERWORTH. I rise to a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. BUTTERWORTH. It is this. I desire to see if I am correct in my understanding as to the statement made by the Chair a few moments ago. I do not understand the Chair to hold that it has a right, in a technical sense, to reprimand a member without the consent of the House.

The SPEAKER. Except when gentlemen insist upon violating and continue to violate the rules of the House. It is certainly true that the Chair under the rules has the right to reprimand a gentleman when he is persisting in a violation of the rules of the House. That is all the Chair has done.

Mr. MARTIN. I move that the House adjourn. [Cries of "Regular order!"]

Mr. SPRINGER. I rise for the purpose of asking the Chair to permit me to dissent from the proposition he has announced. [Cries of "Regular order!"] I protest that the Speaker has no right to reprimand any member unless in pursuance of an order of the House to that effect.

The SPEAKER. The gentleman from Illinois is not in order.

Mr. SPRINGER. That is all I wanted to say. I want that to go into the RECORD.

ENROLLED BILL SIGNED.

Pending the motion to adjourn,

Mr. ALDRICH, from the Committee on Enrolled Bills, reported that the Committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

An act (H. R. No. 4283) for the relief of Susan Marshall Massie.

LEAVE OF ABSENCE.

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

To Mr. ROBINSON, of New York, for five days;

To Mr. MASON, for twelve days from Friday next; and

To Mr. FULKERSON, for one day, on account of important business.

ORDER OF BUSINESS.

The question being taken on the motion to adjourn, there were—ayes 65, noes 22.

So the motion was agreed to.

And accordingly (at five o'clock and twelve minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were laid on the Clerk's desk, under the rule, and referred, as follows:

By Mr. BLAND: The petition of citizens of the fifth Congressional district of Missouri, praying for the passage of the McKinley bill, fixing the rates of duty on manufactures of iron, steel, &c.—to the Committee on Ways and Means.

By Mr. CLEMENTS: The petition of W. R. Garrett and others, citizens of Georgia, in favor of the passage of the McKinley bill, fixing the rates of duty on manufactures of iron, steel, &c.—to the same committee.

By Mr. CURTIN: The petition of Elizabeth Davis, for a pension—to the Committee on Pensions.

By Mr. GUENTHER: Memorial of the Legislature of Wisconsin, relative to the improvement of the Mississippi River and its tributaries—to the Committee on Commerce.

Also, the joint resolution of the Legislature of Wisconsin, relative to the bill creating a United States court of appeals—to the Committee on the Judiciary.

By Mr. HALL: The resolutions adopted by the citizens of Tilton and Northfield, New Hampshire, urging legislation for the suppression of polygamy—to the same committee.

Also, the petition of Stephen Patten, of Dover, and C. H. Ladd, of Portsmouth, New Hampshire, for the passage of the bill relative to the French spoliation claims—to the Committee on Foreign Affairs.

By Mr. H. S. HARRIS: The petition of 133 citizens of Belvidere, New Jersey, for the repeal of the tax on bank deposits and the two-cent stamp on bank-checks—to the Committee on Banking and Currency.

By Mr. HEPBURN: The petition of John Kennedy, for relief—to the Committee on Military Affairs.

By Mr. O'NEILL: The petition of soldiers and sailors of Philadelphia, for the passage of the House bill to establish a soldiers' home at Erie, Pennsylvania—to the same committee.

By Mr. POUND: The petition of citizens of Superior, Wisconsin, for an adequate appropriation for improving the harbor at that place—to the Committee on Commerce.

By Mr. ROSECRANS: The petition of 64 citizens against legislation disturbing titles to land alleged to have been included in the Maquelomas grant in California—to the Committee on the Public Lands.

By Mr. SHALLENBERGER: The petition of R. S. Newton and comrades of the Beacon Valley Post, No. 164, Grand Army of the Republic of Pennsylvania, for the passage of the bill to establish a

soldiers' home at Erie, Pennsylvania—to the Committee on Military Affairs.

By Mr. STOCKSLAGER: The petition of Mary F. Robinson, for a pension—to the Committee on Invalid Pensions.

By Mr. THOMAS WILLIAMS: A bill to appropriate \$200,000 for the improvement of the Tallapoosa River—to the Committee on Commerce.

By Mr. YOUNG: Papers relating to the claim of James H. Hamilton—to the Committee on Indian Affairs.

SENATE.

THURSDAY, March 16, 1882.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

DISTRICT LIQUOR LICENSES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the commissioners of the District of Columbia, transmitting, in response to a resolution of February 13, 1882, information respecting retail liquor licenses, &c., which, on motion of Mr. HARRIS, was referred to the Committee on the District of Columbia.

THE MISSISSIPPI OVERFLOW.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the joint resolution (S. R. No. 49) making a further appropriation to relieve the sufferers by the overflow of the Mississippi River and its tributaries.

The amendments of the House of Representatives were, in line 3, after the words "one hundred," to insert "and fifty;" so as to read "\$150,000;" and after the word "tributaries," at the close of the resolution, to add the following:

And the Secretary of War is hereby authorized to expend such part thereof as he may deem advisable for labor only in strengthening the levees where there is immediate danger of breaks of the Mississippi River, at points in his discretion, but he shall only employ persons to whom he is issuing rations on account of their destitution caused by the floods and overflow of said river and its tributaries: *Provided*, That nothing herein contained shall commit the United States to the improvement or maintenance of the Mississippi River levees.

Mr. HARRISON. I ask the concurrence of the Senate in the first amendment, increasing the amount, but desire the non-concurrence of the Senate in the other amendment.

The PRESIDENT *pro tempore*. The question is on concurring in the first amendment of the House of Representatives.

Mr. HARRISON. I do not desire to detain the Senate by any remarks upon the amendments further than to say that I think the latest news from the flooded districts on the Mississippi makes it probable that the action of the House in increasing the amount of the appropriation by \$50,000 was wise and expedient. I therefore ask the concurrence of the Senate in that amendment, but the other amendment I think ought not to have been adopted, and I hope it will not be concurred in here. It proposes to give the Secretary of War authority to use such portion of the appropriation as in his judgment may be necessary for the purpose of hiring labor to strengthen the levees of the Mississippi where they are now threatened with crevasses.

It seems to me that the effect of such a provision would be to compel the Secretary of War to divide this fund which we appropriate into a relief fund and a levee fund. It would not be possible for him to continue the work of restoring the levees without setting apart a definite appropriation for each purpose. The result would be that at the outset he would withdraw from the prime purpose of relief a certain portion of this fund, the whole of which will be needed for the purpose of relief and for immediate use.

In the second place, the work of organizing laborers, ascertaining the place where their work should be applied, getting them together, sending officers to look after them, would of itself in the very organization for the work cost a good deal of money.

I think that work should be left in the hands of the levee commissioners of the several States which are now threatened; and I may be permitted to say that I think the Government of the United States should not pay for such work. Those people are now threatened with an overflow; some of them are already suffering from it. The Government is appropriating a quarter of a million dollars for their relief, and it seems to me that those who are thus threatened with disaster ought to contribute their own work without compensation from the Treasury of the United States to keep the flood out of their own houses.

There are other objections which might be urged, but I think these will be sufficient. The whole of this money is needed for this relief; therefore, I think it ought not to be divided into a levee fund; and certainly we are not asking too much if we ask the State authorities there to furnish the labor that may be needed to prevent breaks.

Mr. HAMPTON. I quite agree with the Senator from Indiana in the views which he has expressed. I think that the news from the overflowed district is so disastrous that it is proper to make an additional appropriation, and I do not think this money should be applied in any other way than for the relief of the sufferers.

The PRESIDENT *pro tempore*. The question is on concurring in the first amendment of the House of Representatives.

The amendment was concurred in.

The PRESIDENT *pro tempore*. The question now is on concurring in the second amendment of the House of Representatives. The amendment was non-concurred in.

RESTORATIONS TO THE NAVY.

Mr. ANTHONY. Mr. President, I present a most interesting memorial from three hundred officers of the Navy, line and staff, of all ranks from rear-admiral down, respectfully protesting to Congress against the restoration of officers of the Navy to the active list who have been dismissed by sentence of court-martial for drunkenness, or forcibly retired, or who have resigned to escape such sentence. The memorial is very short; it is most respectfully signed, and relates to the highest interests of the Navy and so of the country. I depart from my uniform custom and ask to have it read, and I beg the attention of Senators while it is read.

The PRESIDENT *pro tempore*. The memorial, at the request of the Senator from Rhode Island, will be read.

The Acting Secretary read as follows:

Petition of naval officers of all grades against the restoration of officers of the Navy who have been dismissed or retired for drunkenness, or who have resigned to escape courts-martial.

To the honorable the Senate and House of Representatives in Congress:

The undersigned, commissioned officers of the United States Navy, most respectfully represent that the now frequent restoration of officers resigned, retired, and dismissed by court-martial is working infinite prejudice to the Navy, both by removing the wholesome fear of discipline and by discouraging the meritorious who have earned expected promotion for continuous efficiency and good conduct.

Drunkenness is the most common cause of dismissal. To restore an officer to active service and former rank who has been dismissed for this vice destructive to his power for good is to imperil human life, that is sufficiently exposed to peril by battle, storm, and shipwreck, under the coolest and wisest management. Reform, however specious its appearance on shore, under the restraining influences of family, friends, and hopes of restoration through personal solicitation, proves generally delusive at sea, under the peculiar temptations of alternate monotony and fierce excitement in a naval career. The good-fellowship of mess life has seductive influences that peculiarly strain a weak character and shatter the fairest shore-promises of amendment. Probably every member of your honorable body would shun the railway or the steamboat line where the practice of restoring to rank and service officers once discharged for drunkenness should be tolerated for an hour. The peril to human life and national reputation by restoring a reformed drunkard to command is infinitely greater on a ship of war.

In view of the great detriment done to the Naval service by restoring officers once deliberately discharged or forcibly retired for causes militating with discipline, and of the grave injury to meritorious men who see a near promotion vanish away, that incompetency may be restored and advanced at the solicitation of friends, the undersigned petition for consideration. Many of us are officers whose position cannot be affected by the restoration of those to whose restoration we thus, on public grounds, earnestly object. Others of us, equally devoted to a service to which we have given our best endeavors, and to which we are bound by the strongest ties of love and honor that exist among men, feel that an unmerited favor to one unworthy ex-officer is an undeserved injury to many who have not incurred reproach. All of us alike deplore the detriment to the discipline of the Navy in all its grades, and earnestly entreat the consideration of Congress to our petition.

If the sentiment of compassion which has already had full sway in preventing trial and mitigating punishment is to be invoked at all where the great public service is at stake, we entreat this compassion in behalf of the meritorious and the innocent whose lives and honor are at the mercy of a drunkard in command.

DAN L. AMMEN, Rear-Admiral.
WM. D. WHITING, Capt., U. S. N.
EARL ENGLISH, Commodore and Chief of Bur. Equip. and Rect.
C. D. SIGSBEE, Lieut. Comdr., U. S. N.
R. D. EVANS, Commander, U. S. N.
H. C. TAYLOR, Commander, U. S. N.
J. L. DAVIS, Commodore.
J. E. WALKER, Captain.
PHILIP S. WALES, Surgeon-General, U. S. N.
J. M. BROWNE, Med. Director, U. S. N.
ALBERT L. GIHON, Med. Director, U. S. Navy.
A. HUDSON, Med. Inspector.
W. H. SHOCK, Chief of Bur. Stm. Engr.
W. W. QUEEN, Captain, U. S. Navy.
S. R. FRANKLIN, Com'd'e, U. S. N.
ED. T. NICHOLS, Rear-Admiral, U. S. N.
MONTGOMERY SICARD, Capt., U. S. N.
JNO. T. SULLIVAN, Lieut., U. S. N.
THORNTON A. JENKINS, Rear-Admiral.
J. C. P. HOWELL, Rear-Admiral.
C. R. P. RODGERS, Rear-Admiral.
E. L. REYNOLDS, Master, U. S. N.
T. C. MCLEAN, Lieut., U. S. N.
T. A. LYONS, Lieut. Comdr., U. S. N.
RICHARD WAINWRIGHT, Lieut., U. S. N.
B. H. MCCALLA, Lt. Comdr., U. S. N.
G. E. THORNTON, Pay Inspector, U. S. N.
THOS. SCOTT FILLEBROWN, Capt.
W. C. STRONG, Lt., U. S. N.
B. P. LAMBERTON, Lt. Comdr., U. S. N.
LUCIEN YOUNG, Master, U. S. Navy.
R. A. MARMION, Surgeon, U. S. N.
C. P. THOMPSON, Paymaster, U. S. N.
CHAS. WHITESIDE RAE, P. A. Engr., U. S. N.
FRED. G. MCKEAN, Chf. Engr., U. S. N.
H. L. HOWISON, Comdr., U. S. N.
CHAS. L. HUNTINGTON, Comdr.
RICHARD RUSH, Lieut., U. S. N.
JOHN SCHOULER, Lt. Comdr.
J. R. SOLEY, Professor.
J. M. RICE, Professor, U. S. N.
CHARLES W. KENNEDY, Lieut. Comdr.
W. P. POTTER, Lieut.
W. S. HOUSTON, Lieut., U. S. N.
W. GOODWIN, Lieut.
JNO. T. PARKER, Master.
HENRY GREEN, Lt.
CHAS. H. BLACK, Lt. Commander.
A. S. CROWNSHIELD, Comdr.
J. C. P. DE KRAFFT, Commodore.
P. C. JOHNSON, Captain, U. S. N.
R. E. WALLACE, Captain, U. S. N.
EDWARD W. VERRY, Lieut., U. S. N.
WM. W. KIMBALL, Lieut., U. S. N.
F. H. PAINE, Lieut., U. S. N.
G. W. SUMNER, Comdr.
JAMES SEARS, Ensign.
W. H. EMORY, Jr., Lieut., U. S. N.
H. T. SKELDING, Paymaster, U. S. N.
R. B. PECK, Lieut., U. S. N.
JNO. H. MOORE, Lieut., U. S. N.
G. P. COLVOCORESSES, Lieut., U. S. N.
A. C. BAKER, Master, U. S. N.
W. C. COWLES, Master, U. S. N.
W. H. H. SOUTHERLAND, Master, U. S. Navy.
F. W. DICKINS, Lieut. Commander, U. S. N.
SAM'L BELDEN, Lieut., U. S. Navy.
F. F. FLETCHER, Ensign, U. S. N.
WILLIAM G. CUTLER, Master, U. S. N.
C. G. CALKINS, Master, U. S. N.
EDWARD J. DORN, Master, U. S. N.
E. H. STEVENS, Lt., U. S. N.
W. T. SAMPSON, Comdr., U. S. N.
S. J. BROWN, Ensign, U. S. N.
E. LONGNECKER, Lieut. Commander, U. S. Navy.
E. K. MOORE, Lieutenant, U. S. N.
EDWARD F. QUALTROUGH, Master.
ASAPH HALL, Prof. Math.
EDGAR FRISBY, Prof. Math.
WM. HARKNESS, Prof. Maths., U. S. N.

HERSCHEL MAIN, P. A. Engineer, U. S. N.
ALEXANDER HENDERSON, Chief Engr., U. S. N.
H. WEBSTER, Passed Asst. Engr., U. S. N.
W. S. MOORE, Passed Asst. Engr., U. S. N.
JNO. H. RUSSELL, Capt., U. S. N.
W. C. WISE, U. S. N.
J. R. SELFRIDGE, Lieut., U. S. N.
I. E. NOURSE, Prof., U. S. N.
ISAAC HAZLETT, Lieut. Comdr., U. S. N.
L. A. KIMBERLY, Captain, U. S. N.
EDWARD E. POTTER, Capt., U. S. N.
THEO. F. KANE, Comd., U. S. N.
WM. HENRY WHITING, Lt. Comd., U. S. N.
A. T. MAHAN, Comd., U. S. N.
D. B. HARMONY, Captain, U. S. N.
O. F. HEYERMAN, Lt. Comdr., U. S. N.
F. AUG. MILLER, Lieut., U. S. N.
ALFRED REYNOLDS, Master, U. S. N.
W. H. JAQUES, Lieut., U. S. N.
H. C. T. NYE, Lieut., U. S. Navy.
F. J. DRAKE, Lieut., U. S. Navy.
E. W. BRIDGE, Lieut., U. S. Navy.
F. H. DELANO, Lieut., U. S. N.
D. L. BRAINE, Captain, U. S. Navy.
W. S. COWLES, Lt., U. S. N.
WILLIE SWIFT, Lieut., U. S. N.
GEO. A. NORRIS, Lieut., U. S. N.
J. W. HAGENMAN, Lieut., U. S. N.
C. A. BRADBURY, Lieut., U. S. N.
HENRY ERBEN, Captain, U. S. N.
F. E. CHADWICK, Lieut. Commander, U. S. N.
WM. A. WINDSOR, P. A. Engr., U. S. N.
A. G. BERRY, Lieut., U. S. Navy.
W. K. MAYO, Captain, U. S. Navy.
JOHN F. MCGLENSY, Commander, U. S. Navy.
GEO. PORTER HOUSTON, Maj., U. S. M. C.
GEORGE TALCOTT, Lieut. Com., U. S. N.
THEO. E. WEBB, Naval Constructor, U. S. N.
WM. H. VARNEY, Assistant Naval Constructor, U. S. N.
H. H. COSTON, First Lieutenant, U. S. Marines.
P. C. ASSERSON, C. E., U. S. N.
E. H. MARSTELLA, P. Asst. Surg., U. S. N.
THEO. T. WOOD, Lieut., U. S. N.
H. HUTCHINS, Master, U. S. N.
J. B. REDFIELD, Paymaster, U. S. N.
E. W. WATSON, Lieut., U. S. N.
PHILIP LEACH, Asst. Surg., U. S. N.
L. A. FRAILEY, Paymaster, U. S. N.
JOHN A. H. NICKELS, Lieut., U. S. N.
CHAS. H. GREENLEAF, P. A. Engr., U. S. N.
FRANK A. WILNER, Master, U. S. N.
A. J. CLARK, Pay Inspector, U. S. N.
H. M. WITZELL, Ensign, U. S. N.
W. T. TRUXTON, Captain, U. S. N.
LOUIS E. FAGAN, Captain, U. S. M. C.
RICHARD WALLACH, First Lt., U. S. M. C.
O. C. BADGER, Commodore.
R. CHANDLER, Captain.
C. C. CARPENTER, Captain.
R. L. PHYTHIAN, Captain.
J. N. MILLER, Captain.
E. D. ROBBIE, Chief Engineer.
A. H. GILMAN, Pay Director.
FRANK H. ARMS, Paymaster.
O. A. BATCHELLER, Commander.
HENRY MCCREA, Master.
JOHN E. ROLLER, Master.
JOHN C. SOLEY, Lieut.
F. G. HYDE, Lieut.
THEO. B. M. MASON, U. S. N.
JOHN C. KAHER, P. A. Engr., U. S. N.
GEORGE B. RANSOM, P. A. Engr., U. S. N.
W. L. MOORE, Lieutenant, U. S. N.
W. T. BURWELL, Lt., U. S. N.
JAS. A. GREER, Captain, U. S. N.
S. D. GREENE, Comdr., U. S. N.
N. W. FARQUHAR, Comdr., U. S. N.
E. D. TAUSSIG, Lieut., U. S. N.
E. Z. DERR, P. A. Surgeon, U. S. N.
J. M. ORCHARD, Ensign, U. S. N.
E. W. KATZ, Ensign, U. S. Navy.
CHAS. H. ELDREDGE, Pay Director, U. S. Navy.
EUGENE B. THOMAS, Lt. Comdr., U. S. N.
D. McMURTRIE, Surgeon, U. S. N.
T. I. W. COOPER, P. Asst. Engr.
THOM. WILLIAMSON, Chf. Eng., U. S. N.
J. R. EASTMAN, Prof. Maths., U. S. N.
GEO. A. LYON, Paymaster, U. S. N.
WM. G. TEMPLE, Commodore.
JNO. UPSHUR, Commodore.
DAVID KINDLEBERGER, Med. Inspector.
JAS. G. GREEN, Lt. Comdr., U. S. N.
H. BRIDGE, Paym'r Gen'l, (Ret.)
G. W. BAIRD, Passed Assistant Engineer, U. S. N.
F. M. RAMSAY, Captain.
HENRY F. PICKING, Commander.
GEO. M. ALLEN, Asst. Paymaster.
FRANK SCOTT, First Lieut., U. S. M. C.
J. H. DAYTON, Lt., U. S. N.
A. DUNLAP, Lieutenant.
J. A. HOWELL, Commander.
JOHN A. RODGERS, Lieut.
W. W. REISINGER, Lieut.
YATES STIRLING, Commander.
FRANK COURTIS, Lieut.
THOMAS PATTISON, Commodore.
C. H. STOCKTON, Lieut. Comdr., U. S. N.
J. F. MERRY, Lieutenant.
J. ADAM BARBER, Master.
W. E. SEWELL, Master.
HAL. M. HODGES, Ensign.
J. D. GRAHAM, Commander.
KOSSUTH NILES, Lieut.
EDW. A. FIELD, Lieut.
W. S. HUGHES, Ensign.
A. W. GRANT, Ensign.
JAMES E. CANN, P. A. Paymaster.
WM. S. DIXON, P. A. Surgeon.
E. H. TAUNT, Lieut.
L. C. LOGAN, Lieutenant.
WM. BAINBRIDGE HOFF, Comdr.
J. H. GILLIS, Captain, U. S. N.
ARTHUR P. NAZRO, Lieut., U. S. N.
L. O. GARRETT, Midshipman, U. S. N.
ROBERT M. DOYLE, Ensign, U. S. N.
F. E. BEATTY, Ensign, U. S. N.
W. R. USHER, Master, U. S. N.
J. M. ROPER, Master, U. S. N.
GEORGE T. DAVIS, Lieut.-Commander, U. S. N.
JAMES M. MILLER, Lieut., U. S. N.
C. W. BARTLETT, Lieut., U. S. N.
BOYNTON LEACH, Lieut., U. S. N.
HENRY MINETT, Ensign, U. S. N.
BENJAMIN TAPPAN, Ensign, U. S. N.
R. P. SCHWERIN, Midshipman, U. S. N.
B. A. FISKE, Master, U. S. N.
F. V. MCNAIR, Commander, U. S. N.
ASA WALKER, Lieut., U. S. N.
H. B. ROBESON, Comdr., U. S. N.
J. F. MEIGS, Lieut., U. S. N.
H. W. SCHAEFER, Lieut., U. S. N.
C. S. SPERRY, Lieut., U. S. N.
B. F. TILLEY, Lieut., U. S. N.
CHAS. M. THOMAS, Lieut.-Commander, U. S. N.
T. B. HOWARD, Master.
GEO. F. F. WILDE, Lt. Comdr.
F. W. NICHOLS, Lieut.
GEO. E. WINGATE, Lt. Comdr.
C. H. ROCKWELL, Lt. Comdr.
CHARLES O'NEIL, Lt. Comdr.
F. W. BARTLETT, Asst. Engr.
JOHN A. TOBIN, P. A. Engineer, U. S. N.
GEORGE A. W. HOLMAN, Lieut., U. S. N.
E. T. STRONG, Lieut., U. S. N.
F. S. BASSETT, Lieut.
N. J. K. PATCH, Lieut.
JOHN D. KEELER, Lieut.
A. C. GORGAS, Medical Inspector.
JAS. D. MURRAY, Pay Director.
D. W. BERTOLETTE, P. A. Surgeon.
CHAS. A. STONE, Lieut., U. S. N.
J. G. EATON, Lieutenant.
L. G. BILLINGS, Paymaster, U. S. N.
E. D. F. HEALD, Lieutenant.
EDWIN WHITE, Lt. Comdr.
L. F. PRUD'HOMME, Prof., U. S. N.
F. D. WILSON, Chief Constructor, Chief Bureau Constr' on and Repair.
P. F. HARRINGTON, Commander, U. S. N.
A. ROSS, Lieut.
E. SIMPSON, Commodore.
W. C. FITZHUGH, Captain.
H. C. WHITE, Lt. Commander.
C. A. SCHETKY, Lieut. Comdr.
GLOOMFIELD MCVILVAINE, Lieut.
C. W. RUSCHENBERGER, Lieut.
A. T. FREEMAN, Master.
R. MASON LISLE, Lieut.
L. H. MAY, Lieut.
WM. E. LE ROY, Rear-Admiral, U. S. N., retired.
GEO. BROWN, Captain, U. S. N.
JNO. W. LIVINGSTON, Rear-Admiral, U. S. N.
STEPHEN D. TRENCHARD, Rear-Admiral.
RAYMOND P. RODGERS, Lieut.
L. W. PIEPMAYER, Ensign.
WM. W. RHOADES, Lieut.

Mr. ANTHONY. Mr. President, I need not say that I agree with every line and every word of the memorial, which sets forth in a masterly manner the danger of drunkenness in those in command in the Navy. I do not entertain rancorous or vindictive feelings toward men who are addicted to the abuse of intoxicating liquors. I regard drunkenness as oftener a disease than a vice, and I would not punish the unfortunate victim of it, who is punished enough in the personal consequences; but I have had occasion before to say that I would not place the property of the American Government, the lives of American officers and seamen, and the honor of the American flag in hands that are trembling from inebriation.

Mr. EDMUNDS. I hope the names will be printed in the RECORD as well as the memorial.

The PRESIDENT *pro tempore*. The memorial, together with the names thereto, will be printed in the RECORD, and referred to the Committee on Naval Affairs.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a memorial of ex-Union soldiers remonstrating against the passage of any bill restoring Fitz-John Porter to the rolls of the Army, he having been dismissed from the service upon the judgment of a court-martial in 1863; which was referred to the Committee on Military Affairs.

Mr. CAMERON, of Pennsylvania, presented a petition of 1,500 citizens of York, Pennsylvania, praying for the passage of the bill (H. R. No. 1437) for the erection of a public building at York, Pennsylvania; which was referred to the Committee on Public Buildings and Grounds.

He also presented the petition of N. G. Wilson and others, citizens of Erie, Pennsylvania, praying for the passage of the bill (H. R. No. 1440) for the establishment of a soldiers' home at Erie, Pennsylvania; which was referred to the Committee on Public Buildings and Grounds.

He also presented the petition of the Maimed Soldiers' Association of Philadelphia, praying for the passage of the bill (S. No. 733) to grant additional pensions to those who have lost an arm or a leg in the service of the United States; which was referred to the Committee on Pensions.

He also presented resolutions of the Philadelphia Board of Trade, favoring the passage of the bill (H. R. No. 2253) to increase the efficiency of the Signal Corps of the Army; which were referred to the Committee on Military Affairs.

He also presented a resolution of the Tobacco Board of Trade of Philadelphia, favoring the abolition of the tax on tobacco and cigars; which was referred to the Committee on Finance.

He also presented the resolution of Custer Post, No. 38, Grand Army of the Republic, of Etna, Pennsylvania, favoring the passage of the bill (S. No. 733) to grant additional pensions to those who have lost an arm or a leg in the service of the United States; which was referred to the Committee on Pensions.

He also presented the resolution of Hays Post, No. 3, Grand Army of the Republic, favoring the passage of a bill granting arrears of pension to the widow of the late Major-General Alexander Hays; which was referred to the Committee on Pensions.

Mr. LAPHAM presented a resolution of the Maritime Association of the Port of New York, in favor of a permanent organization of the United States Signal Corps; which was referred to the Committee on Military Affairs.

Mr. BROWN. I present the petition of a large number of citizens of the city of Columbus, Georgia, in addition to numerous petitions which I have heretofore presented from other parts of the State, praying for an adequate appropriation to improve the harbor of Savannah, Georgia. I move the reference of the petition to the Committee on Commerce.

The motion was agreed to.

Mr. VOORHEES. The Joint Select Committee on additional accommodations for the Library of Congress directed the Librarian some time ago to propound certain interrogatories to General Meigs on the subject of the proposed reconstruction of the Capitol building. The answer of General Meigs, together with the letter addressed to him by Mr. Spofford, by the direction of the committee, I present to the Senate and ask that they may be printed for the use of the Senate and referred to the joint select committee.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

REPORTS OF COMMITTEES.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. No. 1057) for the relief of George Milsom, Henry Spendelow, and George W. Watson, reported it with amendments, and submitted a report thereon, which was ordered to be printed.

Mr. HILL, of Colorado, from the Committee on Mines and Mining, to whom was referred the bill (S. No. 113) to establish an assay office in the city of Omaha, in the State of Nebraska, reported it without amendment.

BILLS INTRODUCED.

Mr. COCKRELL asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1493) for the relief of Henry McGowan; which was read twice by its title, and referred to the Committee on Claims.

Mr. VOORHEES asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1494) for the relief of Catharine Johnson; which was read twice by its title, and referred to the Committee on Pensions.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1495) to give difference of pay to Lieutenant James S. Grubb, late of the Thirty-first Indiana Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1496) to increase the pensions of certain persons who have lost a leg and an arm, or been permanently disabled in them, in the military or naval service; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WINDOM (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1497) for the relief of Clark Mills; which was read twice by its title, and referred to the Committee on Patents.

Mr. JONAS asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1498) for the relief of Washington Ford; which was read twice by its title, and, with the papers on file in the case, referred to the Committee on Claims.

Mr. FARLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1499) to restore the Fort Benton military reservation to the public domain, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPHERSON (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1500) for the relief of Eliza Howard Powers; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER (by request) asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. No. 51) to instruct the Postmaster-General to adopt the Gyles improved automatic car-stove fire-extinguisher on railroad cars carrying the United States mails; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. CAMDEN, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Hans W. Phillips and others.

On motion of Mr. ROLLINS, it was

Ordered, That the papers in the case of Abigail S. Tilton be taken from the files of the Senate and referred to the Committee on Pensions, there being no adverse report thereon.

CATTLE DISEASES.

Mr. MORGAN. On the 13th of this month the Secretary of the Treasury sent to the Senate a communication covering a report from the Treasury cattle commission on the lung plague of cattle. It appears to be a very valuable document, one that I think should be largely circulated. I therefore offer a resolution for printing the report. I suppose in the ordinary course of business it would go to the Committee on Printing, but perhaps the Senate will allow the resolution to be considered without a reference.

The resolution was read, as follows:

Resolved, That 3,000 copies of the letter of the Secretary of the Treasury dated the 13th of February, 1882, communicating the report of the Treasury cattle commission on the lung plague of cattle, be printed with paper cover for the use of the Senate.

Mr. MORGAN. I ask for the immediate consideration of the resolution, unless the Committee on Printing wish to have it referred.

Mr. EDMUNDS. That would be contrary to law.

Mr. ANTHONY. The Committee on Printing may have no objection to the resolution, but the statute requires that it shall go to the Committee on Printing.

Mr. MORGAN. I will not ask to suspend the statute for that purpose.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Printing.

PREFERENCE OF DISABLED SOLDIERS.

Mr. VOORHEES submitted the following resolution; which was read:

Whereas the following provision of law, purporting to have been enacted in 1865, is contained in section 1754 of the Revised Statutes of the United States, to wit: "Persons honorably discharged from the military and naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices;" Therefore,

Be it resolved, That the Committee on Military Affairs be, and they are hereby, instructed to inquire into and report to this body—

First. Whether said section is in full force and effect or whether it has been in any manner repealed, modified, or rendered nugatory and void.

Second. Whether said section has been faithfully executed in appointments to civil offices under the Government, or whether it has been openly and habitually disregarded and violated.

Third. Whether the terms and meaning of said section apply to provost and deputy provost marshals, quartermasters, and sutlers who were not disabled in the military or naval service of the United States, or whether they apply solely to persons who have been honorably discharged from such service by reason of disability arising from wounds or sickness incurred in the line of duty.

Fourth. Whether any additional legislation is necessary to cause the provisions of this law to be carried out and enforced by the various Departments of this Government.

Mr. VOORHEES. I ask for the immediate consideration of the resolution.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HOAR. I withhold objection. Is it the purpose of the Senator from Indiana to have the resolution debated at this time?

Mr. VOORHEES. If anybody wants to debate it, I am ready.

Mr. HOAR. I think I should object to taking up a resolution for debate to displace the Anthony rule. I have no objection to the passage of the resolution now, and I have no objection to taking it up for debate, in accordance with the usual courtesy of the Senate, at the close of the morning business, if the Senator from Indiana wishes to speak on it.

Mr. VOORHEES. The Senator from Massachusetts mistakes my purpose at this time. My purpose is to get action on the resolution without saying a word myself, unless somebody else attacks the resolution. I simply desire to call the attention of one of the committees of this body to what I conceive to be an abuse. I do not want to say anything about it; I want the resolution referred to the committee in order that they may report upon the points presented; that is all. As a matter of course, if anybody wants to debate it, I shall have no objection.

Mr. HOAR. I make no objection to the resolution.

By unanimous consent, the Senate proceeded to consider the resolution.

Mr. SHERMAN. Let the resolution be read.

The Acting Secretary again read the resolution.

Mr. SHERMAN. The only objection to the resolution I see is that there are more words in it than are necessary to constitute the inquiry.

Mr. VOORHEES. I will only say to the Senator from Ohio that with great propriety some more words could be used on the same subject.

Mr. EDMUNDS. While I am in favor of the inquiry, I suggest to the Senator from Indiana to strike out the words "purporting to have been" before "enacted." We know what the law is.

Mr. VOORHEES. The reason why I used those words, I will say to my friend from Vermont, is because of the fact that sometimes we have found in the present revision of the statutes matter that ought not to have been there. Considering the practices of this Government and the various Departments, I thought perhaps this law was one that had crept in and was disregarded because it was not binding. I thought that was possible, because it has been openly and habitually disregarded, as everybody knows. Consequently I gave the Government the benefit of a doubt, just alleging that it purported to have been so enacted. I have no doubt the law was enacted. However, if the Senator from Vermont thinks it would be better phraseology, I am perfectly willing to change the language so as to meet his criticism on that point.

Mr. EDMUNDS. I hope the words will be stricken out.

Mr. VOORHEES. Just say "enacted."

Mr. EDMUNDS. It seems to imply that the Senate does not know whether that is the law or not. We know it is the law. Leave out the words "purporting to have been," and say "enacted."

Mr. VOORHEES. I accept the modification, after giving the reason why I put in the words.

The PRESIDENT *pro tempore*. The question is on the resolution as modified.

The resolution as modified was agreed to.

COMMITTEE MEMBERSHIP.

Mr. CALL submitted the following resolution, which was referred to the Committee on Rules:

Resolved, That the following rule be adopted as the seventy-ninth standing rule of the Senate:

"No Senator shall be a member of more than one of the following committees, except by a special resolution of the Senate, namely: The Committees on Commerce, Naval Affairs, Military Affairs, Appropriations, Finance, Foreign Relations, Public Lands, Post-Offices and Post-Roads."

DAVID WALDO & CO.

Mr. COCKRELL. Yesterday morning, while I was detained in the Committee on Appropriations, the Senator from Tennessee, [Mr. JACKSON,] from the Committee on Claims, made an adverse report on the bill (S. No. 787) for the relief of David Waldo & Co., and the bill was indefinitely postponed. I ask unanimous consent that the vote by which the bill was postponed indefinitely be reconsidered, and that the bill be placed on the Calendar with the report until I may have time to examine it.

The PRESIDENT *pro tempore*. If there be no objection the vote will be regarded as reconsidered, and the bill will be placed upon the Calendar, with the adverse report of the committee.

AMENDMENTS TO BILLS.

Mr. WINDOM, from the Committee on Foreign Relations, reported an amendment intended to be proposed to the bill (H. R. No. 3830) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1883, and for other purposes, relative to the restoration of the mission to Greece, recommended in the President's message; which, together with a letter from the Secretary of State to the chairman of the Committee on Foreign Relations, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WINDOM, Mr. MORGAN, and Mr. MILLER, of California, from the Committee on Foreign Relations, reported amendments intended to be proposed to the bill (H. R. No. 3830) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1883, and for other purposes; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. SAUNDERS submitted an amendment intended to be proposed by him to the bill (H. R. No. 3830) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1883, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MILLER, of New York. I am instructed by the Committee on Post-Offices and Post-Roads to report an amendment to the bill (H. R. No. 3548) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1883, and for other purposes. I ask that it be referred to the Committee on Appropriations under the rules.

The PRESIDENT *pro tempore*. The amendment will be so referred.

Mr. MAXEY. In regard to that amendment I desire to say that I reserved in committee my right to present such reasons as I saw proper against its adoption. I give notice of that fact now, so that the report shall appear not to be a unanimous report.

THE CALENDAR.

The PRESIDENT *pro tempore*. If there are no further "concurrent or other resolutions," the Anthony rule becomes absolute.

The Chair wishes to state to the Senate his interpretation of the Anthony rule in one or two respects and to intimate what will be his course of action hereafter, unless the Senate otherwise orders.

Prior to the adoption of the present Anthony rule, there having been several others heretofore, the ordinary concurrent and other resolutions received no consideration under the rule whatever, it applying to bills and joint resolutions. At the request of the Chair the Senator from Maine [Mr. HALE] inserted after "bills" the words "and resolutions," the Chair supposing the additional words to refer not to joint resolutions, which are in the nature of bills, and have been considered always with bills, but to the ordinary concurrent and other resolutions, which go on the Calendar under "General Orders," but are not classed with bills.

In order to give resolutions some part of the time as well as bills, the Chair will hereafter call up any resolution that has been partially debated, and then alternately, there being very few of them, unless the Senate chooses to consider the whole body of resolutions at one sitting. To-day, however, the Calendar of Bills will be proceeded with as usual.

This interpretation which the Chair has given to the rule has been denied, and that is the reason why the statement is made. The first bill on the Calendar will be announced, beginning at the point reached when last under consideration.

THE PHILADELPHIA MINT.

The bill (S. No. 813) appropriating ground in the city of Philadelphia for public purposes was announced as first in order on the Calendar.

Mr. BAYARD. That bill was reported by me from the Committee on Finance. I think it had better go over so as not to lose its place upon the Calendar. Let it be passed by without prejudice.

The PRESIDENT *pro tempore*. The bill will retain its place on the Calendar.

HULL AND BOILER INSPECTORS IN MICHIGAN.

Mr. FERRY. Day before yesterday the bill (S. No. 843) amending section 4414 of the Revised Statutes, fixing the compensation of inspectors of hulls and boilers in the several districts of the United States, was laid aside temporarily, because there was no report here from the Department. I have the report now, and I ask that the bill be considered.

The PRESIDENT *pro tempore*. The bill will be called.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FERRY. I will state that by the title it would appear that the bill affects all the districts of the United States. It is a misprint of the title. The bill is simply confined to the districts of Michigan and Superior, in the State of Michigan, increasing the pay of these inspectors from \$900 to \$1,500, they doing more business than is done in the city of Detroit, where the inspectors are paid \$2,000. The bill is recommended by the Department, and was reported favorably by the Committee on Commerce.

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

The title was amended so as to read:

A bill amending section 4414 of the Revised Statutes fixing the compensation of inspectors of hulls and boilers in the districts of Michigan and Superior, within the State of Michigan.

RETURN OF DRAFTS.

The joint resolution (S. R. No. 28) relative to certain accepted drafts and other papers in the Department of State, was considered as in Committee of the Whole.

The joint resolution was reported from the Committee on Foreign Relations with an amendment to add the following proviso:

Provided, That a copy of said draft, with all the indorsements and protests, if any, thereon, shall be retained by the Secretary of State;

So as to make the joint resolution read:

Resolved, etc., That the Secretary of State be, and he hereby is, directed to deliver to the person justly entitled to the possession thereof one draft for the sum of \$8,950, dated New York, August 2, 1859, and drawn by Santiago Vidauri, governor of Nuevo-Leon and Cohahuila, by Ignacio Gulinda, agent, on J. M. Mata, Mexican minister, Washington, District of Columbia, and accepted by said J. M. Mata and made payable at the Bank of the Republic, New York, and all other papers relating to said draft, the same having been deposited in the Department by error: *Provided*, That a copy of said draft, with all the indorsements and protests, if any, thereon, shall be retained by the Secretary of State.

The amendment was agreed to.

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

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

ELLA CARROLL.

The bill (S. No. 997) for the relief of Ella Carroll, formerly Ella Long, was announced as being the next in order on the Calendar.

Mr. HOAR. I should like to know what the bill is.

The PRESIDENT *pro tempore*. The Senator from Vermont [Mr. EDMUNDS] would explain it if he were here. It has been reported twice from the Committee on the Judiciary.

Mr. GARLAND. The same bill was passed by the Senate at the last session.

Mr. HOAR. What is it about? I have great respect for that committee, but they are not the Senate, and I think a grant of the property of the United States should at least be explained as matter of sound precedent.

Mr. ALLISON. Let the bill be passed over for a moment until the Senator from Vermont comes in.

The PRESIDENT *pro tempore*. The bill will be passed over.

The PRESIDENT *pro tempore* subsequently said: The bill for the relief of Ella Carroll has been read, and the Senator from Massachusetts [Mr. HOAR] desired an explanation of it. The Chair calls the attention of the Senator from Vermont [Mr. EDMUNDS] to the matter.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 997) for the relief of Ella Carroll, formerly Ella Long. By the bill all the right, title, and interest of the United States in and to the real estate in the city of Washington, known and designated on the public plat or plan of the city as lot numbered 3, in square numbered 530, will be granted and conveyed to Ella Carroll, formerly Ella Long, illegitimate child of Daniel Long, deceased, her heirs and assigns forever.

Mr. EDMUNDS. The explanation that I make for the Committee on the Judiciary is that this is to release by the United States the escheated title that the United States has got from the death of the brother of this lady, also an illegitimate child of Daniel Long, dying without issue, and it is in order to enable her to inherit in fact from this illegitimate brother of hers. Their father in his life-time undertook to make provision for these two children and did it by a conveyance to her brother, now dead, for their common benefit. The brother dying without a widow and without any issue, has no heirs by law, and the title technically has escheated to the United States. The committee reported the bill once or twice before at former sessions and it has always passed unanimously. That is the simple fact about it. The other children of this Mr. Long, his legitimate children, were provided for.

Mr. HOAR. I remember the case now.

Mr. EDMUNDS. So that it appeared to the committee that it was the simplest act of justice on the part of the United States not to let this technical title of ours stand in the way of this lady's taking this property that her father designed that she and her brother should have.

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

COLORADO SCHOOL LANDS.

The bill (S. No. 25) to enable the State of Colorado to take lands in lieu of the sixteenth and thirty-sixth sections, found to be mineral land, was considered as in Committee of the Whole.

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

On motion of Mr. TELLER, the title was amended so as to read:

A bill to enable the State of Colorado to take lands in lieu of the sixteenth and thirty-six sections, found to be mineral lands, and to secure to the State of Colorado the benefit of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts."

HELEN M. SCHOLEFIELD.

The bill (S. No. 249) for the relief of Helen M. Scholefield was considered as in Committee of the Whole. It provides for the payment to Helen M. Scholefield, administratrix of the estate of C. M. Scholefield, deceased, late an additional paymaster in the Army, of \$544.32, being the amount due to him on the final settlement of his accounts, after deducting from the amount charged to him the sum of \$10,000 which stands to his debit on the authority of an alleged voucher for that amount presented by Major J. Ledyard Hodge, late paymaster, and bearing date August 10, 1864, the validity of which voucher the Government has failed to establish in a suit brought and finally determined in the United States district court at Utica, New

York, in April, 1876, for the settlement of the accounts of Major C. M. Scholefield, as such additional paymaster, with the Government.

Mr. COCKRELL. Let the report be read in that case.

The Acting Secretary read the following report, submitted by Mr. FAIR on the 27th of January last:

The Committee on Claims, to whom was referred the bill (S. No. 249) for the relief of Helen M. Scholefield, have had the same under consideration, and beg leave to submit the following report, viz:

A bill of similar import was presented to the Forty-sixth Congress and was favorably reported both by the Senate and House, but was not reached for final action.

Mr. Crowley, who reported it in the House, was United States district attorney for the northern district of New York, having charge of the case for the Government, as stated in the petition, and so had personal knowledge of the truth and correctness of his report. (Report No. 888,) which was as follows:

The Committee on Claims, to whom was referred the bill (H. R. No. 428) for the relief of Helen M. Scholefield, administratrix of the estate of Major C. M. Scholefield, deceased, late an additional paymaster of the Army, respectfully report:

That prior to July 11, 1863, and until October 3, 1865, Major Charles M. Scholefield (then residing in Whitestown, New York) was an acting additional paymaster of the Army of the United States, duly appointed and qualified as such and having duly filed bonds therefor.

That between the above dates said Scholefield, as such paymaster, received and paid out large sums of money, rendering regular statements and balances thereof and filed vouchers therefor, and on the 3d day of October, 1865, having rendered a final statement of his accounts with the Government and paid over all the funds appearing charged to him, was honorably discharged.

That between the dates aforesaid one J. Ledyard Hodge was an additional paymaster at Washington, and in 1867, being involved with charges of defalcation, made returns and vouchers, among which appeared one of \$10,000 as an advance of that sum to said Major Charles M. Scholefield, August 10, 1864, and which he had never before that date reported, and which the report of Major Scholefield did not show as received by him. The Department thereupon charged the said voucher in the sum of \$10,000 to the account of and against Scholefield.

In 1868 said J. Ledyard Hodge, upon an indictment for defalcations to a large amount, was tried, convicted, and sentenced to the penitentiary. It does not appear that Major C. M. Scholefield was advised of this \$10,000 claim so made and charged to his account.

Major Charles M. Scholefield died November 21, 1869.

At the Fortieth Congress, March 16, 1868, an act was passed providing as follows:

That the proper accounting officers of the Treasury be, and they are hereby, authorized, in the settlement of accounts of paymasters of the Army, to allow such credits for overpayments made in good faith on public account since the commencement of the rebellion and prior to the passage of this act as shall appear to them to be just by such vouchers and testimony as they shall require.

In pursuance of this act the accounting officers of the Treasury prepared, in December, 1871, a statement of the deficiencies and overpayments of the accounts of Major C. M. Scholefield, as they appeared by the vouchers filed, and which statement (omitting the aforesaid item of \$10,000) showed that he had in good faith overpaid the Government in the sum of \$544.32, but by charging the \$10,000 item to his account Major Scholefield appeared owing the Government the difference, namely, the sum of \$9,455.68.

In 1872 the Government made claim upon the sureties of the bond of Major Scholefield for this sum of \$9,455.68, which led to an investigation by said sureties, who thereupon claimed the \$10,000 voucher, so far as to Major Scholefield's signature thereto, was a forgery. Thereafter an action was commenced in the United States court for the northern district of New York by the Government against the sureties to recover the balance of \$9,455.68 appearing unpaid, and which action was, on the 19th day of March, 1874, tried before Judge Smalley and a jury, resulting in a verdict for the defendants, the only question being as to the signature of Major Scholefield to the \$10,000 voucher and as to whether the same was a forgery or not.

An appeal was taken by the Government and a new trial thereupon ordered, which was had in April, 1876, before Judge Wallace and a jury, with the same result as the first trial, and the issue being the same. From this second verdict the Government has never appealed, which results in a final decision that the \$10,000 voucher so reported by Hodge and charged to Scholefield and now so appearing upon the books of the proper officers of the Treasury was a forgery and void, leaving properly upon such adjustment to the credit of said Major C. M. Scholefield by reason of such overpayments, as before stated, the sum of \$544.32, and for the payment of which sum to the estate of said Scholefield this bill is introduced.

The \$10,000 item having been charged to the account of said Scholefield, although judicially declared a forgery and void, the Department does not feel authorized to cancel and reconsider the same except upon the direction of Congress. Wherefore your committee report back said bill and recommend its passage.

Your committee adopt the statement of facts contained in the above report and the deductions made therefrom, and therefore report back the bill and recommend its passage.

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

EDUCATIONAL FUND.

The next bill on the Calendar was the bill (S. No. 936) to establish an educational fund, and apply a portion of the proceeds of the public lands to public education, and to provide for the more complete endowment and support of colleges for the advancement of scientific and industrial education.

Mr. MORRILL. There will not be time this morning to consider this bill, and I ask that it be passed over without prejudice.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

PUBLIC BUILDING AT PEORIA.

The next bill on the Calendar was the bill (S. No. 238) to provide for the erection of a public building in the city of Peoria, in the State of Illinois; which was considered as in Committee of the Whole.

Mr. LOGAN. I desire to insert after the word "money," in line 2 of section 2, the words "in the Treasury."

The amendment was agreed to.

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

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

Mr. MORRILL. I desire to ask unanimous consent that three or four bills for public buildings at capitals of States shall be passed now. They will take but a moment's time.

The PRESIDENT *pro tempore*. The Senator from Vermont, on behalf of the Committee on Public Buildings and Grounds, asks that the bills in relation to public buildings at State capitals shall be considered now.

Mr. MORRILL. One for Kentucky, one for Colorado, and one for Missouri.

Mr. VOORHEES. I do not live in a State capital, but I live in a better town than nine-tenths of the capitals of States, and there is a bill in which Terre Haute is largely interested that can soon be reached; and so, though I would like to oblige the capitals of sovereign States, I must call for the regular order.

Mr. MORRILL. I will not press the matter without universal consent.

USE OF CAPITOL GROUNDS.

The bill (S. No. 789) to regulate the use of the Capitol grounds was considered as in Committee of the Whole.

Mr. MORRILL. The Committee on Public Buildings and Grounds have been informed that there is no law by which the police court here can punish the various offenses named in this bill. Constant damage is committed on the Capitol, pieces of the bronze doors are stolen, ink is strewn from the bottom to the top of stairs, plants are stolen from the grounds in large numbers, shrubs and trees are injured. There is no power on the part of the judge of the police court to inflict any penalty, as he understands the law. These rules and regulations have been very carefully prepared, submitted to competent judicial authority, and I believe there can be no objection to giving the police court some chance to prevent the constant mutilation of the Capitol and of the trees and shrubs and grounds around about it.

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

The PRESIDENT *pro tempore*. The question is on the preamble. The preamble was agreed to.

THE GENEVA AWARD.

The next bill on the Calendar was the bill (S. No. 44) re-establishing the court of commissioners of Alabama claims and for the distribution of the unappropriated moneys of the Geneva award.

Mr. GARLAND. That cannot be considered under the rule. The PRESIDENT *pro tempore*. The bill will be passed over.

PUBLIC BUILDING AT DENVER.

The bill (S. No. 24) for the erection of a public building at Denver, Colorado, was considered as in Committee of the Whole.

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

WILLIAM L. WHITE.

The bill (S. No. 146) for the relief of William L. White was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, after the word "thereof," in line 7, to strike out "at such rate for said services as to said Secretary shall be deemed reasonable, and to pay the same out of any moneys in the Treasury not otherwise appropriated," and to insert in lieu thereof "to the amount of \$1,333.33 $\frac{1}{3}$, the balance due on said contract; and the Secretary of the Treasury of the United States is hereby authorized to pay the same out of any moneys in the Treasury not otherwise appropriated," so as to make the bill read:

Be it enacted, &c. That the Secretary of the Interior be, and he is hereby, authorized and directed to audit and allow the claim of William L. White for actual services performed by him as a clerk in the land office at Oregon City, Oregon, under contract with the register and the receiver thereof, to the amount of \$1,333.33 $\frac{1}{3}$, the balance due on said contract; and the Secretary of the Treasury of the United States is hereby authorized to pay the same out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

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

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

BILLS PASSED OVER.

The next bill on the Calendar was the bill (S. No. 1015) for the relief of Charles M. Blake.

Mr. COCKRELL. That never has come from the Committee on Military Affairs with my knowledge, and I move that it be committed to the Committee on Military Affairs.

Mr. LOGAN. That bill never came from that committee.

Mr. McMILLAN. The Senator from Oregon [Mr. GROVER] is not here, and perhaps it would be better to pass over the bill without prejudice till he comes in.

Mr. COCKRELL. We cannot pass a bill of that kind without a reference.

Mr. McMILLAN. I suggested that it be passed over without prejudice until the Senator from Oregon comes in.

Mr. CAMERON, of Wisconsin. I think it had better go to the committee.

Mr. TELLER. I object to its further consideration.

The PRESIDENT *pro tempore*. It will be passed over, as the Senator from Oregon is not here.

Mr. McMILLAN. The Senator from Oregon is not here; and the bill has never been to a committee. The Senator may wish to submit some remarks to the Senate upon it.

Mr. TELLER. Let it be passed over.

Mr. SLATER. Let it be passed over without prejudice.

The PRESIDENT *pro tempore*. That is the order.

Mr. COCKRELL. All I have to say about it is that that bill in that shape never passed the Military Committee when I was present unless I was out of my mind.

Mr. McMILLAN. It does not purport to have come from that committee at all, as I understand.

The PRESIDENT *pro tempore*. It appears to have come from the Committee on Military Affairs.

Mr. McMILLAN. It never has been referred.

Mr. TELLER. I have objected, and that ought to end discussion.

The PRESIDENT *pro tempore*. It certainly ought to have ended discussion. The next case will be called.

The next bill on the Calendar was the bill (S. No. 28) to create an additional land district in the State of Colorado.

Mr. HILL, of Colorado. I request that this bill may be passed over without prejudice.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice at the request of the Senator from Colorado. The next three bills on the Calendar were all introduced by the Senator from Oregon, [Mr. GROVER,] being Senate bills numbered 1027, 1028, and 1029, which have been read the first time each, and on which the Senator from Oregon desired to make some remarks. The Chair supposes these bills ought to be passed over. ["Certainly."] They will be passed over.

JOHN M. MCCLINTOCK.

The next bill on the Calendar was the bill (S. No. 672) for the relief of John M. McClintock; which was considered as in Committee of the Whole. It proposes to authorize the Commissioner of Internal Revenue to reopen and reconsider the claim of John M. McClintock for the refunding of certain taxes alleged to have been improperly and illegally assessed and collected to the amount of \$3,600; and if upon reopening and reconsidering the claim the Commissioner shall find these taxes or any part of them to have been illegally or improperly assessed and collected, it is made his duty to audit and ascertain the amount of taxes so illegally and improperly collected from the claimant, deducting, however, any legal unpaid taxes which the claimant should have paid and did not, if any there shall be, under section 103 of the act of June 30, 1864.

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

PUBLIC BUILDING AT TERRE HAUTE.

The bill (S. No. 62) to provide for the erection of a public building for the use of the post-office and Government offices at the city of Terre Haute, Indiana, was considered as in Committee of the Whole.

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

Mr. VOORHEES. I ask to have a letter on the subject of the bill just passed inserted in the RECORD, as explanatory.

The letter is as follows:

TREASURY DEPARTMENT, *January 30, 1882.*

SIR: I am in receipt from the Commissioner of Internal Revenue of your letter of this date, and, as requested therein, have the honor to submit herewith a copy of a letter of February 15, 1881, from the Commissioner of Internal Revenue to the Secretary of the Treasury regarding the necessity for a Government building at Terre Haute, Indiana.

Very respectfully,

CHAS. J. FOLGER, *Secretary.*

Hon. D. W. VOORHEES, *United States Senate.*

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE,
Washington, February 15, 1881.

SIR: I have received a letter from Hon. D. W. VOORHEES, United States Senate, making inquiry in regard to the needs of the internal-revenue service at Terre Haute, Indiana, for a suitable public building for the transaction of business at that point.

In reply I will state that the collection district is composed of fifteen counties, and it would seem probable that the district would be maintained as long as the internal-revenue system of taxation is continued.

The collections of said district have been large for a number of years, and for the last fiscal year amounted to \$1,531,283. Including the collector there is a force of thirteen persons required in the office for the transaction of the public business. On the 1st of February of this year the collector was charged on the books of this office with \$1,080,473 of internal-revenue stamps, and usually keeps that amount on hand.

The office is now located in an ordinary brick building, not intended to be fire-proof. While the stamps and other valuables are kept in a vault and safe in said office, the great bulk of the records and files of the office are in ordinary wooden file cases, subject to be destroyed in the event of a fire.

The rent now paid for the use of said office is \$900 per annum. Terre Haute is a growing city of, say, 30,000 inhabitants. The post-office service must certainly require a very considerable amount of house room. If a post-office and an internal-revenue office could be combined in one fire-proof building of suitable size and planned and erected with an eye to economy it would in my opinion be a judicious expenditure.

Very respectfully,

GREEN B. RAUM, *Commissioner.*

Hon. JOHN SHERMAN, *Secretary of the Treasury.*

HENRY O. WAGGONER.

The PRESIDENT *pro tempore*. The hour of half past one has arrived.

Mr. TELLER. I want to ask unanimous consent of the Senate to consider one bill we have almost reached. It will only take five minutes, and to-morrow I shall not be present. It is Senate bill No. 90.

The PRESIDENT *pro tempore*. Is there objection to extending the

Anthony rule for five minutes, at the request of the Senator from Colorado, to take up Senate bill No 90? ["No objection."]

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 90) to pay the creditors of the late Henry O. Waggoner, late consular clerk at Lyons, France. It appropriates \$545.50 to be applied by the United States consul at Lyons, France, under the direction of the Secretary of State, to the payment of the expenses occasioned by the sickness, death, and funeral expenses of Henry O. Waggoner, late consular clerk at Lyons, France.

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

TARIFF AND TAX COMMISSION.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, which is the bill (S. No. 22) to provide for the appointment of a commission to investigate the question of the tariff and internal-revenue laws. The Senator from Illinois [Mr. LOGAN] asks leave informally to lay aside the unfinished business with a view to take up a bill introduced by him on which he wishes to submit some remarks.

Mr. LOGAN. It is Senate bill No. 850.

Mr. BAYARD. The unfinished business is the tariff-commission bill. The PRESIDENT *pro tempore*. The tariff-commission bill is the unfinished business, and it is proposed to lay it aside informally.

Mr. PLUMB. I move to lay aside informally the pending order in order to take up the Post-Office appropriation bill with the understanding that when taken up for consideration I will yield to the Senator from Illinois. That is an arrangement satisfactory to him.

The PRESIDENT *pro tempore*. The Senator from Kansas asks consent to take up the appropriation bill named by him with a view to lay it aside to allow the Senator from Illinois to make his remarks. Is there objection? The Chair hears none.

WILLIAM ORNDORFF.

Mr. GROOME. On Tuesday last, by direction of the Committee on Pensions, I presented an unfavorable report upon the bill (S. No. 1283) granting a pension to William Orndorff, and the bill was indefinitely postponed. Since then the Senator from Michigan [Mr. FERRY] who introduced the bill has received some papers which he thinks have an important bearing upon the case, and at his request I ask that the action of the Senate indefinitely postponing the bill may be reconsidered and that the bill may be placed, with the unfavorable report, upon the Calendar.

The PRESIDENT *pro tempore*. If there be no objection it will be so ordered. The Chair hears no objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed a bill (H. R. No. 5221) to amend section 3066 of the Revised Statutes of the United States; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. No. 4283) for the relief of Susan Marshall Massie; and it was thereupon signed by the President *pro tempore*.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 15th instant approved and signed the following acts:

An act (S. No. 130) for the relief of Paulina Jones, widow of Alexander Jones, deceased, late of Company E, Second North Carolina Infantry;

An act (S. No. 143) for the relief of Charles Collins;

An act (S. No. 242) for the relief of S. Rosenfeld & Co.;

An act (S. No. 271) for the relief of Frank D. Yates and others;

An act (S. No. 494) directing the issue of a duplicate check to William J. Anthony, a pensioner of the United States; and

An act (S. No. 788) granting a pension to Olive Stephenson.

INTERNAL-REVENUE EDUCATIONAL FUND.

Mr. LOGAN. I ask the Secretary to read the bill that I desire to discuss.

The PRESIDENT *pro tempore*. The bill has had one reading. It will now have the second.

The bill (S. No. 850) to appropriate and expend the entire income derived from the internal-revenue taxes on the manufacture and sale of distilled spirits for the education of all the children living in the United States was read the second time at length, as follows:

Be it enacted, etc., That from and after the passage of this act the entire income derived from the internal-revenue taxes on the manufacture and sale of distilled spirits shall be appropriated and expended for the education of all the children living in the United States.

SEC. 2. That the money so received shall be expended pro rata in the several States and Territories, as shown by the census of 1880 and each succeeding census.

SEC. 3. That the education hereby contemplated shall include such instruction as is provided in the curriculum of the public schools of the country, and also the establishment and maintenance of normal schools, teachers' institutes, and instruction in the industrial and mechanical arts.

SEC. 4. That any State or Territory, before receiving the benefits of this act, shall be required, by local enactment, to make obligatory upon all children between the ages of seven and twelve years school attendance for at least six months in each year.

SEC. 5. That the Secretary of the Interior is charged with the proper administration of this law, through the Commissioner of Education; and they are authorized and directed, under the approval of the President, to make all needful rules and regulations to carry this law into effect.

SEC. 6. That no part of this fund shall be used for the erection of school houses or buildings of any kind for school purposes.

Mr. LOGAN. Mr. President, fully aware that this bill contemplates the diversion of a large amount of the Government revenues into a new channel, and is, on this account at least, an important one, deserving the careful consideration of Congress, it is my intention to discuss it somewhat thoroughly, and, if possible, to present to the Senate valid reasons why it should become a law. Let us, therefore, first examine the bill carefully in order that we may understand clearly its provisions. These are simple and, so far as the wording is concerned, easily understood. The first section provides that from and after the passage of the act the entire income derived from the internal-revenue taxes on the manufacture and sale of distilled spirits shall be appropriated and expended for the education of all the children living in the United States. The second section provides for the method of distributing this revenue, as follows: that the money so received shall be distributed to the several States and Territories according to the population as shown by the census of 1880, and each succeeding census, for the purpose of being duly applied by such States and Territories solely to the purposes of education, as in this bill provided for.

The third section defines and explains what is to be understood by the term education as used in the first section, thus: that the education hereby contemplated shall include such instruction as is provided in the curriculum of the public schools of the country, that is in the several States and Territories, and also the establishment and maintenance of normal schools, teachers' institutes, and instruction in the industrial and mechanical arts.

Section 4 provides for the necessary steps to be taken by the several States and Territories in order that they may be entitled to the benefit of this act, as follows: that any State or Territory before receiving the benefits of this act, shall be required by local enactment, to make obligatory upon all children (of such State or Territory) between the ages of seven and twelve years, school attendance for at least six months in each year.

Section 5 designates the department and officers charged with the administration of the law and the establishing of the rules and regulations necessary, &c., thus: that the Secretary of the Interior is charged with the proper administration of this law, through the Commissioner of Education, and these two officers are authorized and directed, the President of the United States approving, to make all proper rules and regulations necessary to carrying this law into effect.

The sixth and last section is simply a prohibitory provision to prevent any part of this fund from being used for the purpose of erecting school-houses or other buildings of any kind for school purposes.

The bill, therefore, is a very simple one, and although the object contemplated is one of great importance on account not only of the amount involved but also of what is expected to be accomplished thereby and the great vital subject it touches—the intellectual advancement of our people—yet so far as the latter is concerned it is easily understood and readily comprehended; in a word, it simply proposes to turn over to the several States and Territories, to be used only and exclusively for the education of all the children thereof, the revenue derived from the tax on the manufacture and sale of distilled spirits, amounting in the aggregate, under the present rate of taxation, to about sixty million dollars annually.

The proposition thus to divert from its usual course such a large portion of our revenue when first presented, I admit, is somewhat startling; and it is for this very reason I desire that in the opening of my remarks it may be brought in its full force to the consideration of every Senator present, for I am fully aware that in this fact will be found the chief objection in the minds of those who, without a thorough examination of the question in all its bearings, may be inclined to oppose the bill. I am also fully conscious of the fact that this will be a kind of *prima facie* objection in the minds of many that must be overcome with strong and cogent reasons.

Having briefly stated the provisions of the bill as they appear on its face, let us examine them more carefully by tracing out in detail their operations and probable effect, after which we will be better able to discuss their expediency.

The amount of revenue received from the taxes on the manufacture and sale of distilled spirits for each fiscal year from 1875 to the end of 1880, during which time the rate has remained unchanged, is shown in this table taken from the report of the Commissioner of Internal Revenue for the year 1881:

Receipts from distilled spirits, 1881.

Year.	Receipts.
1875.....	\$52,081,991 12
1876.....	56,426,365 13
1877.....	57,469,429 72
1878.....	50,420,815 80
1879.....	52,570,284 69
1880.....	61,185,508 70
1881.....	67,153,974 88

This gives a total for the year 1881 of \$67,153,974, and a yearly average for the seven years of \$56,758,338.59.

If the bill now before the Senate becomes a law it will have the effect, as heretofore remarked, of distributing to the States and Territories, according to the population as shown by the census returns, about \$60,000,000 annually of the national revenue, to be expended by them in educating the children of the country, provided the tax on and production of distilled spirits remains substantially the same as at present.

The reasons for distributing this fund to the States and Territories, and having them expend it in educating the children, are doubtless apparent to every one. In most, if not all, of these there are already systems of free schools and organized plans of education, aided and fostered by the State, and also the appliances and corps of officers necessary to carry on this work. For the General Government to attempt to inaugurate and operate a separate national system of education would, as a matter of course, not only entail upon the people an unnecessary expense but would bring the national and State authorities into constant conflict. In other words it is impossible to carry on in the same territory two distinct and different systems of public schools for the same children.

The bill presented seeks therefore to avoid this very serious objection by distributing the fund to the States and Territories, and allowing them to apply it to the purpose intended, the distribution to be *pro rata* according to population.

The principal reason for selecting the total population as given by the census returns as the guide in making the distribution, instead of the number of children of a prescribed age, was on account of the greater accuracy of this enumeration. Another reason is that it is the only reliable enumeration that is made under Federal authority.

If an exact or thoroughly reliable enumeration of the children between the ages fixed in the bill could be obtained year by year this would be a preferable guide in the distribution, as it would give a slightly larger proportion to the rural districts and the sections most needing such assistance. For example, it has been found, in enumerating the children in France between the ages of six and thirteen, that the proportion in the rural districts (communes of less than two thousand inhabitants) is a little higher than in cities, (communes of more than two thousand inhabitants.) In the former the average number out of every hundred inhabitants was found to be 12.67, and in some cases even as high as 15.72, while in the latter it was only 11.53. I presume this would also be found true to a certain extent in this country if we had the data necessary for the comparison.

The bill further requires that a State or Territory, in order to be entitled to the benefits of its provisions, must inaugurate and keep in existence an organized public-school system, open to all children thereof of the prescribed age, and must also provide for enforced attendance at least six months in the year. As it will be necessary for some competent authority of the General Government to decide whether or not a State or Territory is entitled to the benefit of the bill, this is left to the Secretary of the Interior and Commissioner of Education, subject to the approval of the President.

These provisions, as will be admitted, I presume, by all, are necessary, in order that the funds so distributed shall be properly applied to the purposes for which they are granted. Another object in view in introducing them is to bring about, as soon as possible, a uniformity in the school systems throughout the entire country. In defining the term "education" as used in the bill, it will be seen that I have included not only the usual curriculum of instruction in public schools but also that of normal schools and teachers' institutes. The advantages of, and I may say necessity for, normal schools are now so well understood and so generally admitted that it is hardly necessary for me to say anything on this point; still a few words in reference to them may not be amiss.

As an evidence of the felt necessity throughout the country for their establishment and maintenance I have only to mention the fact, as shown by the last report of the Commissioner of Education, (page 77,) that schools of this kind have been established in all of the States except Delaware, Florida, and Nevada, eighty of which are supported in part or whole by the States and thirteen by cities. How the opposition to these schools which has manifested itself in a variety of attacks, open and covert, has been received by the body of the people is shown by the returns to the office of the Commissioner of Education for the year 1879, from which it appears that the number of these institutions and the students attending them are about four times what they were in 1870, and that the increase in 1879 over 1878 was fifty-one schools.

A proposition was introduced in the New York Legislature in 1878 to abandon the State normal schools, which resulted in appointing a committee to investigate the subject. The report of this committee, transmitted to the Legislature May 19, 1879, presents (report of Commissioner of Education, 1879, page 79) the following conclusions:

1. That the normal schools are performing intelligently, efficiently, and in good faith the work expected of them by the State.
2. That the normal schools are an essential part of our public-school system, and as such should be liberally and unwaveringly supported.
3. That without normal schools there would be that waste in public expenditures which must result from the employment of unskilled and incompetent teachers; and hence that true economy requires their maintenance.
4. That normal schools should have a settled place in the permanent policy of

the State, and that henceforth the only question should be, How can they be improved and extended?

It was well said by an experienced Michigan superintendent of schools that if he were to undertake the education of the children of the State as an individual enterprise, with the school fund as the fixed price, he would use a tenth of the fund to train a body of competent teachers, and with the other nine-tenths as wages would accomplish more than the whole would do as then used in the payment of unprepared instructors. (Report of Commissioner of Education, 1879, p. 80.)

In order to become efficient as an instructor in any profession or art it is absolutely necessary that the person should first pass through a course of instruction that will prepare him or her therefor, and this is as true of the teacher's as of any other profession.

For similar reasons the bill includes also instruction in the industrial and mechanical arts. I confess agricultural schools have so far failed to meet fully the expectations of those who have advocated and supported them, but this has arisen chiefly from three causes: first, the want of properly prepared and experienced teachers; second, the want of adequate support; and, third, a kind of inherent prejudice against "scientific farming." That it is possible by properly conducted institutions of this kind to render instruction in the various agricultural and industrial branches advantageous to a nation is proven by what has been accomplished in Europe. Germany has at present over one hundred and fifty schools of agriculture, horticulture, arboriculture, vine culture, and meadow culture, each of which has its farms, gardens, &c., attached. (Report of Commissioner of Education, page 133.)

Prussia alone had, in 1876, 6 higher agricultural academies, 46 agricultural schools, 29 schools of arboriculture and vine culture, and 6 schools of forestry. Even in Finland, which is ever associated in our minds with the land of the Esquimaux, they have both higher and lower grades of agricultural institutions; and even schools for instruction in the manufacture of butter and cheese, one of the chief industries of the country, are maintained. (Report of Commissioner of Education, page 132.)

While our soil was new and possessed its virgin productiveness, labor only, with but little knowledge of science or art, was all that was needed to insure a bountiful harvest. But that condition is fast disappearing, and the demand made upon the soil in the meantime is rapidly increasing. The supply of meat, fuel, and lumber are great questions, which will be pressing heavily not only on the minds of the people but of our legislators in another generation.

To meet these and other important kindred questions it is our duty to begin now to train a corps of active minds to aid our agriculturists in meeting these demands. In other words, agriculture and the cognate branches of industry must be placed upon scientific bases and made to take their position side by side with the most elevated professions. Some signs of a movement in this direction are beginning to be seen already in certain sections of the country. Let the nation and States foster and aid it.

Thus, as will be seen, it is the object of this bill to carry this stimulus of education into every avenue of industrial life, from the daily duties of the good housewife and her farmer husband to those of the architects who plan the magnificent structures that adorn this and other cities.

As an evidence of the influence our system of education is having on the industrial classes which English writers have not been slow to observe, I quote the following, from a somewhat remarkable article on education in the United States, in the Westminster Review, as far back as 1853; it is taken from the thirty-second annual report of the controllers of public schools in Philadelphia, and gives the different occupations of 1,467 pupils after leaving school, (Westminster Review, 1853, page 572:)

Architects	2	Masons	4
Bakers	2	Merchants	3
Blacksmiths	32	Miller	1
Blind-makers	8	Millwrights	3
Cadets	3	Iron-mongers	2
Carpenters	120	Painters	13
Chair-makers	3	Paper-hanger	1
Chemists	6	Physicians	19
Clergymen	6	Plasterers	2
Clerks	137	Plow-maker	1
Conveyancers	44	Plumber	1
Coopers	8	Potter	1
Cordwainers	50	Riveters	54
Curriers	12	Saddlers	14
Cutters	2	Sail-makers	2
Dentists	5	Ship-carpenters	6
Druggists	44	Ship-joiners	2
Dyers	2	Ship-wrights	22
Engineers	24	Stereotypists	2
Engravers	37	Stone-cutters	4
Farmers	70	Storekeepers	332
Gasfitters	2	Tailors	12
Gold-beater	1	Tanner	1
Grocers	11	Teachers	55
Gilders	2	Tinsmiths	4
Glass-cutters	2	Tobacconists	3
Hatters	11	Turners	4
Iron-founders	2	Type-founders	4
Jewelers	12	Watch-makers	4
Lawyers	17	Weavers	4
Locksmiths	2	Wheelwrights	7
Machinists	65	Not ascertained	29
Manufacturers	13	Deceased	6
Mariners	31		

The reviewer then proceeds to comment upon this, as follows:

The whole importance of such results it is hardly possible to measure; but that they will produce an unparalleled elevation in the working classes of Philadelphia it is easy to conceive. One hundred and eighty well-educated youth annually sent forth, almost all of them to gain their livelihood by the various industrial occupations, and set to those around them the example of the tastes and habits which may be expected from high mental culture, is a phenomenon of rare importance which is well worthy of our serious reflection. To us it is of the highest concern, as showing the possibility of achieving the high educational training of workmen without separating them from their class, and as demonstrating to those who may be doubtful about it the practicability of usefully combining tastes which distinguish intellectual culture with the supposed drudgery of mechanical toil.

Since 1850, the last year included in this report, our advance in this respect has been great, and furnishes an explanation of the rapid

strides we have made in the mechanical and industrial arts. One object therefore of this bill is to carry this elevating influence into every department of industrial life, and to bring them all up to the highest possible standard of excellency.

In order to comprehend fully the scope of the bill and its probable effect, if it becomes a law, it is necessary for us now to glance at the public-school system as at present organized and operated in the different States.

To aid us in this respect I present a table kindly prepared and furnished me by the Commissioner of Education, giving the statistics for the year 1880 from all the States, (the Territories are not included except in aggregate:)

TABLE NO. 1—EXHIBIT A.
Statistics of public schools and others by Government.

States.	School population, 1880. ¹	Estimated population, between six and sixteen years of age, 1879. ²	Enrollment in public schools, 1880.	Number of normal students, 1880.	Students in agricultural colleges. ³	State normal appropriations, 1880.	School income, 1880. ⁴	School expenditure, 1880. ⁴	Income of agricultural colleges, 1880. ³	From Spofford's American Almanac, 1881.	
										Amount of taxable property as assessed, 1880.	Amount of State tax, 1880.
Alabama	388,003	269,320	179,490	330	279	\$13,500	\$388,013	\$375,465	\$22,500	\$120,000,000	\$763,735
Arkansas	247,547	157,734	70,972	139	473	12,000	256,190	238,056	17,500	56,892,441	613,957
California	*215,978	180,337	158,765	577	*337	33,300	3,573,108	2,864,571	17,500	469,645,058	3,153,022
Colorado	25,566	19,825	22,119	9	26	.....	522,580	395,527	12,500	43,072,648	155,506
Connecticut	*140,235	*115,000	119,694	132	177	12,000	1,481,701	1,408,375	44,007	324,388,923	1,466,263
Delaware	35,459	22,280	27,823	.....	59	.....	183,313	207,281	5,420	.....	134,400
Florida	88,677	42,932	39,815	39	.....	.....	139,710	114,895	.....	29,471,227	250,473
Georgia	*433,444	381,203	236,533	78	.....	.....	471,029	471,029	.....	258,934,126	1,092,822
Illinois	1,010,851	667,130	704,041	805	433	42,784	7,836,952	7,531,942	28,298	786,616,394	3,300,000
Indiana	703,558	*530,839	511,283	481	195	17,000	4,402,850	4,481,850	24,790	717,796,102	1,670,292
Iowa	586,556	*369,447	426,957	368	284	6,750	5,254,268	5,621,248	41,000	405,541,397	843,964
Kansas	340,647	*197,342	231,434	60	175	.....	2,160,507	1,818,387	18,000	160,570,761	883,139
Kentucky	545,161	385,602	265,581	.....	182	.....	1,031,565	893,490	28,400	345,057,875	1,430,957
Louisiana	*273,845	220,620	68,440	.....	.....	.....	480,320	480,320	.....	149,635,805	2,432,188
Maine	214,656	126,826	149,827	447	102	20,200	1,047,715	1,047,681	8,224	224,579,569	900,000
Maryland	276,120	184,080	162,431	301	75	10,500	1,483,862	1,544,367	7,950	459,187,408	938,463
Massachusetts	307,321	303,836	306,777	1,273	131	58,229	4,622,609	5,156,731	16,200	1,584,356,802	4,850,000
Michigan	506,221	324,662	362,556	69	144	17,500	3,002,032	3,109,915	33,080	630,000,000	1,153,696
Minnesota	271,428	182,080	180,248	434	*386	33,000	1,582,011	1,706,114	44,892	258,055,543	380,506
Mississippi	426,689	226,481	236,704	251	240	5,000	740,036	830,704	.....	106,198,670	444,327
Missouri	723,484	501,538	476,376	1,388	48	30,000	4,020,860	3,152,178	13,237	529,216,000	2,129,518
Nebraska	142,348	77,126	92,549	276	9	15,000	1,121,795	1,137,995	.....	90,499,618	907,468
Nevada	*10,592	8,549	9,045	.....	.....	.....	158,947	144,245	.....	29,564,673	252,404
New Hampshire	71,132	45,064	64,341	30	.....	5,000	562,116	565,339	7,800	206,959,017	400,000
New Jersey	*330,685	*278,646	204,961	191	44	15,000	1,928,374	1,928,374	.....	606,415,561	820,000
New York	1,641,173	1,019,204	1,031,593	4,113	.....	143,471	10,412,363	10,412,378	.....	2,686,139,133	7,690,416
North Carolina	459,324	284,126	225,606	288	171	4,000	399,290	352,882	17,000	142,918,186	533,635
Ohio	1,043,320	*770,070	747,138	164	60	.....	7,185,420	7,166,965	52,224	1,558,185,965	4,411,725
Oregon	59,615	35,290	37,533	.....	162	.....	*303,162	*314,017	\$5,500	\$46,422,817	\$324,959
Pennsylvania	1,200,000	800,000	937,310	3,791	152	\$52,860	8,046,116	7,449,013	.....	5,392,361	5,392,361
Rhode Island	*52,273	49,562	44,780	145	.....	10,500	558,451	544,200	.....	328,530,559	388,552
South Carolina	*228,128	228,128	134,072	.....	.....	600	440,110	324,629	.....	120,851,124	715,982
Tennessee	544,862	343,095	290,141	142	243	.....	799,217	724,862	20,766	213,117,680	626,529
Texas	*230,527	347,206	186,786	156	143	21,167	891,235	753,346	19,280	300,525,407	1,396,170
Vermont	92,831	61,887	75,238	396	.....	7,278	417,491	454,285	.....	86,392,534	292,228
Virginia	555,807	*307,742	220,736	.....	.....	.....	1,290,288	946,109	.....	319,393,559	2,067,678
West Virginia	210,113	137,415	142,850	346	.....	.....	791,083	716,864	53,500	128,559,927	515,241
Wisconsin	483,229	302,158	299,258	1,052	*481	51,628	2,697,800	2,230,772	80,000	438,971,801	557,003
Total for States	15,127,405	10,504,382	9,680,403	.....	.....	.....	82,684,489	79,436,399	.....	.....	.....
District of Columbia	43,558	*35,948	26,439	.....	.....	.....	476,957	438,567	.....	.....	.....
Territories, (1879)	15,170,963	10,540,330	9,706,842	18,271	5,212	638,267	83,161,446	79,874,966	622,068	15,301,534,830	56,379,679
Territories, (1879)	136,146	.....	80,310	.....	.....	.....	872,622	864,323	.....	.....	.....

¹ The school population includes all persons of legal school age—usually those between five or six and twenty or twenty-one. Any wide variation from these years will be noted.

² The numbers in this column marked with a star (*) are returns to the office. The others represent the proportion of the school population which would be of ages between six and sixteen were there an equal number of children of each age. Probably these figures are about 3 per cent. too small.

³ The agricultural college statistics were mostly obtained from letters received during 1880.

⁴ For all schools in the State systems.

* School age, 5-17. ^b In the State University. ^c School age, 4-16. ^d School age, 6-18. ^e School age, 5-18. ^f School age, 5-15. ^g School age, 6-16. ^h School age, 8-14.

Referring for the present to the totals only we find them to be as follows:

School population	15,170,963
Estimated population between 6 and 16 years	10,540,330
Enrollment in public schools in 1880	9,706,842
Number of normal students	18,271
Students in agricultural colleges	5,212
State normal appropriations in 1880	\$638,267
School income, 1880	\$83,161,446
School expenditure, 1880	\$79,874,966
Income of agricultural colleges	\$622,068

The following are the aggregate returns for the Territories for the year 1879:

School population	136,146
Enrollment	80,310
School income	\$872,622
School expenditures	\$864,323

From this showing it appears that the whole expenditure for school purposes in 1880 was about eighty million dollars, and the whole income about eighty-four millions. The average annual expenditure per scholar enrolled was about eight dollars and twenty-five cents.

But in order to understand fully the force and bearing of these figures it is necessary for us to look below the surface showing and examine a few at least of the items. If we compare the enrollment and expenditure in the different States we shall find the amount expended per annum for each scholar varying very widely. As an illustration I mention the following, which show perhaps the widest differences:

California	\$18 06
Massachusetts	16 86
Connecticut	11 76
Illinois	10 70
Iowa	13 20
West Virginia	5 02
Georgia	1 99
Arkansas	3 35
Alabama	2 09

Taking the data I have presented and the population as shown by the census returns, let us now try and make an approximation of what is necessary in order to give to all the children of the United States an adequate common-school education.

Taking my own State, (Illinois,) where the school age is from six

to twenty-one, I find the number of children between these ages to be 32.8 per cent. of the whole population. Using this percentage as a basis, it gives us 16,451,064, or, in round numbers, sixteen and a half millions as the school population of the entire country. Allowing an expenditure of \$10 for each scholar, we find that it will require \$165,000,000 per annum to give all the children of the country a suitable common-school education. Of this sum, as we have already seen, about eighty-one millions are expended by the States and Territories under the present system. Add the sixty millions proposed to be devoted to this purpose by this bill, and we have a total of one hundred and forty-one millions, which still falls short of the sum estimated some twenty-four millions. But as the enrollment will never equal the total school population, and as a large portion will have accomplished their course before reaching twenty-one years of age, the joint amount of these two funds will about meet the real want for some years to come.

Or, suppose we form an estimate in another way, thus: the entire school population as given by the Commissioner in the table presented (including that of the Territories as reported in 1879) is 15,307,109. Allowing thirty scholars to a teacher, this gives 510,236 teachers. Averaging the salary at \$40 per month, (which is \$3 less than the average in Maryland, and \$2 less than in New York,) and allowing six months' school in the year, we obtain \$122,456,640 as the amount required for teachers' wages. Add to this 20 per cent., about the average ratio of miscellaneous expenses as shown by the Commissioner's report, and we have a total in round numbers of \$147,000,000. Theoretically the two funds would be added together, making the whole amount to be expended \$141,000,000, but in practice the result would in all probability be somewhat different.

The States which are already taxing themselves heavily for school purposes would be very likely to lessen somewhat the burdens already imposed upon their citizens, and yet, at the same time, with the amount received augment their school fund and increase the amount and efficiency of the instruction. In these States the tendency would be to elevate their educational standard. The States which have hitherto been too weak and feeble to furnish funds sufficient to establish a thorough system of public schools, rather than lose the large fund thus granted, would at once enter upon this too long delayed work in good earnest.

Take, for example, Alabama, the first on the alphabetic list, where less than one-half of the children are enrolled in the public schools, and the amount expended on each scholar in 1880 was but \$2.09; her share of the proposed distribution would be a little over \$1,110,000, or about three times the amount she now expends on public instruction. Georgia's proportion would be \$1,800,000, or about four times the amount she expended in 1880.

Can we doubt for a moment that such a large addition as this would encourage these States, which are now struggling to recover from their crippled condition, to enter with increased vigor upon the work of educating their children by means of a well organized common-school system?

Much more might be added in reference to the operation and effect of this bill if it should become a law, but this will suffice as an explanation. I will therefore turn to the discussion of the propriety and expediency of its passage at this time. But before doing so allow me to remark that I am not so wedded to the particular form in which it is now presented that I am unwilling to accept any amendment thought advisable that does not defeat the object intended.

Although I have, in the previous part of my argument, given an estimate of what would be the theoretical amount of funds with the addition granted by this bill, if it should become a law, which would be devoted to school purposes, yet, as I have intimated, we could not expect that this would be the practical result. In the States where the people already taxing themselves somewhat heavily for the purpose of educating their children, and where they already have in operation well organized and thorough school systems, the funds received from the General Government would be accepted as a means of relieving them somewhat from their heavy burden in this respect. The result would probably be that such States would lessen their taxes for school purposes, not to the full amount of what would be received, but to a large per cent. thereof. In Illinois, for example, where the school income for 1880 was \$7,836,952, and whose proportion of the funds granted by this bill would be about \$3,700,000, it is more than probable that the \$1,000,000 State taxes for this purpose would, for some years at least, be omitted, and that a large number of the district finding their funds considerably increased, especially where the law for building school-houses is bearing somewhat heavily, would avail themselves of this fund as a means of lessening their taxes to support their schools. In other words, instead of the States and Territories adding the entire fund to the eighty-one millions already expended, and thus increasing the amount to one hundred and forty-one millions, the great probability, in fact we may say the certain result, would be that the larger portion, for a number of years to come, would be used as a means of relieving themselves of their present burden.

That there would be some increase probably to the amount of twelve or fifteen millions, is certain, from this fact: all the States receiving from this fund more than is now expended by them for this purpose would of necessity increase their expenditure to the amount of this excess, even should they do away entirely with taxes for

school purposes. Take the following table; it will show the exact situation:

States and Territories.	Population, 1880.	State's share of \$60,000,000 distributed according to population.	Total school expenditure, 1880.	Excess of State's share of \$60,000,000 over expenditure.	Excess of expenditure over State's share of \$60,000,000.
Alabama.....	1,262,505	\$1,515,006	\$375,465	\$1,139,541	.....
Arkansas.....	802,525	963,030	238,056	724,974	.....
California.....	864,694	1,037,633	2,864,571	.....	\$1,826,938
Colorado.....	194,327	233,192	395,527	.....	162,335
Connecticut.....	622,700	747,240	1,408,375	.....	661,135
Delaware.....	146,608	175,930	207,281	.....	31,351
Florida.....	269,493	323,392	114,895	208,497	.....
Georgia.....	1,542,180	1,850,616	471,029	1,379,587	.....
Illinois.....	3,077,871	3,693,445	7,531,942	.....	3,838,497
Indiana.....	1,978,301	2,373,961	4,491,850	.....	2,117,889
Iowa.....	1,624,615	1,949,538	5,621,248	.....	3,671,710
Kansas.....	996,096	1,195,315	1,818,387	.....	623,072
Kentucky.....	1,648,690	1,978,428	803,490	1,174,938	.....
Louisiana.....	939,946	1,127,935	480,320	647,615	.....
Maine.....	648,936	778,723	1,047,681	.....	268,958
Maryland.....	934,943	1,121,932	1,544,367	.....	422,435
Massachusetts.....	1,783,085	2,139,702	1,156,781	.....	3,017,029
Michigan.....	1,636,937	1,964,324	3,109,915	.....	1,145,591
Minnesota.....	730,714	896,328	1,706,114	.....	769,186
Mississippi.....	1,131,597	1,357,916	830,704	527,212	.....
Missouri.....	2,168,380	2,602,056	3,152,178	.....	550,122
Nebraska.....	452,402	542,882	1,137,995	.....	595,113
Nevada.....	62,266	74,719	144,245	.....	69,526
New Hampshire.....	346,991	416,389	565,339	.....	148,950
New Jersey.....	1,131,116	1,357,339	1,928,374	.....	571,035
New York.....	5,082,871	6,099,445	10,412,378	.....	4,312,933
North Carolina.....	1,399,750	1,679,700	352,882	\$1,326,818	.....
Ohio.....	3,198,062	3,837,674	7,166,963	.....	3,329,289
Oregon.....	429,391	511,233	314,017	.....	104,295
Pennsylvania.....	4,282,891	5,139,469	7,449,013	.....	2,309,544
Rhode Island.....	276,531	331,837	544,200	.....	212,363
South Carolina.....	995,577	1,194,692	324,629	870,063	.....
Tennessee.....	1,542,359	1,850,831	724,862	1,125,969	.....
Texas.....	1,591,749	1,910,099	753,346	1,156,753	.....
Vermont.....	332,286	398,743	454,285	.....	55,542
Virginia.....	1,512,565	\$1,815,078	\$946,109	\$868,969	.....
West Virginia.....	618,457	742,148	716,864	25,284	.....
Wisconsin.....	1,315,497	1,578,596	2,230,772	.....	\$652,176
Total.....	50,155,783	60,186,936	80,546,479	11,382,246	31,741,789
Arizona.....	40,440	48,528	61,172	.....	12,644
Dakota.....	135,177	162,212	124,483	37,729	.....
District of Columbia.....	177,624	213,148	438,567	.....	225,419
Idaho.....	32,610	39,132	38,812	320	.....
Montana.....	39,159	46,991	59,463	.....	12,472
New Mexico.....	119,565	143,478	18,890	124,588	.....
Utah.....	143,963	172,756	132,194	40,562	.....
Washington.....	75,116	90,139	114,379	.....	24,240
Wyoming.....	20,789	24,947	22,120	2,827	.....

Estimating the whole amount of this fund at \$60,000,000 and the total population of the United States at 50,000,000 persons, there would be an excess of the *pro rata* distribution over what is now expended in the following States, of the amounts here shown, (in round numbers:)

Alabama.....	\$1,139,000	North Carolina.....	\$1,327,000
Arkansas.....	724,000	South Carolina.....	870,000
Florida.....	168,000	Tennessee.....	1,125,000
Georgia.....	908,000	Texas.....	1,156,000
Kentucky.....	344,000	Virginia.....	868,000
Louisiana.....	648,000	West Virginia.....	25,000
Mississippi.....	526,000		

Making a total excess of \$9,823,000. We see from this that, supposing the States which expend a larger sum than they would receive should lessen their taxes to the amount received, and that the States expending less should impose no taxes for school purposes, there would still be an increased expenditure for common schools of some ten million dollars.

Assuming, in order to place this question in its most unfavorable light, that the revenue now derived by the United States from all sources does not exceed that which is necessary to meet the expenses of the Government, the withdrawal of this sixty millions of its funds would necessitate the raising of this amount by imports or otherwise. But would this increase the taxes on the people of the United States to this amount? By no means; the only addition would be the amount of increase in the school expenditure of which I have just been speaking. But this is not all that can be said in favor of it, even under the most unfavorable view that can possibly be presented.

The tax paid by the people under the operation of a revenue tariff is felt as little as any other imposed upon them, while on the other hand, that for school purposes, where they are adequate for the education of the children, bears heavier on the rural districts than any other, amounting in some cases to 3 and 4 per cent. on the assessed value of their taxable property.

The effect of this bill, even on the supposition with which I am now proceeding, would be to distribute this amount of tax in such a manner that it would be felt in a far less degree than at present.

Nor could those who are engaged in the manufacture and sale of distilled spirits find in this arrangement any just cause for complaint, as it would not add one cent to the tax already imposed upon them. It would require too much time for me to enter into details to prove the correctness of these assertions, but I feel assured this will be conceded by every Senator. But the chief advantage that will be derived from this bill is that it will meet, in a more complete manner than by any other method that could be devised, the very want that gave rise to the common-school system. The inability of some parents, the neglect of others, and the unwillingness of others to educate their children, was felt, at a very early day in the history of our country, to be detrimental to its best interests, and a waste of mental force that should not be allowed by society. The attempt to remedy this began at first in small communities.

In 1635, Boston, being then but five years old, and yet in her swaddling clothes, resolved that "our brother Philemon Permount should be appointed schoolmaster, for the instruction and education of our children;" and thirty acres of land were appropriated at the same time for his support. (Westminster Review, 1853, page 499.) Thus was the first seed sown that has developed into the magnificent system of education in our country that is the admiration of the civilized world. But this primary plan only embraced communities; so that while some were advancing others were making but little progress; it was not lifting up the whole mass.

It was not until about 1835 that a new era dawned in this respect. At this time, the public mind becoming aware of the alarming amount of illiteracy in the States, a movement was begun, in which I believe Horace Mann was the leading spirit, to remedy the evil. This resulted in the adoption of the present common-school system, which has wrought such marvelous changes in many of our States. But the rapid advance in the means of intercourse and intercommunication has effected such vast changes in our social relations that the people of the several States and Territories are brought into more intimate relation with each other than the different sections of the larger States were half a century ago.

What, therefore, was true of the effect of illiteracy in parts of a State upon the general welfare of the Commonwealth is now true in regard to the nation as a whole. As it was thus found necessary to provide a system of education applying alike to the whole population of a State, so now we have reached a period when it becomes necessary if we would meet the demands of the age to provide means for extending this system in its most advanced form over the whole country.

That this can only be done by some action of the General Government must be conceded by all who study the subject with any care. Laws without means of carrying them into effect will undoubtedly remain as dead letters upon our statute-books. The bill presented is intended to meet this want, and if it becomes a law will, as I believe, do so. While it may have but little effect in increasing activity in this direction in those States already in the front rank in educational progress, it will undoubtedly have the effect of bringing rapidly forward those which are lagging behind in this great work. Who can estimate the beneficial change that will be made in the educational status in Alabama in the course of fifteen or twenty years by devoting a million and a half of dollars to this purpose where now but \$375,000 are expended; or that of North Carolina with one and three-quarter millions where now but \$352,000 are expended? The folly of waiting with the hope that time will induce or enable these States to put forth the energy necessary to give a proper education to their children is illustrated by the one last mentioned. One of the original thirteen, yet in 1880, with property of an assessed value of \$143,000,000, its expenditure for school purposes was but \$352,882; while Nebraska, with an assessed value of but little over ninety millions, expended for the same year \$1,137,995; and West Virginia, with an assessed value of one hundred and twenty-eight and a half millions, expended \$716,864. On the other hand, again, we see Georgia, another of the original thirteen, with an assessed value in 1880 of \$229,000,000, expended but \$471,029 for the purpose of educating her children. I mention these as illustrations only and with no desire of casting any reproach, for I am fully aware of the reasons why these States show such a backward condition in regard to educational work. Still the facts stare us in the face and call loudly upon the nation to come to their aid and, if possible, remedy the defect.

But why, it may be asked, select especially the revenue raised by the tax on spirituous liquors for this purpose? A careful study of this subject of national aid in educating our children will, I am satisfied, soon convince any one that it is of such immense importance that this question as to which particular part of our income shall be used is but a secondary matter. Still there are, as I think can be readily shown, good and valid reasons why this particular fund should be used for this purpose. To argue that, as intemperance is a curse, the money arising from the manufacture and sale of intoxicating drinks would be more effectual in counteracting this evil than other money, would be an insult, not only to the Senate but to any person of ordinary intelligence.

Were there no better reasons, Mr. President, for selecting this particular fund I would certainly refrain from saying anything on this point. Is not every Senator and Member fully aware of the powerful influence brought to bear, session after session, upon Congress by the manufacturers of spirits to reduce the tax? If any means can be

devised by which to bring to bear an equally strong opposing influence, and thus cause the one to neutralize the other, will it not be wise in Congress to do so?

Let Congress pass a law giving to the States and Territories all of but no more than the funds received from this tax, and at once every State and Territory and every school district therein, every normal, industrial, and agricultural institution and every teacher in the entire nation becomes interested in keeping this unchanged. Any member of Congress who would then yield to the clamor of the whisky manufacturers to lower the tax on their products would meet with such a storm of indignation from the people of his district who support the schools and educate the children as would be likely to forever retire him to private life. The educated people are those who are heard through the press and other public channels, and they are the ones who would protest against such a change. It would be a contest between money on the one hand and enlightenment and principle on the other, a battle waged for illiteracy and ignorance on the one part and education on the other.

But it may be argued that by appropriating this particular fund to this object we make it the interest of the free schools of the whole country and all their advocates and supporters not only to continue the manufacture of spirits to the present extent but to increase it. Such an argument has, I admit, some apparent truth on its face, but when we look a little below the surface, or rather to the practical effect, we shall find it to be a specious one that will not bear the test of critical examination. In what class and in what sections do we find the great body of the workers in the temperance cause? In the educated, and in those sections where schools are most encouraged and fostered. Give me the money necessary, and the power to enforce school attendance, and assign me the section where the greatest amount of intoxicating liquor is consumed, and in time I will raise up of their children a corps of temperance advocates who will gladly forego this income and educate their descendants at their own expense if thereby the manufacture and sale of this curse would cease. Let no one who is opposed to this bill base his opposition on this argument, for it is fallacious. Those who would most gladly see it become a law and go into operation will be most rejoiced if the effect shall be to diminish the manufacture and sale of this evil agent.

Why, Mr. President, some people got together in my State and passed resolutions condemning me for introducing this bill because they said they did not want their children educated on whisky-money. Now, to those people I have but a word to say. It is happy for them that they were educated at all, for without education their knowledge would be slight. In my own city where I live some of the very people that oppose this bill a few years ago went to the Legislature of my State and got a charter passed establishing what is known as the Washingtonian Home. What does that charter provide? I believe the fifth section of that charter provides that 10 per cent. of all the money derived from licenses for keeping saloons shall go to the support of the Washingtonian Home. That is in their charter, and that is where they derive their subsidy, and yet they do not want their children educated by taxes raised on whisky!

Let me just puncture that proposition for a moment. Some ministers—and I have the highest respect for ministers of the Gospel—have said "LOGAN'S bill is to encourage the manufacture of whisky." Now, let me say to those ministers that if you wipe out the whisky tax, which they are trying to help do by their clamor against propositions of this kind, you will find a distillery on every hilltop or in every valley where there is a spring branch all over the United States, and whisky will be as free as bread. Their conduct tends to put bread and whisky on the same plane. Bread is not taxed, but whisky is. Their proposition is not to use taxes raised from whisky, and therefore we should make it free. Bread and whisky then will be the only free things in this country. I suppose the temperance men will live on the bread, and I cannot say who the gentlemen are that will live on the whisky.

Now let me go a little further. I am sometimes asked to contribute for the purpose of building churches. Other people are; and I sometimes throw a penny in the contribution-box. I never had any man ask me where that money came from. Have you ever known a minister of the gospel—I ask my friend from New Hampshire [Mr. BLAIR] if he has ever known one to refuse a ten-dollar bill toward building a church because a saloon-keeper gave it? I never have; and yet a proposition to divert a certain portion of revenue for the purpose of educating the children of the country to make them temperance people and Christians is a great sin against God on my part.

I once heard a story that I think would apply to these gentlemen very nicely. There was a man—I will not mention his name—for whom I had great respect, and I think this whole country had. He was considered a statesman in his day. He sometimes indulged in a little game of cards. He was coming up the avenue one morning and met a poor old colored man. The old colored man, calling him by name, said: "My congregation is very poor; we want a place to worship God in; we have no house; will you please contribute a little something for that purpose?" The gentleman put his fingers in his pocket and pulled out a hundred-dollar bill. Said he, "I won that last night at a game of cards; if you will take that for the service of the Lord you can have it." He took it and said, "Thank you, sir. 'God moves in a mysterious way his wonders to perform.'" [Laughter.]

It may be considered unnecessary for me at this time and place to submit any remarks upon the advantages, to the people and the Government, of education. But there are some points in this connection that have relation to the principles embraced in this bill which I think may be appropriately referred to.

Nations are counted great and remembered chiefly for two things, wisdom and power. The former the property of the few; the latter the property of the many though wielded by the few. The ancients aimed to confine knowledge to a select class, and to make it, so far as possible, an inheritance transmissible to their descendants. The enlightened moderns seek to make it the common heritage of all. They search for all the specimens of mind, even to the shreds of it found in the imperfect souls of idiots, and cultivate all these. Why? Because every mind is an element of power. Private individuals ransack the streams and the mountains for particles of gold and offer them to the world as an addition to its wealth; but a nation finds honor in discovering minds and offering them to be used in all the duties of life. Des Cartes was accustomed to say: "In the universe there is nothing great but man, and in man there is nothing great but mind," an expression afterward condensed and improved by Sir William Hamilton thus: "In the universe nothing is great but mind."

Our systems of public schools give emphasis to this idea, and justify the search alluded to. A nation may honorably seek power; indeed if it will live it must seek and retain power. Those who are to be the power of the nation are the children scattered in the palaces, garrets and cellars of cities, and in the homes and cabins of the country, from the Atlantic seaboard to the Pacific shore. Whatever power there shall be, therefore, to do or direct, must be found in these children. Their tide, growing with every advancing year, must supply for the future of our nation, all its wealth, all its science, all its power, all its honor.

It may be assumed that as the present generation shall receive and educate its children, and welcome the annual swarms of immigrants crowding to our shores, so will the land increase in all that makes a people worthy of everlasting remembrance. And the same conditions which secure this will also establish our country in all that a free people can desire: power, honor, comfort, intelligence and wealth. What some of these conditions are it is not hard to declare, for knowledge universally diffused is so clearly the great force that even a statement to this effect is unnecessary. That "knowledge is power," is a truism now denied by none.

What is of so much worth as children, even reckoning on that very low plane, their simple cash value as prospective laborers? A fine climate gives effect to every interest and industry of a land; a fertile soil attracts population and enterprise to cultivate it; mines afford opportunity for the poor to gather wealth and scatter it abroad throughout the world. But none of these are of any more worth than a desert without hands to improve them; and what are hands worth without minds to direct them? A hand with an educated brain behind it is worth more than treble an ignorant one. Give the finest climate earth can show, the fattest soil the continents lift out of the sea, the richest mines the mountains contain, the safest harbors that border the sea or indent the land, and let a people be ignorant of their own capabilities, or of the resources of nature and her mighty agencies, and what are all these worth? Africa to-day has ten million square miles of soil as fertile as lies beneath the sun. She has a hundred millions of people. Yet the little island of England, with only about sixty thousand square miles and forty millions of people, produces annually, in a climate almost of the polar circle, more articles of food and clothing raised directly from the earth by agricultural labor alone than all that continent; and if you count in the manufactures which her machinery yields, she does the work of ten times the whole population of Africa. How is she enabled to do this? Simply because the educated mind of England can multiply her hands by a thousand fold. Nature lends her gravitation; even enslaves her sun and harnesses her lightning, so that they afford hands and feet to run and labor for those people who have learned how to use such agencies. The same thing is seen in any enlightened country, or at least where education is widely diffused. And yet in England less than half the common people's children are educated in any suitable degree. It is mind which has accomplished all these wonders; and minds are found in almost equal numbers in all ranks of society. The child of the peasant is often as full of genius as the child of the prince, with a stronger body and less tendency to habits of vice or recklessness; and if he can be found and educated the nation certainly derives the greatest possible benefits; and if a nation is to be raised to its highest degree of efficiency every particle of its mind must be utilized.

The war between France and Germany affords a pertinent illustration of the value of education in a peasantry to increase the worth of men, considered as mere machines of warfare. Every German soldier could read and write, and knew the geography of France. He could calculate almost as well as his officers, and he knew how to take care of his person and health. Those of France were nearly half illiterate, and as an army they seemed little more than a bank of snow before an April wind in comparison with the Germans.

The nine millions of children who daily march to the school-houses of the North, the West, and the South are better as a defense for the whole nation than a standing army as large as all the armies of

Europe. The quarter of a million of school-teachers who daily drill these children in the school-houses are a better provision for training the nation in patriotism than all the statesmen and military officers of the Old World. Let every child of the nation be sent to a good school and trained by a proper method in broad national ideas, and we never need fear either foreign aggression and domination or domestic insurrection and sectional strifes and jealousies. Strength, peace, harmony, prosperity, nobility of character, patriotism, virtue and happiness would flow as from a perennial spring in the mountains to fill the land forever.

But the benefits of education are not confined to an increase of material prosperity and to the means of promoting the public defense. The physical comfort and general healthfulness of the whole population are advanced thereby in even a greater ratio than the interests before named. Can it be reckoned no benefit to a community that every person possesses sufficient intelligence to understand the reasons for cleanliness and exercise, the necessity for pure air and good food, and the means of securing all these? Are more comfortable and beautiful homes no profit to families, and do not all arts which knowledge fosters contribute to the happiness and power of a people? In the mere matter of bodily health it would not be difficult to show that if the whole of a community could be brought to practice the precepts of hygiene, which could be readily learned by a child of fourteen without loss of time for ordinary family duties or for needed rest, at least two-thirds of all the diseases which now afflict the human race would be as effectually banished from the earth as reptiles are from Ireland.

The effect, also, of the general diffusion of education among the masses of our population in respect to their moral condition can scarcely be calculated. That evil will ever go side by side with good in this world experience leaves us no reason to doubt. That while, by a general school system we are educating those who will be an honor to themselves and a benefit to society and the nation, we are also to a certain extent educating the vicious, is true; but that on the whole education tends largely, very largely, to increase the better element in proportion to the vicious, is a fact that cannot be denied. To enter fully upon the discussion of this proposition would be out of place here, notwithstanding its great importance in this connection. But it is evident to every intelligent person that safety in this matter consists in continued progress. To halt in the race will result in giving over society and the nation to the control of the vicious. To education therefore must we look for all the elements of national strength, and the more generally it is diffused, and the higher its grade, in like proportion will our national power be increased. So that if Congress intends to do anything in this great work that will be adequate to the wants of our people, it must be done with a liberal hand, and in a manner that will show manifest justice to all sections. While ten or fifteen millions may and will do much good if granted to one section, those who are imposing heavy burdens upon themselves in other sections to educate their children will have just grounds to complain that injustice has been done them.

While Illinois spends 1 per cent. of the assessed value of her taxable property, and Iowa 1.4 per cent. for school purposes, Georgia spends but one-tenth of 1 per cent. and North Carolina but one-fourth of 1 per cent. for this purpose. This difference cannot, of course, be charged to inability, but, to put it in the mildest form, it must be charged to neglect, or the want of appreciation of the value of education. To help the latter, then, and withhold assistance from the former would have too much the appearance of rewarding the negligent, who are unwilling even to do what they can to help themselves, and refusing aid to those who are burdening themselves to prepare their children to be useful members of society and valuable citizens of the nation. I am as desirous as any one in this Senate to assist those States that are in the background in this respect, for I am fully aware they are laboring under difficulties which do not apply to their sister States, and this is one great reason, in fact I may say the chief reason, why I have brought forward this bill. But I wish the Government to be just in distributing its favors, and this cannot be done effectually in this matter with much less than the amount I have proposed. Although money from this tax has no more inherent value in it for this purpose than any other fund, yet there is something pleasing in the idea that the mighty stream of liquid sin, flowing on in spite of all the efforts made to check it, and bearing multitudes downward to its whirlpool of crime and death, will thus be made, by its very downward pressure, a power to lift as many more from the depths of ignorance; that the very streams the distillers and retailers are sending forth to foster vice and crime may be used as a force to destroy their origin, just as the maddened waters of Niagara may be made a force to level the precipice from which they fall. So far, then, as the use of this particular fund in this way inspires this feeling in those who encourage education and temperance, so far we may truly say it would be more effectual than any other.

Men called statesmen are apt to believe that they control the masses, but when the masses, whether right or wrong, become aroused on any question pertaining to government, the men known as statesmen are as powerless to control them as they are to direct the storm, and so the leading men, or statesmen as they are called, join their respective sides and add fury to the desires of the people. Aristides did not control Athens, nor Xerxes Persia, in that fullest sense which

brought the destinies of nations into conflict. The common Greeks and the common Persians, who had in some way learned in their ignorance to hate and despise each other, made those furious wars possible, if not necessary. So it will always be. The instincts, as we sometimes call them, and these are scarcely anything but the transmitted notions and sentiments of one generation accumulating power in another, will sway the populace and influence the policy of rulers. They will by their desires force the government into unwise measures. If they are selfish they will compel a selfish and perhaps an aggressive policy. If they are vicious the government cannot long maintain a consistent course of justice and honor. If they are divided by sectional jealousies and trained to hostile feelings, can there be union of sentiment and action?

In our own land to-day the grossly ignorant are numerous enough to control the affairs of the nation. They hold the balance of power, if they could only unite. But while they do not unite as a class, their influence may do worse than form a union among themselves; for any apparent attempt to form a party of the ignorant would undoubtedly be met by a combination of the intelligent. Their wishes and desires, their prejudices and jealousies, may suggest to demagogues opportunities to gain selfish ends and plunge us into still greater sectional strifes. We need, as a nation so extended, to foster homogeneous institutions in our hundred different climates and regions. The one grand thing to do in every one of these regions, each larger than most of the nations of the world, is to secure the uniformity of intelligence and virtue. We need no other.

If our people in the pine woods of Maine or Michigan; if those in the mines of the Carolinas and Virginia, in Colorado and Nevada, in California and Alaska; if the cultivators of the farms in Ohio and Dakota, of the plantations of Georgia and Louisiana; if the herders of the ranches of Texas and New Mexico, can all be rendered intelligent enough to see the excellence of virtue and be made noble enough to practice its self-restraining laws; if they can be taught wisdom enough to appreciate the ten thousand advantages of a national Union embracing a hundred climates and capable of sustaining a myriad of mutually helpful industries, freely interchanging the products and acting on each other as mutual forces to stimulate every one to its highest capacity of rival endeavor, then we would be sure of a stable Union and an immortality of glory.

Is it not now easy to see that the education of the young, and one common plan with one common purpose, the people's children taught by the people themselves, in schools made by the people themselves, yet in some noble sense patronized by the nation and supervised by the nation in some proper manner, will aid in making on this continent a nation what we hope to be and what the fore-shadowings of Providence seem to indicate we ought to be, the one great and mighty nation of the world. We have the same glorious Constitution. Let us all from highest to lowest, from richest to poorest, from blackest to whitest, learn to read its words as they are written, and then we shall be most likely to interpret its provisions alike and administer its enactments alike in justice and honor.

We all read the same Bible and claim to practice the same golden rule. Let us instruct all the youth whom the beneficent Father gives us, natives of this land or born on other shores, in the grand principles of morality which it inculcates, and in all the science which it has fostered. We all inherit from our motherland the same invaluable code of common laws and institutions. Let us, if need, be careful all to obtain enough knowledge to read and understand the laws which the Legislatures of the several States shall make and the decisions in accordance with that common law which their courts shall render. We have received from our ancestors and from the present generation of philosophic scientists a body of knowledge and wisdom the worth of which even genius can scarcely estimate. Let that be given to every child that breathes our atmosphere in substantially the same spelling-book and primer, in schools as good among the snows of Aroostook as in marts of New York, Boston, or Charleston; as free on the shores of Puget Sound as on the prairies of Illinois, and as well taught in the rice-fields of the South as on the hills of Connecticut. Then we shall be, "one and inseparable, now and forever."

The PRESIDENT *pro tempore*. Does the Senator from Illinois wish to have the bill referred?

Mr. LOGAN. I move that it be referred to the Committee on Education and Labor.

The motion was agreed to.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Foreign Relations:

To the Senate of the United States:

I transmit herewith a report of the Secretary of State, and an accompanying paper, in further response to the resolution of the Senate of the 13th of December last, calling for correspondence touching affairs in or between Peru and Chili.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, March 16, 1882.

STATUE OF CHIEF-JUSTICE MARSHALL.

The PRESIDENT *pro tempore* appointed Mr. SHERMAN, Mr. HOAR, and Mr. VOORHEES as the committee on the part of the Senate to contract for the erection of a statue to the memory of Chief-Justice Marshall, as provided for in the act approved March 10, 1882,

POST-OFFICE APPROPRIATION BILL.

Mr. PLUMB. Now I call up the appropriation bill which is the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 3548) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1883, and for other purposes, the pending question being on the amendment of the Committee on Appropriations to strike out lines 115 and 116, as follows: "For necessary and special mail facilities on trunk lines \$500,000;" and in lieu thereof to insert:

For necessary and special facilities on railroad lines, \$650,000; said facilities to be ratably distributed, as near as may be, on railroad lines leading to and from the principal cities in the different sections of the United States.

Mr. PLUMB. It will be observed that the Committee on Appropriations have increased the amount found in the bill as it passed the House for special facilities on railroad lines from \$500,000 to \$650,000, and they have put upon the expenditure of the sum a certain limitation. The history of the provisions with reference to special facilities on railroad lines is as follows: the first appropriation occurred in 1878, and was for the sum of \$150,000, to be paid out of the appropriation of that year for railroad transportation. In 1879 the sum of \$125,000 was appropriated for the same purpose. In 1880 the sum was restored to that originally appropriated, \$150,000, and in that provision there appears the first mention of postal cars. In 1881 the sum was increased to \$350,000, and for the fiscal year ending the 30th day of June, 1882, the sum appropriated was \$425,000.

The manner in which this sum has been spent became the subject of investigation by the committee. I have in my hand a letter from the superintendent of railway mail service, transmitted to the committee by the Postmaster-General, which I will ask to have printed in the RECORD, but will not ask to have read unless some member of the Senate shall so desire. I will state briefly the condition in which the committee found the service: the special railway mail service provided for by the appropriation of last year consists of a train running from New York to Springfield, Massachusetts, leaving New York at 4.30 a. m.; one leaving for Philadelphia and southern points at the same hour; one leaving New York for Chicago via the New York Central Railroad at substantially the same hour, and one leaving for Pittsburgh and the West at 8 a. m. New York is the initial point of this service. There are three trains leaving that city at an unusual hour, that is to say, at an hour not usual for passenger trains, and which run at a higher speed than the ordinary trains.

The train which leaves for Springfield makes a connection there which is said to be valuable for all portions of New England. The train which leaves New York for Chicago connects at Albany with a train which leaves that city for the West, and which continues thereafter at a high rate of speed until it reaches the city of Toledo, where a delay occurs of about three hours, and then the mail thus carried is taken up by a train running at an ordinary rate of speed, and is carried to the city of Chicago. The train which leaves New York running southward extends, via Washington, Richmond, Petersburg, and Charleston, to Savannah, where it makes direct connection for Jacksonville. The train leaving for the West via the same road makes through and quick connections at Pittsburgh, Chicago, Indianapolis, and Saint Louis.

These special trains leave New York at an hour which is convenient to the newspapers which are published in that city, and contribute very materially to their circulation and business. They carry besides a large letter mail, comprising the deposit of letters in the New York office during the after part of the day, and perform a valuable service alike to the business of New York and to a large extent of country to which quick connection with that city is useful. But valuable as this service is, it is far too limited for the expenditure or to warrant carrying on unless it can be extended so as to embrace practically the whole country, and the committee felt that it should either be dropped altogether or made more comprehensive. They did not, however, feel warranted in considering it wholly as a new question, knowing that the country had never willingly submitted to a reduction of mail facilities, but had always responded to an increase of those facilities by increased revenue. The disposition of this fund they felt to be partial and unequal; not that it had not been made proper use of, but that the amount was too small to afford to all the important sections of the country the facilities to which each is equally entitled.

For this purpose and with this view, being confronted, as they believe, either with the necessity of going backward or of going forward, of taking off the facilities already provided or of increasing them, they felt that it would be more in consonance with what they believe to be the interests and wishes of the people and with the history of the legislation upon this question heretofore to add to the appropriation in order that Chicago, Saint Paul, Cincinnati, Saint Louis, New Orleans, and Boston might have the benefit of these facilities in common with the city of New York and the section of country which is tributary to that city.

Mr. BECK. Will the Senator from Kansas allow me to ask him if the letter to which he has referred contains the table communicated to Mr. CASWELL?

Mr. PLUMB. The letter of the superintendent of railway mail service, to which I have adverted, sets out at very considerable length not only the distribution of the fund in detail but the results accom-

published by connections made which before were not within the possibility of the Department. In House of Representatives Report No. 113, Forty-seventh Congress, first session, on page 2, is found a table which summarizes the information which is contained in this letter, and I will ask that when the letter is put in the RECORD, following it may also be added this table, which comes from the superintendent.

Mr. BECK. It is a short table which is put in a very simple form, it will be observed.

The letter and table are as follows:

POST-OFFICE DEPARTMENT,
Washington, D. C., March 10, 1882.

SIR: I have the honor to transmit herewith a letter from the general superintendent of railway mail service, giving a detailed statement of the expenditure of the special-facilities appropriation for the present fiscal year, and of the beneficial results thereby accomplished.

Very respectfully,

T. O. HOWE,
Postmaster-General.

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations, United States Senate.

POST-OFFICE DEPARTMENT,
OFFICE OF GENERAL SUPERINTENDENT OF RAILWAY MAIL SERVICE,
Washington, D. C., March 10, 1882.

SIR: I have the honor to submit herewith a statement respecting the expenditure of the appropriation for special facilities for the present fiscal year, and a detailed statement of its operations:

New York to Springfield, Massachusetts, \$17,647.06, (New York, New Haven and Hartford Railroad.) This is for fast mail that leaves New York at 5 a. m. This train was established at the instance of the Post-Office Department. It receives mail leaving Washington, District of Columbia, the previous day at 5.40 p. m.; Baltimore, 7.25 p. m.; Philadelphia, 12 midnight, and New York 5 a. m. Delivers and receives mail between New York and New Haven, Connecticut, where it arrives at 8.03 a. m. Without this train the mail would be delivered at New Haven at 10.20 a. m. It connects at New Haven with train leaving at 8.08 a. m., with an agent, for New London and Providence. Mail is received and delivered at all intermediate offices, and delivered at New London at 10.10 a. m. instead of 12.46 p. m.; Providence at 12.45 instead of 3.45 p. m., and there is a train connection from Providence to Boston. The New Haven and Willimantic agent leaves New Haven in connection with this train at 8.05 a. m., and at Willimantic connects with the Boston and Waterbury agent. Mails are delivered and received at all places between New Haven and Boston. Mails are delivered at Middletown at 8.58 a. m. instead of 11.57 a. m.; Willimantic, 10.05 a. m. instead of 1.30 p. m., arriving in Boston 1.25 p. m. instead of 3.55 p. m.; arriving at Hartford at 9.44 a. m. instead of 11.45 a. m.; Springfield at 10.40 a. m. instead of 12.28 p. m. Mail for Lowell and Lawrence is delivered at 3.30 p. m.; formerly delivered at 6.30 p. m. This will also apply to Worcester, Salem, Lynn, Newburyport, Haverhill, and many other important offices in Massachusetts, to Nashua, Manchester, Concord, Portsmouth, Dover, Great Falls, and other offices in New Hampshire, and to points in Maine as far east as Portland.

This train is not in the Railway Guide as one of the company's passenger trains. It carries a very large mail.

New York to Buffalo, New York, \$46,021.52, (New York Central and Hudson River Railroad.) This is for fast mail that leaves New York 4.35 a. m., arrives at Chicago the following morning at 9.40 a. m.; also for another fast mail that leaves New York at 8.50 p. m., arrives at Cleveland, Ohio, the following day at 1.50 p. m., Toledo, 5.40 p. m., and Chicago the second day at 6 a. m. Train leaves New York 4.35 a. m. Three postal cars on this train—New York to Syracuse; two Syracuse to Buffalo, and one from Buffalo to Chicago. This train was established at the instance of the Post-Office Department, runs special to Albany, where the postal cars are transferred to the regular express train "made up" there for Buffalo, and from Buffalo to Chicago on the limited express, where it arrives at 9.40 a. m. At Fishkill it connects the Millerton and Dutchess Junction agent; delivers mail at Newburgh at 6.10 a. m., instead of 10.01 a. m.; Poughkeepsie at 6.30 a. m., instead of 10.36 a. m. At Rhinecliff it connects the Boston Corners and Rhinecliff agent, delivers mail at Rhinecliff, Rondout, and Kingston at 6.54 a. m., instead of 11.03 a. m.; Hudson, 7.32 a. m., instead of 12.01 p. m.; Albany, 8.20 a. m., instead of 1 p. m.; Troy, 8.50 a. m., instead of 1.15 p. m.; Schenectady, at 9 a. m., instead of 1.55 p. m.; Little Falls, 10.45 a. m., instead of 3.50 p. m.; Utica, 11.22 a. m., instead of 4.30 p. m.; Rome, 11.53 a. m., instead of 5.09 p. m.; Syracuse, at 1 p. m., instead of 6.25 p. m.; Rochester, 4.05 p. m., instead of 9.25 p. m.; Batavia, 5.20 p. m., instead of 11.05 p. m.; Buffalo, 6.30 p. m., instead of midnight. Formerly these postal cars left New York at 8 a. m. and arrived at Chicago the following day at 7.40 p. m. The arrival at 9.40 a. m. instead of 7.40 p. m. is equivalent to the saving of one business day to Chicago, and for all points west and northwest of Chicago, as all the principal connections are made at Chicago; and this is particularly the case for all points west of Omaha, as the Union Pacific only runs one train per day, and this train makes the connection. The southwestern mails from New York are sent via the Pennsylvania Railroad; yet there is a large accumulation of mail on this train for that section, and the connection is made at Toledo, Ohio, which saves as much time as for points west of Chicago.

Leaving New York at 8.50 p. m. There are three postal cars on this train that runs special with express cars (no passengers) to Cleveland, Ohio, (a distance of six hundred and twenty-three miles.) Formerly this mail left New York at 6 p. m., which necessitated a close in the New York office at 4.30 p. m., too early to get all the mail, as there is a large amount of mail posted between the closing for the 6 p. m. train and that of the 8.50 p. m. and all of the mail that accumulates between the hours above named and forwarded at 8.50 p. m. gains twelve hours. This train receives at Albany the mail that left Boston at 6 p. m., whereas if the postal cars left New York at 6 p. m. it would require a departure at Boston at 3 p. m. This train receives and delivers mail at all important offices between New York and Buffalo, where it arrives at 9.15 a. m.; Erie, Pennsylvania, 11.31 a. m.; Cleveland, Ohio, 1.55 p. m. At this point connections are made for the South and Southwest, viz: Cincinnati, arriving at 11.15 p. m.; Louisville, 8.20 a. m., and Saint Louis 8.20 a. m. This train delivers and receives mail at all offices between Buffalo and Cleveland, and all of the larger offices between Cleveland and Chicago. Arrives at Toledo at 5.30 p. m., Chicago the second morning at 6 a. m., in time for the first delivery and to make all outward connections. Mail that leaves New York at 8.50 p. m. arrives at Cleveland, also Toledo, in time for delivery the following day, also at all intermediate points.

Buffalo to Chicago, \$38,004.28, (Lake Shore and Michigan Southern Railroad.) This is for a continuance of the two fast mail trains last above mentioned to Chicago.

New York to Pittsburgh, \$41,935.91, (Pennsylvania Railroad.) This arrangement was for a fast mail leaving New York at 8 p. m., arriving at Pittsburgh the following morning, Cincinnati the following night, and Saint Louis, Missouri, the second morning; and for another fast mail that left New York at 8 a. m., which now leaves at 4.35 a. m. Train from New York, 4.35 a. m. This train hauls the Washington postal car to Philadelphia and has two postal cars for Pittsburgh and the West and Southwest. At Columbus, Ohio, one car goes to Cincinnati and the other to Saint Louis. Mail is delivered and received at all offices between New York and Pittsburgh. At Harrisburgh at 11 a. m. instead of 3.15 p. m., Altoona at 3.45 p. m.

instead of 7.40 p. m., Pittsburgh 8.50 p. m. instead of 12 midnight. Delivers and receives mail at all of the larger offices between Pittsburgh and Columbus; Columbus at 3.45 a. m. instead of 6.20 a. m.; arrives at Cincinnati at 8 a. m. instead of 3.05 p. m., and makes the southern connections for Louisville and the South via Louisville and Nashville Railroad; arrives at Louisville at 12.45 p. m. instead of 8.05 p. m. Formerly this connection was broken at Cincinnati, consequently there was a delay of twelve hours for all points southwest from Cincinnati. This train via Louisville and Nashville Railroad has a direct connection to New Orleans, also to Memphis, Tennessee. The 8 p. m. train: three postal cars on this train at the present time. On the first day of the last fiscal year there was a fast mail established on the Pennsylvania Railroad between New York, New York, and Columbus, Ohio, leaving New York at 8.30 p. m., after the close of business, receiving all the important business mail of the day, and by fast running overtaking at Columbus, Ohio, the regular fast express that left New York two hours and a half earlier. At Columbus the postal cars attached to this train are separated, one going to Cincinnati, Ohio, on the regular fast express, and the other two going to Saint Louis, Missouri, via Indianapolis, Indiana, on the regular express and passenger train, arriving at Saint Louis in time to make connections with all morning outward trains. The late departure at New York largely increases the amount of mail forwarded on this train, which is advanced twelve hours.

January 21, 1882, the schedule of the first-mentioned train was changed to arrive at Pittsburgh at 1.50 p. m., thereby losing the morning connection at Pittsburgh, which will reduce the amount paid this company at least \$8,833.34 for the present fiscal year.

Pittsburgh to Saint Louis, Missouri, \$18,801.51, (Pittsburgh, Cincinnati and Saint Louis Railroad.) This arrangement is to continue the last above-mentioned connection to Cincinnati, Ohio, and Saint Louis, Missouri.

Pittsburgh to Chicago, \$7,055.77, (Pittsburgh, Fort Wayne and Chicago Railroad.) This is to continue the connection to Chicago.

New York to Quantico, Virginia, \$41,900, (Pennsylvania Railroad.) This is for fast mail that leaves New York 4.35 a. m. (with connection that leaves Boston the previous evening at 6.15) for Philadelphia, Baltimore, Washington, Richmond, Wilmington, Charleston, and Savannah, with connection to Jacksonville, Florida, and delivers mail at Baltimore 9.50 a. m. instead of 3.36 p. m., Washington 11.20 a. m. instead of 4.40 p. m., Richmond 3 p. m. instead of 9.50 p. m., Petersburg at 4 p. m., instead of 19.55 p. m., Weldon 6 p. m. instead of 1.20 a. m., Wilmington 11.05 p. m. instead of 7.05 a. m., Florence 2.47 a. m. instead of 11.40 a. m., Columbia 6.10 a. m. instead of 4.25 p. m., Augusta 9.52 a. m. instead of 8.40 p. m., Charleston 6.50 a. m. instead of 4.25 p. m., Savannah 10.45 a. m. instead of 9.40 p. m., and connects with train that arrives at Jacksonville at 5.30 p. m. This line receives and delivers mail at intermediate points.

Quantico to Richmond, \$17,419.26, (Richmond, Fredericksburgh and Potomac Railroad.) This is for a continuance of the fast mail last above mentioned.

Richmond to Petersburg, Virginia, \$4,197.50, (Richmond and Petersburg Railroad.) Same as last above.

Petersburgh to Weldon, North Carolina, \$11,680, (Petersburgh Railroad.) Same as last above.

Weldon to Wilmington, North Carolina, \$29,565, (Wilmington and Weldon Railroad.) Same as last above.

Wilmington to Florence, South Carolina, \$20,075, (Wilmington, Columbia and Augusta Railroad.) Same as last above.

Florence to Ashley River Junction, South Carolina, four months, \$5,700, (North Eastern Railroad.) Same as last above for four months.

Charleston to Savannah, Georgia, \$4,000, (Savannah and Charleston Railroad.) Same as last above.

Florence to Columbia, South Carolina, \$300, (Wilmington, Columbia, and Augusta Railroad.) To make the Augusta connection.

Richmond to Atlanta, Georgia, \$62,778.29, (Richmond and Danville Railroad.) This was for fast mail to Atlanta, Georgia. November 20, 1881, it was transferred to start from Washington instead of Richmond, which did not materially increase the expense, and February 12, 1882, discontinued by the railroad company. This was for a fast mail to Atlanta, Georgia. It left Richmond on the arrival of the fast mail from the north and arrived at Atlanta at 11 a. m. By the regular train the mail would have arrived at 12 midnight. It connected the noon train out of Atlanta and arrived at New Orleans at 10.22 a. m. instead of 10.02 p. m. There is a postal car on this train and mails are delivered at all intermediate points. All mail for points west of Atlanta was advanced twelve hours, and New Orleans received the benefit of one business day.

Alexandria to Lynchburg, Virginia, \$19,067, (Virginia Midland Railroad.) This was for a night train on this road with through connections to the South. Prior to February 12, 1882, it left at 10.15 p. m. and made the same connection to Atlanta as the line via Richmond that left Washington at 5 p. m. Since that date it has left at 7 p. m.

Toccoi to Saint Augustine, Florida, \$312, (Saint John's Railway.) This is for twenty-six additional round trips in connection with the night boat on the Saint John's River.

I am, very respectfully, your obedient servant,

W. B. THOMPSON,
General Superintendent.

Hon. T. O. HOWE, Postmaster-General.

POST-OFFICE DEPARTMENT,
OFFICE OF GENERAL SUPERINTENDENT OF RAILWAY MAIL SERVICE,
Washington, D. C., January 20, 1882.

SIR: In compliance with your request, I have the honor to hand you herewith a report of the expenditures for special facilities for the fiscal year ending June 30, 1882, as follows:

New York to Springfield.....	\$17,647 06
New York to Buffalo.....	46,021 52
Buffalo to Chicago.....	38,004 28
Columbus to Cincinnati.....	1,886 51
Columbus to Indianapolis.....	4,661 46
Columbus to Pittsburgh.....	6,507 88
New York to Pittsburgh.....	41,935 91
Indianapolis to Saint Louis.....	5,744 66
Pittsburgh to Chicago.....	7,055 77
New York to Quantico.....	41,900 00
Quantico to Richmond.....	17,419 26
Richmond to Petersburg.....	4,197 50
Petersburgh to Weldon.....	11,680 00
Weldon to Wilmington.....	29,565 00
Wilmington to Florence.....	20,075 00
Florence to Ashley River Junction, (4 months—95 miles).....	5,700 00
Charleston to Savannah.....	4,000 00
Florence to Columbia.....	300 00
Richmond to Charlotte.....	52,293 50
Charlotte to Atlanta.....	49,156 37
Alexandria to Lynchburg.....	19,067 00
Total.....	424,819 68

W. B. THOMPSON,
General Superintendent.

Hon. L. B. CASWELL, House of Representatives.

Mr. PLUMB. There is a provision in the bill inserted by the House after debate, found in line 48 and following, which is to this effect:

And if any railroad company shall fail or refuse—

I am giving the provision now as it has been amended by the Senate Committee—

And if any railroad company shall fail or refuse to transport the mails for which this appropriation is made, when required by the Post-Office Department, upon the fastest train or trains run upon said road, said company shall have its pay reduced 50 per cent. of the amount now provided by law.

It has been suggested that this provision would obviate the necessity of the appropriation now under consideration for special facilities; but it will be observed that the provision as it came from the House only refers to trains which are provided by the railway companies for the transaction of their own business. It does not contemplate the use of special trains to be run upon a schedule to be furnished by the Department and adjusted solely with reference to the requirements of the mail service.

The appropriation as it now stands in the bill, as reported from the committee, adds about 6 per cent. to the cost of the railway mail service. It is a large item, and still it is not so large as that it does not contain the suggestion that it may speedily become larger. It is a fund to be expended in the discretion of the Postmaster-General. There did not seem to be any way to limit the expenditure of that fund except by the phraseology employed by the committee, and it remains practically, as I have said, a fund to be given by the Postmaster-General for such facilities to such railroads and under such terms and conditions as he may see fit to impose.

In point of fact, the fund as now expended is upon a mutual adjustment between the railroad company and the Department. The Postmaster-General has no power to require of any railroad company that it shall render any portion of the service contemplated by this amendment. He can only negotiate with them and get the best possible terms. That he claims to have done, and I have no doubt he has done it.

I think it will be found by taking the amount of money expended last year and by comparison with the mileage of fast-mail transportation secured that the amount paid per mile per annum is about one hundred and fifty dollars, which is about one-half the maximum permitted to be paid as a total sum to any railroad company for transporting the mails up to about ten or twelve years ago.

But the chief objection is that the fund is to be spent in the discretion of the Postmaster-General, and that like all such funds there is likely to be a demand for its increase, and that demand will be hard to resist, and there is great probability that abuses such as have occurred in other branches of this service may arise, unless some restriction is put upon its use. It was not, therefore, entirely without apprehension that the committee felt constrained to retain the provision, but also to enlarge it, for the considerations heretofore alluded to.

Mr. BECK. I desire the Senator from Kansas, the chairman of the sub-committee on this bill, to give the Senate the benefit of whatever his opinion may be as to the cost of fourth-class matter, and what changes should be made in that respect, because I expect to say something on that subject and I would rather he would tell the facts. The problem of cheapening the mail service of this country is because the merchandise carried, which is carried at a ridiculously low rate, considering the territory, makes the immense cost of the Post-Office; and if it could be brought to anything like a reasonable amount, or taken off the expedited cars, the service would be self-sustaining to-day.

Mr. DAVIS, of West Virginia. Before my friend from Kansas proceeds further, I wish to add to what my colleague on the committee from Kentucky has said, that I would especially like to hear the Senator from Kansas upon the space required for these mails. It is said entire cars are demanded where half a car would afford plenty of room.

Mr. BECK. If I may be allowed, I will add that the fourth-class matter pays one cent an ounce, or sixteen cents a pound, or sixty-four cents for four pounds, and includes women's bonnets, boots, harness, and all sorts of things requiring space. There are stores all over Arizona and the extreme West to which matter is carried by mail and over star routes at sixty-four cents for four pounds, when there is not an article in the store that could be carried in the mail at such a rate. We expedite these mails, furnish space, and pay for space for things that yield us sixty-four cents when the same amount of letters would pay us fifteen dollars. I do not believe the United States ought to carry merchandise for merchants at one-tenth part of what the United States pays to get the merchandise carried. We are bound to carry intelligence, no matter what it costs; but we are not bound to carry women's bonnets, and boots, and shoes, and harness for a much less amount than it costs. I should like to hear from the Senator from Kansas upon that subject, because I believe with a proper adjustment of that class of matter and with a proper charge we could make the Post-Office self-sustaining, and do nobody any harm, and give the merchants who are using our mails all the facilities they ought to have.

Mr. PLUMB. The lowest price paid to any railroad for transporting the mails is \$42.75 per mile per annum; the highest price is about twelve hundred dollars per mile per annum—the difference arising chiefly on account of difference in weight of mails carried.

Mr. DAVIS, of West Virginia. Does that include what we pay for what is called expediting the mails?

Mr. PLUMB. No, that does not include the special price at all. I am speaking of the regular rates provided by law.

Mr. DAVIS, of West Virginia. I will say to my colleague on the committee who has charge of the bill that that is the important point which we are now discussing.

Mr. PLUMB. As the Senator from West Virginia will notice, in discussing this question the whole question of railway mail transportation necessarily came up; that could not be avoided. For the purpose of arriving as near as may be at the cost of carrying the different classes of mail I have had prepared a table showing what the net cost of carrying a pound of matter is, or rather I might state it in an inverse way, the distance which three cents will pay for carrying a pound of matter. That is, the pay given to the railway company, not including the expenses of the Post-Office Department proper, nor including the salaries of the route agents, and not including any pay for expedition. The table is as follows:

Pounds carried.	Rate per mile.	Cents.	Miles.
Two hundred	\$42 75	3 cents will carry 1 pound.	51.23
Five hundred	64 13	3 cents will carry 1 pound.	72.09
One thousand	85 50	3 cents will carry 1 pound.	128.21
Fifteen hundred	106 88	3 cents will carry 1 pound.	153.75
Two thousand	128 25	3 cents will carry 1 pound.	170.83
Thirty-five hundred	149 63	3 cents will carry 1 pound.	256.25
Five thousand	171 00	3 cents will carry 1 pound.	320.25
Two thousand, (additional)	21 38	3 cents will carry 1 pound.	1,024.59

The lowest price per mile, except as to the additional two thousand pounds, is really the dearest service on account of the small amount of mail carried—the ratio of price constantly and rapidly diminishing as the amount of mail increases. Probably the average distance over which a pound of mail matter can be carried for three cents, exclusive of wages of employes and incidental expenses, at the present rates paid to railroad companies is about one hundred and fifty miles. The Department carries a very large and a largely increasing amount of what is known as third and fourth class matter at a price which is grossly out of proportion to the cost that is paid for its carriage. In point of fact a large proportion of the merchandise that is put upon the shelves of dealers in remote sections of the country is carried from New York and other cities as mail matter in four-pound packages at rates which are far below the cost of carriage, and also much lower than any other known method of transportation. It is safe to say that this class of matter is carried at a price not over one-third or one-half its cost.

The practice of using the mails for the purpose of the transportation of these classes of mail matter has been carried to such an extent that it is an essential feature of the business of large houses in New York and in all the other leading cities. This cheap, safe, and expeditious method of transporting merchandise constitutes their main reliance for country retail trade. There are places in New York where offices are rented and where the sole duty of the occupant is to take the merchandise that is sent to him from the wholesale dealer and put it up in four-pound packages and transmit it by mail to his employer, the merchant in the remote section, who is either off a line of railroad or who finds the Government rate the cheapest attainable. In addition, the mails bring thousands of orders from all sections of the country for single articles of four pounds' weight or under—chiefly dry goods and clothing perhaps, but embracing as well almost everything that can be purchased in a large city, and which can be got into a package weighing four pounds or under. Some years ago I happened into such an office as I have described, where were being put up harness, boots, shoes, &c., for a merchant doing business in New Mexico, who had sent to him in this way a very large portion of the stock of goods which filled his store.

The cheapness, speed, and safety of the Government transportation through the mails is so well recognized that the business of carrying fourth-class matter has largely increased within the last few years. It embraces now not only articles of great value but of great bulk as well—bonnets, fine millinery, &c. And it is no unusual sight to see in a mail car packages of fourth-class matter covering a space of eight or ten square feet. Articles weighing but one pound will sometimes contain six or seven square feet of space. Such members of the Senate as have ridden in a postal car have seen packages of this description corded up between the stanchions, from floor to roof, taking up as much space as all other classes of mail matter put together.

The loss to the Government by the transportation of this class of matter if saved would go far toward making up the deficiencies in the postal service so much complained of.

The Committee on Appropriations considered in connection with this the propriety of limiting transportation upon the fast mails to letters and newspapers, cutting off from its benefit third and fourth class matter, but upon the statement of the superintendent of railway mail service that it would result in no saving, the idea was abandoned.

This is a very interesting question, and if the committee had felt itself warranted in going into general legislation upon this bill, no

doubt many suggestions of amendment would have been made looking to greater economy in the matter of mail transportation; but the committee did not feel warranted in going into that question except as it might be necessary to give effect by way of extension or limitation to the provisions of the bill as it came from the House.

A suggestion has been made that for the purpose of meeting part of this expense there should be a reduction upon the price paid to railroad companies receiving over a certain amount per mile per annum. Take for instance the New York Central Railroad Company, which has had the benefit of a special mention in the report of the late Postmaster-General. That railroad company is receiving about twelve hundred dollars per mile per annum for carrying the mail, in addition to the price it receives for postal-car service and for such special facilities as are contemplated by this amendment, its total compensation being about fourteen hundred dollars per mile per annum.

A good deal of discussion has occurred in late years upon the question of the rates of railway transportation for freight; and it has been exhibited to the country in the report of an officer of the Government that during the last ten years this rate has been largely reduced by competition. I think the average rate now charged for freight upon the leading trunk lines is less than one cent per ton per mile, while the Government pays to the same roads from ten to twelve cents per ton per mile for carrying its mails. In order that that statement may not do injustice to the railway companies, it is fair to say that in addition to the mails they carry the employes of the service; and if we compute that carrying upon a basis of a run of two hundred miles a day for each one of the employes, you would have a carriage of about six hundred thousand miles per annum, which of course would amount to a considerable sum, which it is proper to consider in determining what pay the companies ought to have.

Mr. BECK. Will the Senator tell us, for I have forgotten, how much the Post-Office Department said the railroad companies saved us by delivering the mails at stations within eighty rods of the depot?

Mr. PLUMB. I was about to come to that.

Mr. BECK. That is a matter which cuts quite a figure in this question.

Mr. PLUMB. In addition to that, as suggested by the Senator from Kentucky, the railways deliver the mails to all post-offices upon their lines within eighty rods of their track; and the Post-Office Department estimate that that delivery is a saving to the Government of about two million dollars per annum. In addition to that there should be taken into account the fact that they furnish a space which is much larger in proportion than is necessary for the carriage of ordinary freight of the weight of the mails. Take, for instance, the room which they furnish upon the short lines; that is, not only the room which carries the mail proper, always light in comparison with ordinary freight, but also the desks, the pigeon-holes, and all the appliances for the rendition of the service and the space in which the agent must himself labor. Upon lines running postal cars there is carried usually not less than three of these cars; that is, east of the Missouri River. One will be the working car and two will be storage cars. As the mail is worked in the working car and delivered along the line other supplies are drawn from the storage cars, and frequently those storage cars will run—one of them, sometimes both—long distances entirely empty. As I said, they carry in that way an amount of dead weight which is out of proportion to the dead weight which is carried in the transportation of ordinary freight; but still it is tolerably well established that the leading railroad lines of the country are getting a compensation which is in excess of the compensation which they charge to private persons for the transactions of a similar character.

But into the question of carriage enters the new question of speed; the demand is that the mails shall be carried on the fastest trains, shall be delivered as soon as possible. The Post-Office Department regards that as one of the elements which should enter into the contracts made hereafter; they believe that Congress ought to enact such legislation as will enable them to determine the rate of pay based upon the weight of the mail, the space which it occupies, and the speed at which it is carried.

Mr. DAVIS, of West Virginia. Would it interrupt my friend to ask him a question?

Mr. PLUMB. Not at all.

Mr. DAVIS, of West Virginia. I did not catch exactly what he said in regard to the pay by the Government for carrying the mails by space, and that is an important point. For instance, what is the difference in the space taken by the Government and that by an express company, for which the same amount would be paid? I heard my friend speak of that, but I am not clear as to what he said.

Mr. PLUMB. I stated it as my belief, and is I think the belief of the Department as well, judging by the report of the late Postmaster-General, that the leading lines of the country over which large amounts of mail are carried are receiving more from the Government for carrying its mails than they are receiving from private parties for carrying the same amount of similar freight.

Mr. DAVIS, of West Virginia. Does that include what is known as the expedited pay, or is it exclusive of that?

Mr. PLUMB. It is exclusive of expedited pay, in my judgment.

That amount may not be largely in excess, but it will be apparent to any one who will examine the table showing the regular and rapid increase in the price paid, and who will also take the care to examine and ascertain what is a fact, that the amount of dead weight carried is constantly diminishing proportionately.

Mr. DAVIS, of West Virginia. My friend having looked at the figures, I wish to state that I have been informed that the same space which is occupied by the mail on different trains over any of the great railroads would bring more revenue to the company if employed in the carriage of express or other high-priced goods. I do not know what the fact is.

Mr. PLUMB. There is one feature of railway mail transportation that does not attach to any other kind of transportation. The Government pays so much per car per mile per annum, whether anything is carried in the car or not.

Mr. DAVIS, of West Virginia. I understand that of course. That is not the question I meant to ask.

Mr. PLUMB. That is one of the elements. If the railroad company gets \$50 per mile per annum for running a car any way, the question of the amount of matter carried in that car is affected in a corresponding way.

Mr. DAVIS, of West Virginia. I have not made myself understood. Would it incommode my friend if I should interrupt him further?

Mr. PLUMB. Not at all.

Mr. DAVIS, of West Virginia. I am with the Senator in all he has said; but I have understood as to the space required by the mails on the different trains that on some of them it is an entire car, on some of them half a car, on some of them a third of a car. I have also understood that if the same space which the Government requires were occupied by express goods it would pay the railroad company a greater amount per mile. I do not mean now per pound; I am not talking of that; because sometimes a car is well loaded up and sometimes not; but I am speaking of what is paid both by the express company and by the Government when they run over a road. The question is, which pays to the company the greatest amount for the space occupied, the express company or the Government for the mails.

Mr. PLUMB. That is one of the questions, and only one. The question is twofold; it is one of space and one of weight, because, as I said, the Government pays to the railway company for space apart from any question of weight. In the first instance the leading lines are paid so much per car per mile per annum according to the size of the car, the lowest price being \$25 and the highest being \$50 per mile per car per annum, owing to the size of the car. That relates merely to the question of space. In other words, a railway company hauling a forty-foot car empty gets \$25 per mile per annum for hauling it, and that is a question of space. When it hauls a sixty-foot car it gets \$50 per mile per annum, which is also a question of space.

That is one element. Then, of course, the next element is that of weight; and these are the only elements that enter into the carriage of the mail, except as we have introduced this new element of speed in the appropriation under consideration. As I say, it is my belief that upon the large lines where the mails most accumulate, where there is the largest amount to carry, where there is a diminished ratio of dead weight to carry, I believe the amounts paid the companies exceed that charged by them to private parties for carrying similar matter.

Mr. DAVIS, of West Virginia. My friend understands that on many of the roads the express companies pay exactly in the same way; they pay for the space allowed, and if they have a car load they can put on so many hundred pounds; if they have not got it, the car goes empty. It goes so in each case. When that is considered, which pays the greater amount? Has the Senator the figures from the Department, or has that question been looked into by him?

Mr. PLUMB. The question has been looked into of course and has been a subject of consideration. I think that is the view of the Department. Perhaps I ought not to state that, as it is now constituted, but my own investigation satisfies me so far as I have gone. As an offset to that, however, the Government gets from a multitude of small railroads throughout the country a service which is entirely disproportionate to the amount of pay; it gets greater service than it pays for. A railroad that gets \$42.75 per mile per annum does not get much more than the price it would get for carrying the employes of the Department; and those are the railroads that are underpaid, while the leading trunk lines from New York to Chicago on both the main channels of travel are getting more in proportion than they get from private parties.

Now, as entering into that question, as one of the essential elements of it, and which must be considered in the final determination of it, is this matter of speed, which was introduced into an appropriation bill first in 1878, and having been once introduced no doubt it will continue; in other words, the people will not give up any advantage they have ever had from the speedy delivery of the mail on account of any question of cost that may intervene. They will want to get it at the lowest price they can; they will demand, and the interests of the Government demand, that there shall be a recasting of the service in order that this new element of speed shall enter into all future contracts, so that when the Government comes to contract with a railroad company to carry the mail it shall consider

not only the weight of mail, not only the space to be occupied by the mail, but the speed with which the mail shall be carried. It is these three elements of weight, space, and speed that ought to be the basis of all future contracts for carrying the mails, but under the law as it now stands that cannot be. The law does not provide for the matter of speed except where it has been provided for in this very partial and heretofore unsatisfactory way, simply by a provision putting the amount appropriated in the hands of the Postmaster-General to be expended in his discretion.

It is only fair to say that the service that has been rendered has been of the very best kind. The railroad companies have given to the Government altogether good facilities and a good service, and the question has not been of sufficient importance heretofore to warrant, probably, any legislation on the subject, and would not now specially call for it except that the element of speed will come in, which the country having got the advantage of will not readily, or perhaps at all, relinquish. And meanwhile, also, the great reduction in the cost of the carriage of private freight shows that a reduction ought also to be made in the cost of carrying Government freight.

It was in view of the present partial distribution of these facilities that the committee deemed it proper to increase the amount provided by the House by an addition of \$150,000. We believe that will give to New York and to all the country between that and San Francisco largely increased mail facilities; that the time between New York and San Francisco will be shortened twenty-four hours, and that the time between intermediate points will be shortened proportionately. We believe that will give to New Orleans, to Cincinnati, to Saint Louis, and to the sections of country tributary to these cities the advantages comparatively which New York now enjoys of being brought into close connection with the section of country to which their mails chiefly go, and thereby equalize the expenditure in a proper manner. That is the belief of the Department also, although of course the element of cost is not wholly susceptible of demonstration, because it is to be the subject of negotiation and of subsequent contract with the railroad companies.

Mr. MAXEY. Mr. President, I have listened with very great interest to the clear, lucid statement in support of the amendments to the bill made by the Senator from Kansas, [Mr. PLUMB.] The immediate amendment under consideration is the one to which I wish to address myself mainly, and it proposes to appropriate "for necessary and special facilities on railroad lines, \$650,000; said facilities to be ratably distributed, as near as may be, on railroad lines leading to and from the principal cities in the different sections of the United States."

As stated by the Senator from Kansas, this system of "necessary and special mail facilities" began in 1878, and went along step by step increasing until the 1st of March, 1881, when there was inserted in the Post-Office appropriation bill the following provision:

For necessary and special facilities on trunk lines, \$425,000.

The present House bill repeats that language except that it inserts the word "mail" before facilities and increases the amount, making for necessary and special mail facilities on trunk lines an appropriation of \$500,000. From the beginning in 1878 down to the present time, so far as I know, and so far as the record shows, the principal amount of the various appropriations for this special purpose has been applied to routes leading out of or into New York, and not one dollar, so far as I am able to find from the record, has ever been expended in increasing the speed of the mails on the railroads west of the Mississippi River. It occurred to me that that was not fair, was not right; and therefore when I came to see that Arkansas under the apportionment has increased one member, Iowa two, Kansas four, Missouri one, Nebraska two, and the State in which I live and have the honor in part to represent five; when I came to consider the vast increase that is going on west of the Mississippi River more than in any other part of the Union, and yet that not one dollar has been given in aid of the mail facilities in that section of the country, I thought that was not right, and in that view I gave notice that I would propose an amendment to take \$100,000 of the gross appropriation to be applied for necessary and special facilities on trunk lines leading out of Saint Louis, Missouri. That amendment was referred to the Committee on Appropriations. I put in Saint Louis, I beg to say to the Senator in charge of the bill, not that I wanted to benefit that city especially or to deprive others of their facilities, but because that is the city with which the State of Texas has more to do than it has with any other city in the Union.

There are two great trunk lines leading out of Saint Louis into Texas, one leading west by way of Sedalia, Missouri, and thence south through the Indian Territory to Denison, Texas, and the other leading by the Iron Mountain Southern road down through the State of Arkansas to Texarkana; and from these two points, Denison and Texarkana, all our mails by rail pass throughout the various portions of the State of Texas. I was of the opinion that it was but just that that section of country west of the river should have some of the benefits as well as the country east of the river; and for that purpose I placed that amendment before the committee. I am gratified that the committee has taken charge of this matter and given it a fair and an honest investigation, and made a fair and an honest distribution; and in view of the amendment proposed by the Committee on Appropriations, as a matter of course I shall not, if I understand their

amendment, and I think I do, as the committee does, propose mine. There is no need now for offering the amendment which I gave notice that I would offer, because this amendment made by the committee covers the point. If I understand the amendment of the committee the use of the term "principal cities" applies to all these great commercial centers, and under that language, as the committee understands, the routes leading out from Saint Louis will receive their ratable proportion as well as the routes leading out of New York. That I understand is the meaning of this language, and I want to put on record the meaning of the committee. Is that correct?

Mr. PLUMB. The committee not only had that in view but they amplified that and emphasized it to the Department; and the language of the amendment was submitted to the Department after it was drawn. There was a concurrence of views on that point, and it is believed the amount will be sufficient. Although the Department would be glad to have a little more, we think, on the whole, they can get through with this amount; and I think the result will be to extend the benefits of this service to all the principal cities of the United States and to the sections of country tributary to them.

Mr. MAXEY. I had no doubt that was the intention of the committee, but I have found by experience that the best way in the world while a bill is on its passage, and while there may be two or three constructions of it, is to have it placed on record so that the debate may go out to have its proper weight in the construction of the law. With that construction this is just, this is fair, this is honest to all sections of the country. It does not give all these benefits to one single city and leave the rest of the country out in the cold. So I shall not offer my amendment, for the reason that the committee, as I conceive, has wisely made an amendment which is in every respect just not only to the country west of the Mississippi River but to Cincinnati, to Louisville, to New Orleans.

Let me say another thing. There has heretofore been no portion of this appropriation expended west of the Mississippi River. To-day we have direct mail connection between San Francisco and the country east passing through my State, and out by Denison up to Saint Louis that way, and by Texarkana and up that way, and by Shreveport down to New Orleans, a direct through route connecting the city of San Francisco and the city of New Orleans by rail through the State of Texas, and by lateral lines connecting the Houston and Galveston; and very soon, by the 1st of July, we shall have another route by way of El Paso and San Antonio and thence to New Orleans. I think it is but just and fair that the benefit of this mail service should be given on those lines as well as the lines to and from New York. So much for that.

I agree with the Senator from Kansas that when the people have got the benefit of mail facilities they will not give them up, and, in my judgment, so long as the Post-Office Department is fairly, wisely, justly, and economically administered they ought not to give up their mail facilities. I believe in their having them. It is right and proper. The people have never objected to that, but they have objected to the fraudulent misapplication of the money which Congress gave for their benefit. That is what they object to, but not to the benefits which they were to receive. Here we give this large amount, over \$600,000, for necessary and special facilities on railroad lines. We have given another large amount, reaching now, I think, by one of the Senate committee's amendments, to about \$11,000,000, for mail service on railroads generally. That is right. That covers the mail facilities that go over railroads in every portion of this country, from the Atlantic to the Pacific, and from the lakes to the Gulf, whether on broad-gauge railroads or narrow-gauge railroads or lateral roads, or trunk roads, that is a general appropriation for mail facilities over railways. That is perfectly right. The most difficult of all things, in my judgment, is to frame a post-office law that is not susceptible of being driven around. For instance, we have provided by section 4002 of the Revised Statutes a system of weighing the mails.

SEC. 4002. The Postmaster-General is authorized and directed to readjust the compensation hereafter to be paid for the transportation of mails on railroad routes upon the conditions and at the rates hereinafter mentioned:

First. That the mails shall be conveyed with due frequency and speed; and that sufficient and suitable room, fixtures, and furniture, in a car or apartment properly lighted and warmed, shall be provided for route agents to accompany and distribute the mails.

Second. That the pay per mile per annum shall not exceed the following rates, namely: on routes carrying their whole length an average weight of mails per day of 200 pounds, \$50; 500 pounds, \$75; 1,000 pounds, \$100; 1,500 pounds, \$125; 2,000 pounds, \$150; 3,500 pounds, \$175; 5,000 pounds, \$200; and \$25 additional for every additional 2,000 pounds, the average weight to be ascertained, in every case, by the actual weighing of the mails for such a number of successive working days, not less than thirty, at such times after June 30, 1873, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct.

Mark the language: "not less frequently than once in every four years." There is an option left in the hands of the Government. What is that? If the mails are on the down-grade, as they were during the great panic from 1873 to 1879, then it would be wise on the part of the Government to reweigh the mails, because the matter was decreasing, and the Postmaster-General had a right to reweigh the mails, and thereby reduce the amount paid to the railroad companies; but when the mails are on the up-grade it is unwise and against the interest of the United States to exercise that discretion. Why? Because, as the railroads are paid by weight and you know that the weight of mail matter carried is constantly increasing, every time

you weigh the mails you increase the amount you have to pay for carrying the mails.

The statement which was furnished by the First Assistant Postmaster-General and which was presented here the other day by the Senator from Kansas shows that he took forty principal offices in the United States and made an estimate of the amount of mail matter in the month of February, 1881, and compared that with the amount of mail matter in February, 1882, and the result in those forty towns shows the extraordinary fact that there was an increase of mail matter in that single year at those forty offices of 24½ per cent. Can you not see at once, when a fact of that kind is known, what will be the result when the mails are reweighed? Suppose there is a design to increase the amount which any company gets, for any purpose whatever, over that which under the contract it was authorized to get, how is it attained? The Postmaster-General is not required to weigh the mails except once every four years; but every time he does weigh the mails, when the mails are increasing in weight, it increases the amount of expenditure that goes out of the pockets of the people into the hands of the railroads.

If you take one of these great trunk lines and reweigh the mails you lift up much of that \$11,000,000 we are appropriating for the benefit of the mails throughout the whole country on broad-gauge, narrow-gauge, trunk lines, lateral lines, and all; you take from that gross appropriation just as much as the difference between the amount of weight at the time the contract was made and the mail was weighed and the time you reweigh it, and just that much is added to the pay which these railroads get. In a single year we find that there was an increase from February 7, 1881, to February 7, 1882, of 24½ per cent. in the mail matter at forty offices.

I only call attention to this. I have studied over this matter. I concede that it is most difficult to get at it in such a manner as will be fair and just all around; still it is a matter to which attention should be directed, not that I have the least fear in the world that the Postmaster-General will take any such advantage of this provision, but it is a place where advantage could be taken.

Now, in respect to the point the Senator from Kentucky mentioned in regard to merchandise carried as fourth-class mail matter. As one member of the Senate, the RECORD will show that I never have favored that idea. I have always believed that the mails were created for the purpose of carrying intelligence, according to the word used in the act creating the first post-office ever established in the United States. That was the purpose of it, and I believe it is the object yet, or ought to be the object yet, to carry intelligence; but here we do carry horned frogs, carvings; anything and everything is carried in the way of merchandise. I remember once we had a case here before the Post-Office Committee where it was proven that a man sent out a four-pound package of harness from Boston to some point in Arizona, and the price he had to pay cost him less than wagon transportation from San Francisco to that same point in Arizona. But when you come to meet that, you will find that a great many men representing districts on the frontier away from the express lines will say that any change in that is a change for the benefit of the express companies, and then comes up the grand hue and cry that you are working in the interest of express companies, and not in the interest of the country. I tell you, sir, that when you legislate on these things you will find it the most difficult and most delicate of all the legislation we have to do with here. I have no hesitation in saying openly and outspokenly, as I have put on the record heretofore, that I do not believe in that fourth-class merchandise branch of postal matter. I do not think it is right. While it is a convenience to some, it is a convenience to the few at the expense of the many, who have to make up the loss caused by carrying merchandise through the mail.

There are other points that the Senator from Kansas made which I do not care to speak upon. My principal object was to speak in reference to this particular item. I have done that; and having gotten the understanding which I have, that this is designed by the committee to cover the mails carried out from the principal cities of the Union, and that accomplishes the object I have in view, I will not offer the amendment of which I gave notice, because I think the committee's amendment covers all the points.

Mr. BECK. Mr. President, the matter in the House bill now sought to be amended by the Senate Committee on Appropriations is perhaps one of the most difficult connected with the Post-Office bill, for a great variety of reasons. This item has grown from \$150,000 a year up to \$500,000, as proposed by the House, and to \$650,000, as proposed by our committee, and there is very great danger, if we keep on extending it, that it will grow and grow until it will become that much addition to all the postal service obtained from the railroads of the country; and we may be prepared perhaps, if we give \$650,000 this year, to give \$800,000 next year, and a million the next, and more and more to expedite everything as an indirect way of increasing the compensation paid to railroads. There is a danger there, and it is a very serious one.

But it is a matter that has met with very great favor so far as it has been extended, and the effort of the Committee on Appropriations of the Senate is to extend it to the principal cities of the country. The cities west of the Mississippi have not entirely lost the benefit of the expedition, I will say to the Senator from Texas, and for this reason: the mail that goes out from New York at 4.45 in the

morning reaches Chicago twelve hours earlier than any ordinary train could reach there, so that mail matter intended for the West leaves Chicago because close connections are made there for all points in the West.

Mr. MAXEY. The Senator will pardon me. I did not intend to convey the idea that it would not expedite the mails to Saint Louis; but after reaching that point there is no expedition now.

Mr. BECK. Except that the mail that goes by the fast line from New York to Saint Louis and Chicago gets there twelve hours earlier than it otherwise would, and thereby facilitates the mail twelve hours earlier to Texas and elsewhere.

Mr. MAXEY. That is true.

Mr. BECK. So there is an indirect advantage obtained in that way; but mail matter coming from west to east does not now obtain that facility.

Mr. MAXEY. The mails now do not get any faster to any point west of Saint Louis.

Mr. BECK. It is only the expedition achieved up to that point and up to Chicago that is beneficial to the country west, but that far it is beneficial. Of course the great New York periodicals go out in the morning fast trains at 4.30, and they go all over the country and get to distant points very much earlier than formerly. One of the ideas we had was to take, for instance, Chicago; if the fast mail can get there in twenty-four hours from New York and reach Chicago by four o'clock next morning, as the present Postmaster-General says can be done, then the fast mail from there will take the Chicago papers to Minneapolis in the Northwest, to Omaha west, and make that a new starting point; and so of Saint Louis. Thus the Chicago and Saint Louis papers will leave in the morning and ramify all over the Northwest and West from there as new points of departure. When we came to consult Mr. Thompson we found that it was one of the most difficult problems perhaps that we had to deal with. For instance, the great railroad running from New York by way of Philadelphia to Washington, and on to Savannah, Georgia, goes at a rate of speed that catches up with the Baltimore train that leaves three hours before it, at some place in North or South Carolina. The people having once obtained these advantages give them up very reluctantly.

The committee, in order to carry out the views of the Senator from Texas and the Senator from Colorado, who had a like amendment with regard to the railroads running to Denver, first thought perhaps we would divide the appropriation so as to require \$300,000 to be spent on lines starting from cities west of the Allegheny Mountains, and then we thought that might create embarrassment. We found at last that we could do no better than instruct the Department to divide the money so as to reach each of the great business centers and give everybody as good a chance as could be had. Therefore I have no further amendment to offer to this.

But I want to call the attention of the Senate—though the Senator from Kansas has done it very well—to one fact. While no amendment can be offered by us on the point to which I am about to refer, the Senator from Michigan [Mr. FERRY] and the Senator from Texas, [Mr. MAXEY,] who are upon the Committee on Post-Offices and Post-Roads, must know that there is a great and increasing evil growing out of the fourth-class mail matter, the merchandise which is being carried at such low rates, so that the Government is spending money not to expedite intelligence but to carry merchandise for men who have no claims upon the Government whatever.

There are in New York, as the Senator from Kansas said a little while ago, houses that make a business, to the destruction of the business of all the little villages and towns, to send goods to Arizona in boxes two or three feet square containing ladies' bonnets. They will take a paper box three feet square, though the bonnet weigh but a few ounces, and send it by mail, occupying a space in the car for which for ordinary communication the Government would be entitled to from fifteen to thirty dollars. Not only are these packages carried by rail, but over star routes to any point in the United States for sixty-four cents for a box of four pounds. Why we should be engaged in carrying merchandise for men who are opening stores to sell goods for less freight than they can haul them from San Francisco or from Salt Lake City, or any place fifty or one hundred miles from the point of destination, and why we should pay five dollars for that work and do it for them for sixty-four cents is what I do not understand and do not believe in.

Mr. MAXEY. As I stated before, the RECORD will show that I have never been an advocate of that thing.

Mr. BECK. I know that.

Mr. MAXEY. And I wish to say right here the Senator will find, as he said about increasing mail facilities, that it is not an easy thing to take off any facility that has once existed, because those who have heretofore had that benefit do not want it taken away from them.

Mr. BECK. I know that.

Mr. MAXEY. The case of harness, &c., may be an exception, but that is not the rule by any means. The fourth-class mail-matter transportation is a great convenience to the people, but, as I believe, for the benefit of the few at the expense of the many.

Mr. BECK. It is not only not exceptional, but if the Senator from Texas looks at it he will find that it is growing every day, until it is becoming the business of large houses in New York to attend to that

sort of work almost altogether, making those boxes, weighing and putting them up, supplying that character of goods. I do not propose to strike it off altogether; that is not my idea; but why a box two or three feet square should go for sixty-four cents to Arizona or any other Territory, I cannot see. I name Arizona only because there was a case there where a bridge was washed away, and some merchants complained that they had not got their goods in time, and when the matter came to be looked into it was found that the trouble was only in regard to these boxes that it would have taken three or four coaches to carry. It is not fair for the Government to charge a man from New York to Yonkers or New York to Albany sixty-four cents to carry a box three feet square containing merchandise, and deliver the same box to the remotest part of Arizona for sixty-four cents. The Post-Office Committee had better consider this matter. Why not charge according to distance? Why not say one cent per ounce or sixteen cents a pound for the first five hundred or thousand miles, two cents an ounce or thirty-two cents a pound for two thousand miles, and so on, so as to give the Government of the United States something like the cost. The Post-Office Department may ascertain what the cost is.

Mr. COKE. I will ask the Senator from Kentucky if there is anything in this bill to regulate that?

Mr. BECK. There is not. I did not propose any further amendment, because the Committee on Appropriations have had enough abuse from men at both ends of this Capitol for originating legislation; but in inquiring into this service this fact was developed that three postal cars are run out of New York at 4.45 o'clock a. m. to Buffalo, when but for that expedited fourth-class matter one car would do, or two cars, at the outside, would be all that would be required; and the third car is carried on and expedited, and the great bulk of this \$500,000 that we are required to give in addition to the ordinary pay for railroad service is paid for expedition of harness and bonnets and machinery and things that we are carrying on the average at a cost of five times the amount the senders are paying the United States. Why should boots and shoes and bonnets and harness, and all the things that go into a dry-goods store in Arizona have an extra postal car with expedition? That is what part of the \$500,000 we are now giving goes for, and Louisville, Cincinnati, Chicago, Saint Louis, and all the great cities of the West cannot get their mail matter sent out with expedition, because it requires all the \$500,000 we give to carry the expedited cars from the pivotal point of New York, when perhaps one-third and very frequently one-half of the expedition is on boxes that could stay a week, instead of being hurried up four or five hours in advance.

That is the law now, and the Department is applied to to carry them, but you have either got to stop the expedition altogether or carry all the mail matter that is brought to the office. That is the reason I am calling the attention of the Senate to the importance of changing it and excluding the fourth-class matter from the expedited cars, so that one car or two cars will do all the work from New York to Chicago instead of three or four, and then use all the money thus saved to expedite the service from Chicago to Saint Paul and to Omaha, and from Saint Louis to Kansas City, and from Cincinnati through my own State to Atlanta and Jackson and New Orleans, and from Louisville by the Louisville and Nashville road to Nashville and the connecting points.

That is the object I have in making the suggestions I am doing. I believe we have gone as far as we can. I know we cannot stop it altogether, and I do not know that I want to stop the fourth-class matter altogether, because, as the Senator from Texas very well says, the moment we propose it everybody interested in fourth-class matter, in getting his merchandise through, and every newspaper he can hire will prove to the satisfaction of themselves and everybody that believes them that the Committee on Appropriations and the Senate are bought and paid for by the express companies, and that it is all done in the interest of the express companies, and that we are working in their interest to injure the poor people. That is the cry that comes up all the time from those who are getting their things through the mail, and we are making great companies rich by doing it. I agree with the Senator from Texas about that. I am willing they shall abuse me as much as they like on that subject. The Government of the United States ought not to carry merchandise for less than it costs the Government of the United States to carry it; and if it is going to carry it at all, it should require the cost of the carriage to be paid, and the Post-Office committees of the House and the Senate and the Post-Office Department ought to so arrange it that they shall require the men who demand the carriage of merchandise to pay what it costs the United States to carry it. If you do that with fourth-class matter, the Post-Office Department of the United States will be self-sustaining and will not require a dollar out of the Treasury, and you can expedite all the mails that carry first, second, and third class matter all through the country, and then give those people who demand the carriage of merchandise in the mails the right to have it carried on paying the cost. Pass a law giving the Department power and making it their duty to ascertain the exact cost and to carry it at the lowest possible rate, asking no profit; but do not pay out of the pockets of the people to carry harness or boots or shoes or bonnets to a store in Arizona to sell to their people for less than other dealers can sell the same things for who haul them by wagons or by express companies or by ordinary freight.

The Senator from Texas called attention to the fact that mails were weighed when there was no compulsion on the Department to weigh them. They have been, and they have been weighed in my judgment wrongfully, and not for the good of the service. Last October they were weighed on the New York Central, they were weighed on the Pennsylvania road, and other roads, when they were not required by law to be weighed and when the Post-Office Department ought to have known that the weighing would increase the cost to the United States, as it has increased it very largely. It was not a proper thing to do. In that I agree with the Senator; but we cannot help that. It was a matter of discretion with the Postmaster-General. I do not think he exercised it wisely when he knew the business was increasing every month: but that was done.

Mr. MAXEY. The point I want to make right there is this, and the Senator from Kentucky has struck it. Here we give a specific amount for special mail facilities. Now, there is a statute, and a very wise one, that no money shall be applied to any purpose other than that for which it is appropriated. Very well. Now, by this weighing the devil is whipped around the stump. You want to pay men an additional price for expediting the mail. You cannot do it out of the money appropriated for that, for that is all expended; but what do you do? Reweigh the mail and take out forty, fifty, or one hundred thousand dollars from the general fund for all the railways of the United States and give it under the pretense of reweighing the mail for expediting lines. I say if we can cure that we ought to do it.

Mr. BECK. I say so too, and I do hope the Committee on Post Offices and Post Roads will go to the extent of their power to try to prevent these evils from occurring. The Committee on Appropriations cannot do it, and we are going further now than we ought to in making the effort we are to get a general equitable distribution. We do legislate sometimes when we have no right to do it, but it is only to a limited extent, not reaching the evils at all that I want to reach, not reaching the evils which I know ought to be reached in preventing the Postmaster-General from weighing the mails at times when he ought not. The Postmaster-General is weighing now under an arrangement made before the present Postmaster-General came into office. He is going thereby to increase 24 per cent. the cost of carrying our mails on railways. It is all wrong; but I do not propose to go into that. All I rose for was to call attention to the fact that something ought to be done with the fourth-class matter, and it ought to be done speedily, and when done it will save this Government an immense amount of money, will do nobody any harm, and will in my judgment prevent us from having to make any appropriation at all out of the General Treasury to support the Post Office establishment.

Mr. DAVIS, of West Virginia. Will my colleague on the committee allow me to ask him whether he has thought of a remedy for this? I agree with what he has said about the evil; but has he thought of a remedy? and, if he has, I hope the Post-Office Committee will listen to him.

Mr. BECK. My remedy is not to cut it off, but to have the Post-Office Department thoroughly investigate this subject and make men who send fourth-class matter, merchandise, pay precisely what it costs the Government to carry it; and when that is done the revenues will be greatly increased or the expenses greatly diminished.

The PRESIDING OFFICER, (Mr. GARLAND in the chair.) The question is on the amendment of the Committee on Appropriations.

The amendment was agreed to.

The Acting Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, in line 123, to increase the appropriation "for compensation to railway post-office clerks" from \$1,650,000 to \$1,700,000.

The amendment was agreed to.

The next amendment was, in line 125, to increase the appropriation "for route agents" from \$1,375,000 to \$1,555,000.

Mr. PLUMB. I have in my hand a letter from the Postmaster-General transmitting a letter from the superintendent of the railway mail service explaining the necessity for this increase. I desire to say on behalf of the committee that there are two elements that enter into this increase. One is the necessary increase of the service by reason of the extension of railway lines, and the other and more important is that the salaries may be put up beyond the point at which they now are.

From time to time during the last three or four years, as the service has been extended and as it has outrun the appropriation, the Department has been in the habit of charging the expenses of that service to the route agents. Whenever the appropriation ran out the salaries of the employes were cut down in order to extend the service.

I have here a table which will show the rates now paid. The committee believe that those salaries ought to be increased, and they add to this appropriation \$130,000 in order that the Postmaster-General may put the pay of route agents in the service up to \$1,000 per annum. The pay now ranges from \$720 to \$960. The maximum pay permitted by law is \$1,080.

There is a distinction between route agents and mail-route messengers, mail-route messengers being a class of employes running less than ninety miles a day.

There is no more faithful class of employes than these route agents; no class who work harder, no class who bring to the discharge of their duties more intelligence, more judgment, more character, more

hard labor of every kind which inures to the benefit of the Government and tends to the efficiency of the service than they do. They are upon their feet during all the day. They are exposed to the accidents and contingencies of the service of a kind which do not attach to the ordinary employé. During the last year several of them were killed, and a much larger number were seriously injured while in the line of their duty. And to meet the very proper demand these employés make for increase of compensation \$130,000 was added.

I make these remarks, not that I doubt that the Senate will promptly vote the increase, but in order that the Department may be advised of the judgment and expectation of the committee and of the Senate in adding to the appropriation.

Mr. MAXEY. I call the attention of the Senator from Kansas to this additional reason: not only has the number of miles of railway been very largely increased within the last twelve months, but they are constantly being increased, and this bill is providing for the ensuing fiscal year. Therefore there is a necessity for having an appropriation commensurate with the probable business of the country.

Mr. PLUMB. I will send up to be inserted in the RECORD the letter I referred to.

The letter is as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF GENERAL SUPERINTENDENT OF RAILWAY MAIL SERVICE,
Washington, D. C., March 13, 1882.

SIR: I have the honor to submit the following statement:

The estimate for railway post-office clerks for the fiscal year ending June 30, 1883, is \$1,650,000, which is \$100,000 greater than the appropriation for the present fiscal year was before the passage of the deficiency bill which was rendered necessary by the unexpected increase of the mail-growing out of the rapid development of business all over the country. The deficiency appropriation for this branch of the service for the present fiscal year was \$40,000, which became available about the 1st of March and is to be expended in the remaining four months of the year. The increased force thus provided for will cost for the next year about one hundred thousand dollars, so that the estimate previously made will not admit of any increase of the force over the number appointed under this year's deficiency appropriation. The natural growth of the country and the extension of railroads now in process of construction will necessarily demand an increased number of railway postal clerks to handle the mails properly, and I would therefore respectfully request that you increase the estimate for railway postal clerks for 1883 from \$1,650,000 to \$1,700,000.

The same considerations apply to the appropriation for route agents, which for the present fiscal year was increased by the recent immediate deficiency act by \$45,000; namely, \$35,000 transferred from the mail-route messenger fund, and \$10,000 appropriated outright. This, in view of the fact that a portion of the present fiscal year had expired, would increase the appropriation at a ratio greater than the estimate for the next fiscal year, and the mail-route messenger is correspondingly decreased. Considering the two appropriations together their net increase for the next fiscal year as estimated was \$115,000, which, in my opinion, will not be sufficient to continue the service as now established and provide for the necessary increase in the next fiscal year. I would therefore recommend that the appropriation for the next fiscal year for route agents be increased from \$1,375,000 to \$1,425,000. The authority to employ route agents is found in section 4024 of the Revised Statutes, which fixes their salaries at not less than nine hundred and not more than twelve hundred dollars per annum. These limits were first fixed by the act of January 22, 1867, (14 Statutes, page 378.) Prior to that time the usual salary of route agents was \$900 per annum, but at that time the pay of all those who made a daily average run of one hundred miles or more was increased to \$1,080 per annum, and continued at that rate until 1876, when the amount appropriated was insufficient to maintain their salaries at this rate without a reduction of the force, which could not be made. Since that time the salaries of route agents have been gradually reduced (as the appropriations made it necessary) from \$1,080 per annum to the following sums:

Route agents in the service March 7, 1882:	
134 at \$1,000 per annum, cost to increase to \$1,080.....	\$10,720
3 at \$980 per annum, cost to increase to \$1,080.....	300
8 at \$960 per annum, cost to increase to \$1,080.....	960
52 at \$940 per annum, cost to increase to \$1,080.....	7,280
27 at \$920 per annum, cost to increase to \$1,080.....	4,320
1,245 at \$900 per annum, cost to increase to \$1,080.....	224,100
Total.....	247,680

It will thus be seen that it will cost \$247,680 to increase the salaries of all route agents to \$1,080 per annum.

I find that to increase the salaries of employés on route agents' lines, who now receive less than that amount, to \$1,000 per annum, will cost for the next fiscal year \$130,160 in addition to the amount already estimated for. In case it is the desire of Congress to equalize the salaries upon route agents' lines, I would respectfully recommend that this amount be added to the appropriation for 1883, making a total for route agents of \$1,555,160.

I have the honor to be, sir, very respectfully, your obedient servant,
W. B. THOMPSON,
General Superintendent.

Hon. T. O. HOWE, Postmaster-General.

Railway Post-Office Clerks.

Number.	Salary.	Cost.
Thirty-eight.....	\$1,400	\$53,200
Four hundred and fifty-eight.....	1,300	595,400
Six.....	1,200	7,200
Four hundred and eighty-nine.....	1,150	562,350
One hundred and sixty-one.....	1,000	161,000
Two hundred and fifty-three.....	900	227,700
One.....	750	750
One.....	720	720
Six.....	600	3,600
One.....	500	500
Two.....	700	1,400
One.....	300	300
One.....	420	420
Total, (1,418 railway post-office clerks).....		1,614,540

Estimated appropriation for 1883, \$1,650,000. Appropriation for 1882, \$1,590,000.

Route Agents.

Number.	Salary.	Cost.
One hundred and thirty-four.....	\$1,000	\$134,000
Three.....	980	2,940
Eight.....	960	7,680
Fifty-two.....	940	48,880
Twenty-seven.....	920	24,840
One thousand two hundred and forty-five.....	900	1,120,500
Total, (1,469 route agents).....		1,338,840

Estimated appropriation for 1883, \$1,375,000. Appropriation for 1882, \$1,320,000.

Mail-Route Messengers.

Number.	Salary.	Cost.
Nine.....	\$880	\$7,920
Four.....	860	3,440
Thirteen.....	850	11,050
Ten.....	840	8,400
One.....	820	820
Two.....	810	1,620
Seventy-one.....	800	56,800
One.....	780	780
Four.....	760	3,040
Thirteen.....	750	9,750
One.....	740	740
Two.....	720	1,440
Forty-two.....	700	29,400
One.....	675	675
Four.....	660	2,640
Ten.....	650	6,500
Forty-nine.....	600	29,400
One.....	580	580
Two.....	550	1,100
Ten.....	500	5,000
Five.....	450	2,250
Four.....	360	1,440
Two.....	300	600
Two.....	240	480
Two.....	120	240
Seventeen.....	12	204
Eight.....	1	8
Total, (290 mail-route messengers).....		188,317

Appropriation for 1882, \$200,000. Estimated appropriation for 1883, \$280,000.

Local Agents.

Number.	Salary.	Cost.
One.....	\$1,800	\$1,800
Thirteen.....	1,400	18,200
Three.....	1,300	3,900
Fifteen.....	1,200	18,000
Two.....	1,150	2,300
One.....	1,100	1,100
Thirty-one.....	1,000	31,000
One.....	960	960
Thirty-four.....	900	30,600
Twenty-four.....	800	19,200
Two.....	720	1,440
Four.....	700	2,800
One.....	680	680
Twenty-one.....	600	12,600
Six.....	500	3,000
One.....	450	450
Two.....	400	800
Two.....	360	720
Two.....	300	600
Two.....	240	480
One.....	200	200
Two.....	150	300
One.....	100	100
Total, (172 local agents).....		151,230

Appropriation for 1882, \$150,000. Estimated appropriation for 1883, \$175,000.

The amendment was agreed to. The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 131, to increase the appropriation "for mail messengers" from \$800,000 to \$850,000.

The amendment was agreed to. The next amendment was, in the appropriations for the "office of Third Assistant Postmaster-General," after the word "dollars," in line 142, to strike out the following clause:

And hereafter no official stamps shall be manufactured or supplied to any of the Departments, or to any officer of the United States, but all correspondence on official business shall be transmitted in penalty envelopes.

Mr. MAXEY. I trust—
Mr. PLUMB. Will the Senator permit me first to explain the purpose of that amendment?

Mr. MAXEY. I should like to understand it. I think it ought not to be adopted.

Mr. PLUMB. There were two objections to this clause of the House bill. The first was that it would be impracticable in at least

one Department of the Government, that is the War Department. A large proportion of postage paid by the War Department is for the transmission by mail of the proceedings of courts-martial. These proceedings are very voluminous and they will occupy the space of an ordinary valise almost always. The postage on them varies from a dollar to two or three dollars. It would be practically impossible to insert a package of that kind in a penalty envelope or to provide envelopes of a size which would transmit that class of matter. This clause prohibits the issue of official stamps of all kinds. Therefore, packages of that kind would have to be transmitted at the expense of the judge-advocate or of some other officer of the Government having charge of the records.

But the most serious objection to this clause was that it seems to extend the use of the penalty envelopes to all officers of the United States. The language is:

And hereafter no official stamps shall be manufactured or supplied to any of the Departments, or to any officer of the United States, but all correspondence on official business shall be transmitted in penalty envelopes.

It may be a very innocuous provision, but it may be a very sweeping one, and we thought it would not be very wise to extend the franking privilege by implication at least, that if it was to be done it ought to be done upon an amendment for that purpose and with a fair intent.

Mr. FERRY. I desire to ask the Senator from Kansas who has charge of this bill if the system works well in one Department why it should not be extended to the other Departments? It is not only a question of convenience but it is a question of economy. It costs much less to put the penalty clause on the envelopes than to make the stamps.

Mr. PLUMB. It is an advantage possibly to have it extended to some of the Departments; but there are some very curious results about this use of penalty envelopes to which I desire to call the attention of the Senate. The first limitation upon the use of postage-stamps was found in the appropriation bill of 1878, I think, which provided that thereafter the secretaries of the several Departments should have the right to use penalty envelopes. The apparent purpose of that was to cut down the appropriation for official stamps, and it was cut down. I have in my hand a table showing the appropriations made for postage for the different Departments of the Government from 1877 down to the present year. In 1877 the State Department had appropriated \$20,000. There was a gross sum which Congress understood and intended was to be applied to the payment of postage by the State Department, but in 1878 there was no money appropriated to pay postage for the State Department; and penalty envelopes, the use of which had been provided for, and the use of which is wholly without any control by Congress, came in and supplanted the appropriation for postage. In 1879 it was the same, and in 1880; but in 1881 they got \$5,000, in 1882 \$2,500, and for the present year they have estimated for the same amount.

The Treasury Department, in 1877, had appropriated \$100,000 for postage; in 1878, \$200,000; in 1879, the same; in 1880, the same; in 1881, by the use of penalty envelopes, the amount was reduced down to \$20,000; in 1882 it was the same, and in 1883 the amount estimated for is \$1,500.

The War Department used, in 1877, \$80,612; in 1878, \$80,000; in 1879, \$80,000; in 1880, \$165,000; in 1881, \$140,000; in 1882, \$140,000; and for 1883 the estimate is \$140,000. In the War Department postage is accounted for as property. Postage-stamps are issued to quartermasters of the military divisions, departments, and so on, and are in turn issued to officers of the Government who are entitled to have their postage paid by the Government, and they are taken up upon their returns as so much property, and the expenditure accounted for as property used in the public service, so that the Department is able to see not only what the postage costs in gross but what each officer uses, and what he uses it for, which simply takes the place of the old practice of an officer who made an expenditure for postage carrying it as cash expended for the Government into his voucher, and getting his pay back from the quartermaster who pays the voucher.

In addition to that, as I said before, it is a question of convenience. It cannot be possible that penalty envelopes of the different sizes necessary to carry on the correspondence of the War Department could be economically provided. Take, for instance, the providing an envelope of the size necessary to take in a sack that would carry a bushel of wheat, and sending it to the different judge-advocates of courts-martial.

In addition to that, I doubt somewhat the wisdom of this disuse of official postage-stamps. It is a wise thing to keep all questions of expenditures within the knowledge of Congress. In 1879 the total appropriation for postage was \$1,041,000, and I have no doubt to-day that if all the Departments of the Government were to pay in cash the price of postage which individuals pay the Post-Office Department would be self-sustaining. That year the Post-Office Department got \$700,000; to-day I have no doubt its postage is at the rate of more than \$1,000,000 a year. We are charging to the Post-Office Department the matter carried for the various Departments without knowing anything about what it costs to carry it, and complaining that the Post-Office Department is not self-sustaining.

Our attention has also been called to complaints made as to the cost of providing official stamps. For the purpose of showing that

there is nothing in that, I will say that the entire cost of the printing of the official stamps printed and used last year was \$184.

The War Department purchases stationery in Chicago for the use of the military division of the Mississippi. If it were to furnish penalty envelopes, it would have to authorize the general in command of that military division to order the printing of penalty envelopes, and therefore put it beyond the control of the Department entirely, or else they would have to be printed at Washington and transmitted to Chicago, and so all envelopes would practically have to be supplied from the headquarters of the Army in the city of Washington. In various ways, in these ways as well as others, this would result in very great inconvenience to the Department, and would be of very doubtful utility to the Government, and, as we think, would extend improperly the use of penalty envelopes.

Mr. MAXEY. I think the Senate ought to look very carefully before they adopt this amendment. I happen to know that the measure now sought to be repealed by the Appropriations Committee underwent a careful and searching investigation in the Post-Office Committee, and after the most mature deliberation by that committee they reported to the Senate a bill, two sections of which are in the act of March 3, 1877, the fifth and sixth sections of that act:

SEC. 5. That it shall be lawful to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to the business of the Government of the United States: *Provided*, That every such letter or package to entitle it to pass free shall bear over the words "official business" an indorsement showing also the name of the Department, and, if from a bureau or office, the names of the Department and bureau or office, as the case may be, whence transmitted. And if any person shall make use of any such official envelope to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be deemed guilty of a misdemeanor and subject to a fine of \$300, to be prosecuted in any court of competent jurisdiction.

SEC. 6. That for the purpose of carrying this act into effect, it shall be the duty of each of the Executive Departments of the United States to provide for itself and its subordinate offices the necessary envelopes; and in addition to the indorsement designating the Department in which they are to be used, the penalty for the unlawful use of these envelopes shall be stated thereon.

That went along for two years and worked well. The committee saw that where the postage was paid by a mere ordinary stamp the stamps when given out might be used for the purpose of being put on private letters, when the intention of the Government was that they should only go upon official documents. In lieu thereof the penalty envelope was adopted and directed to be used. In the first place the superscription upon the envelope itself destroyed that envelope for any practical use, and, besides, if any man used that in sending private communications he thereby placed himself under the control of the man to whom he sent the letter and subjected himself to the liability of prosecution, conviction, and fine for the violation of the law.

That went along, I say, until 1879, and the Senate on the 3d of March, 1879, extended the provisions because it was found to work well, and the twenty-ninth section of that act says:

The provisions of the fifth and sixth sections of the act entitled "An act establishing post-routes, and for other purposes," approved March 3, 1877, for the transmission of official mail matter, be, and they are hereby, extended to all officers of the United States Government, and made applicable to all official mail matter transmitted between any of the officers of the United States or between any such officer and either of the Executive Departments or officers of the Government, the envelopes of such matter in all cases to bear appropriate indorsements containing the proper designation of the office from which the same is transmitted, with a statement of the penalty for their misuse. And the provisions of said fifth and sixth sections are hereby likewise extended and made applicable to all official mail matter sent from the Smithsonian Institution: *Provided*, That this act shall not extend or apply to pension agents or other officers who receive a fixed allowance as compensation for their services, including expenses for postage.

Originally, as I stated, the act of March 3, 1877, was passed. The purpose which the Post-Office Committee had was to stop a leak, and a bad leak, and after the most mature consideration of the matter in the committee week after week they fell upon this as the best thing they could do in the interest of the Government. It has worked well for five years. Some few cases are mentioned by the Senator from Kansas (I must confess I never heard of them before) where a Department would have an amount of matter to fill a wheat sack, I believe he called it. That is something new to me. I venture to say that out of a thousand packages sent from the various Departments and bureaus of this Government nine hundred and ninety-nine will go in such envelopes as may be found of convenient size, and the exceptional cases would not change the general principle.

This is the view which the Post-Office Committee had in recommending this legislation to Congress which was adopted five years ago and which has worked well. I do not think it wise policy upon the sudden to spring a repeal in this way of laws which, so far as I know, have given satisfaction, and certainly are good, sound laws in the interest of wise economy.

Mr. FERRY. I want to add to what has been said by my colleague on the Post-Office Committee, and to remind the Senator from Kansas of a fact which has escaped his attention. The Government is now at the expense of providing envelopes; it costs but a trifle more to add the penalty clause upon the envelope, and it has been found by the Department to be an economical mode of transmitting all the official matter of the Department. It works well for the Post-Office Department, and is commended by the Postmaster-General for other Departments. Some of the Departments do not use them, but insist upon using stamps instead, and it proves more costly, and the Government suffers considerably from the practice, while in the case of

the penalty envelopes I believe there have been few if any instances of loss; I know of no instance brought to my attention of the fraudulent use of the penalty envelope. This being the case, and it being approved by one Department as working well for the last five years, it ought to be used by the other Departments of the Government.

Mr. ALLISON. I do not want to occupy time in discussion, but the Senator from Texas seems to have the idea that we propose to repeal the law which now provides for penalty envelopes.

Mr. MAXEY. That is the effect of it by striking out the House clause.

Mr. ALLISON. Nothing is further from the intention of the committee. We only propose to strike out here the provision which prohibits the use of official stamps by the Departments. Penalty envelopes are used now in all the Departments everywhere, and they are a great convenience and will continue. Nobody proposes to disturb their use.

Mr. MAXEY. I call the attention of the Senator from Iowa to the clause to see whether he is correct in that statement. It reads:

And hereafter no official stamps shall be manufactured or supplied—

He is right that far—

to any of the Departments, or to any officer of the United States, but all correspondence on official business shall be transmitted in penalty envelopes.

Why strike that out?

Mr. ALLISON. Undoubtedly, but the law stands—

Mr. MAXEY. The law will then be that they shall not be transmitted so.

Mr. ALLISON. My friend from Texas is too good a lawyer not to know that the statutes he read still remain in force. The object of this House provision is that no official stamps shall be used. Now, what do these stamps cost? Our committee made inquiry of the Post-Office Department. They cost \$184 per annum.

Mr. EDMUNDS. How many stamps do you get for that?

Mr. ALLISON. I cannot state the number of stamps; we get a great number. They are printed for each Department. The Senator from Kansas stated very distinctly why the War Department must have these stamps. They must either have stamps of their own, or we must make an appropriation for stamps each year for the Departments. The Interior Department sent a letter to the committee, which it is not necessary to take the time of the Senate to read, disclosing the fact that if this provision is to stand it will need \$10,000 from the Treasury for the purpose of paying for stamps; and let me call attention to some of the reasons why this is necessary.

Mr. BECK. Did the Senator from Iowa state that all we propose to strike out is new matter, so that we only propose to leave the law as it stands exactly?

Mr. ALLISON. I tried to so state, and tried to make my friend from Texas so understand. Now the Interior Department, for instance, is receiving correspondence from every part of the country. A man writes a letter to the Secretary of the Interior upon official business, about his pension, his patent, or whatever, and he puts a three-cent stamp on it when in fact there ought to be a nine-cent or a twelve-cent stamp on it. But it goes to the Interior Department through the post-office, and the local postmaster here charges the Interior Department with the deficiency in postage.

Mr. EDMUNDS. But why does not the Secretary of the Interior pay it out of his own pocket just as we do when similar letters are sent to us?

Mr. ALLISON. That is a most pertinent question, and I am glad to know that my friend is sitting in his place and has an amendment ready to cure that evil, and I shall vote for it when it comes up. Now, the Secretary of the Interior, not being obliged to do as we are obliged to do, put our hands in our pockets and pay the extra postage, is allowed to take these official stamps and attach them to these letters or hand them over to the local postmaster in this city, and thus secure a credit for this underpaid matter of the letters. That is one class of cases.

The Attorney-General has decided that a very large number of public officers under the law are not permitted to use penalty envelopes at all; so that unless the present legal provision about official postage-stamps is continued a large number of public officers cannot use the penalty envelopes. So there is a distinction there between one class of officers and another class of officers, and this provision does not remedy that.

If this provision is to remain—and of course the committee have no special objection to its remaining in the bill except that which applies to every Senator—it will be necessary to appropriate for every Department of the Government a specific sum for post-office stamps. The Secretary of the Interior will not pay five or six thousand dollars per annum out of his own pocket for the purpose of paying postage on matter sent to him, neither will the head of the War Department, nor any other of the great Departments of this Government. Therefore, if we do not allow the use of official stamps we must make appropriations of public money to pay for these letters, or else we must do as Senators are obliged to do, require the heads of Departments to pay the extra amount of postage out of their own pockets.

I know the penalty envelope is a matter very dear to some gentlemen on the Post-Office Committee, and I was in favor of it, and should

be glad to favor its universal use now if it was a practicable method; but it is not, and therefore the Committee on Appropriations thought it best to strike out this clause and leave the law where it is now. I hear no complaint of it. Does anybody tell me that any officer of this Government fraudulently uses official stamps? Have you ever heard of an instance of it? I never have. No complaint has been made.

The whole cost of these official envelopes is \$184 per annum, and they are a great convenience to every Department of the Government; therefore we ought to let the present legal provision stand until we can make a better one.

Mr. FERRY. The Senator from Iowa is right in saying that this clause does not seek to repeal the present laws; but let me remind him that under existing law stamps are used and the penalty envelopes also; it is not regarded as mandatory which. The object of this clause of the House bill is to compel the Departments to use penalty envelopes instead of stamps.

Mr. ALLISON. Certainly.

Mr. FERRY. I call the Senator's attention to the fact that the Senator from Kansas, in charge of this bill, a few minutes since said that it only cost \$184, and now the Senator from Iowa says that the Interior Department has to pay some \$5,000 for these stamps. Whatever the amount, it is simply appropriating out of the Treasury of the United States for the use of another Department of the Government.

Mr. ALLISON. I have been exceedingly dull, I know I must have been if the Senator so misunderstood me. I said the Interior Department would be obliged to pay some \$5,000 out of their fund for the purpose of paying this postage. It now uses \$5,000 of these official stamps for the purpose of paying postage undercharged and debited to it in the local offices per annum. If it cannot pay it by these official stamps, how can it pay it? Can it pay it with penalty envelopes, I ask the Senator from Michigan, the chairman of the Committee on Post-Offices and Post-Roads? Suppose there is a charge in the local post-office here against the Interior Department of \$1,000 for postage not paid by the senders of letters.

Mr. FERRY. Then the result will be as in private correspondence; the letters will be sent, and the receiver of the letters pays. Were penalty-envelopes used, as they should be, this contingency would not occur.

Mr. ALLISON. Not at all.

Mr. FERRY. Why not? This is official business coming to one Department of the Government.

Mr. PLUMB. The committee understood very well that this clause of the House bill was aimed at an abuse, an abuse in the use of official postage-stamps; but we believed that the abuse to result would be the other way. Somebody has got to pay this postage. As the Senator from Iowa has well said, the Interior Department has got to pay the postage for matter it receives on which postage is not fully paid. In addition to that there is a class of cases which the Secretary of the Interior refers to which is covered by his letter that I will send up and have inserted in the RECORD, in which he makes inquiry of unofficial people in regard to the business of his office.

He desires to make an inquiry at a remote point as to timber depositions. He has a large correspondence of that kind. He feels himself constrained to send to persons from whom he desires information a stamped envelope or an envelope which will enable that person to send a reply without cost to himself. He does not feel that his correspondent ought to be imposed upon. He therefore must send to him a stamp. What kind of a stamp does he send? Of course the inevitable conclusion of the argument of the Senator from Michigan is that he shall send him an unofficial stamp, which he must buy at the post-office. Stamps of that kind can be picked up and disposed of and misused with twice the facility that an official stamp can, because an official stamp has upon it the official designation of the Department for which it is printed, and a penalty for its use attached besides, so that an employé of the Post-Office Department cannot take a stamp issued to the Post-Office Department and sell it to a grocery-store as he could an ordinary stamp that the Secretary might be obliged to purchase and keep in his drawer for the uses I have mentioned.

In addition to that the Secretary of the Interior says he is obliged to register large numbers of packages, and place upon them stamps, or in some other way pay the postage. He says, if we do not give him the official stamps for this purpose we have got to give him the money and authorize him to pay the registration fee. These are packages which he can not get into the penalty envelope, large packages, and the penalty envelope does not cover the registration fee. There are cases arising in all, or a number of the Departments, which this clause, put in by the House as new legislation, absolutely and entirely defeats. The general purpose the Post-Office Committee have in view in throwing all sorts of safeguards around the use of official stamps and penalty envelopes the Committee on Appropriations realize fully and will be just as glad to accomplish as they. The only trouble is to make up our amendments to meet this clause.

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

The amendment was agreed to.

Mr. PLUMB. I now send up the letter of the Secretary of the Interior to which I have referred, to be inserted in the RECORD.

The letter is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, March 2, 1882.

SIR: Observing that in the Post-Office appropriation bill, which passed the House on the 25th ultimo, provision is made that "hereafter no official stamps shall be supplied to any of the Departments, or any officer of the United States, but all correspondence on official business shall be transmitted in penalty envelopes," I beg to call your attention to the fact that this Department has occasion to send a large number of valuable packages by registered mail through the Post-Office, the postage upon which is paid by official stamps, the law requiring the payment of ten cents postage upon every such package. What is true of this Department is, I suppose, true of each of the other executive Departments of the Government.

Should the supply to the Department of official stamps be discontinued, it will be necessary, in order to the transmission of registered official packages, that provision be made for their transmission free of charge, or that an appropriation be made for ordinary United States postage-stamps sufficient to cover the expense incident to the registration of such packages.

I have also to call your attention to the further fact that in very many cases letters are addressed by the Department and its several bureaus and offices to private parties, which letters require or solicit a reply. By the decision of the Postmaster-General, and also of the Attorney-General, such replies cannot under existing provisions of law be returned to the Department or bureau in penalty envelopes, though an envelope bearing the official stamp of the Department may be inclosed in which said reply may be returned. It has, therefore, been the custom of the Department and its several bureaus to inclose such stamped envelopes to be used by private parties returning replies to official correspondence, as it has not been deemed just to require said parties to pay postage on matter of an official character thus solicited.

It has also been decided by the Attorney-General that officers of the Government not "departmental in their character," for example, Indian agents, registers and receivers of land offices, &c., are not entitled to use penalty envelopes for the transmission of mail matter to private persons, even though it be strictly official in its character, so that said officers have been therefore obliged to use official postage stamps or pay postage upon official correspondence from their own personal funds. (See opinion of the Attorney-General herewith inclosed.)

Furthermore, the Department has been accustomed to pay with official stamps the bills for over-due postage presented from time to time by the postmaster of the city, amounting in the aggregate to nearly \$1,000 per annum. No appropriation available for this purpose has been made for the Department.

I call attention to these points in order that some provision meeting the requirements of these several cases may be made in the bill before it is reported by your committee to the Senate.

Should it be deemed best to discontinue entirely the supply of official postage stamps, it is estimated that the sum of \$10,000 will be required for the ensuing fiscal year to meet the expense for postage for the Department consequent upon such discontinuance.

Very respectfully,

S. J. KIRKWOOD,
Secretary.

Hon. WILLIAM B. ALLISON,
Chairman of Committee on Appropriations,
United States Senate.

Mr. EDMUNDS. I move to amend the same paragraph out of which words have just been stricken by inserting in line 142 after the word "dollars:"

And the Secretary of the Senate and the Clerk of the House of Representatives shall have power to use official envelopes, prepared by themselves, for all the official business of their respective offices; and the use of every such envelope for any purpose other than such official business shall be punished by the same penalties imposed by law for the illegal use of such envelopes already existing. And each member of the Senate and member of the House of Representatives and each Delegate from a Territory shall have the right to send through the mail any letter or packet containing only printed or written matter, not exceeding two ounces in weight, identified by his autograph signature, without the payment of postage.

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

Mr. SAULSBURY. I do not know that I understand the amendment exactly, but I suppose it is a proposition to give the Secretary of the Senate and the Clerk of the House a right to send matter appertaining to public business under these envelopes. In fact it is the franking privilege restored, I am told.

Mr. EDMUNDS. It provides two things on which I should be glad to have the yeas and nays if it did not take too much time to call them. It provides that the two executive officers of the two Houses of Congress shall have the right to communicate with the people of the United States on public business just as the other officers of the other Departments of the Government do. Second, it provides that each Senator, Member of the House of Representatives, and Delegate shall have the right to send through the mail, without the payment of postage, any letter or package containing only written or printed matter, (not boots and shoes and washing, &c., as the newspapers have been talking about,) that does not weigh more than two ounces.

I will state what I have said so often before, that whatever newspapers may say or whatever anybody else may say, I believe it is not only just to the public interests and the transaction of official business by Senators and Members, but as to business that is not technically official, like many letters that I get and answer every day, as all Senators do, concerning public affairs, bills that affect public interests, like the Mormon bill, the Chinese bill, the tariff-commission bill, and that enable Senators as it is their duty if they are the representatives of republican constituencies to inform the people who are our masters and we are their servants what is the state of these public questions at the public expense if it be a public expense to send these two ounces over a railroad that has its annual contract by the ton if you take the great ones and in the other cases it does not make any difference at all.

That is the proposition, and that is all I wish to say about it.

Mr. FERRY. This proposition has been before the Committee on Post-Offices and Post-Roads, I was about to say, under a resolution

offered by the Senator from Vermont, but on second thought I believe it was the Senator from Illinois, [Mr. LOGAN.] The committee considered the question and believed it would be a revival of the franking privilege with all its abuses, and reported adversely to the proposition.

The amendment of the Senator from Vermont is that upon the signature of any member of this Senate, or Member or Delegate of the House of Representatives, official business shall go through the mails free of postage. Who is to determine the character of the official business so transmitted?

Now, the practical result of such an amendment will be that for convenience and economy of time members will prepare envelopes by the package with their signatures affixed; then they somehow are more or less used by others and for other purposes than that designed by the writer of the signature. It will be the same abuse under the old franking privilege, and therefore I am unwilling to revive a system by which so much abuse may be occasioned and so much loss result to the revenues of the Post-Office Department.

Mr. EDMUNDS. Will the Senator from Michigan sign any such packages and leave them with his clerks or anybody else? I do not believe he will, and there is no Senator in this body, there is no Member of the House of Representatives or Delegate who will so betray the trust that is reposed in him as to do anything of the kind.

Next, I wish to say that the abuse which the Senator from Michigan speaks of as to the old franking privilege according to my observation—and it has covered now fifteen or sixteen years—was very much less than the abuse of this very official stamp and envelope business that the Senator is defending. In all the time of what was called the franking privilege, so far as my name went, I never detected or heard of but one instance where in the case of an envelope that had my name on it, that had in it when it was put on a document to be sent to a constituent, (and that the law allows now,) that document was taken out, and some messenger or somebody about the Capitol used it for another purpose; and I found it out. That is one instance. This very session there have more than a half a dozen official envelopes with all the penalty clauses upon them, come to me inclosing matter that had nothing to do with the public service. You may say that I am deserving of reproach because I did not turn detective and go and inform against the man who sent them if I knew who it was. Perhaps I am entitled to reproach on that account, but I did not do it, and it is not my special and particular business to operate as a detective of the Post-Office Department.

The talk therefore about the fact that nobody can be trusted in this country unless he is somebody else than a Senator or Representative is an amazing mistake. The frauds and the wrongs that were committed under the old franking privilege, so far as Senators and Members were concerned, were infinitely less than they were in the other Departments; and the frauds and the wrongs now, (and they are not great, they are a very small percentage that are committed under this official stamp business,) are greater than they were in my opinion, according to my observation and information, when the heads of Departments and bureaus were required to put their name to every envelope that went out. Everybody can see that philosophically that would be so from the nature of things. No matter, it saves the labor of these autographic signatures by the heads of the Departments; and if there are some little frauds it is like everything else. You cannot have a well-organized church long without having some wrong coming into it. You cannot have a Treasury Department or a Senate or anything in this human world of ours that has not the drawback of some failure; and yet the Senator says the only people who are to be suspected who are to stand up to the public gaze as those who will cheat the public Treasury, are the Senators and Representatives in Congress. They cannot communicate to their constituents on public business as every bureau officer may; they must pay their own postage.

Mr. President, I am willing to fake whatever fate may come by voting manfully for this proposition.

Mr. FERRY. I know the Senator from Vermont would not designedly or intentionally affix his signature to an envelope which was to carry through the mails any matter that was not authorized by law, nor would any other Senator or Member of the House of Representatives; I am only striving to recall what did occur under the former franking privilege, and to emphasize that it was true that letters were transmitted in that illegal way, but how the signatures were affixed or appeared and their use followed I leave for other Senators to judge of as well as myself. I say to the Senator from Vermont that while wrong is incidental to almost every method in this life, there was so great a wrong connected with the franking privilege that the result was a crying demand throughout the country that the law be repealed, and the resultant fact was that the law was repealed, by the judgment of Congress that the practice should no longer be tolerated by the statutes. I am simply recalling history, and to admonish others that this will inevitably be the result. That admonition must not be disregarded.

If we reinstate the franking law or give this privilege proposed by the amendment the same abuse will likely follow, and I cannot be a party to it. No Senator would intend to abuse the privilege; and yet I cannot ignore notable experience. My observation regarding the penalty envelopes that have been sent to me is some-

what different from that of the Senator from Vermont. I never have had any such envelopes sent me covering unofficial matter, and I have had many from Departments, especially from the Pension Office of the Interior Department. I never received one inclosing any other than official business, and it was under the law authorizing them that they were doubtless sent to many Senators. In that respect the experience of the Senator from Vermont has been different from mine.

If the privilege proposed by the amendment of that Senator is restored it might prove a great convenience to every member of Congress and to the Secretary of this body, and to the Clerk of the House, but the abuse which past experience assures will attend that convenience overrides all accruing benefits, and I believe the people will not indorse its restoration. At all events I cannot give my support to the proposition, and protest against this proposed restoration of the franking privilege, believing it fraught with manifold abuses and material loss to the public revenues. This is my deliberate judgment, and I shall adhere to it and abide public judgment.

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

Mr. EDMUNDS. Let us take a vote on this question.

Mr. HALE. I will waive the motion if we can take a vote at once upon the pending amendment.

Mr. SAULSBURY. Mr. President, I desire, before the vote is taken, to say that I shall vote against the amendment of the Senator from Vermont. I do not know that it would be an unfair discrimination in favor of the members of the Senate and House to award them the privilege of sending communications in reference to public business under their frank free of any charge to themselves; but, as the Senator from Michigan has well said, when we had that privilege before, very great scandals did originate and great complaints were heard throughout the country about the abuse of the privilege with which the two Houses were clothed. It was charged that party campaign documents were sent out under the frank of members of Congress. Whether that was true or not I do not know, but such avowals were made in the papers. While it was not done perhaps with the consent of the member whose frank was used, his frank was used, as was stated in the papers frequently, to send out partisan documents, campaign documents, not in reference to public business but to advance the interests of party. That abuse gave rise to a discussion upon the subject in the papers, which finally induced Congress to repeal the privilege.

For one, I do not want to see the privilege restored. We have an allowance of \$125 made for postage, stationery, &c. Doubtless that is not sufficient to cover the expenditures for stationery and postage by many members of the Senate, but I apprehend that a great many members of the Senate are fully indemnified by that allowance for all the postage and stationery which they require.

Let us go on as we have been going. For myself I do not want the privilege of sending out any paper under my frank. I have now lying on my desk two communications from the Pension Office in response to inquiries made through me as to the status of claims that were filed in that office. I had received from the parties, one in my town and the other in a neighboring town, inquiries in reference to their cases. I have the reply of the Commissioner of Pensions in reference to the status of those claims, but I especially requested him not to send me an official envelope, because I should want to add something in addition to his own communication, and therefore I did not intend to use the envelope which he would furnish me for the purpose of sending off that correspondence.

Mr. EDMUNDS. It would have been contrary to law if you had. He had no business to furnish the envelopes.

Mr. SAULSBURY. When I write to a constituent of mine informing him that I had called on the Department and made the inquiry desired, and the answer is herewith inclosed, I add something to what the Commissioner of Pensions says, and therefore I was not going to subject myself to the criticism of having used the envelope for the purpose of making any other communication than that which the Department itself made.

I think we had better let the system go on just as it is now. It may be a tax to some extent upon certain members from large States and from States where there is a large amount of departmental business, as in the new States, but for the members from the smaller States, such as the State of the Senator from Vermont and my own, I apprehend the \$125 we get would cover all our expenses for stationery and for postage-stamps. I shall therefore vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont, [Mr. EDMUNDS.]

Mr. FERRY. I ask for the yeas and nays.

Mr. EDMUNDS. So do I. Let us have them.

The yeas and nays were ordered and taken.

Mr. PLUMB. I am paired with the Senator from Missouri, [Mr. VEST.] Not knowing how he would vote on this question, I refrain from voting.

Mr. COCKRELL. I desire to announce that my colleague [Mr. VEST] is detained at home by severe indisposition.

Mr. ROLLINS. I am paired with the Senator from Florida, [Mr. JONES,] but as I understand he would vote "yea" on this question I will vote. I vote "yea."

The result was announced—yeas 40, nays 15; as follows:

YEAS—40.

Aldrich,	Frye,	Jonas,	Rollins,
Allison,	Gorman,	Lapham,	Saunders,
Beck,	Groome,	McDill,	Sawyer,
Blair,	Hale,	Mahone,	Sewell,
Call,	Hampton,	Miller of N. Y.,	Teller,
Cameron of Pa.,	Harris,	Mitchell,	Vance,
Cameron of Wis.,	Harrison,	Morgan,	Voorhees,
Davis of W. Va.,	Hawley,	Morrill,	Walker,
Dawes,	Hoar,	Platt,	Williams,
Edmunds,	Jackson,	Pugh,	Windom.

NAYS—15.

Cockrell,	Ferry,	McMillan,	Ransom,
Coke,	Garland,	McPherson,	Saulsbury,
Conger,	George,	Maxey,	Sherman,
Farley,	Hill of Colorado,	Pendleton,	

ABSENT—21.

Anthony,	Fair,	Jones of Nevada,	Slater,
Bayard,	Grover,	Kellogg,	Van Wyck,
Brown,	Hill of Georgia,	Lamar,	Vest.
Butler,	Ingalls,	Logan,	
Camden,	Johnston,	Miller of Cal.,	
Davis of Illinois,	Jones of Florida,	Plumb,	

So the amendment was agreed to.

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

The PRESIDING OFFICER. Before putting the question the Chair will lay before the Senate a bill from the House of Representatives for reference.

HOUSE BILL REFERRED.

The bill (H. R. No. 5221) to amend section 3066 of the Revised Statutes of the United States was read twice by its title, and referred to the Committee on Finance.

DAKOTA LAND DISTRICTS.

Mr. McMILLAN. Before the Senate proceeds to the consideration of executive business I desire to call up a bill from the House of Representatives, which is on the table, and I ask that it be put on its passage. It is recommended by the Department, and the Senate Committee on Public Lands had a similar bill before it, which it considered, and it was reported favorably by the Senator from Iowa, [Mr. McDILL.]

The PRESIDING OFFICER. The Chair lays before the Senate the bill (H. R. No. 4698) to create two additional land districts, and to change the boundaries of the Watertown land district, in the Territory of Dakota, received yesterday from the House of Representatives. Is there objection to the consideration of the bill? The Chair hears none, and it is before the Senate as in Committee of the Whole.

The Acting Secretary read the bill.

Mr. DAVIS, of West Virginia. Does the bill come from a committee?

The PRESIDING OFFICER. It is a House bill.

Mr. DAVIS, of West Virginia. Does it come from a committee?

Mr. McMILLAN. It is a bill received yesterday from the House. A similar bill was considered by the Senate committee, having been recommended by the Secretary of the Interior and the Commissioner of the General Land Office, and was reported favorably and is on the Calendar. I merely ask to have the House bill passed instead of the Senate bill.

Mr. McDILL. This bill is precisely in terms the bill as recommended by the Committee on Public Lands of the Senate.

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

Mr. McMILLAN. I move the indefinite postponement of Senate bill No. 926, a similar bill, now on the Calendar.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. HALE. I renew my motion for an executive session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-seven minutes spent in executive session the doors were reopened, and (at five o'clock and fifty-seven minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 16, 1882.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday was read and approved.

QUESTION OF PRIVILEGE.

Mr. McLANE. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. McLANE. The question of privilege I make to the Chair is that the Chair in its language on yesterday, addressed to the gentleman from Mississippi, [Mr. MONEY,] invaded the privileges of the House, and the Chair permitted itself to entertain a motion to adjourn before it had responded to this question of privilege, raised by me yesterday.

The SPEAKER. The Chair will state that the gentleman is in error. At the time the House adjourned last night, on the motion of the gentleman from Delaware, the whole matter had been suspended. No gentleman was taking the floor, and the Chair had then made such answer as it desired to make. The Chair will state that the gentleman from Maryland cannot rise twice to the same question of privilege, and therefore, unless there is some new question of privilege—

Mr. McLANE. I am perfectly aware of that. But I trust the Chair will have patience to allow me to state my case.

The SPEAKER. The gentleman will state his question of privilege.

Mr. McLANE. The Chair in responding to my question of privilege—I will not say evaded the question; I will simply call his attention to the fact that he avoided me; that he made a reply to my question of privilege and then, without submitting the question to the House, recognized the gentleman from Ohio. I was attentive to what occurred.

The SPEAKER. The Chair has no recollection of recognizing the gentleman from Ohio at the time referred to.

Mr. McLANE. If the Chair will only hear my statement it is all I ask.

The SPEAKER. But the Chair would like to know of the gentleman from Maryland whether he means to say that the Chair, after answering the gentleman's question, recognized the gentleman from Ohio. What gentleman from Ohio?

Mr. McLANE. I will say, Mr. Speaker, that the Chair did not conclude his answer to me. I mean to say that the Chair having made its reply to the question of privilege raised by me recognized the gentleman from Ohio, when it was under an obligation to submit that question to the House, having made its own statement. And now my point is that the Chair, if it did not originally invade the privilege of the House, invaded it then; that the Chair is under an absolute obligation to submit that question to the House.

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

The SPEAKER. The Chair will state to the gentleman from Maryland that it does not understand that he rises to any new question of privilege; and the Chair had made such answer as he thought fitting to the question of privilege raised on yesterday.

Mr. McLANE. The gentleman from Maryland does rise to a new question of privilege, and has stated the new question of privilege. When I raised the question of privilege yesterday as to the language the Chair addressed to the gentleman from Mississippi, I desired to use no disrespectful expression, and refrain from saying that the Chair evaded the point at issue and again violated the privileges of the House. But the point I make now and the question of privilege I raise now is that the Chair failed in its obligation to submit that question to the House; and that in reply to the gentleman from Ohio, the Chair again invaded the privileges of the House.

Mr. HASKELL. Now I rise to a question of order.

Mr. McLANE. I desire to say—

The SPEAKER. The gentleman from Maryland will—

Mr. McLANE. I am entitled to be heard by the Chair; and I have that respect for the Chair and for my brother members which assures me they will allow me to state my case. It is in the interest of every member, and of the Chair itself, entirely in the interest of the Chair. The Chair made an explanation and reply to the question of privilege, and then without concluding, without doing what the law of the House obliges him to do, he recognized the gentleman from Ohio.

The SPEAKER. The gentleman from Maryland will give attention. The Chair does not now know what point, and the gentleman fails to state to the Chair what new point, the gentleman desires to make.

Mr. McLANE. Not a new point. But the question of privilege now made is that on yesterday when the Chair recognized the gentleman from Ohio [Mr. BUTTERWORTH] and entertained a parliamentary question from him and gave a reply to that parliamentary question—

Mr. HASKELL. I rise to a point of order.

The SPEAKER rapped with his gavel.

Mr. McLANE. The Chair failed at that moment to do what it was its duty to do under the rules and law of the House—

Mr. HASKELL rose.

The SPEAKER renewed his rapping with the gavel.

Mr. McLANE. Failed to submit the question of privilege to the House. The Chair then took away from me my right to have a vote of this House; and that is a violation of privilege, and in that it is my privilege that has been invaded.

The SPEAKER, (rapping with his gavel.) The gentleman must be in order himself as we proceed.

Mr. McLANE. If the Chair thinks I am out of order I will take my seat.

The SPEAKER. The Chair does not ask the gentleman to take his seat.

Mr. HASKELL. I rise to a point of order with respect to this proceeding.

The SPEAKER. One moment. The Chair desires to state that it understands the gentleman from Maryland to make the point that it was the duty of the Chair to submit the question of privilege, or the supposed question of privilege, to the House.

Mr. McLANE. That is the point.

The SPEAKER. The Chair states that under the rules it was wholly a matter of discretion, and the Chair so holds now.

Mr. McLANE. I appeal from that decision.

Mr. HASKELL. Upon the point of order that I raised concerning this proceeding—

Mr. VALENTINE. I move to lay the appeal on the table.

The SPEAKER. The gentleman from Nebraska [Mr. VALENTINE] moves to lay the appeal on the table.

Mr. HASKELL. Before the proceeding went so far as that, I called the attention of the Chair to a point of order.

The SPEAKER. The motion to lay on the table is not debatable.

Mr. HASKELL. But I rise to a point of order.

Mr. MONEY. I call the gentleman from Kansas to order.

Mr. McLANE. I desire to withdraw the appeal I have taken from the decision of the Chair, that the House may entertain and consider a resolution concerning the original question of privilege.

The SPEAKER. The gentleman from Maryland withdraws his appeal.

Mr. KENNA. I rise to a question of the highest privilege.

Mr. HASKELL. I want to state my point of order.

The SPEAKER. The gentleman from Kansas [Mr. HASKELL] is recognized.

Mr. KENNA. For what purpose?

The SPEAKER. On a point of order.

Mr. HASKELL. I rise to a point of order, without a particle of harshness of feeling—

Mr. KENNA. I rise to a question of the highest privilege under the rules.

The SPEAKER. The gentleman from West Virginia will be listened to.

Mr. HASKELL. On my point of order I desire to say that it is a well-settled parliamentary principle that upon questions just such as the one which has been raised here, unless the necessary proceedings touching words spoken in debate, or such questions of privilege—unless the necessary proceedings are at once instituted, the words taken down, and the House halted in its deliberations to consider them, it is a well-settled parliamentary practice and principle, coming down from the oldest law—

Mr. WHITE. I rise to a point of order.

Mr. HASKELL. That the adjournment of the House is a notice to the House and to the country that the whole proceeding is quashed absolutely.

Mr. WHITE. I rise to a point of order.

Mr. HASKELL. And there is nothing before the House.

Mr. WHITE. I raise the point of order that there is nothing before the House.

Mr. HASKELL. I am stating my point of order.

The SPEAKER. The appeal from the decision of the Chair has been withdrawn.

Mr. WHITE. The appeal having been withdrawn, there is nothing before the House, and therefore I call the gentleman from Kansas to order.

Mr. KENNA. I rise to a question of the highest privilege.

The SPEAKER. The gentleman from West Virginia states that he rises to a question of privilege.

Mr. KENNA. I do, and I desire that the House shall be in order, that I may be able so to state it that it may be heard and considered. I rise for the purpose of offering a privileged resolution. In order to submit to the House the matter to which it relates, I ask that the Clerk will read—

The SPEAKER. The gentleman will submit his resolution and not proceed to debate.

Mr. KENNA. I will submit the resolution at as early a moment as it may suit the desire of the Chair to hear it.

The SPEAKER. The resolution will be submitted.

Mr. KENNA. I desire, in that connection, at the proper time, to state the facts to which it relates.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That the rights and duties of the Speaker of this House are defined by the rules of the House and by general parliamentary law not in conflict therewith, and that by virtue of said rules and under said law the Speaker enjoys no privilege to reprimand or censure a member except by the action of the House and in pursuance of its direction.

Resolved further, That any attempted exercise of such power is a breach of the privileges of the House, is hereby expressly condemned, and will be promptly resisted and otherwise dealt with as the rights, dignity, and duties of the House may require.

Mr. KENNA. Now, Mr. Speaker, I desire to have read from page 1931 of the RECORD what I have marked.

The Clerk read as follows:

Mr. MONEY. Then I desire to state that not one single member representing the submerged districts provided for in this joint resolution has been heard before the House. The gentleman from New York has refused to hear from the State of Mississippi by gentlemen who represent the districts inundated, and for whom this appropriation is proposed to be made.

The SPEAKER. The Chair wishes to state if gentlemen think they can impose on the House and the Chair by undertaking to make speeches in violation of the rules, the Chair will take pains to reprimand them at least.

Mr. KENNA. I ask now that the marked passage on page 1942 of the RECORD be read.

Mr. REED. I do not desire that the opportunity to make any point of order upon this resolution should pass by. I understand that the matter is still open, and that this reading is not in the nature of debate.

Mr. KENNA. The gentleman may reserve points of order. There is no disposition here to take any advantage.

The SPEAKER. Certainly.

The Clerk read as follows:

Mr. KENNA. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from West Virginia will state his parliamentary inquiry.

Mr. KENNA. I desire to ask the Chair whether it intends to be understood as holding, either by its statement now or by its action to-day, that it is either the right or the duty of the Speaker of this House to reprimand a member without the action of the House.

The SPEAKER. The Chair holds that it is made its imperative duty to preserve order, and whatever steps are necessary, within the power of the Chair, to accomplish that, this Chair will assert. [Applause on the Republican side.]

Mr. KENNA. I hope the Chair will not evade my inquiry.

The SPEAKER. If gentlemen will not resume their seats when they are out of order and called to order, the Chair may go further, if necessary, than merely to reprimand if they still insist upon violating the rules of the House.

Mr. KENNA. I trust that to a fair parliamentary inquiry the Speaker will honor me with a direct answer. I ask the Chair now to state to me, as candidly as I propound the inquiry, whether the Chair desires to be understood as holding it to be his right or duty to reprimand a member on this floor without action of the House?

The SPEAKER. When any gentleman is in the act of openly violating the rules of the House, which the Chair is charged with enforcing, the Chair will state that it regards it as not only a duty but a right to reprimand him and to insist upon his being in order; not that he has the right to call a member up and punish him, but that he has a right to insist upon his keeping order.

Mr. KENNA. I now ask the Clerk to read the marked passage on page 1944 of the RECORD.

The Clerk read as follows:

Mr. BUTTERWORTH. I rise to a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. BUTTERWORTH. It is this. I desire to see if I am correct in my understanding as to the statement made by the Chair a few moments ago. I do not understand the Chair to hold that it has a right, in a technical sense, to reprimand a member without the consent of the House.

The SPEAKER. Except when gentlemen insist upon violating and continue to violate the rules of the House. It is certainly true that the Chair under the rules has the right to reprimand a gentleman when he is persisting in a violation of the rules of the House. That is all the Chair has done.

Mr. KENNA. And now I desire to make a brief statement.

Mr. HASKELL. And I assert against this proceeding the point of order which I before stated to this House.

Mr. KENNA. I hope the gentleman will not interrupt my statement.

The SPEAKER. The Chair hopes the gentleman from West Virginia will be allowed to make his statement.

Mr. HASKELL. Certainly.

Mr. KENNA. I desire, in the first place, to state to the Chair and to this House that the resolution offered by me is prompted in no sense by a feeling of any character other than a disposition to assert and maintain the prerogatives of this House and of its membership. I desire to state, further, that in my judgment, and, as I believe, in the judgment of this House, the position assumed on yesterday and asserted by the Speaker is a wholly untenable one; and this side of the House, at least, is desirous in some manner to go on the record in repudiation of it. That is all I desire to say.

Mr. WHITE. I rise to a point of order.

The SPEAKER. The Chair desires to state at this point that it is of opinion that the gentleman from West Virginia [Mr. KENNA] has simply misunderstood all that took place on yesterday in relation to this matter.

Mr. KENNA. I trust the entire House, Mr. Speaker, is in precisely the same attitude.

The SPEAKER. After all that has been said, there should be no misunderstanding the position taken by the Chair. It never has proposed to assume the powers of the House in punishing a member for any past disorderly conduct, it has only asserted its right as a presiding officer to preserve order and to do all that may be necessary within parliamentary usage to secure that end. The duty of the Chair in this respect is one settled not only by long parliamentary usage, but by the imperative terms of the rules of this House. The Chair used the word "reprimand" in its ordinary and proper sense, not in its technical sense.

Mr. KENNA. Mr. Speaker—

The SPEAKER. One moment. The meaning of the term "reprimand" is well defined and well understood. To "reprimand" is to check and to repress a member when out of order. Beyond this a presiding officer should not go in administering a reprimand; less than this the Chair cannot do and discharge its duty to the House. The Chair never assumed to reprimand a member for what he had done; that is for the House. The Chair should check, repress, or reprimand a member while persisting in being out of order. The Chair desires to repeat that in all that took place on yesterday, in all that was said, it never undertook to reprimand a member for any past act; but if to call a member to order and to remind him that he is not in order is to reprimand him, then the Chair simply did what the rules require him to do.

The highest parliamentary reprimand known to the Parliament of England is to mention a member's name, which puts him then in parliamentary disgrace. Our manual of practice allows that to be done

here. That was not done on yesterday; nor was any person reprimanded beyond the mere calling him to order and insisting upon the preservation of order. The Chair has the right in extreme cases to order the Sergeant-at-Arms to forcibly preserve order, even to the extent of arresting a member if he persists in violating order, and may it not first use less violent means?

The Chair desires to add that the RECORD of this morning is unfair to the Chair, in that it does not show that the member from Mississippi [Mr. MONEY] when called to order by the Chair, and when the House was rapped to order, still persisted and continued to make a speech out of order and in violation of the rules. There is nothing, the Chair will state, in the proposed resolution that it would not subscribe to and vote for if upon the floor, if anybody assumed the powers and duties of the House in the matter of administering a reprimand.

Mr. KENNA. Now, Mr. Speaker, in view of that statement—

Mr. WHITE. I rise to the point of order that this whole matter is out of order.

The SPEAKER. The Chair desires to hear the statement of the gentleman from West Virginia.

Mr. KENNA. I desire to say, Mr. Speaker, that if I could so have understood the Speaker on yesterday, and if this House had so understood his declarations, this resolution would not have been presented. In view of the present statement of the Chair, which I regard as sufficient, I withdraw it. [Applause, and cries of "That is right."]

So, no objection being made, the resolution was, by unanimous consent, withdrawn.

ORDER OF BUSINESS.

Mr. WHITE. I now demand the regular order.

The SPEAKER. The regular order is the call of committees for reports in the morning hour.

Mr. KELLEY. I appeal to the gentleman from Kentucky to suspend the call for the regular order, in order that I may submit a bill which it is important to have acted upon immediately.

The SPEAKER. The Chair must recognize the demand for the regular order. The regular order, as the Chair has stated, is the morning hour for the call of committees. If the demand for the regular order is withdrawn, however, the Chair will recognize some gentleman for unanimous consent.

Mr. WHITE. Then I withdraw the demand for the regular order.

Mr. ATKINS. I ask leave to introduce a bill for reference.

Mr. SPRINGER. I shall not object to the introduction of bills for reference, but shall object to the consideration of bills at this time.

PENSIONS, WAR OF 1812.

Mr. ATKINS, by unanimous consent, introduced a bill (H. R. No. 5214) restoring to the pension-roll the names of all persons now surviving heretofore pensioned on account of service in the war with Mexico, and for other purposes; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

JOSEPH HERTFORD.

Mr. SMITH, of Illinois, by unanimous consent, introduced a bill (H. R. No. 5215) for the relief of Joseph Hertford; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

PINKNEY ROLLINS.

Mr. VANCE, by unanimous consent, introduced a bill (H. R. No. 5216) for the relief of Pinkney Rollins; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

JOSIAH WELSH.

Mr. VANCE also, by unanimous consent, introduced a bill (H. R. No. 5217) for the relief of Josiah Welsh; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ELIZA A. BARROW.

Mr. DE MOTTE, by unanimous consent, introduced a bill (H. R. No. 5218) granting a pension to Eliza A. Barrow; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RAILROAD CONSOLIDATION.

Mr. ROBINSON, of Ohio, by unanimous consent, from the Committee on Pacific Railroads, reported, as a substitute for House bill No. 2534, a bill (H. R. No. 5219) to authorize the consolidation of railroad companies in the Territories of the United States; which was read a first and second time, ordered to be printed, and recommended to the Committee on the Pacific Railroads.

Mr. SPRINGER. That bill is not to be brought back on a motion to reconsider.

The SPEAKER. The present rules of the House prevent that.

MARY S. AND SARAH BATES.

Mr. SINGLETON, of Illinois, by unanimous consent, introduced a bill (H. R. No. 5520) to place on the pension-roll the names of Mary S. Bates and Sarah Bates; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IMPRISONMENT AND DETENTION OF AMERICAN CITIZENS ABROAD.

Mr. ROBINSON, of New York. I desire at this time to submit sev-

eral resolutions relating to the imprisonment of American citizens in Great Britain, which I ask to have printed in the RECORD and referred to the Committee on Foreign Affairs.

There was no objection, and it was ordered accordingly. The resolutions are as follows:

JEFFERSON HALL, BROOKLYN, February 16, 1882.

DEAR SIR: I have been instructed by the executive committee of the Land League of Brooklyn to inform you of their cordial and hearty approval of your action in regard to the incarceration of American citizens in British dungeons. It is about five months ago that I was made to protect the person and property of citizens of the United States while traveling abroad. May God speed you in your noble and heroic struggle. Please convey to the Representatives who have so ably sustained you our sincere and heartfelt thanks, and assure them that they, as you, shall ever retain a place in the hearts of all true Irishmen.

Respectfully,

JAMES DIXON, Secretary.

Hon. WILLIAM E. ROBINSON.

ROOMS CENTRAL DELEGATES,
Boston, March 9, 1882.

HONORED SIR: Delegates representing the various land league branches of Boston and vicinity, in convention assembled, unanimously passed the following resolutions on account of your noble and earnest endeavors in behalf of unjustly treated citizens:

Resolved, That our thanks are eminently due and are cordially tendered to Hon. W. E. ROBINSON for his noble and manly exertions to obtain the release of American citizens now incarcerated in English prisons, and for the timely and salutary admonition given to American statesmen regarding their apathy and neglect of most important duties.

Resolved, That in the persons of Hons. W. E. ROBINSON and S. S. COX the citizens of the United States, and particularly those by adoption, must ever cherish the highest appreciation of respect and gratitude to these champions of civil liberty for their efforts to raise the status of American citizenship so that it must be respected at home and protected abroad.

Respectfully, yours,

THOMAS F. DOHERTY, East Boston,
JAMES W. COTLET, Secretary, Boston,
ENEAS SMITH, Brookline,
ROBERT E. DONNELLY, Boston,
M. CLASBY, Cambridge,
N. E. O'SULLIVAN, Boston Highlands,
Mrs. JOHN CLAGERTY, Boston,
Mrs. T. PEYTON, Boston,
Committee on Resolutions.

At a meeting of the Ogdensburgh branch of the Land League, held in Saint Patrick's Hall, Wednesday evening last, the following preamble and resolutions were adopted:

Whereas the indifference of our Government and the apathy of its ministers to England in allowing American citizens to be thrown into prison by the British Government and to languish therein indefinitely without even an inquiry being made as to why they had been arrested and incarcerated, or upon what grounds those American citizens had been deprived of their liberty, has long been felt by a large number of Americans to be a disgrace which no self-respecting nation should submit to, and an act which Washington, Jefferson, Monroe, or Jackson would not have tolerated in their time, and an indignity against which every citizen with Irish blood in his veins cannot too strongly protest; and

Whereas the House of Representatives have at present under consideration a resolution touching the matter above referred to: Therefore,

Resolved, That we, the Ogdensburgh branch of the Irish National Land League, in session assembled this 8th day of February, 1882, enter our protest against the disgraceful and unjustifiable neglect of the United States Government in the premises, and its dilatory and ungrateful action in reference to the protection of American citizens in foreign countries, especially in England.

Resolved, That we tender to Hon. W. E. ROBINSON and Hon. S. S. COX our sincere thanks for the efforts recently made in Congress to bring the matter of protection to American citizens now imprisoned by England to the attention of our Government, and that we respectfully submit this question to our member of Congress, Hon. A. X. PARKER, reminding him how deep a sympathy it evokes from a large number of his constituents who feel assured it will not fail to enlist his influence and co-operation.

Resolved, That these preambles and resolutions be published and copies thereof be transmitted to Congressmen ROBINSON, COX, and PARKER.

FRANCIS KEARNS,
W. H. MURPHY,
JAMES E. KELLY,
Committee.

PHILADELPHIA, February 20, 1882.

DEAR SIR: At a meeting of the Commodore Stewart branch of the Irish National League and Irish League the following resolutions were unanimously adopted:

Resolved, That we tender our thanks to our Representatives in Congress, Hon. A. C. HARMER, Hon. S. J. RANDALL, of Philadelphia, Hon. WILLIAM E. ROBINSON and Hon. S. S. COX, of New York, for interest taken by them in bill of inquiry relating to the imprisonment of American citizens in British prisons without trial, and shall hold them in esteem as the defenders of the liberties of our people abroad as well as at home.

Resolved, That the secretary be instructed to forward a copy of the above resolution to each of the gentlemen named, also one to the Central Union.

Yours, &c.,

JOHN McCAFFREY, Secretary,
(317 Diamond Street, Philadelphia.)

Hon. WILLIAM E. ROBINSON, Washington, D. C.

BRADFORD, February 23, 1882.

At a meeting of the Bradford branch of the Irish National Land League, held Monday, February 20, the following resolutions were adopted and ordered mailed for your honorable consideration, to wit:

Resolved, That the Irish National Land League of Bradford, Pennsylvania, tender their heartfelt thanks to and do most fully indorse Hon. W. E. ROBINSON and Hon. S. S. COX, of New York, in the well-merited rebuke which they administered to those responsible for this disgraceful negligence for not affording that protection which every nation owes to those who have sworn allegiance to her flag.

Resolved, That the Irish National League of Bradford respectfully submit this question to the consideration of our honorable member of Congress, reminding him how deep a sympathy and interest it invokes from a large number of his constituents, and who feel assured that it will not fail to enlist his influence and co-operation.

Resolved, That in submitting these resolutions we feel that this is an important

question of the citizens of this Republic who were born in Ireland, or who have descended from the Irish race, and who are to-day part and parcel of this great Republic; also that the action taken by Hon. W. E. ROBINSON and Hon. S. S. COX in the House of Representatives should receive the indorsement of all the members of the House.

T. MCMANUS, President.
J. F. FAUX, Secretary.

CUSTOM-HOUSE SEARCH-WARRANTS.

Mr. KELLEY, from the Committee on Ways and Means, by unanimous consent, introduced a bill (H. R. No. 5221) to amend section 3066 of the Revised Statutes of the United States; which was read a first and second time.

Mr. KELLEY. This is a report from the Committee on Ways and Means, and I ask for the immediate passage of the bill, which has been sent from the Treasury, for the purpose of enabling the customs officers to issue search-warrants in the State of New York for smuggled goods. The law now provides that the oath of information must be made before a justice of the peace, an officer unknown to the laws of New York. The bill provides that such oaths may be made before commissioners of United States courts.

Mr. SPRINGER. There should be no objection to that.

Mr. HUTCHINS. I would like to ask the gentleman a question. I wish to ask before whom these affidavits have been heretofore made?

Mr. KELLEY. Originally before a justice of the peace, and the law so required. But it is reported from New York that the office of justice of the peace is unknown to the law, and that therefore no search-warrant can be issued. The customs officers there and the Treasury Department ask simply to provide a means by which search-warrants may issue. They are prohibited under the present statute.

Mr. HUTCHINS. Certainly warrants have been issued in New York in times past?

Mr. KELLEY. Oh, yes.

Mr. HUTCHINS. Upon what authority?

Mr. KELLEY. I do not know. I only know that it has been brought to the attention of the Treasury Department that they cannot now be issued. Nobody will take the responsibility of issuing one, because there is no officer of the character designated in the statute. There is a report accompanying the bill which I would be glad to have read.

Mr. HUTCHINS. I do not like to interpose an objection; but there has been great complaint in the city of New York about unauthorized search-warrants. I do not know the effect of the bill at this time.

The SPEAKER. The bill will be read subject to objection.

Mr. HUTCHINS. I would like to have the report of the Judiciary Committee upon that question.

Mr. KELLEY. If the gentleman will hear the bill read and the report, which is short, I think he will be satisfied.

Mr. HUTCHINS. Very well; I reserve the point.

The SPEAKER. The bill will be read subject to objection.

The bill was read.

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

Mr. HUTCHINS. I desire to ask the gentleman from Pennsylvania this question: Does the bill extend the right of search? or does it simply allow affidavits to be taken before other officers than those contemplated by the section to be amended?

Mr. KELLEY. The bill does not extend the right of search in any degree. By a change of the law of New York the office of justice of the peace has disappeared. The bill simply provides for the execution of the provisions of the section before another competent officer.

Mr. KASSON. I desire to be permitted to say a single word as I have the statute before me. I followed the language as nearly as I could while the Clerk was reading, and I find that the bill, in lieu of the words in the existing statute, "justice of the peace," inserts the proper legal officer to do what is there provided for, there being in New York no justice of the peace. I call the attention of my friend from New York [Mr. HUTCHINS] to the language of the statute.

Mr. ROBINSON, of New York. I rose to object to the present consideration of the bill because I consider it as too serious a matter to push through in this way. It ought to be open to discussion. I understand the gentleman from Pennsylvania is not correct in saying we have no justice of the peace in New York. Certain officers there are recognized as justices of the peace.

Mr. KELLEY. They are not so recognized as to justify them in issuing a warrant under this law.

Mr. ROBINSON, of New York. I must insist on my objection.

Mr. HUTCHINS. I withdraw my objection.

The SPEAKER. The gentleman from New York farthest from the Chair [Mr. HUTCHINS] reserved the right to object.

Mr. HUTCHINS. I withdraw the objection. I find the bill simply provides for officers before whom to take an oath; but while I withdraw the objection I protest against the section as it stands.

The SPEAKER. The gentleman from New York [Mr. HUTCHINS] reserved the right to object, and the Chair thinks that reservation was not only for his own benefit, but for the benefit of others who might be inclined to object. Therefore the Chair holds the objection by the gentleman from New York in front of the Chair [Mr. ROBINSON] to have been made in time.

Mr. PAGE. I call for the regular order.

Mr. KELLEY. I ask that the bill may go to the Calendar.

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

Some time subsequently,

Mr. KELLEY said: The gentleman from New York [Mr. ROBINSON] withdraws his objection. I ask that the call for the regular order be suspended to allow the bill to be put upon its passage, as this is an important matter.

Mr. CONVERSE. I renew the objection.

ORDER OF BUSINESS.

The SPEAKER. The regular order is demanded by the gentleman from California, [Mr. PAGE.]

Mr. PAGE. I am willing to yield for a short time, with the understanding that we are not to have a morning hour.

Mr. HUMPHREY. I call for the regular order.

The SPEAKER. The regular order is the morning hour for the call of committees for reports.

DOCUMENTS TOUCHING IMPORT DUTIES.

Mr. KELLEY, from the Committee on Ways and Means, reported a joint resolution (H. R. No. 170) to provide for printing certain documents relating to customs revenues for the use of Congress; which was read a first and second time, referred to the Committee on Printing, and, with the accompanying report, ordered to be printed.

ANDERSON D. MERCHANT.

Mr. MANNING, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. No. 3552) to remove the legal and political disabilities of Anderson D. Merchant; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

SAMUEL H. LOCKETT.

Mr. MANNING also, from the same committee, reported back with a favorable recommendation the bill (H. R. No. 2816) to remove the legal and political disabilities of Samuel H. Lockett, of Alabama; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

COLLECTION DISTRICTS OF CALIFORNIA.

Mr. PAGE, from the Committee on Commerce, reported back with a favorable recommendation the bill (H. R. No. 1993) to amend sections 2582, 2583, 2607, and 2684 of the Revised Statutes of the United States relating to the collection districts of California; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. PAGE. I am instructed by the Committee on Commerce to report a resolution—

The SPEAKER. That is not in order under this call.

Mr. PAGE. It is a resolution of inquiry, which is privileged.

The SPEAKER. It is privileged at any time outside of this call. The Chair has on former occasions allowed a report of this kind to be considered; but if debate should spring up on such a report it might occupy the entire hour.

Mr. PAGE. It will not take up any time.

The SPEAKER. The gentleman perhaps had better withdraw it until after the hour. It is always in order.

Mr. PAGE. Very well, I will do so.

FORT BENTON RESERVATION.

Mr. MAGINNIS, from the Committee on Military Affairs, reported, as a substitute for House bill No. 1916, a bill (H. R. No. 5222) to restore the Fort Benton Military reservation to the public domain, and for other purposes; which was read a first and second time, placed on the House Calendar, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreed to the first amendment of the House to the joint resolution (S. R. No. 49) making a further appropriation to relieve the sufferers by the overflow of the Mississippi River and its tributaries; and had disagreed to the second amendment of the House to said joint resolution.

PETER SCUDEN.

Mr. STEELE, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. No. 242) for the relief of Peter Scuden; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

EDWARD SHIELDS AND OTHERS.

Mr. BAYNE, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. No. 2611) for the relief of Edward Shields and others; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

CHARGES OF DESERTION.

Mr. BAYNE also, from the same committee, reported back with a

favorable recommendation the bill (H. R. No. 891) to remove the charge of desertion and for the relief of certain named soldiers of the Twenty-first Missouri Infantry Volunteers; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

J. V. DAVIS.

Mr. BAYNE also, from the same committee, reported back the bill (H. R. No. 4769) for the relief of J. V. Davis, and moved that the committee be discharged from its further consideration, and that the same be referred to the Committee on Claims.

The motion was agreed to.

RULES AND REGULATIONS OF THE ARMY.

Mr. UPSON, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (S. No. 493) to amend article 103 of the Rules and Articles of war; which was placed on the House Calendar, and the accompanying report ordered to be printed.

MARCELLUS MARTIN.

Mr. UPSON also, from the same committee, reported a bill (H. R. No. 5223) for the relief of Marcellus Martin; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONDEMNED CANNON, ETC.

Mr. HENDERSON, from the Committee on Military Affairs, reported back with amendments the following, which were severally placed on the House Calendar, and, with the accompanying reports, ordered to be printed:

A bill (H. R. No. 3738) to donate bronze cannon to the township of Milan, Ohio.

A bill (H. R. No. 3877) donating condemned cannon and other munitions of war to the Soldiers' and Sailors' Monumental Association of Lycoming County, Pennsylvania;

A bill (H. R. No. 4545) to authorize the Secretary of War to turn over to E. E. Sturtevant Post, No. 2, Grand Army of the Republic, of Concord, New Hampshire, six condemned cannon;

A bill (H. R. No. 4745) to authorize the Secretary of War to furnish condemned cannon for the soldiers' cemetery at Hamilton, Ohio;

A bill (H. R. No. 4585) to donate two condemned bronze cannon to the city of Mansfield, Ohio, to be placed on the public square, near the soldiers' bronze monument;

A joint resolution (H. R. No. 74) authorizing the Secretary of War to supply artillery and camp equipage to the soldiers' and sailors' reunion at Topeka, Kansas; and

A joint resolution (H. R. No. 147) granting to the State of Indiana the use of tents on the occasion of the encampment of State troops during the year 1882.

REMOVAL OF CHARGES OF DESERTION.

Mr. HENDERSON also, from the same committee, reported as a substitute for House bills Nos. 1305, 2413, 3264, and 3523, a bill (H. R. No. 5224) to relieve certain soldiers of the late war from the charge of desertion; which was read a first and second time.

The SPEAKER. Ought not that bill to go to the Committee of the Whole on the Private Calendar?

Mr. HENDERSON. I think not. It is a general bill for relief from charges of desertion.

The SPEAKER. Not for individual relief?

Mr. HENDERSON. Not for individual relief. It is an amendment of the law relating to the charges of desertion.

The SPEAKER. It is a general bill as to all of that class?

Mr. HENDERSON. It is.

The bill was accordingly referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CANNON, TENTS, ETC.

Mr. HENDERSON also, from the same committee, reported back with a favorable recommendation the joint resolution (H. R. No. 73) with regard to providing cannon, tents, and other camp equipments for soldiers' reunions in Iowa; which was placed on the House Calendar, and the accompanying report ordered to be printed.

WILLIAM P. RANDALL.

Mr. HARRIS, of Massachusetts, from the Committee on Naval Affairs, reported back the bill (H. R. No. 4527) authorizing the President of the United States to appoint Lieutenant William P. Randall a lieutenant-commander on the retired list of the Navy; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

BENJAMIN C. BAMPTON.

Mr. MORSE, from the Committee on Naval Affairs, reported back the bill (H. R. No. 1034) for the relief of Benjamin C. Bampton; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HALL OF RECORDS, WASHINGTON, DISTRICT OF COLUMBIA.

Mr. COOK, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. No. 817) making appropriation for the purchase of ground and the erection thereon in the

city of Washington of a building to be used as a hall of records; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

MAGGIE CASSIDY.

Mr. FARWELL, of Iowa, from the Committee on Patents, reported back with an amendment the bill (H. R. No. 1392) for the relief of Mrs. Maggie Cassidy; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

FRANCES A. RAWSON.

Mr. VANCE, from the Committee on Patents, reported back with amendments the bill (H. R. No. 2505) for the relief of Frances A. Rawson; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

COMPENSATION OF DISABLED ROUTE AGENTS, ETC.

Mr. ANDERSON, from the Committee on the Post-Office and Post-Roads, reported, as a substitute for House bills Nos. 347, 1081, and 4333, a bill (H. R. No. 5225) to provide for the compensation of route agents and clerks in railway post-offices when disabled by accidents to railway trains; which was ordered to be printed and recommitted.

MARY A. DAVIS.

Mr. BROWNE, from the Committee on Invalid Pensions, reported back the bill (S. No. 164) granting a pension to Mary A. Davis; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CATHARINE LOUISA BENTON.

Mr. BROWNE also, from the same committee, reported back adversely the bill (H. R. No. 722) granting a pension to Catharine Louisa Benton; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HARRY E. WILLIAMS.

Mr. BROWNE also, from the same committee, reported back adversely the bill (H. R. No. 1511) granting a pension to Harry E. Williams; which was laid on the table, and the accompanying report ordered to be printed.

CAROLINE PHINNEY.

Mr. BROWNE also, from the same committee, reported back adversely the bill (H. R. No. 4352) for the relief of Caroline Phinney; which was laid on the table, and the accompanying report ordered to be printed.

WILLIAM H. RICHARDSON.

Mr. JOYCE, from the Committee on Invalid Pensions, reported back the bill (H. R. No. 1379) granting a pension to William H. Richardson; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOHN O'NEILL.

Mr. JOYCE also, from the same committee, reported back adversely the petition of John O'Neill, late captain of Company K, One hundred and sixteenth Regiment Pennsylvania Volunteer Infantry, praying that he may be placed on the pension-roll with the grade of colonel, the wound for which he is pensioned having been received while commanding said regiment; which was laid on the table, and the accompanying report ordered to be printed.

JACOB LUSKEY.

Mr. MATSON, from the Committee on Invalid Pensions, reported back the bill (H. R. No. 1411) granting a pension to Jacob Luskey; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

SAINT CLAIR A. MULHOLLAND.

Mr. MATSON also, from the same committee, reported back the bill (H. R. No. 1416) granting an increase of pension to Saint Clair A. Mulholland; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

LOUISA GASSAWAY.

Mr. CABELL, from the Committee on Invalid Pensions, reported back the bill (H. R. No. 2781) granting a pension to Louisa Gassaway, with the recommendation that the said committee be discharged from the further consideration of the same, and that it be referred to the Select Committee on the Payment of Pensions, Bounty, and Back Pay. The change of reference was ordered accordingly.

ALLEN EVANS.

Mr. DAWES, from the Committee on Invalid Pensions, reported back the bill (H. R. No. 1342) granting a pension to Allen Evans, with the recommendation that said committee be discharged from the further consideration thereof, and the same be referred to the Committee on Pensions.

The change of reference was ordered accordingly.

SUSAN JEFFORDS.

Mr. DAWES also, from the same committee, reported back the bill (H. R. No. 620) granting a pension to Susan Jeffords; which was re-

ferred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

DAVID T. STEPHENSON.

Mr. WEBBER, from the Committee on Pensions, reported back the bill (H. R. No. 3599) granting a pension to David T. Stephenson; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

SALLY HALL.

Mr. WEBBER also, from the same committee, reported back the bill (H. R. No. 4344) granting a pension to Sally Hall; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MRS. CHARLES B. STEWART.

Mr. MASON, from the Committee on Claims, reported back the bill (H. R. No. 4208) for the relief of Mrs. Charles B. Stewart; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOHN M'HARG.

Mr. MASON also, from the same committee, reported back the bill (H. R. No. 4556) for the relief of John McHarg; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

GRAND TRUNK RAILWAY COMPANY OF CANADA.

Mr. MASON also, from the same committee, reported back the bill (H. R. No. 4840) for the relief of the Grand Trunk Railway Company of Canada, with the recommendation that the same be referred to the Committee on Ways and Means.

The change of reference was ordered accordingly.

THOMAS B. PRICE.

Mr. THOMPSON, of Iowa, from the Committee on Claims, reported back the bill (H. R. No. 665) for the relief of Thomas B. Price; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

DANIEL S. LOY.

Mr. SMITH, of Illinois, from the Committee on Claims, reported back the bill (H. R. No. 2387) for the relief of Daniel S. Loy with the recommendation that said committee be discharged from its further consideration, and that the same be referred to the Committee on War Claims.

The change of reference was ordered accordingly.

ALFRED LYLES.

Mr. BREWER, from the Committee on Accounts, reported back the petition of Alfred Lyles, asking payment for labor under the Doorkeeper of the House in the Forty-fifth Congress, with the recommendation that said committee be discharged from its further consideration, and that it be referred to the Committee on Claims. The change of reference was ordered accordingly.

LAWRENCE S. BRUMIDI.

Mr. MCCOOK, from the Committee on the Library, reported back the memorial of Lawrence S. Brumidi, with the recommendation that said committee be discharged from its further consideration, and that the same be referred to the Committee on Public Buildings and Grounds.

The change of reference was ordered accordingly.

REVOLUTIONARY BATTLE-FIELDS.

Mr. GEDDES, from the Committee on the Library, reported back with an adverse recommendation the bill (H. R. No. 4347) relative to Revolutionary battle-fields; which was ordered to be laid on the table and the accompanying report printed.

ORDER OF BUSINESS.

The SPEAKER. The call of committees is now completed. The Chair desires to submit several executive communications, if there be no objection.

WRAPPING-PAPER FOR POST-OFFICE DEPARTMENT.

The SPEAKER, by unanimous consent, laid before the House a communication from the Postmaster-General, recommending an additional appropriation of \$5,000 for wrapping-paper; which was referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF PACIFIC RAILROADS.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of the Interior, transmitting, in response to House resolution, a report of the annual gross and annual net earnings of the Central Pacific, Kansas Pacific, Union Pacific, and Sioux City and Pacific Railroad Companies from the commencement of the operations of each to the present time; which was referred to the Committee on Pacific Railroads, and ordered to be printed.

CUSTOM-HOUSE SEARCH-WARRANTS.

Mr. KELLEY. The gentleman from Ohio [Mr. CONVERSE] withdraws his objection to the bill I reported a short time ago from the Committee on Ways and Means.

Mr. CONVERSE. I withdraw my objection to the present consideration of the bill.

Mr. KELLEY. I ask that the bill be now brought before the House for consideration and passage.

Mr. ATKINS. Let the bill be read.

The bill was read, as follows:

A bill (H. R. No. 5221) to amend section 3066, of the Revised Statutes.

Be it enacted, &c., That section 3066, chapter 10, title 34 of the Revised Statutes be amended so as to read as follows:

"Sec. 3066. If any collector, naval officer, surveyor, or other person specially appointed by either of them, or inspector, shall have cause to suspect a concealment of any merchandise in any particular dwelling-house, store, building, or other place, they or either of them, upon proper application on oath to any justice of the peace, or district judge of cities, police justice, or any judge of the circuit or district court of the United States, or any commissioner of the United States circuit court, shall be entitled to a warrant to enter such house, store, or other place, in the day-time only, and there to search for such merchandise; and if any shall be found, to seize and secure the same for trial; and all such merchandise, on which the duties shall not have been paid, or secured to be paid, shall be forfeited.

Mr. KELLEY. The bill simply changes the title of the officer.

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

Mr. KELLEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. PAGE. I call for the regular order.

Mr. SPEER. I desire to state to the gentleman from California that my colleague [Mr. BLACK] is quite sick. He would have introduced on Monday the bill which I hold in my hand but for his illness. I ask to be permitted to introduce it for reference.

Mr. PAGE. All right.

IMPROVEMENTS IN BRUNSWICK HARBOR, GEORGIA.

Mr. SPEER. I introduce for my colleague, [Mr. BLACK,] for reference to the Committee on Commerce, a bill to appropriate \$75,000 to continue the improvements in the harbor at Brunswick in the State of Georgia.

The bill was referred to the Committee on Commerce through the petition box.

POLYGAMY.

Mr. ROBINSON, of Massachusetts. I present the memorial of upward of 3,000 inhabitants of Massachusetts on the subject of polygamy in the Territories. I ask that it be referred to the Committee on the Judiciary, and that the heading be printed in the RECORD.

There was no objection, and it was so ordered.

The petition and accompanying resolutions are as follows:

*To the honorable Senate and House of Representatives
of the United States in Congress assembled at Washington, D. C.:*

We, the undersigned, citizens of Massachusetts, considering polygamy in our Territories as dangerous to our peace, a foul blot on our national purity and a crime against the law of God, humbly petition your honorable bodies to enact and enforce such laws in Utah and elsewhere as will destroy it from our Christian civilization.

At a mass meeting in Tremont Temple, Boston, held Monday, March 13, presided over by Bishop R. O. Foster, D. D., LL. D., of the Methodist Episcopal Church, addressed by Rev. A. Hovey, D. D., president of the Newton Theological Seminary; Hon. Robert V. Bishop, president of the Senate; Rev. E. H. Capen, D. D., president of Tufts College; and Rt. Rev. Bishop B. H. Paddock, of the Protestant Episcopal Church, Diocese of Massachusetts, it was voted: we unanimously concur in the above petition and humbly pray your honorable bodies to grant its prayer.

V. A. COOPER.

At a meeting of the Evangelical Alliance, held in Boston, Monday, March 13, nearly four hundred ministers of Boston and vicinity voted: that we heartily indorse the foregoing petition.

A. H. PLUMB, *President.*
WM. C. WOOD, *Secretary.*

(This petition contains 3,028 names.)

SALE OF LOGS ON MEMONONEE RESERVATION.

Mr. POND. I ask unanimous consent that the bill (H. R. No. 2736) authorizing the sale of certain logs cut by Indians of the Menomonee reservation in Wisconsin be taken from the House Calendar and passed. This is a Department bill introduced by myself, and it has received the approbation of the Committee on Indian Affairs of this House, and has also been favorably considered by the Committee on Indian Affairs of the Senate.

Mr. PAGE. Will this bill provoke any discussion?

Mr. POUND. I hope not.

Mr. SPRINGER. I object and demand the regular order.

Mr. POUND. It is very important this bill should pass now. The river is breaking up, and authority should be given to sell these logs now.

Mr. SPRINGER. There are other very important bills on the Calendar.

CHINESE IMMIGRATION.

The SPEAKER. The regular order which is now insisted on is the further consideration of the bill (S. No. 71) to execute certain treaty stipulations relating to Chinese. The gentleman from Kentucky [Mr. WILLIS] is entitled to the floor.

Mr. WILLIS. Mr. Speaker, I congratulate the people of the Pacific slope, who have so long and so patiently borne the burden of Chinese immigration, and I congratulate also the whole United States, who were destined to be its victims, upon the hope of receiving substantial if not entire relief by the passage of this bill. And especially do I con-

gratulate them and the friends of this measure upon the fact that thus far in this debate no one has been found to deny absolutely either the necessity, the propriety, or the justice of this legislation. Every gentleman who has spoken in opposition to this bill has declared—and I do not think I am mistaken in this statement—that if the time of its operation was restricted to five or ten instead of twenty years, as here provided, he would vote for it. If the commercial interests of the country, if the traditions of our fathers and the broad principles of equality and sentimental philanthropy can be laid aside and ignored for five or for ten years, it becomes simply a question of policy or expediency, and not of right, whether they cannot be suspended for twice ten years. As the gentlemen who oppose this bill announce their willingness to vote for a five or ten year suspension, the principle of the present bill, its rightfulness, propriety, and necessity are admitted. At the very threshold of this discussion, therefore, there is cause for congratulation.

The whole subject of Chinese immigration has been made familiar to the country. From every stand-point and in every forum—economically, scientifically, politically, and religiously; in the pulpit, on the hustings, in the courts, and before the nominating conventions of all parties—this question has been discussed as one woven with the future destiny and welfare of our people and involving the safety and harmony of our social and political institutions.

As a member of the committee reporting the House bill, and as chairman of the sub-committee who reported a similar bill in the last two Congresses, I have given the facts and principles upon which it rests the most careful consideration. Still, in view of the general discussion which the subject has received, I can only hope to be a gleaner where others have reaped—to add but a mite to the rich contributions of thought and information already given to the subject.

Before discussing the merits of the bill now before us, let us recall for a moment the facts connected with the

FIRST APPEARANCE OF CHINESE IN AMERICA AND THE LEGISLATION HERETOFORE ATTEMPTED.

The news of the discovery of gold in fabulous quantities in California attracted an immigration from all parts of the world. Among the earliest arrivals were the Chinese. It is a well-known fact, and one which should be borne in mind in the present discussion, that there was no prejudice or hostility to them at this time. On the contrary, they were welcomed as a unique addition to the society and a valuable ally in the development of the material resources of their new home. As late as March 11, 1862, the Legislature of California, through a joint select committee, made an elaborate report, from which I shall quote hereafter, congratulating the State upon the presence of the Chinese, urging the adoption of measures to secure as permanent citizens those already here and offering inducements to others to come. When this report was made the Chinese population in the State was estimated at fifty thousand. Within less than five years after this report the favorable judgment expressed by it was entirely reversed, and the Chinese, by reason of their sordid, selfish, immoral, and non-amalgamating habits, came to be regarded as a standing menace to the social, industrial, and political institutions of the State.

MUNICIPAL AND STATE EFFORTS AT RELIEF.

First, in the city of San Francisco, where, because of its immense Chinese population, the evil results of their presence were most conspicuous, and subsequently throughout the whole State, the hostility to the Chinese became so great as to threaten constantly a breach of the peace. The public press was almost unanimous in its condemnation. Enthusiastic public meetings were held, presided over by representative men of the State. Anti-Chinese societies were formed and a war of races seemed imminent. The municipal and State authorities, responding to this overwhelming sentiment, endeavored to remedy the evil by ordinances and legislative enactments. Among these may be recalled the "queue ordinance," the "capitation tax," the "basket ordinance," the "landing tax," and the "cubic-air law," all of which were aimed at the Chinese, and all of which were finally adjudged to be unconstitutional by the Supreme Court of the United States. The hope of reaching and remedying the evil by State or municipal legislation was finally and utterly overthrown by the decision of the Supreme Court of the United States in the case of *Chy Lung, plaintiff in error, vs. Commissioners of Immigration of California et al.*, which went to the length of deciding that the State of California had no power to prohibit the landing of passengers of any kind whatever, not even when known to be immoral, criminal, or vagrants.

APPEALS TO CONGRESS FOR RELIEF.

Every other means of relief proving ineffectual, the people of the Pacific coast determined to appeal to Congress. Accordingly, as early as the 22d of December, 1869, over twelve years ago, at the second session of the Forty-first Congress, an effort was made, but without success, to secure restrictive legislation. In the Forty-second and also in the Forty-third Congress numerous memorials, resolutions of public meetings, and petitions, one of which numbered over 16,000 signatures, was presented to the same effect and with the same result. At the first session of the Forty-fourth Congress these renewed appeals for relief met for the first time with a favorable response. A joint resolution was introduced and passed calling upon the President of the United States to "open negotiations with the Chinese

Government for the purpose of modifying the provisions between the two countries, and restricting the same to commercial purposes."

At the second session of the same Congress another joint resolution was passed requesting the President to present to the Chinese Government an additional article to the treaty of July 28, 1868, reserving mutually to the two governments the right to regulate, restrict, or prevent immigration to their respective countries. These authoritative requests on the part of Congress failed to secure the desired relief. In the meanwhile the question had assumed dangerous proportions. The conviction that Chinese immigration was a great evil was so deep-seated and unanimous that mob violence was openly threatened, and in many instances the arm of the law seemed powerless to protect. Recognizing the exigency, the Legislature of California appointed a special committee who presented an "Address to the people of the United States," and a memorial to Congress, based upon the testimony of witnesses acquainted with the subject, which ably and graphically sets forth the objections to the Chinese.

ACTION AND REPORTS OF COMMITTEES.

After presenting the facts and the failure of legislative efforts at relief, the committee say:

In view of these facts thousands of our people are beginning to feel a settled exasperation, a profound sense of dissatisfaction with the situation. Hitherto this feeling has been restrained, and with few exceptions the Chinese have had the full protection of our laws. The people of this State have been more than patient; the condition of affairs as they exist in San Francisco would not be tolerated without a resort to violence in any eastern city. It is the part of wisdom to anticipate the day when patience may cease, and by wise legislation to avert its evils. Impending difficulties of this character should not, in this advanced age, be left to the chance arbitrament of force. These are questions which ought to be solved by the statesman and philanthropist, and not by the soldier.

This address and memorial was adopted and published on the 13th day of August 1877. In July of the preceding year, at the second session of the Forty-fourth Congress, a joint special committee was appointed, which collected voluminous testimony upon the same subject, and by a majority report urged upon the executive department the necessity for an immediate change of the Burlingame treaty to the end that such immigration might be restricted or prevented. That committee visited the Pacific coast and examined one hundred and thirty witnesses. The testimony so taken covers over 1,200 pages of printed matter, and embraces the views of all classes of the community and every variety of interest. The report of the committee closes in these words:

From all the facts that they have gathered bearing upon the matter, considering fairly the testimony for and against the Chinese, the committee believe that the influx of Chinese is a standing menace to republican institutions upon the Pacific and the existence there of Christian civilization. * * * This problem is too important to be treated with indifference. It must be solved, unless our Pacific possessions are to be ultimately given over to a race alien in all its tendencies, which will make of them practically provinces of China rather than States of the Union.

The committee demand relief from this "terrible scourge" by prompt restrictive legislation on the part of Congress, whether approved by the Chinese Government or not.

In the second session of the Forty-fifth Congress it became my duty, under instructions from the Committee on Education and Labor, to present to the House a resolution which again called attention to the obnoxious features of the Burlingame treaty and requested prompt action on the part of the executive department in securing its change or abrogation. As no action was taken upon this resolution our sub-committee was authorized during the third session of the same Congress to present a bill upon the subject. That bill, popularly known as the "Fifteen Chinese passenger bill," was passed by an overwhelming majority, but was arrested by the interposition of the President's veto. In the Forty-sixth Congress we presented several resolutions of inquiry and appeal to the Executive. Finally ministers plenipotentiary were appointed, by whom—on the 17th of November, 1880—the treaty was concluded under whose provisions we now propose to legislate.

I have thus, Mr. Speaker, given the history of former efforts at relief, from which it will be seen that this bill is not the offspring of sudden impulse and passion, but that it is the result of long, faithful, and laborious exertions, and that if passed it will be a late, if not reluctant, response to appeals that have been heard and unheeded upon this floor for nearly twelve years.

THE QUESTION TO BE DECIDED UPON THE LAW AND THE EVIDENCE.

For myself, I am free to admit that when it first became my duty four years ago to investigate this subject I had only a vague and general idea of its nature and importance. Like the gentleman from Massachusetts who last discussed this bill, I thought that the cry of the Californians, "the Chinese must go," was an unjust, senseless, "sand-lot" cry; that it was the voice of ignorance, brutality, and fanaticism; and that the vast majority of the sober-minded and intelligent people of the Pacific slope regarded the Chinese as a frugal, peaceable, and industrious race, worthy of respect and entitled to protection.

Such were the views, or "prejudices," if you please, which I brought to the consideration of this question. If, therefore, I have reversed those opinions; if I have come to believe, as I do now believe, that the Chinese are a discordant and disturbing element in society; that they are an enemy to our progressive civilization, an alien, indigestible, and destroying substance in our body-politic; that the hostility which has manifested itself is the outgrowth, not of passion

and prejudice, but rests upon calm, deliberate intelligence and judgment—if, in other words, I believe that the bill now pending is fully justified by the facts, that it is sanctioned by law, prompted by the instinct of self-preservation, and demanded by the highest patriotism, it is because the overwhelming weight of the evidence has compelled such a conclusion. And I believe, sir, that if the evidence which has been produced before our committee were submitted to a hundred men, ninety-nine of that number would reach the same conclusion. Of this fact we have a most notable example in the late President. When the Chinese bill was before the third session of the Forty-fifth Congress, it is well known that Mr. Garfield was not in sympathy with its object, and that he voted to lay the bill and amendments on the table and to sustain the veto. The passage of the bill in the House, however, directed the attention of the country and his attention to the facts and principles upon which it was based. As a consequence we find him only two years afterward, in his letter accepting the Republican nomination—which I hold in my hand—with that high moral courage which was always outspoken in its convictions, declaring the "recent movement of the Chinese to our Pacific coast to be too much like an importation to be welcomed without restriction; too much like an invasion to be looked upon without solicitude." And rising still higher in his recognition of the gravity of the subject and the necessity for relief, he declares that "should diplomatic negotiations fail, it will be the duty of Congress to mitigate the evils already felt, and prevent their increase by such restrictions as, without violence or injustice, will place upon a sure foundation the peace of our communities and the freedom and dignity of labor." When the facts are fully understood the judgment of Mr. Garfield will be the judgment of this House and of the country.

IS THIS BILL AUTHORIZED BY THE TREATY?

I would therefore submit this bill for a decision here as I would submit a case to the decision of a jury. I would have it tried upon the law and the evidence. What, then, is the law? On the 17th of November, 1880, a treaty was concluded between China and the United States. The first article of that treaty expressly declares the right of the United States "to regulate, limit, or suspend the coming or residence of Chinese laborers." But, says the gentleman from Massachusetts, [Mr. Rice,] this bill practically amounts to a prohibition and the treaty provides that the limitation "shall be reasonable." Is there any doubt as to the meaning of "suspend"? Does it not mean a holding up, an entire stoppage of immigration for a fixed time? Does not the gentleman in the progress of his argument admit this by declaring that he would vote for a bill for a "short suspension upon this immigration?" But the present period he claims to be unreasonable, and hence against the treaty. Who, Mr. Speaker, is to decide this question? Who has said on the part of the Chinese Government that twenty years is not a reasonable suspension? Shall we, the Representatives of the American people, undertake to speak for the Chinese Government? Shall we anticipate their views upon this subject? What is twenty years to a nation which proudly boasts of its centuries of existence? And, sir, if the Government of China thinks this suspension unreasonable is there not ample provision in the treaty itself? The fourth article expressly provides that "if the measures as enacted are found to work hardships upon the subjects of China, the Chinese Minister at Washington may bring the matter to the notice of the United States, to the end that mutual and unqualified benefit may result." I submit this article of the treaty as a full and complete answer to the objections urged against this bill either as to the reasonableness of the time or the methods of registration and identification. It will be time enough to change or modify our bill when China makes complaint.

For myself, I have no doubt as to our legal right to legislate upon this subject without a treaty or even against a treaty. But here we have a plain treaty—the supreme law of the land explicitly authorizing such legislation. Is there, can there be, a doubt, therefore, that we have a law for the passage of this bill?

HAS THE UNITED STATES EXPRESSED ITS "OPINION" AS REQUIRED IN THE TREATY?

But it may be said the right to legislate is, under the treaty, a conditional right. It is only, to quote the words of the treaty, "whenever, in the opinion of the United States, the coming of Chinese laborers to the United States or their residence therein affects or threatens to affect the interests of that country, or to endanger the good order of the said country or any locality within the territory thereof," that such legislation as this is permissible. It will be seen that the treaty requires but an expression of an "opinion" on the part of the Government of the United States. That "opinion" may be right or wrong. It may be the result of misinformation, it may be prompted by hate and injustice, and yet when expressed it is conclusive upon the Chinese Government.

Under this strict and undoubtedly correct construction of the words of the treaty, certainly no one will deny that the "opinion of the Government of the United States" upon this question has not already been expressed, not once, nor casually, nor obscurely, but clearly, repeatedly, and most solemnly. Every department of the Government, judicial, legislative, and executive, has been outspoken in its "opinion." The decisions of the Supreme Court, which overthrew the anti-Chinese State laws and municipal ordinances, conceded the existence of the evils complained of and the necessity for national legislation. The legislative department has spoken to the

same effect, both by the joint resolution and by the bill which was vetoed. One of these resolutions reported by myself, under instructions from the committee, passed this House in February, 1878. Its preamble is identical with the House bill, and expresses the "opinion," and gives the reason for it, that the Chinese are not suitable or desirable immigrants to this country. We have then the "opinion" of the Supreme Court, or at least of the member who rendered the principal decisions upon this subject; we have the "opinion" of several Congresses, and here in this treaty, through his ministers plenipotentiary, we have the "opinion" of the Chief Executive expressed in the words "whereas the Government of the United States, because of the constantly increasing immigration of Chinese laborers to the United States and the embarrassments consequent upon such immigration, now desires to negotiate a modification of the existing treaties," &c. The extent and character of these "embarrassments" were known to both the high contracting parties.

If, then, under the first article of the treaty, as a condition precedent to legislation, the United States must have expressed an "opinion" as to its necessity, who in the face of these repeated and emphatic declarations will contend that the condition has not been fulfilled? Here, having shown that the treaty authorizes this or some similar law, and that our Government has expressed its opinion that it is needed, the friends of the measure might rest its claims. The Government having committed itself advisedly and deliberately to this policy of restriction, having negotiated a treaty for the express purpose of enforcing such a policy, were it to refuse now to go further it would be an evidence of weakness and vacillation, if not of self-stultification, which every foreigner would regard with contempt and every American must recall with sorrow and humiliation.

HOW ARE THE ISSUES INVOLVED TO BE DETERMINED?

But, Mr. Speaker, while satisfied that this House is estopped by the facts from refusing this legislation, no friend of this bill need fear to submit its merits to any other test which may be demanded. I claim that it is not only legal and constitutional, but right and expedient; that the Chinese are not now and never will be adapted to our forms of society and government, and that it is to their interest and to our interest that the two races should not be intermingled.

How are these issues to be settled? Are we to evolve from our inner consciousness certain ideal, sublimated principles of government which shall control our decision? Shall we look down upon them from the mountain height of an exalted humanity, disregarding or ignoring the logic of practical facts? Can we determine them by their relation to the "fatherhood of God and the brotherhood of man"? Shall we appeal to the teachings and traditions of our early history, to the principles of equality and liberty which are fundamental to our Government, and which have been so eloquently and so justly landed in this debate?

Even by such standards this measure can be fully defended. But what more concerns us now and here is, not whether this legislation is in accord with the precepts of Plato and Socrates, not whether the Pilgrims of Plymouth Rock would have given it their gracious sanction, but whether we, the people of the United States of the present day, with the wars and tears and blood of two race conflicts upon our memories, are ready to invite another contest, fiercer, more fatal, more insidious and uncertain than either, ay, than both the others combined. It is whether the peace of society shall be destroyed, the dignity of labor degraded, and the condition of our working men and working women brought down to that of the beasts of the field.

WITNESSES WHOSE TESTIMONY SHOULD BE CONSIDERED.

Will any one deny these propositions? Upon whose testimony do they rest? Who are the witnesses now before the bar of this House, and who have stood here these many years to testify of these facts? Are they the "hoodlums," the "riffraff," and the "ruffians" of California and the Pacific States? Are they the lazy, the idle, and profligate, unwilling to work themselves and maliciously refusing that privilege to others? Are they individuals, a few among many thousands, who for private or interested motives wage this warfare upon the Chinese? Is it one city, or one community, or one State that demands, for cause stated, the passage of this law? Let the records of this body, let the facts of history answer these questions. We present you the testimony of individual citizens of the highest intelligence and character; we present you the statements of the representative men of every trade, avocation, and profession; we present you the resolutions of societies, both civic and religious; we present you the petitions and declarations of neighborhoods, counties, and municipalities. Certainly upon any question, however solemn and extraordinary, the testimony of such witnesses, clear, forcible, unimpeached, and unimpeachable, would be entirely conclusive.

FOUR STATES APPEALING FOR LEGISLATIVE RELIEF.

But, sir, we do not rest our case here. In addition to the proceedings of innumerable societies, religious bodies, labor conventions, and the petitions of over one hundred thousand private citizens from all parts of our country, there are to-day in the hands of our committee the joint resolutions of four State Legislatures, setting forth the evils of Chinese immigration, and urging upon Congress the necessity for prompt and vigorous relief. Four sovereign States of this Union—California, Oregon, Nevada, and Colorado—the young, patriotic, and progressive children of the far West, who have borne your laws and

customs and carried the banner of your civilization to the utmost verge of your possessions, braving the perils of the savage wilderness and its still more savage men; States which have poured into your coffers their treasures of silver and gold, enabling you to maintain your credit and honor among the nations of the earth, now stand before you witnesses to the blighting evils of Chinese immigration and petitioners for relief at your hands.

VOTE OF CALIFORNIA AND NEVADA.

I hold in my hand a proclamation under the broad seal of the State of California, announcing its official action upon this subject.

On the 3d day of September, 1879, the Legislature of California submitted the question of Chinese immigration to the vote. There were 883 votes for and 154,638 against Chinese immigration, showing an anti-Chinese majority of 153,755.

When it is known that this is within a fraction of the entire vote of the State, and that under the laws of California the secrecy and sanctity of the ballot are more successfully guarded than by any other government in the world, the force of such a popular verdict is greatly intensified. In Nevada, upon a similar test, out of 17,000 votes cast there were only 300 in favor of Chinese immigration. Will you heed the voice of these States, coming to you unanimously through their representatives in both Houses of Congress and through the more authoritative resolutions of their legislative assemblies, or will you reject their united testimony and suffer the dead body of an effete civilization to block the highway of their progress? Will you permit the repulsive specter of Asiatic squalor, vice, and servitude to stand at the gateways of the West to drive back the teeming millions of Caucasian immigrants who are now pressing toward its fertile plains? If you will, you do it against their best interests and in the face of their solemn protest.

THE EAST RESPONDS TO THE WEST.

Nor is this strong evidence against Chinese immigration confined to the Pacific slope. I venture to assert that the unanimity of sentiment upon this subject which now prevails in the West would find its parallel in the extreme East—in the North or in the South under like conditions. Nor is this a mere conjecture.

The gentleman from Massachusetts, [Mr. RICE,] in his clear and forcible argument of yesterday, referred to the imaginary dangers which might arise from Chinese immigration, and ironically complimented my committee colleague [Mr. PAGE] upon his Quixotic attack upon the Chinese, comparing it to the world-renowned "battle on the wind-mills." He also alluded to the "alarming fact that by the census of 1880, among 50,000,000 of American people there are mingled 105,000 Chinamen."

It is known to this House that in the State of California, as shown by the same census, the Chinese number one-half the adult voting population of the State. It is equally well known that they have a residence in that State of over twenty-five years.

I desire now, as showing the prompt and spontaneous action of the East as compared with the slow and plodding habits of the West, to call the attention of the gentleman from Massachusetts to an episode in the history of his own State, in which not seventy-five thousand as in California, but seventy-five Chinamen were involved, who were residents, not for twenty-five years, but for twenty-five days when these events occurred.

About twelve years ago a wealthy shoe firm at North Adams, Massachusetts, had some trouble with their employes. The Chinese were invited to fill the places made vacant by the rebellious Crispins. They were not only invited but they came; they not only came but they saw, and for the time being they conquered. How was their coming and residence greeted? How did the conduct of our eastern friends compare with their brethren of the far West? Is it not an established fact that when the coming of these Chinese was understood, threats of violence were freely bandied about, even before they had begun their eastward journey? Is it not equally well known as a part of the current history of that day that excited crowds assembled at the principal cities on the line of their journey, and that their arrival at those cities was met with jeers, hootings, and threats of personal violence? At Troy, in the State of New York, and elsewhere, excited individuals entered the car where the Chinese were peacefully quartered, and, brandishing their weapons, were only prevented by force from taking human life. How were they received and what was their experience at their place of destination?

The town of North Adams is one of the most secluded and conservative villages of the old Bay State. Located in a most charming and romantic spot, almost under a lofty range of mountains, sheltered from the winds of winter, and shaded in summer by densest foliage of innumerable trees,

Far from the madding crowd's ignoble strife,

it seemed dedicated to the genius of peace, law, and good order. Its numerous churches, with spires pointing heavenward like the hopes and aspirations of its God-fearing citizens, stood as sentinels to guard the safety and guarantee the happiness of every stranger who entered its gates. Here, then, if anywhere, it would seem that the high and holy influence of law, patriotism, and religion would have secured to these seventy-five Chinese laborers immunity from insult and personal violence, if it did not guarantee them the equal rights and privileges of citizenship. But such was not the case. Here, as else-

where, the instinctive feeling of humanity, which has asserted itself whenever and wherever the Caucasian and Mongolian races have come in contact, overthrew law, traditions, sentimentalities and religion to which gentlemen have so eloquently alluded. The breezes from their mountain heights in those late June days came, but with them no "healing on their wings."

I find from the historian of the times that even in that quiet "village of the plain," many of whose ancestry doubtless knelt at Plymouth Rock, a reign of terror was inaugurated. When the train reached its destination at North Adams, an immense crowd had gathered. Shouts of derisive laughter were intermingled with groans and imprecations. "Crispins in other towns," so says the historian of this event, "who came there and worked awhile were compelled by fears of personal violence to leave the town." The Chinese were "kept away from the village for prudential reasons." Even when compelled to go out to make purchases of food and garments it was necessary for them to be "properly guarded from insult." Monster meetings of workmen were held at North Adams, throughout the State, and in all the leading cities of the Eastern slope. Intense excitement prevailed. The press and the forum were ablaze with defenses and denunciations of the Chinese. The war of races was transferred from the West to the East, passion and "prejudice" ruled the hour. The great leaders of the Republican party were divided in their counsels. While Charles Sumner—who was so glowingly eulogized yesterday—stood devotedly and consistently by the "lords of the loom," that other great leader of Massachusetts' thought and politics, who was not alluded to—Henry Wilson, then a Senator from that State, and afterward Vice-President of the United States—springing as he did from the loins of the people, and knowing and sympathizing with their wants, made a noble and emphatic stand against Chinese immigration. From his place in the Senate of the United States, when Mr. Stewart attempted to call up his anti-Chinese bill, (S. No. 973,) Mr. Wilson declared:

I think the time has come when we should have some action upon this subject; for it does seem to me at the present day that there is a conspiracy of capital in this country to cast a drag-net over creation for the purpose of bringing degraded labor here to lower and degrade our laboring-men. And I think it is time to meet that question.

These words were uttered on the 23d of June, 1870, over eleven years ago, and at a time when, as the census shows, there were only ninety-three Chinese in the State which he represented. They will be accepted not only as an index to the feeling then prevailing upon this subject, but in view of what has since occurred as a striking evidence of his sound, practical, and far-seeing statesmanship.

MASSACHUSETTS PROCLAIMS THROUGH TWO CONVENTIONS HER OPPOSITION TO CHINESE IMMIGRATION.

In the same year, 1870, the people of Massachusetts still more authoritatively expressed their condemnation of Chinese immigration. Two political conventions adopted resolutions against it. The Labor Reform party held a convention at Worcester on the 8th of September, which was attended by two hundred and fifty delegates.

Mr. TUCKER. What year was that?

Mr. WILLIS. In the year 1870. On the 11th March, 1862, the Legislature of California, after twelve years' experience with the Chinese, through a joint select committee made a report whose concluding sentences I will read:

We have not the power nor should it be our policy to shut ourselves out from one of the most magnificent openings of the age. We hope soon to be connected with Asia by a line of steam vessels, which will enable us to become better acquainted with this wonderful people. Let us stay action, gather facts, study effects, enlighten ourselves and our constituents, and at the right time and in the right manner take such steps as will conduce to the greatest good of the greatest number. Our nearness and intimate connection with this industrious, numerous, and cultivated family of mankind may enable us to confer blessings on the whole human family. If a partial Providence endows us with ten talents let us use them to gain other ten; and let us infuse into our benighted neighbors the blessings of that higher and purer civilization which we feel we were destined to establish over the whole earth.

Such were the feelings and views of the representatives of California in 1862 toward their "benighted neighbors," after twelve years' endurance of their presence. Let us see what the representatives of this convention say in the year 1870, after three months' experience of these same neighbors. Here is their resolution:

Resolved, That while we welcome voluntary immigrants from every clime, and pledge them the protection of our laws and equal opportunity in every field of industry, still we are inflexibly opposed to the importation by capitalists of laborers from China and elsewhere for the purpose of degrading and cheapening American labor, and will resist it by all legal and constitutional means in our power.

On the 12th of October of the same year, 1870, the Democratic party held a convention at Fitchburgh.

Mr. PAGE. What State was that?

Mr. WILLIS. In the State of Massachusetts. I read from their platform the following:

Resolved, That, independently of the question as to the expediency of bringing into intimate political and social relations two adverse races of men, we believe it to be wrong to stimulate by artificial means the irruption into our community of swarms of Mongolians, who have neither the wish nor the aptitude to assume the duties and responsibilities of citizenship, and are brought here by interested capitalists only as so much bone and muscle to lower the dignity of labor, degrade the condition of our workmen, and create and perpetuate distinct classes in our social system.

The standard-bearers selected by these respective gubernatorial conventions were Wendell Phillips and John Quincy Adams, names worthy to stand on the long roll of worthy citizens whom Massachu-

setts delights to honor. They went to the people with these issues, and received out of a total of 151,237 the sum of 71,482 votes, or within a fraction of one-half of all the votes cast.

We are warranted, therefore, in saying that if such resolutions indorsed by such a vote resulted from the coming of seventy-five Chinese eleven years ago, it is satisfactory evidence that the humanity of the East, when put to the test, is as much opposed to this class of immigrants as the humanity of the West.

ACTION OF POLITICAL PARTIES.

Nor has the feeling of opposition to the Chinese been confined either to the East or the West. Our national platforms attest the universal sentiment in the same direction. In 1876 the Republican national platform declared that "it is the immediate duty of Congress to fully investigate the effects of the immigration and importation of Mongolians upon the morals and material interests of the country." The Democracy, in their national convention of the same year, took even stronger ground in the same direction. Under the title of the "Shield of American citizenship," as the document was officially put forth, the Democratic national platform of 1876 declared:

Reform is necessary to correct the errors of our treaties and our diplomacy which have exposed our brethren of the Pacific coast to the incursions of a race not sprung from the same great parent stock, and in fact now, by law, denied citizenship through naturalization, as being neither accustomed to the traditions of a progressive civilization nor exercised in liberty under equal laws. * * * We denounce the policy which thus tolerates a revival of the coolie trade in Mongolian men, held to perform servile labor contracts, and demand such modification of the treaty with the Chinese Empire, or such legislation within constitutional limitations, as shall prevent further importation or immigration of the Mongolian race.

These resolutions in the platform of 1876 were substantially indorsed by the platforms of every political party in the last campaign—Greenback, Republican, and Democratic.

In view of these formal declarations of all parties, discussed and approved as they were at every political gathering in the country; in view of the experience of California and Massachusetts, can it be denied that the free, unprejudiced, deliberate, and almost unanimous judgment of the United States is adverse to Chinese immigration. Is not such judgment worthy of the gravest and most careful consideration by this House?

EVERY NATION OPPOSED TO CHINESE IMMIGRATION.

Especially should it be respected, Mr. Speaker, when we know that it is confirmed and enforced by that of every country in the world where the Chinese have found a lodgment. In Java, in Siam, in Singapore, in the Philippine Islands, and in the Australian colonies, as the records show, the same opposition has been aroused and the same results realized which we to-day see upon the Pacific slope. Everywhere they have made themselves obnoxious; everywhere heavy penalties and restrictive legislation have been found necessary means of protection. In Java the Chinese have lived for hundreds of years, but this long residence has neither diminished nor destroyed the objectionable features of their character. Years ago they were declared by the official authorities to be a very "dangerous people," a "pest to the country," for which the only remedy was their expulsion. As far back as 1855 the English colony of Victoria levied a capitation tax of \$50 upon every Chinese immigrant. In 1861 a similar tax was imposed by the colony of New South Wales, and in 1877 by the colony of Queensland, and also by the French colony of Saigon. The opinion which this bill impliedly expresses is, therefore, the opinion of the world. In every land restrictive laws such as this have been found necessary.

GROUND FOR RESTRICTIVE LEGISLATION STATED.

The briefest inquiry, Mr. Speaker, into the reasons for such legislation will show both its propriety and its necessity. The Chinaman, whether as a laborer, as a member of society, or of the body-politic, is an undesirable and dangerous element in any community. Crowded, huddled together, forty or fifty in a room not larger than would accommodate with decency and comfort one man with a family, discarding or disregarding all the usual ordinary appliances of personal civilization as to diet and clothing; cooking, eating, and sleeping in the same apartment, they have succeeded in reducing the cost of living to a minimum, and thus wherever located have forced the laboring classes to the wall. As laborers, therefore, the Chinese can only exist to the exclusion or degradation of all others in the community.

Nor as members of society are they less objectionable. The personal habits consequent upon their mode of life in these squalid dens, their low, groveling ideas of virtue and religion, and their peculiar social views have been commented upon and condemned by every nation with whom they have come in contact.

As members of the body-politic the complaints against them have been equally strong and widespread. Nearly fifty years ago we find the Government of Java complaining that they form a distinct class, refusing to mingle with or be absorbed by the society around them; preserving their own costume, their own habits, traditions, social organization, and nationality.

DEGRADED LABOR DESTRUCTIVE TO A SELF-GOVERNING COMMUNITY.

The objections to the Chinese, whether from an industrial, social, or political stand-point, are worthy of serious consideration in any community. In a self-governing one, however, such as ours, they deserve especial attention. Here, if anywhere, it should be the aim of the Government, of its legislative representatives, to elevate the

dignity and preserve the self-respect of all its citizens. As are the people, so will be the government. If the people are corrupt, if they are ignorant, selfish, or unpatriotic, the government will reflect these ignoble traits in its own features.

The introduction, therefore, of a class of men like the Chinese, who are without homes or families, whose education and habits disqualify them for citizenship, whose cheap wages degrade labor, and whose want of morality and self-respect unfit them for society, is fraught with great danger to our republican institutions, and should be promptly and effectually checked.

We say in theory to our citizens that they are to be protected in all their rights and privileges; we say to them in theory that the Government respects and honors labor—honors the bone and sinew of the land. How, then, can we hope to secure a bold, defiant, independent citizenship among the laboring-men who comprise four-fifths of our population, if we declare to them by our conduct, by our practical legislation, that these generous theories are but myths, but glittering generalities? Shall we subject them to a competition—to a mode of life—that will make these grand and inspiring truths utter impossibilities? Shall we say to them that the rights and honors of American citizenship are one thing, and their possession, their enjoyment another and a different thing? Shall we, in other words, compel any class of our fellow-citizens to surrender church, home, and school to become mere "hewers of wood and drawers of water" by subjecting them to the shame and degradation which curse the Chinese laborer?

I hope and believe that no such declaration will ever go forth from this body, but that we will recognize the equal rights and dignity of all our citizens by the prompt passage of this bill.

POLITICAL REASONS FOR PASSAGE OF THE BILL.

Such a result is demanded by political no less than by industrial considerations. We welcome to our shores all who desire or intend to make this their home, or who expect to become permanent citizens of our Government. The German, the Irish, the French, and other immigrants to our country have quickly and successfully adapted themselves to our institutions. Prompt to defend the honor and to promote the interests of their adopted land, yielding cheerful and ready obedience to its laws and customs, they have illustrated in their lives and vindicated by their conduct the wise policy of immigration. As kindred drops of water, they have mingled and been lost in the great stream of American life. The Chinese have no such intention or experience. They do not come to seek homes. They disdain to accept our institutions; they look with contempt upon our social customs; they defy the authority of our laws; they retain all the distinctive features and characteristics of their national life. Twenty-five years of residence and contact with our people have left them unchanged and unimproved in any important particular. The argument, then, based upon a comparison of this race with our Irish and German fellow-citizens is utterly without foundation. The Chinese, unlike them, have always been and always will be an alien element in our midst. We want no such servile and degraded class in our Government. We want a brave, patriotic, self-reliant, assimilative citizenship.

CONCLUSION.

Only when we have secured such a citizenship may we look for the full development of the noble truths, the fulfillment of the grand destiny of our Republic. Then will we have laid its foundations broad and deep, upon the virtue and intelligence of its people. Then, too, may we hope that America—rejecting the stagnant blood of Asiatic servitude, but transmuting into herself the best life of other nationalities, following out the growth of those civilizing agencies which are already at work, prompt to protect the interests and defend the rights of all her children—America will move down the "solemn pathway of the ages," the guardian and exemplar of civil and religious liberty, her name coupled with the grateful prayers of the patriots of every land, and illustrated by the honors most worthy of a nation; her hand wielding the scepter of a wise and beneficent legislation; her brow wreathed with the imperishable chaplet of virtue, and her mountains and rich valleys vocal with the glad shouts of an hundred million of free, equal, happy, self-reliant, liberty-loving, and intelligent citizens.

The SPEAKER *pro tempore*, (Mr. PACHECO.) The gentleman from Kentucky [Mr. WILLIS] has ten minutes of his time remaining.

Mr. WILLIS. I yield the remainder of my time to the gentleman from Nevada, [Mr. CASSIDY.]

Mr. CASSIDY. Mr. Speaker, we admit the great gravity of the question under consideration. We admit that it is a new departure in the history and the policy of the Government of the United States. But for these grave features it would not be deemed necessary to enter upon the discussion of the subject at great length; for all political parties are solemnly pledged to the performance of what is sought to be achieved by the passage of this bill.

In 1876, at Saint Louis, the great Democratic party in national convention assembled, with every State in the Union represented, said in bold, terse terms that there should be no more Chinese immigration to this country. In the same year, and but a few days later, the Republican party, meeting under like auspices, said substantially the same thing. Again, in 1880, both parties in their national conventions reaffirmed the same doctrine, and once more renewed their

pledges that there must be speedy restrictive legislation on this vital question. It is unnecessary to again read these pledges. They have been repeated again and again in connection with this discussion, and are known of all men. So we have the two great opposing parties of this country on the record both favoring a common purpose. Nay, more than this, I am reliably informed that the Greenback party also included in its platform a plank against the further coming of the Asiatic horde. I am thankful that the Greenback party took that position. It is at least one sensible thing to pass to its credit.

A fourth party which has recently come into existence and power in the grand historic Old Dominion beyond the Potomac I have not heard from, but from its peculiar tenets I think I may feel justified in assuming that it likewise will join with us in repudiating the class at which this legislation is directed; that it will stand shoulder to shoulder with the other great parties of the country in staying and turning back the tide of barbarism that has been flowing in upon us uninterruptedly for thirty years.

Mr. PAUL. May I interrupt the gentleman?

The SPEAKER *pro tempore*. Does the gentleman from Nevada yield?

Mr. CASSIDY. For a question, yes, sir.

Mr. PAUL. As the gentleman has traveled outside of the record in this discussion to assail the character of my State and the party which I have the honor in part to represent on this floor—

Mr. CASSIDY. If the gentleman will permit me, I have not assailed anybody or anybody's party.

The SPEAKER *pro tempore*. Does the gentleman from Nevada yield?

Mr. CASSIDY. I do not yield for the gentleman to interject a speech into mine.

Mr. PAUL. I only wish to correct the gentleman's statement by assuring him that there will be a plank in our platform in opposition to Chinese immigration when we hold our national convention.

Mr. CASSIDY. I accept the gentleman's apology. I am glad to hear that the new party across the Potomac promises to develop one redeeming sentiment. But the gentleman misunderstood me. I was merely referring to the attitude of political parties on this question. I had a right to discuss it in that light. I intended no offense to any individual. I was speaking of parties in the aggregate. I thank the gentleman most heartily for the assurance that the new party is all right on this bill. We have now got all of the parties in, and the bill ought to pass unanimously if the pledges of political conventions go for anything, because everybody is committed in its favor. We are all pledged to do precisely what this bill says shall be done. There should in reality be no division among us, and little or no cause for discussion.

The case must have been made up fully and unanswerably or otherwise all of these great political parties would not have taken position, as I have shown they did. Neither the country nor parties proclaim to the world that a thing should be done until they have made up their minds to that effect. Hence these platforms to which I have called attention, in ordinary cases and under ordinary circumstances would be deemed conclusive of the whole argument. But this is regarded as an extraordinary case, and hence it is that gentlemen are beset with doubts and desire time for a most exhaustive examination and discussion of the subject in all of its bearings. The friends of the measure are anxious to extend the utmost limit of debate, to the end that correct conclusions may be reached. We are confident in the strength of our position and the justice of our cause, and hence we entertain no fear that any portion of our lines can be successfully assailed or carried.

It has occurred to my mind that gentlemen who have treated this subject, both here and in the other end of this Capitol, (the Senate,) have taken entirely too restricted a view of the question at issue. Without an exception, they treat it as a question local to California and the Pacific coast. Nothing was ever further from the real facts in the case. It is in no sense a local question, but a great national question, as broad as this Union itself. True, California and the Pacific coast have thus far been the principal sufferers from this terrible evil, but in the absence of restrictive legislation, such as is here proposed, the day is not distant, and cannot be, when our unfortunate experience will be shared by every community throughout the length and breadth of the land. With a population of 450,000,000 to draw upon, the numerical ability of the Chinese Empire to literally submerge us beneath a tidal wave of vice, disease, and barbarism cannot be denied. And the will, the disposition, is not lacking.

The census demonstrates that Chinese immigration is steadily increasing. No doubt the tide has been checked in some measure by the unceasing agitation on the Pacific slope. But defeat this bill, throw wide open the Golden Gate, and no man can predict the end; no man can foretell the ultimate effect on the freedom and civilization of this country. For I say to our brethren of the East, without passion, without prejudice, without hatred, but as the result of calm deliberation and observation, covering a period of a quarter of a century on the Pacific coast, that for weal or for woe, their action on this bill is destined to affect, in a material sense, every essential of liberty and free government in America down through all the coming ages. If this undesirable element is ever to be checked now is the time to do it. We cannot risk the chances of the future. Pub-

lic sentiment is subject to marvelous changes. Wealth and monopoly, the allies of cheap labor, are daily and hourly gaining greater power over the people. We cannot give the monopolists time to manufacture a pro-Chinese sentiment in this country. They will do it if the opportunity is afforded them. There is no safety beyond the present. We must act now in the interest of the present and future generations.

The people of the Pacific coast are a broad, brave, and generous people. They are your brethren. Every State and every clime under the sun is represented there. The flower of all your States went with the rush to the golden Pacific. They are liberty-loving and loyal citizens of this great Republic. Not a man among that splendid throng is capable of an ungenerous deed or thought. Contact with all races of men has lifted them high above the prejudices of race. And these are the men and people, nearly 2,000,000 strong, who bear overwhelming testimony to the unmitigated evil of Chinese immigration. No selfish motive or unworthy purpose animates them. They come as American citizens; they come as intelligent and unbiased witnesses; they come as your brothers; they come as the guardians of your liberties, of your civilization, of your welfare and progress, on the outposts and westerly confines of this glorious Union, in whose strength and grandeur and destiny they have a common interest, appealing and supplicating not in a restricted local sense, as has been unjustly attributed to them, but as ardent lovers of this whole country, proud of its past glories and hopeful of its future achievements, they come, I say, this people, this matchless people, as one man, irrespective of party, irrespective of religion or creed, irrespective of sex or sect, beseeching you to pass this bill and spare the land of the fathers, the land of liberty, the land of Washington, of Jefferson, and of Madison, from the merciless ravages of a devastating foe, though insidiously peaceful, not less dangerous to our free institutions and the high standard of civilization born of freedom and free men than an openly hostile enemy, possessed of every equipment and engine of modern warfare, marching resistlessly on and on, against a hapless and helpless people, to the inevitable overthrow and extinction of all!

Such are the people of the Pacific coast and such is the cause they represent. The case is not overstated. We religiously believe that unrestricted Mongolian immigration means ultimate destruction. Self-preservation is the first law of nature and of nations. The friends of this measure plant themselves on this broad ground. The mere statement of the doctrine suggests every argument necessary to its support. Indeed, our right under the Constitution and treaty has not been seriously controverted. The enemies of the bill mainly predicate their opposition to it on the question of public policy. They also mix a good deal of sentiment with their policy. I have followed the literature of this case pretty closely since the bill came on for hearing in the other end of this building, and I have yet to discover the first sound practical reason why the bill should not become a law.

The framers of the Constitution say in the preamble that they ordained that instrument to "insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessing of liberty." To whom? To themselves and their posterity. There is nothing in this grant that implies that we shall embrace in our nationality the people of all lands. On the contrary, the fathers seem to have been looking out chiefly for themselves and their own people. We do not violate in our bill any principle of the preamble or the Constitution itself. European immigration is desirable and we welcome it. But we are to bear in mind that "domestic tranquillity" and "the general welfare" are among the objects for which this Government was especially created. Either provision is fatal to the Chinese. There can be no "tranquillity" while they continue to come. They are a disturbing element and must always remain so because of their non-assimilative habits and customs. That they are not promotive of "the general welfare" is equally certain. Nor can they ever be as long as they content themselves with eating out our substance and breaking down our free system by driving our poor men and women from every avenue of remunerative employment.

And now a word about the new treaty. That instrument gives us the right to "regulate, limit, restrict, or suspend" the coming of Chinese immigrants to this country. China has agreed with the Government of the United States that we may do any of these four things—"regulate, limit, restrict, or suspend." We have concluded to apply the latter remedy, and hence we say in our bill that no new coolies shall come to this country for twenty years. Gentlemen on the other side hold up their hands and say this is entirely too severe; that it is not a reasonable exercise of the power of suspension. They want to reduce the time to ten years. Ten years would meet the ordinary dickerings and temporary expedients of individuals very well, but I submit that when applied to two great nations it would not comport with the dignity and power of the high contracting parties. As compared with the life of nations, twenty years is a brief period, particularly in comparison with the life of the Chinese Empire, which has endured for more than 5,000 years. Our own Government also has entered upon its second century. A ten-year suspension would hardly restore "tranquillity" on the Pacific coast. The agitation would have to be kept alive to insure a second suspension at the expiration of the first. Nothing short of twenty years will afford us the relief and repose which our people and section so earnestly desire.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. CASSIDY. I would like to have a few minutes more.

Mr. PAGE. I hope unanimous consent will be given to the gentleman from Nevada to conclude his remarks. He represents a State that is greatly interested in this matter.

Mr. CASSIDY. I am booked for an hour further down the list, which time I will yield to other gentlemen.

The SPEAKER *pro tempore*. Is there objection to granting further time to the gentleman from Nevada?

Mr. TAYLOR. How much time does the gentleman desire?

Mr. CASSIDY. Perhaps half an hour; I have no set speech upon the subject. I am talking without premeditation or preparation.

There was no objection, and further time was granted.

Mr. CASSIDY. I was saying that one of the points made against this bill is the assumed fact that we are not reasonably exercising the power granted under the treaty. That is wholly a matter of opinion. No man has a right to assume that the Emperor of China will regard the twenty-year limit as an act of unfriendliness, especially to the extent of causing a disturbance in our commercial relations and intercourse with that empire. We have fixed, as we think, a reasonable time during which coolies shall not come to our shores. They have had the free run of this country for thirty years, coming and going at will, and now we say they must give us twenty years of quiet and rest. That is all there is to this bill, and I submit that the requirement is neither harsh nor unreasonable. So much for the unreasonableness of this enactment.

Now we come to the second objection. I have never heard but about three, but the second is where we get the poetry of sentiment; that is the place where the universal fatherhood of God and the universal brotherhood of man comes in. I am not going to dispute that brotherly theory, because I do not know any more about it than those who bring it forward. It is not essential to this discussion to go into the history of all of our poor relations.

"All men are created equal, and endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness," says the immortal Declaration of Independence. And this is used with persistent and masterly effect, in the interest of the coolies brought hither under servile contracts as degrading as human slavery itself, by the opponents of this bill.

I have always been considerably in doubt about that equality clause in the Declaration. I have never been able to reconcile that sentiment with the course of the men who promulgated it immediately thereafter. I am charitable enough to believe they builded broader than they knew, else how are we to reconcile the facts that there were more than a half million of human beings in slavery in the colonies when the Declaration was adopted, and that within less than fifteen years the Constitution was framed, substantially by the same minds, containing a specific provision continuing the African slave trade down to and including 1808. Here are acts by the same patriotic men, performed at about the same time, which seem irreconcilable. It is hard to believe that these sturdy, good men declared a living principle, and then ignored it for personal advantage and gain. I have always entertained a better opinion of them than that. Hence I have been forced to conclude that that equality clause was not written with a view to the equality or non-equality of the various races of the earth. I do not believe the author had anything of the kind in his mind when he penned the charter of our liberties.

The circumstances surrounding him at the time deserve to be considered. The sovereign of Great Britain was insisting on his claim to rule over this country by the divine right of kings; that the superior quality of his blood gave to him rights and powers not enjoyed by other men. It was this claim that the author of the Declaration set out to combat. He did not believe that any man in the Old World possessed the inherent right to rule the men who had experienced untold hardship and peril in subduing the new; and so he went to work to tell King George that his assumption of authority on this side of the Atlantic was a piece of usurpation. To make himself clearly understood he had to assail the divine-right theory in straightforward terms; he had to say that "all men are created equal;" that no man has a right to set up as a hereditary sovereign to rule over a people; that one baby is as much a king when born as another baby; that the brain and heart and conscience made the man, and made them all equal in the matter of kingly attributes. That was the doctrine that was proclaimed; nothing more, and nothing less.

Our Massachusetts friends may assert that the Chinaman is as good as anybody else, and is entitled to come here and enjoy the rare blessings of our free institutions under the equality clause hurled at King George in our Declaration of Independence, but still that does not make him a safe or desirable acquisition to our population. I assert that there is neither social nor moral nor intellectual equality anywhere under the sun, and I do not draw the line on the color of the man's skin either. There are grades everywhere. If I am credibly informed, and I believe I am, our colored fellow-citizens right here in Washington have an aristocratic circle to which the less fortunate and less favored colored brother cannot gain admittance on such close and cordial terms as would lend force to the argument of the distinguished gentleman from Massachusetts [Mr. RICE] on the universal brotherhood theory. I am not finding fault with respectable colored people because they refuse to associate with vagabonds of their own

race on terms of perfect equality. Neither are white people to be criticised for similar distinctions. But the fact remains that there is not in this country now and never will be that broad and promiscuous equality which the gentleman from Massachusetts [Mr. RICE] who addressed the House yesterday asserted to be a principle in the organic law of the land as fixed as the stars in their course. Now, with all of his sentiment on this subject, I should not hesitate to wager that there are one thousand men in his own district in Massachusetts, may be ten thousand, whom he will not meet on terms of social intercourse and perfect equality.

Mr. RICE, of Massachusetts. Does the gentleman from Nevada refer to me?

Mr. CASSIDY. I do, sir.

Mr. RICE, of Massachusetts. I would be sorry to believe that there is any member of this House who would feel himself above meeting any of his constituents upon terms of equality.

Mr. CASSIDY. That is more sentiment; but the gentleman can have his own way about it. I have no objection. But I know, Mr. Speaker, and so does every one in this presence know, that the equality gush we have been compelled to endure at both ends of this Capitol since the discussion of this Chinese bill began has no practical application or illustration anywhere in this country as society is constructed to-day. We are all equal before the law; the same laws are made for all; political equality is attainable, and I beg to assure gentlemen on the other side that I will go as far as the most radical of them in securing these natural and political rights to all men entitled to enjoy them under our laws without regard to race, color, or previous condition. In no respect is the line to be drawn at color. A respectable and self-respecting colored man is better than an unworthy white man who may be destitute of these qualities. The heart and conscience and brain and moral worth and energy make the man under our new system and new civilization, and not the color of the skin.

And just here let it be stated that the rights of the colored people of this country are in no sense invaded or threatened by the terms of this bill or the spirit which it breathes. It is aimed at a non-voting, non-progressive, and non-assimilative people, who have no attachments for this country or its institutions save the sordid desire of bettering their condition in a pecuniary sense. No Chinaman ever came to this country because he hated oppression and loved liberty. He comes in every instance for the almighty dollar, and is incapable of an inspiration or aspiration beyond this. None of these things will lie against the citizen of African descent any more than against the man of Caucasian blood. Hence the colored man is in no way affected, and he need not be in any way disturbed. The discussion of races indeed had no proper place in this debate. It was dragged in by the sentimental gentlemen who preach equality in its broadest sense, but fail to practice it in its most restricted sense. We are not legislating against the Chinaman because his skin is yellow; we have no objection to that; but we are against him because of the civilization which he brings with him and which he refuses to abandon after years of residence among us. Colors have nothing whatever to do with this subject, and I should never have alluded to them but for the purpose of controverting some of the issues raised by our New England friends, both here and in the Senate. Your naturalization laws as they stand to-day exclude the Chinaman from citizenship, and we say that if he is not desirable as a citizen he is not desirable in any other sense or for any other purpose. They are a people without a religion, without a conscience, and without a God. There is no honesty among the men or virtue among the women. I mean to refer of course solely to the class which comes within the scope of this bill.

And now as to the third and last point made by the honorable gentleman [Mr. RICE] against the provisions and purposes of this measure. He painted the great benefits resulting from an unfettered commerce. He showed that two principal benefits come to nations from untrammelled commercial intercourse, namely, wealth and enlightenment. Both propositions are true when applied to nations whose civilization is equally advanced. But I deny that our people have anything to learn from Asia; I deny that they can be benefited or lifted up intellectually by the contact, and I also deny that the advantages to the two countries are mutual and reciprocal. We may impart in some degree the examples of our civilization and energy and enterprise, but we can get nothing in return for them. Hence the advantages are all on one side, and, as usual, the heathen has the best of the bargain. This brings our commercial relations with China down to a dollar-and-cent proposition, and I am sorry to find any gentleman on this floor, from New England or elsewhere, who is willing to place the civilization of his country and the liberties and happiness and general welfare of his people in the balance against the paltry dollar. It is a narrow, sordid, unworthy sentiment.

But we do not interfere with the commercial relations between this country and China, except in the indirect way incident to the inhibition we place on the coolly by this bill. We leave those relations intact, just as they have always stood. But my Massachusetts friend is unfortunate in alluding to the incidental injury resulting to commerce from placing restrictions upon it. He builds a high wall of protection all along our sea-coast for the exclusive benefit of the home manufacturer as against the free commerce of all the world; and when we undertake to exclude a certain class of people we are

met with the argument that we are going to strike down the commerce of the Orient. If we can only maintain it at the expense of degradation to our own people and civilization, I for one say, let it go down, never to rise again. We get nothing from that direction that is absolutely indispensable. As between the liberties of a people and commercial barter there can be but one choice. But my protectionist friend seemed to lose sight of the fact that the exclusion proposed in this bill is direct protection to American labor. That is the best aspect of the bill. It gives the laborer immediate and direct protection. He does not receive it in the second degree, if at all, as in the case where the protection is laid on the product of labor mainly for the benefit of the capital which employs it.

Our protectionist friends of New England want a high protective tariff for all they have to sell, their manufactured articles, and a free, open market in which to buy that which they most require, labor. That seems to be their theory and position. And yet they never hesitate to tell us that they favor the tariff simply as a means of benefiting the American laborer. They will never again have the opportunity of voting for a bill which will confer as great protection and direct personal benefit on the laborers of the country as this. It goes directly to the point, and ought to strike protectionists, if they mean what they say, in the most favorable light possible. No man holding to that faith and policy with any decent showing of consistency can afford to record his vote against this bill.

One word further in reply to another point raised by the gentleman from Massachusetts; and my remarks are mainly in reply to him, because I must pay him the compliment of having made by far the ablest argument yet advanced in either House in opposition to the measure. He seemed greatly shocked at the passport system provided in this bill. We require the excepted classes to make the showing that they are permitted to come; that they are not of the prohibited or suspended class. There is nothing particularly wrong about this, and certainly it works no great hardship. But my friend says we do not treat the subjects of other "favored nations" in that way. Of course we do not. There is no cause for it. There are no conditions in the treaties between the United States and other favored nations. When a man lands on our shores that is the end of it. All are privileged to come. Not so with China. Under the treaty of 1880 some may come and some may not; hence, the line must be drawn. There must be a system of identification and the condition in the treaty naturally carries with it the power of enforcement, else it would be a nullity on its face and not worth the paper it is written on.

There is another class of gentlemen here who are objecting to the term skilled laborer as used in the bill. I want to assure them that nobody is going to be hurt by that provision. No skilled mechanics come to this country from China. I never heard of a carpenter or blacksmith or shoemaker coming here. The whole truth is that cooly and laborer, as used in the bill, are synonymous terms. A cooly is a laborer and a laborer is a cooly. There is no choice between them. All of them are bad, all of them are slaves; they come to this country as slaves. On this point I desire to have read an extract from a letter from Mr. Baily, consul at Hong-Kong in 1871. The letter is from the State Department, and therefore authentic. It shows what kind of people come to this country, and how they come. The Clerk will oblige me by reading that portion which I have marked.

The Clerk read as follows:

The subject of Chinese emigration from this port to the United States has claimed my careful thought and patient investigation for the last four months, with a view to get at the facts and to understand it in its surroundings and bearings. The whole subject is an anomaly. Rules that will do elsewhere in the world, when applied in considering questions of immigration, have no application to Chinese immigration to the United States. Immigrants to America from other parts of the world go of their own volition, free and voluntary. Emigration from China to all parts of the world is an organized business or trade, in which men of large capital and hongs of great wealth engage as a regular traffic, by which men are bought and sold for so much per head, precisely as a piece of merchandise is handled, at its market value. The poor laborer of Europe applies his own scanty means to get to the land of promise or is assisted by his friends, charitable societies, or benevolent institutions to reach a place where he hopes to have his toil properly requited, where his labor will inure to his own benefit.

The cooly of China is bought by the rich trader to serve his purchaser at low wages for a series of years in a foreign country under contract, for the faithful performance of which in many instances he gives a mortgage on his wife and children, with a stipulation that at the end of his term of service he is to be brought back to China by his purchaser. This contract is sold by the dealer through his agents in the United States and elsewhere at a large advance, and is a source of great profit to the capitalists who have the means to buy and sell large numbers of men. This contract in the United States is no doubt null and void, but nevertheless the cooly will comply strictly with all its terms, a copy of which in Chinese characters is always in his possession, and this he will do because his purchaser holds his household lares in the land to which he always hopes and expects to return in pledge for the faithful performance of his bonds. The central idea of a Chinaman's religion, if he has any religion at all, is that of the worship of the tombs of his ancestors. The superstitions of Fung-Shuey dominate him wherever he may be in the world. The subtle mysticisms of China, so strangely governing all its people in their social, political, and quasi-religious life, are as a hook in his nose, by which his purchaser controls him at all times and in all places; and thus this relation of master and quasi-slave, no matter how many miles apart, is welded by the mystical links of religious superstitions, family ties, and rights of ancestral tombs, which control and regulate the reciprocal duties of trader and cooly in the home land.

The means of obtaining coolies are as various as the ingenuity of man can devise, and are as corrupt as the incentive to large gains can stimulate and invent. Men and boys are decoyed by all sorts of tricks, opiates, and illusory promises into the haunts of the traders. Once in the clutches of these men-dealers, by a system of treachery and terrorism connived at by the local Chinese authorities, whose

chief business in life is to "squeeze" the people, the stupefied coolie is overawed into making a contract under such Chinese influences and surroundings as to give it a sacredness of character nowhere else known in the world. From that moment he is the mere tool of the rich dealer wherever he may go. It is difficult for persons accustomed to western civilization to understand the depth and extent of this relationship; but Chinese civilization is unique, perhaps opaque, and cannot be measured by that of any other.

Mr. CASSIDY. Now, Mr. Speaker, this is the class of people who come to this country from China. They are accurately described in that letter. They come here under contract as slaves. They come here with the contracts in their pockets written in Chinese characters, which, under their peculiar superstitions, they are bound to respect and obey. But, more than this, they maintain among themselves tribunals separate and distinct and unknown and unsanctioned by our laws, through which every one of these contracts can be enforced. What other class of immigrants would be permitted to set up courts of their own inside of our jurisdiction? And I desire to call especial attention to this matter, as it is one of the strongest points going to show that these people are unfitted for our form of government, unfitted to make good citizens. They are not only servile slaves but strangers to liberty. These contracts to which I have alluded each and every one of them contains a stipulation that the bones of the maker must be returned to the Flowery Kingdom in the event of death on this side. And this is the class of people whom some gentlemen on this floor are contending should be permitted to come to this country in unlimited numbers to compete in the labor markets against our free men and free women.

Mr. TAYLOR. Will the gentleman permit me to interrupt him for a moment to ask him if he would be willing to yield the floor at this time with the privilege of concluding his remarks hereafter?

Mr. CASSIDY. It is hardly necessary. I will be through in a few moments.

Mr. TAYLOR. I have asked the question for the reason that I have an appointment within an hour that needs my attention, and as I am next in order it would be more convenient for me to speak now than at a future time.

Mr. CASSIDY. I will finish in a few minutes if the gentleman will allow me to proceed.

As I have shown you, the immigration is not free and voluntary. They come as slaves. Their passage is paid by their masters—always one of the Six Chinese Companies of San Francisco. They come in herds and droves. They live and move and have their being in the same way. They bring with them leprosy and disease. They bring the deadly opium habit. They bring vice, not virtue. They bring crime and pestilence. They bring slavery, not freedom. They bring a civilization which has not taken a step forward in fifty centuries of time. They bring demoralization for our youth and starvation for our laboring classes. They have made Kearneyism and the Sand Lot possible in San Francisco. They have, in short, brought disorder and strife and unwholesome excitement among us, which evils have operated to date back for at least fifty years the full development and growth and beauty of the fairest section on the broad face of the earth's surface.

These are the people and these are the evils which we seek by this bill to rid ourselves and our posterity of. These are the people which you have all said in your platforms must be turned back. Speaking for this side of the House, the Democratic party stands ready almost to a man, I believe, to redeem its pledge to the country. How is it with our Republican friends who were so sensitive about the Morey letter when the votes of the Pacific States were needed? Let the roll-call answer.

I yield to the gentleman from Ohio, [Mr. TAYLOR.]

Mr. TAYLOR rose.

Mr. PAGE. I am requested by gentlemen who are leaving the Hall to request that all members who desire may be permitted to print in the RECORD remarks upon this question.

The SPEAKER *pro tempore*. In the absence of objection the order requested by the gentleman from California will be made.

There was no objection.

Mr. ROBINSON, of Massachusetts. May I inquire of the gentleman from California whether he proposes to bring this matter to a vote to-day?

Mr. PAGE. I do not intend to call the previous question to-day. But if we should be successful in getting up the bill to-morrow by antagonizing private business, I will call the previous question to-morrow at three o'clock. If we do not consider this bill to-morrow I have thought that on Saturday at three o'clock I should call the previous question on the bill, allowing the debate to run till that time. I hope that will be satisfactory to all.

Mr. TAYLOR. When this bill came first under my consideration I was in that condition of mind that caused me to inquire somewhat carefully concerning its merits. I think I have now approached the time when my judgment is substantially matured on this question; and I desire to-day to give some reasons why I shall oppose and vote against it.

I am well aware that this bill will pass this House and will become a law. I am not oblivious to the sentiment of this House on that question, and I think I am as well aware that the popular voice of this nation to-day, so far as it has been expressed, is in favor of the passage of this bill. But that fact cannot control my judgment. I thought when I took a seat in this House that it would be quite

likely that I should seldom feel called upon to speak except on that side of a question that was regarded here and possibly elsewhere with more or less disfavor. Those measures that are popular will have plenty of support from men rushing to their defense; and I supposed it would be quite likely that if I spoke at all, which would be very infrequently, it would be on the side of a measure that was not favored by strong public opinion. I find myself in that situation now, as I believe, but still I desired the opportunity which I now have to express my views in regard to this bill.

I think, Mr. Speaker, that this bill violates the treaty existing between the United States and China, in spirit and in fact. But my objection to it is not there. The terms of this bill are severe and, in my judgment, cruel; but my objection does not lie there. If this bill is to become a law, I desire it should be more obnoxious to those objections even than it now is, that it might be sooner remedied by the people when they stop and think.

My objections to the bill are many. The first one that presses upon my mind as a very serious one is that it is brought upon us and forced upon our consideration by the passion and prejudice of a portion of this people, and that kind of a prejudice which is the most difficult to remove, and the most dangerous in its character, of any that ever did or ever can take possession of the human heart—I mean race prejudice. And I recognize, Mr. Speaker, in this discussion the same elements of argument that I first met forty-five years ago, when another subject was under consideration, and when I was but a lad not yet in my teens.

We are told that this nation of Chinamen is vicious beyond description. I have no idea that that nation occupies a very high position morally. I know but little about it, although perhaps as much, notwithstanding the statements of gentlemen on this floor, as those who have already spoken. How much of those statements come to us and to what extent they are increased in volume and added to through this medium of prejudice I am not aware, but I deprecate any legislation under such a demand. They tell us that we must pass this bill to relieve a locality, a part of this Union. Some of the gentlemen argue that it affects their part of the country alone. Others argue that it affects all the people of this country. In my judgment the material part of this question affects Ohio as much as California, and I deny that California may demand of Ohio to assist in passing this bill as being only for the interest of California.

But again we are told that political parties, through their national conventions as their organs, have proclaimed already that this bill or something like it ought to pass. Mr. Speaker, the gentleman from California [Mr. PAGE] went further than that. He told us that we on this side were bound in honor as members of this House to vote for this bill, because a convention of Republicans had declared generally in favor of such a proposition. Here in this House I am only responsible for my acts to my own conscience, my country, and my God. No party organization outside of this House, past or contemporaneous, can control or affect that vote, or put me in such a position that anybody can say that I am dishonored in my vote against this bill. If the gentleman did not mean that it would have been quite as well if he had not said what he did.

Why, then, do I oppose this bill? The gentleman from Nevada [Mr. CASSIDY] says he has heard but one or two reasons given in opposition to this bill. Let me tell this House why I oppose it. It is simply because it is unnecessary, and being unnecessary it is dangerous, unspcakably dangerous.

I do not deny the truth of that saying that is peddled to us from House to House, I mean the two Houses of this Congress, that if a man does not provide for his own household he is worse than an infidel, and that the same principle is applicable to States. That is all well enough.

But I say this in regard to the question before us. It is not prejudice that is to be consulted; it is not a matter of convenience that is to be consulted that should lead us to shut our doors and build a Chinese wall around this nation, or part way around it. And when you begin the foundation of that wall and build a section of it, God himself only knows when the building will stop.

I say it is not a matter of convenience only. We must not consult simply our notions as to whether we are better than these people, or whether the presence of this man is objectionable to our finer sense of refinement.

Such a bill as this is justifiable only—and I take it the bill means simply the prohibition of importation of laborers from China—in a case of necessity, upon the ground of self-defense. That is a broad ground upon which we may stand, just as homicide is defensible. Self-defense puts the actor in a homicide in a safe position. But he must not kill his neighbor because he thinks he is better than his neighbor. Yea, parricide is justifiable, and a son may slay his father and be justified by the law; but he may do so only in self-defense, not to distribute his estate. But you come here in the latter position; you are undertaking to pass this bill, as I think, for the purpose of bettering yourselves, either in purse or in feeling.

Now, to the question: Is it necessary that this bill should pass? Have any facts been told us that make it necessary, in order to protect our country in any important essential particular, that this bill should be passed? Has anybody told us that it is necessary, in order to preserve any essential interest of our people, that this bill be passed?

They have told us that the Chinaman is diseased. Then keep out the disease. They have told us that he did not have such religion as ours. Are you afraid of such a matter as that? Is it necessary in order to protect the religion of the last two thousand years that a remnant, a handful of paganism in California should be exterminated or more prevented from coming?

Once the belief was that the command was alive to "go into all the world and preach the gospel to every creature." Now they tell us that in California the ministers of the gospel and the churches of Jesus Christ ask that these heathen be sent away from the influence of those churches. What a comment upon the religion of the nineteenth century!

There was a time when the cross conquered. There was a time when the religion of the cross broke the hammer of the northern Thor, and seized the thunderbolt from the hand of Olympian Jove; but to-day it cowers and shrinks and begs to be helped in the shadow of a Chinese joss-house in California, surrounded by lepers such as our Saviour cured.

If that be so I recommend a reorganization of the Christian churches of California. Let my friend from California instruct them in the principles of the Sermon on the Mount and the Decalogue, and read to them something from the Book of Martyrs, that they may regain their courage and their confidence.

Oh, what a pretense! I do not know but partly true so far as California is concerned, but I think not, and I will tell this House after a while why I think not. But it is true, so far as my ear can determine, that in all this controversy but a single voice has been raised in behalf of these, God's poor; but a single voice upon the ground of Christianity have I heard in favor of these poor people, and that was from a Catholic lay brother. Oh, yes; an unknown, to me, woman has ventured to raise her voice and beg us to learn something more than what mere prejudice teaches us before we pass this bill.

If paganism is not coming in through the door of the Golden Gate to take possession of the religion of the nineteenth century, if that is only something thrown out by way of excuse for this bill, what other reason exists for it?

The gentleman from Indiana [Mr. CALKINS] stood here the other day and made a speech. I have read that speech. He is an able gentleman, a conscientious man. But I wondered marvelously at that speech. I wondered what it meant; I wondered what he meant when he made this speech. Let us look at it.

I got the impression, and it has not been removed by reading his speech, that these people who go into California, these laborers who are to be kept away, these coolies, were almost a mass of leprous humanity. We had the evidence of the famous Mr. King, or Mr. Pixley, or somebody else, that their ankles rotted off, their flesh dropped from their bones.

Now, these people are in California for what purpose? Not only to take possession of our religion but also by the strong hand to destroy our civilization. Prostrated by a disease that is inbred in the Chinaman, gotten there by their close corporation at home, with their blood flowing through their veins in poisoned streams, they are still so energetic and so persistent and such eternal laborers that by the hand of labor alone they are to take possession of this country. Mr. Speaker, both of these statements cannot be true.

Mr. PAGE. I know the gentleman from Ohio does not wish to misrepresent the sentiments expressed here by any friend of this bill. He misunderstands our position if he supposes we have any apprehension that the Chinese will take possession of this country. But their labor is being brought into competition with the labor of our citizens; and these Chinese are not people from whom the United States Government wishes to build up a great country. But we are not afraid of their coming here on the ground that they may take possession of the country.

Mr. TAYLOR. Very well; then any misunderstanding of the meaning of the gentleman or some gentlemen here on that point is dissipated. What else? If they were actually so bad as the remarks of the gentleman from Indiana would imply, then as laborers they would not compete much with the labor of our own citizens. But, sir, that is simply one of the exaggerations growing out of race prejudice in connection with this question. Such exaggerations always connect themselves with any controversy growing out of race prejudice. I remember, Mr. Speaker, hearing once a discussion between intelligent gentlemen as to whether a colored man has a soul; and upon that question depended the success of the Democratic or the Whig party! I have lived to see a colored man in the Senate of the United States; I have seen a colored man lead the procession to the inauguration of a President of the United States. I remember that the whole discussion of those olden times as to whether slavery was right or wrong turned upon the question whether the negroes were an inferior race—as though, in the name of God's justice, inferiority of race was an excuse for oppression in law!

In what other way are these Chinamen going to injure us? It is said that they are vile, loathsome, filthy. Mr. Speaker, I know not how much truth there is in this statement. I do know that in San Francisco they live in Chinatown—huddled together, to be sure—where there are little or no sewer privileges, little water privileges, though they are taxed for policing and cleaning the city. Water costs them more than flour; they have to buy it and transport it for use. The city authorities never carry away the refuse of their part

of the city, but I venture to say that in my belief, considering their circumstances, they are more cleanly in their personal habits than any equal number of laboring people in the country.

But it is said they are vicious—guilty of unnamed vice. Mr. Speaker, I have tried law suits for thirty-five years and more; and I have frequently observed that a case generally presents two phases—one the outward and apparent, the other the real one. Now this view of the case that they are eaten up, totally diseased, body and soul, with vice is the outward and apparent view of this case. What is probably the real fact? How do we get at it? We learn concerning them that they are industrious as no other people are; they are frugal (and that is the complaint) as no other people are. They work early and late; they work always. If they cannot get the highest price in the market for their labor they still work at the next. Now, can any man, can any race of men, steeped and eaten up in vice and degradation, present that aspect of civilization? I assert in opposition to this statement that it must be a mistake and a misrepresentation, or God has dealt differently with that people than with any other that He ever made.

It is said further, that they come here not like other people, to stay and become naturalized. Is the gentleman from California sure that this is the truth? Would he like to have us strike out that part of this bill which prohibits naturalization of the Chinese? [Mr. PAGE rose.] It is not absolutely necessary for the gentleman to answer now, because, as I understand, he has already answered the question.

Mr. PAGE. The bill as prepared in the House did not have that provision.

Mr. TAYLOR. Are you willing that it should be struck out?

Mr. PAGE. So far as I am concerned it would make no difference, as I know and the gentleman knows that under the law they cannot be naturalized, because they are not white persons or persons of African nativity or descent.

Mr. TAYLOR. Why can they not be naturalized?

Mr. PAGE. Because the naturalization laws prevent it.

Mr. TAYLOR. Why, then, should not the law be changed before you complain that they will not assimilate? You throw this obstacle in the way of their assimilation and then complain that they do assimilate!

Mr. PAGE. Will the gentleman allow me to interrupt him a moment?

Mr. TAYLOR. Not many moments, because I am pressed for time.

Mr. PAGE. I will not encroach upon the gentleman's time unduly. The Burlingame treaty contains express provisions that nothing in the treaty shall be construed as conferring the right of naturalization upon Chinese subjects in the United States, or citizens of the United States in China.

Mr. TAYLOR. What difference does that make? Would you wish to make a treaty allowing them to be naturalized? If for any reason they cannot be naturalized, it is not fair to say that they will not be?

Mr. PAGE. You cannot naturalize them by treaty.

Mr. TAYLOR. The gentleman does not begin to get my idea; he takes no part of it. I say that if any treaty, any law, prevents these people absolutely from becoming naturalized, you must not charge against them the want of intention to become citizens.

Mr. PAGE. We promised in a former treaty to pass laws to prevent their naturalization.

Mr. TAYLOR. The gentleman does not understand me. Is there anybody else in this House that does not understand what I mean?

They do not assimilate! Here they have been for thirty years, ever since they commenced coming to this country. Have they ever been invited to assimilate? Have they been treated in California at any time as if they ever could assimilate? For thirty years in the life-time of a nation they have been there and the ban has been upon them. Thirty years in the life of the Chinese nation, surrounded with the wall that it is proposed now to erect around the United States—and set up at the Golden Gate a nation that has existed thousands of years—and because they have not become acquainted with our language and race, or because they have not changed from paganism to Christianity, and from heathenism to civilization, when they were laboring under all the disadvantages that have been imposed upon them by onerous restrictions and hostilities, we are told that they do not "assimilate."

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

Mr. TAYLOR. I must decline to be interrupted.

Mr. BAYNE. I would like to ask a very brief question.

Mr. TAYLOR. A child may ask a question which a wise man cannot answer, and a short question may lead to a lengthy reply.

Mr. BAYNE. I only wish to ask the gentleman from Ohio if he is in favor of conferring equal privileges upon the Chinese, and if he believes that the conferring of the right to vote upon the Chinaman would lead to his assimilation?

Mr. TAYLOR. What if it did, or not?

A MEMBER. Suppose you confer equal privileges and see what the effect would be.

Mr. TAYLOR. Mr. Speaker, when I come to that portion of my argument, which is perhaps more appropriate to the discussion of the question, put than any other, I shall take the position that it is not for assimilation or the interests of the Asiatics that I speak, but

the interests and welfare of our own people at home and those who come from the other nations of the earth and people our Eastern and Middle States.

Mr. BRIGGS. I wish to ask the gentleman, if the Chinese had the ballot, if he thinks this bill would pass?

Mr. TAYLOR. If a hundred thousand Chinese had the ballot in California I know some men who would not give a single vote in passing a bill of this character.

Mr. BRIGGS. That is it.

Mr. BAYNE. That is a very fair explanation. [Laughter.]

Mr. TAYLOR. But, Mr. Speaker, I must request that I may be permitted to continue my remarks without interruption.

Now, what else is there besides the want of good religion alleged against them? And it is wonderful they do not have better and more of it from the example they have seen in California; and the matter of their lack of assimilation, demanding of this people that in a day, in a moment, their nature shall be changed. I say what else is there against them? It is alleged that they are vile and vicious; what else? Only one other thing that I remember, and if I mistake any in this list please call my attention to it, for I want it to be complete. What is the next charge? That they come in competition with labor and injure the laborers of the United States. No gentleman has told me how that was done. I have not heard it explained on this floor. No philosopher can tell how this can be done. And, Mr. Speaker, let no other man speak to this House without giving us some philosophic reason for this statement. It is a cheap statement and easily made, and gentlemen may think that these people at home who labor will be taken with the catchwords; but the time will come when they will wish a mountain was upon them when they voted for this bill.

Speak of degraded labor! The gentleman from Nevada tells us of "degraded labor." I know of no such terms, I know nothing of any such thing. I know that laborers may be degraded by law, and by wrong, and by prejudice, but the labor which they do is as noble, is as honorable, as labor performed by any. And why not? In what way does this interfere with us? Does it interfere with our labor because the Chinaman who comes here is not skilled or is only a day laborer?

One hundred thousand are here, not many more. Three thousand come in two months, and as many return. For twenty years there has been no considerable increase, if any, in the aggregate. They are substantially in California; they have built railroads when no other labor could be obtained; they have reclaimed thousands and tens of thousands of acres of land that no other labor could or would reclaim; they have done all manner of work; they occupy at this hour that position in California. Do they interfere with other laborers? Never. Not at all. What California wants now is 8,000,000 more laborers. There is more than work enough for 8,000,000 of laboring men to-day in the soil of California. Seventeen millions of people can be supported within that mighty empire; and though there are 100,000 Chinese there, there is labor enough for them to do without interfering with others.

Cheap labor! There is no cheap labor in California. Chinese labor is not cheap. If a Chinaman knows anything he knows how to drive a bargain, and his interest is to get as high wages as he can possibly receive. But he will do this, I admit, and if it be wrong let him bear the burden of it, he will work and work cheap rather than starve.

My own district—and in that respect I am not unlike other gentlemen here, some of whom I see are sympathizing with this bill—my district is full of men that work in the mines and that work in the mills. Do I suppose that these Chinese in California interfere with their labor? Go and ask them what they think of my wish in that regard. Protect labor by tariff against the foreign laborer? That is right. Protect labor in this country by a tariff against the laborer who is here? That is not my tariff. That is discrimination; that is inequality; that is injustice. If you are going to protect the laborers of this country that are here already from laborers that are to come in, then let your law still be equal and aimed at every one alike. And why not?

Mr. CALKINS. Because the others assimilate.

Mr. TAYLOR. Assimilate! What is the difference when we talk about labor? We do not want you to marry any Chinese person. There is no compulsion about that. We are talking about labor. Have you a right to kick me because I will not assimilate with you?

But I pass that question of assimilation. I am talking now of nothing but labor. I want to know now if you can protect one class of laborers upon any principle of exclusion of other laborers. Are you doing it when you keep them away? But you say: "Oh, that is very different, because the other people are white men." That is, if you go clear to the bottom, "because the other people's friends have ballots." When you go there you strike the bottom rock, although it might not be popular to say that.

How is it that this labor is injuring anybody? The truth is, as I apprehend, that these men come here not to stay. I do not suppose that they intend to assimilate, that they intend to make this their home. I am inclined to think that the statement of the gentleman from California [Mr. PAGE] was correct, when he said that if they did desire to become naturalized it was for the purpose of carrying on their business more safely. I am inclined to think and am informed and

understand the fact to be that these men are selected from the families to which they belong—and they are lovers of families in China—one of a family is selected to come here and earn something and carry it back and better himself and his family. Now if he does that, is he doing this country any harm? He comes here and sells his labor which is worth twice as much as he gets for it. His work on the railroad or on the reclaimed lands, his work in the shops and his work in the houses is worth more than his pay. Has he cheated the country? He goes away and takes with him what he has not spent. He carries that away with him. Has he wronged anybody? Has he not left an equivalent of that which he carries with him? Is it not his right to do it even under our skies?

Mr. Speaker, I do not know about the philosophical question lying away under this matter. There are many things I have read about upon which I have not full convictions. I do not know how much of the unoccupied portion of the earth God's creatures may occupy rightly. I do not know upon how much of the waters of His globe they may sail in their own right. I do not know, Mr. Speaker, how much of the air surrounding this globe each one of the creatures of the Almighty may breathe in his own right and rightfully. But it does seem to me that if there is a sacred right existing anywhere it is that a man may labor for his bread, and that he may go where labor is and get it. When the Almighty turned our first parents out of the garden he not only made it a burden but gave it as a right for them to labor everywhere. And I tell you in spite of treaties, in spite of laws, in spite of public opinion, you are doing an overpowering wrong when you say these people shall not labor.

Mr. Speaker, labor does not compete with labor injuriously in this country; nor will it do so for a hundred years or a thousand years to come. One laborer makes labor for others.

But I am precipitating that part of my remarks. I wish to say one thing more upon the distinction that is made between this class of people and the other classes. They say these people spend less money; other classes of people do us good when they come because they spend their money. Mr. Speaker, is it the man who spends his money that is advantageous as an immigrant in this country? Is that the test? The man that works and gets large wages and spends those wages in riotous living, is he the good citizen of the country? Is he the man that brings us value? I rather say the man that comes to this country and earns and keeps his money and sends it to his old mother or to keep his sisters out of the poor-house does right, and we have no right as economists to complain. He has paid for that money; the product of his labor is with us, and he is not injuring our people. And just so exactly in a material sense do I say it is with the Chinaman. When he brings his labor here he brings that which benefits and enriches the country.

But, Mr. Speaker, I am opposed to this bill. I intended to be and I think I am opposed to it in a moderate way. I do not intend to be extravagant in my opposition to it. But I would rather like to have it reasonably well understood that I am opposed to the bill. And I will state another reason why I am opposed to it, or rather another reason in this line.

I have already said that this bill ought not to become a law unless it becomes a matter of necessity, not simply a mere matter of choice or convenience. And why? We talk in regard to the difference between races; and I am astonished at the way we talk. I know our books speak of it learnedly. There are heaps of nonsense in some books. We talk about—or did a few years ago—the national enmities of the Latin and German races. And yet every well informed man knew that France is as much German as Germany in origin, that originally the first settlers that history speaks of came out of the woods of Germany into France—the Celts, and they were followed by still another body of people—the Franks, and they were followed by still another—the Goths—all the founders of France of which history speaks being out of Germany except the Scandinavians, who came down and made the Norman part of France and subsequently invaded England.

And where did they come from? You men who know all about races and can tell God's way of ordering things and what He thinks and knows, those of you who think that when you see what has been done in a moment you can reason what has been in the eternity past and what will be in the eternity to come—you men, who can do all these things, tell me where did those men come from who made France, yea, Italy and Germany, like one family, and Spain as well. Where did they come from? They came from Asia, from Scythia. Where is Scythia? History does not tell you. They came from within the walls of China probably. And we have now met. Some of us came from the east, and we have met those coming to the east. And you who say that you know of what the different families of the earth are made, and whether they will assimilate or not, tell me what their true history is or what it will be.

As to this matter of interest, how is it affected by these men being here? How can they come in competition with us on this side of the mountains? How can they come in competition with you on the other side of the mountains? Before they came your work was done? There is now five times the amount of remunerative work ready at your hands that your laborers in California can do. I take some little comfort to myself in thinking of your perplexities should this bill pass. The Moors who went out of Spain went amid the flaunting of banners and the sounding of trumpets, but they left it a desert, and

it has not been clothed since. This bill is not necessary; it is absolutely unnecessary. And I will now demonstrate it to you so that there ought to be no further discussion about this matter. You tell me that every man, every woman, every Christian in California says—let the Chinese go. Who says let them come? Not one. No more voices are heard for that than came from Logan's dead family when he called for them to respond. No one wants them there. Why do you want a law to keep them from coming? They cannot come unless you of California welcome them. In your hands is the power, and in a moment you can not only free California from the incoming tide, but you can set in a reflux of that tide. Absolutely there is no necessity for this law, that changes and revolutionizes our Government. There is no excuse for this law. We are told that California with one voice cries out against the further advance of the heathens. Yet California only can allow the heathens to advance. If you tell us the truth, and you do doubtless, then why do you come to Congress for aid?

The point lies here: either there is some reason why this united voice of California cries out, or it is not a voluntary acclaim, or else there is a misapprehension as to what she says.

I can understand how some men in the city of San Francisco, as in any other, may get up a prejudice. A class everywhere existing easily take on prejudice against those that they hope are still lower. A man, no matter how low he is, wishes to kick some dog that is lower still. They may get up this prejudice, and in local contests it tells. Finally it grows stronger. A ship comes in loaded with these coolies. They are unloaded on the wharf and get into their carts. Half-grown wild boys on the wharf and in the streets throw mud and stones at them, and load them with abuse which I will not describe. Finally a warfare exists between the two races. And that is to be deplored.

One gentleman who has addressed the House says that there will be these conflicts as long as this people come in. It is a conflict between the wolf and the lamb; it always was so in this wicked world. The lamb is the one who is to suffer, not the wolf. The wolf does not beg that his shall do better. He does not say cease and desist. But he wants the lamb to be punished, to be slaughtered, that there may be no warfare between the wolf and the lamb. The warfare increases and finally they say—and mind you, they have votes in their hands—they say, you merchants who employ the Chinese, we will not trade with you; you lawyers who defend the Chinese, we will not employ you; you preachers who recognize the souls of the Chinese, we will not patronize you. And there is terrorism, increasing terrorism, until the voice seems to be unanimous. This may not be so. If it is not so, and if on the other hand the voice is earnest, then you need no law.

But you say men will hire that labor which is cheapest, that labor which is a penny or a dollar less than other labor; you say that while we have in our midst moral loathsomeness, physical disease, and leprosy that runs through the whole community of Chinese, because we can get their work cheaper we will employ them. We will send the clothes that we have upon our bodies to the Chinese leper to be cleansed by his leprous hands. We will have the Chinese servants in our rooms and about our houses taking care of our children because we can get that labor cheaper.

Mr. Speaker and members of this House, there is something wrong in this argument; there is something wrong underlying this bill. The facts are not as the words are, or else the result will be different from what is feared. If you only hate the Chinese in California to the amount of a shilling a head, this Congress is not called upon to act.

Mr. Speaker, in this city men, women, and children have gone from the auction block under the Stars and Stripes of this Government; under the same cry that we hear to-day as against the Chinese they have been sold within the sound of my voice under the hammer. The defense was that they were an inferior race—the only defense that ever could be given. The old slogan is heard again now. I meet it as I met it then. I meet it as the people in my little corner of the State of Ohio met it. I meet it by saying that inequality of condition or capacity is no excuse for inequality before the law. Before the law of this country all nations of the earth are equal when their individual members arrive upon our shores; before the law the citizens of our country are equal so long as they are under the protection of our flag.

Mr. PAGE. Before the gentleman takes his seat—

Mr. TAYLOR. I have no idea of taking my seat yet. [Laughter.]

Mr. PAGE. Will he let me ask him a question?

Mr. TAYLOR. Certainly I will.

Mr. PAGE. The gentleman has stated that there is no excuse for the passage of this bill. Does he believe that the voice of the people of three States of this Union, embracing in population over a million, who have unanimously petitioned this House and the other branch of the Federal Legislature in favor of this bill, ought to have any hearing on the floor of the House? Does he think that we should give no thought or consideration to their petition?

Mr. TAYLOR. Mr. Speaker, there can be no misunderstanding as to my position on that matter.

Mr. PAGE. There is no misunderstanding as to theirs.

Mr. TAYLOR. I say that their request should be examined, and if reasonable and proper conceded.

Mr. PAGE. I would like to ask one more question.

Mr. TAYLOR. I am not half through answering the last.

Mr. PAGE. The gentleman can answer both at the same time; for I dislike to interrupt him as much as he dislikes to be interrupted. The gentleman has said that there is no excuse or reason for the passage of any bill of this kind. At the same time he has conceded that the voice of a million of people, coming unanimously to Congress from three States of this Union, should have some consideration. I ask him what consideration he would allow to the sentiment of those States, and what remedy he proposes for the evil under which they suffer?

Mr. TAYLOR. I have said that in this House, so long as I may be a member of it, I propose to act on my own judgment as to what is proper and wise. I would consider petitions of that kind coming from the Pacific coast as I would consider the request of any other petitioners, and I would grant or refuse the request as I thought wise. I do not understand that any locality simply on account of its interest or desire can ask us to pass a law which affects all localities.

But this is what I wish to make emphatic: I do not mean to say that the people in California and the other Pacific States are not anxious to get rid of this pest as they esteem it, I wish they might do so; but I say there is no occasion to ask Congress to legislate in that direction, because they can apply the remedy themselves without any law of Congress. They need simply let the Chinese alone, and it is done. If they are vile lepers, let the people of the Pacific States not employ them. The difference between that way and this, I am now going to speak of.

Mr. ROSECRANS. I would like to ask the gentleman one question? Would not the same argument apply to the liquor traffic and other things that we have to repress?

Mr. TAYLOR. Oh! I am not certain that I understand the liquor traffic. [Laughter.]

Mr. Speaker, I have but little time and I must draw my remarks to a close. I have spoken unpreparedly, without knowing what I was going to say in form or substance. I come now to the main thought in this whole discussion. We have been told in every speech in favor of this bill at the other end of the Capitol and at this end of the Capitol, that in this case we must "throw sentiment aside." "Throw sentiment aside!" Others may "throw sentiment aside," but the Republican party is founded on sentiment, and it cannot "throw sentiment aside." A party that could find it equally easy to vote for Tilden or Greeley may possibly "throw sentiment aside," but a party born out of the anti-slavery sentiment, born out of the principle of liberty, cannot disregard sentiment. What is sentiment? Is it something to be thrown aside? It is that which results from the intellectual and moral faculties pervading and becoming more a part of a man than any other of his belongings. Throw sentiment aside! Sentiment is thought as well as feeling. Sentiment is reflective opinion guided by conscience and by the moral perceptions. Throw sentiment aside! What is our reverence for justice? It is a sentiment. What is our love for mercy? It is a sentiment, the head and the heart approving both. What is patriotism? A sentiment growing out of intellectual appreciation and moral feeling. In order to vote for this bill we must throw aside our sentiment; we must throw aside the sentiment of justice, we must throw aside the sentiment of mercy, you must throw aside the sentiment of patriotism, and I cannot, and I cannot make the triune sacrifice in favor of this bill.

Mr. PAGE. Will the gentleman permit me to ask him a question now?

Mr. TAYLOR. Yes, sir.

Mr. TOWNSEND, of Ohio. I hope, before that, by unanimous consent, the time of the gentleman from Ohio will be extended, so as to enable him to complete his remarks.

There was no objection.

Mr. PAGE. Now, I want to ask the gentleman from Ohio if he regards the sixth plank in the Republican platform of 1880 as a mere sentiment, that plank wherein it says that—

Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with Congress, or with the United States and its treaty-making power, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invokes the exercise of those powers to restrain and limit that immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.

Answer that. Is that a sentiment, or will the gentleman admit that that was a mere catch-trap? What I want to ask the gentleman is, was that put into the platform of the Republican party so as to catch the votes of the three Pacific States; or was it put in with the intention to execute it and carry it out in good faith, in the interest of the people of the whole country?

Mr. TAYLOR. I have once answered the question of the gentleman—

Mr. PAGE. The gentleman can have all the time he wants so far as I am concerned, but let him answer that specific question. I wish the gentleman to give a specific answer to this House, and let it go upon record, if there is a Republican who can stand upon this floor of the American Congress and say that that plank in that platform was a sentiment merely, and was never intended to be executed or made operative?

Mr. REED, (from his seat.) Sentiments are intended to be executed.

Mr. PAGE. But if this is a sentiment, then execute the sentiment.

Mr. REED. The bill does not do that.

Mr. TAYLOR. Mr. Speaker, I hope I will be permitted to continue my remarks.

Mr. PAGE. I hope the gentleman will be allowed ample time to answer the question.

Mr. TAYLOR. There is nobody interfering with my answering the question. I say in regard to that that my position was stated in the beginning. I have no doubt that was a principle put seriously and honestly into the platform for the purpose of controlling the action of the Republican party. I have no doubt about that. I am not prepared to say that it was a sentiment within the distinction of what I have been saying in that connection. And I say again that I have no objection to any one supporting that principle or sentiment if he believes it to be embodied in this bill.

But, Mr. Speaker, permit me to say again that this bill, in my judgment, does not provide, according to that principle, what is contemplated in the platform of the Republican party. But I make no objection there.

Now, I wish to say in regard to this, that the reason I object to the bill chiefly and finally is because it changes essentially our condition as a nation. It changes our condition before the world. It is taking upon us an exclusiveness that has not belonged to us in the past; and for one I am not willing to do that. But, Mr. Speaker, permit me to say, in justice to myself, I hope my remarks have not been understood as favoring a further immigration of the Chinese. I deplore their presence here as much as any man. I have not been addressing myself to that branch of the subject. I want no more of them. But I talk only of this bill, and I do not mean to be in the least understood as favoring that immigration.

Now, what do I mean by the last proposition I have made? This is a bill that changes and revolutionizes the traditions and principles of this country. I am not a mere Jefferson Brick. I do not relish unreasonable glorification of our country, but I was early taught love of country. I loved our country right or wrong, but better right. Its traditions were and are dear to me. I have never ceased to love it all, and all its people. To me, if it is a sentiment merely, it is a sentiment I cannot give up. I cannot give up that sentiment, and every sentiment in my nature is opposed to this bill. What is it? Right here in this country the people of all the earth may come, not a part of the people of a part of the earth, but any or all who wish to come may do so. They may come freely and are welcome to our shores.

I have looked upon immigration from the older countries as that which has exerted so wonderful an influence upon our civilization and that has brought us thrift and prosperity. I never was sorry whenever a mechanic or laborer landed upon our shores. I do not ask him when he lands at Castle Garden what he intends to charge for his labor, and if the amount is small send him home, and if the amount is large keep him among us. I do not stop and look at him to see if he is clean in his habits, or ask what he brought with him, or whether he is a man who brings with him wealth, or if he is a child of toil. I know in his right arm and in his muscle there are riches not found in Nevada, that cannot be dug out of the sands of California. I always desire to see him coming and to welcome him, and I glory when I meet him. I glory over this fact in our history.

But what do they propose? They propose to build a wall across the Golden Gate; they propose to exclude the oldest of the families of the earth; and I say to this House, I say to this country, that we know not when the next wall will be erected, nor where its foundations will be laid. I know of members of this House that will vote for this bill because they want further restrictions on the eastern side of the continent, and I sound the alarm to our foreign-born citizens that this bill, whether meant for them or not, strikes at them and their security. It is the first break in the levee; when the waters stream over it the crevasse will follow as the levee gives way. This is no imaginary thought of mine. Principles will always work out, and this is the principle you are adopting in this bill. In principle we can no more close this gate against honest laborers unless there is a cause why laborers should be kept out than we can close the eastern gate against honest laborers without cause why they should be kept out. It revolutionizes our traditions. I would deem the new country we will have after this bill becomes law as changed from the old country we have to-day as our country would have been changed if the rebellion of 1861 had succeeded.

It is not a physical and material change, but it is a moral and legal change. The way that we have been traveling, the road that we have been making, has been straight and in one direction. If that way is encumbered and our feet led from it, where shall we be brought up? Where will it end? Who lives that can tell? Those of you that remember the years of 1854 and 1855 need not be told what prejudice may do when craftily excited. Good citizens then traveled the streets nights lest the Catholic hired girl should poison the wells. Their remedy was the exclusion of a foreign, non-assimilating religion. "Put none but Americans on guard to-night" was the cry that went up; and war almost commenced between races then upon the ground of non-assimilation. You are sowing the wind and you may reap the whirlwind, or the ways of God are changeable, as we have been told they are not. [Applause.]

The SPEAKER *pro tempore*. The gentleman from Georgia [Mr. CLEMENTS] is recognized.

Mr. CLEMENTS. I yield to my colleague, the gentleman from Georgia, [Mr. BLOUNT.]

Mr. BLOUNT. Mr. Speaker, in the discussion of the pending bill I think it quite proper that we should take it up and consider it in its practical bearings upon the people of this country and with reference to the past history of this question. It occurs to my mind in examining the debates in the other end of the Capitol and in this that the discussion has been too comprehensive in its scope. I ask, sir, if there is any party in this country in favor of naturalizing Chinamen, in favor of granting to Chinamen the benefit of our homestead and pre-emption laws? Is there any party in this country in favor of unrestricted Chinese immigration? And, sir, if every political party has taken position against these three propositions, which is shown by our laws, treaties, and party platforms, then we have a much simpler task to perform than has occurred to other gentlemen in the discussion of this question who have been laboriously expounding and enlogizing the Declaration of Independence.

In 1876 the people of the Pacific coast were agitated upon this very subject, so much so that the Congress of the United States sent a commission there, headed by the distinguished Senator from Indiana, Mr. Morton, for the purpose of ascertaining the condition of affairs. That commission had before it the counsel of the people, the counsel of the Six Companies, and the counsel of railway corporations. It was not strange, sir, that in this volume which contains the results of that investigation there should have been contradictions; it was not strange that the ingenuity of counsel should make false issues; it was not strange that they found witnesses not in sympathy with the masses of the people.

I am gratified to find that last Saturday week the people of the Pacific coast, seeing that their own views had been misrepresented by counsel and by witnesses in 1876, undertook in the most solemn form in which the people of the Pacific coast could do so to speak to the American people by a resort to the ballot; and that with an unanimity unparalleled their voices come to the American Congress upon this question with irresistible assurance as to their sentiments upon it.

What are they asking, Mr. Speaker? They are asking what the people of this country in their organized capacity as parties have pledged to them. The Democratic party in 1880, knowing the intensity with which the people on that coast felt on this question, in the most succinct, unmistakable, unerring language pronounced their views as follows:

No more Chinese immigration, except for travel, education, and foreign commerce, and therein carefully guarded.

The Democratic platform goes even beyond regulating it. But, sir, the Republican party at that time adopted the following language:

Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with Congress, or with the United States in its treaty-making power, the Republican party, regarding the unrestricted immigration of the Chinese—

How?

as an evil of great magnitude, invokes the exercise of these powers to restrain and limit the immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.

Now, Mr. Speaker, we have first the Burlingame treaty, in which we expressly inhibit the idea of their becoming naturalized. The right to regulate their coming here is expressly declared in the Republican platform, and in more distinct terms in the Democratic platform. Then, sir, what is the status of the Chinese who come here? Of what class of people is it that complaint is made? Why, sir, the evidence in this volume, the evidence of Senators and Representatives from that section tells us, first, that it is the poorest of the Chinese population that come here. They come from poverty and oppression to our country. They come not to become citizens of this land. They come not to identify themselves with our institutions. They come with their peculiar habits of living; for instance, living upon rice, and a hundred in a room, which you are told a decent family of employes of the humblest character would require for its own use. They drive the labor of our people on that coast from the various avenues of profit. There are now 75,000 of them in California, representing one-third of the male adult population in that State. By our last reports we are informed that one-third of the adult male population of that State are Chinese.

Now, is it possible that we propose to permit that class of people from Asia to come into that country and drive out our own people, to drive out the natives who have gone into that section, and the naturalized foreigners who have gone there with their families, who are identified with the community, paying taxes, liable to military duty, and in fact completely homogeneous with that people? Is it possible that we intend to permit an accumulation of people on that coast who, as seen in the operations there daily, must inevitably drive our own laborers from that section?

More than that; we are told in this very volume that, in order to enforce in this country the contracts made in China, by their local legislation when a Chinaman fails to execute in this country that contract their authorities will seize his father, his brother, his mother, or his sister, to compel its execution by them. More than

that; the crime of theft committed by one member of a family, if he escapes, is punished in the person of some other member of the family.

The Government of China has permitted, has sanctioned arrangements to be made for the transportation of their coolly laborers into this and other countries for terms of years. And such contracts are enforced by seizing, if need be, other members of the laborer's family and compelling them to labor or by selling them. What is this but slavery even in our land? Will you tell me that a Chinaman who is bound through his own family by such obligations as these, by means of the enslaving of his own father or own brother, will be able to secure justice to himself under such a contract?

There stands the letter of his contract, and he must by every sentiment of his humanity execute it unquestioningly, execute it under the lash of a most terrible discipline. And do you wonder that men rise on this floor and say that the Chinese labor is the best labor in the world? I am not surprised that it is more efficient, that it can be driven every hour of the day from dawn till twilight, that it will adapt itself to any conditions of life.

I have been somewhat surprised, upon looking at these facts, that the Burlingame treaty ever found a place in our relations with China. With this sort of population that I have described, with this local legislation, with this utter degradation and denial of the rights of these people under contracts enforced by Chinese laws, why should the representatives of America have met the Emperor of China and agreed that in consideration of certain commercial privileges the exclusive people of that country should be allowed to come without limit to America, while Americans were not to be allowed to go into that country except under certain conditions and only into certain portions of it? What could have been the inducements offered by that exclusive people to lead our representatives to place in a treaty such provisions in relation to immigration from China? Was it because that government felt that its population was overcrowded and that they would find a safety-valve in this direction? Was it because the dominant classes of that country, dealing with the capitalists of other lands, felt that not only in Peru and in the Spanish provinces but also in America they could find a remuneration by dealing in the poorer classes of their countrymen? Was that the object of the free immigration of Chinese in the treaty? I can see no other.

They distinctly provided and we covenanted that when they came here they should form no part of our own people, they should enjoy no rights of citizenship here. Why consign these multitudes to the American shores under the most solemn form of treaty, and provide that they should not have citizenship and the protection to be derived from citizenship in American lands?

Mr. ATKINS. In that connection will the gentleman allow me to ask him to state his opinion of the effect of a dense Chinese population thrown on our shores in a military point of view? Will it not be very dangerous to our liberty?

Mr. BLOUNT. Undoubtedly. I will take great pleasure in answering the gentleman a little further on. Were our people so eager for commerce, were the manufacturing and commercial interests of this country so importunate, that they would agree to a treaty to bring this people here under such conditions? If so, it does not lie within their mouths to talk about sentiment and humanity.

We have had another treaty with China on this subject, made in 1881. And, very singular to say, with all the agitation on the Pacific coast, with all the depth of feeling with which America has voiced her sentiment on this subject, it was not even understood by the Chinese authorities when the movement was started that we objected to any immigration of laborers. The only hint of change in our treaty relations they seem to have was that we might want to regulate the admission of certain criminal classes. I am glad to say that the correspondence shows that our commissioners did not intend to be misunderstood or to be misled on that question. They stated in the clearest language:

We do not stand on an assertion of the right of self-protection against dangerous characters. We are here to obtain an assertion of the right to distinguish between Chinese and other races, and the right to distinguish between laborers and other classes, and we will be content with nothing else.

The representatives of the last administration, therefore, in their intercourse with China expressly announced that "we are here to obtain an assertion"—of what? Let my friend who has just taken his seat [Mr. TAYLOR] listen to what they say: "We are here to obtain an assertion of the right to distinguish between the Chinese and other races." And mark you what further they say in connection with this bill: "And the right to distinguish between laborers and other classes, and we will be content with nothing else."

Now, Mr. Speaker, let me read article 1 of the treaty:

Whenever in the opinion of the Government of the United States the coming of Chinese laborers to the United States, or their residence therein, affects or threatens to affect the interests of that country, or to endanger the good order of the said country, or of any locality within the territory thereof, the Government of China agrees—

We do not agree; in the very terms of this treaty China agrees—that the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it.

Now, has that period arrived? Does this immigration affect or threaten to affect the interests of this country? Have we forgotten the ferment in 1876 in California? Have we forgotten the terrible

scenes of disorder in that section? The great city of San Francisco was threatened with the most destructive elements of mob violence—threatened not with temporary but permanent injury, because the causes leading to the outbreak were not ephemeral, but were deep, ingrained in race struggles and in the conflicts of antagonistic classes of laborers, and have since only been stilled by hopes of Federal amelioration.

But my friend from Tennessee [Mr. ATKINS] has asked me whether I think that the country itself at large may be endangered. Suppose, Mr. Speaker, that this immigration should continue at the rate of 20,000 a year; suppose that the sentiment of the Pacific coast, that sentiment which by its demonstrations of opposition almost prohibited the importation of the Chinese for many years, should be ignored or suppressed. Suppose that railroad companies or any other organizations should be permitted without restraint to resort to China under the sanction of that government for labor—labor protected in the manner I have already indicated. What condition of things would we have in ten years on the Pacific coast? You will have very quickly 300,000 male adults, representing, if followed by women and children, a population of over a million and a half. Suppose, further, that this immigration should be stimulated by the industries in other sections of the country until it should be felt there to the same extent as on that coast. In time of financial distress what power could control the angry spirit of labor that would threaten every section of this land; that spirit which led to the most horrible disorders we have ever witnessed in times of peace; that spirit whose fierce manifestations brought appeals from shuddering State authorities for Federal aid and demands for an increase of the Army from the dismayed capitalists of the country? I hope never to see such a situation in my State. I do not want to see it in Massachusetts; and as I do not want to see it there, I go out in my heart to my friends from California and say, "I do not want to thrust into your midst a male population that has no citizenship, no attraction to your soil, to drive out your own people and in time of excitement to pillage and burn property, and to murder your citizens."

Mr. Speaker, it is said that this bill goes far beyond the scope of the treaty. I do not think so. When we come to consider the earnestness of the American people, when we listen to the voice of the Pacific coast on this question, when we read the platforms of the two great parties of this country, I think we will interpret the provisions of the treaty very differently from what the Government of China would have done when it was totally oblivious to our attitude on this subject. I think that in behalf of the people of the Pacific coast, and in fidelity to them, we should not leave this matter to the understanding of the Emperor of China, but should act upon it as becomes the legislative body of this land.

Mr. Speaker, we are told that the restriction of twenty years is too long. Sir, that is a matter of discretion for us. By this bill we do not absolutely prohibit Chinese immigration, but we say that this population which has worked such detriment to the laboring interests of this country, which has so disturbed its peace, which now constitutes one-third of the male adult population of the Pacific coast, shall stand where it is for the period of twenty years. We mean to make clear our purpose; and if at the expiration of that time public sentiment on this question shall have changed, if this population shall have disappeared in part, (for it cannot be expected it can do so entirely,) then we will take up the question from a new standpoint. But we want to say to the generation of to-day in California, "As to you, we propose to suspend this incursion and stop this excitement in your midst."

Sir, I am afraid that gentlemen who propose to make the time shorter, who want a limitation of only three or five or ten years, desire to have this question come up again at a time when the conditions of that coast may be such that it cannot make the potent demand that it can to-day. I propose to grant the people of the Pacific States in this very bill the substantial benefit to which they are entitled.

But, sir, we having the power to legislate on this subject, if the Chinese Government should be dissatisfied with our exercise of this power, what is the remedy under the treaty? Simply this:

If the measures as enacted are found to work hardships upon the subjects of China, the Chinese minister at Washington may bring the matter to the notice of the Secretary of State of the United States, who will consider the subject with him; and the Chinese foreign office may also bring the matter to the notice of the United States minister at Peking and consider the subject with him, to the end that mutual and unqualified benefit may result.

I take, sir, that it means neither more nor less than this: if the time shall be too long, if our conditions have been onerous in the view of that government, that then it may be a matter about which we should talk, negotiate, or initiate further treaty stipulations.

Mr. Speaker, we are told again that the passport system prescribed in this bill is objectionable. In this treaty the following article is found, which I will read in this connection. I refer to article 2. It is as follows:

Chinese subjects, whether proceeding to the United States as teachers, students, merchants, or from curiosity, together with their body and household servants, and Chinese laborers who are now in the United States, shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation.

Now, sir, in the great interests we have at stake, to guarantee these people against the incoming of more of this population, the Senate

bill provides that the laborers now here, and a certain class mentioned in this article, such as teachers, students, &c., shall be subject to the passport system. Is that an unreasonable restriction? With the intelligent power, and the vast interests of the capital of this country, and the great necessity of securing labor in all parts of the country, and this particular kind of labor, if you shall not adopt the passport system who doubts but that this treaty is almost a mockery? Who doubts but that this people, eager to get away from their poverty and come into our land of plenty and live almost as animals will find their way and find co-operation here?

It would be difficult, as suggested, to restrain them if these regulations were such as to admit them to take any vessel they may choose and land at any port without any question except a prosecution, possibly, provided somebody wanted to do that when they came here. I say that it amounts to a practical opening of our ports without restriction to Chinese laborers of all classes.

Now, sir, permit me to say that the same thing would apply not only as to laborers now here but to all persons representing themselves as teachers, students, travelers, &c. Who can tell whether a Chinaman in San Francisco or Boston or New York, when he meets him, reached America before or after the adoption of the present treaty? Charge him with violating the law and what witness will prove it? Would you trust this matter to China? She has entrusted it to you in the treaty. Would you leave it to that government which, if we are to believe the testimony given by competent persons, has encouraged the coolie system by aiding people of other lands to make contracts of real servitude with their own people?

I am not willing, sir, that we shall lose the whole purpose of this bill by striking out the provision as to passports in our country. It is a wise provision. It works no unnecessary hardship, and it is not unjust or onerous in any sense of the word.

I take it, sir, that it would be the most unreasonable thing for the Chinese Government to insist that in the regulations that we shall make for restricting immigration of Chinese labor we may not, if need be, resort to the passport system. There is no other interference which we propose to apply to them except the passport provision; and that certainly is not an onerous exaction. For these reasons I am in favor of that provision in reference to passports, and in favor of every portion of this bill in all its paragraphs. I am entirely in favor of it.

Mr. Speaker, whenever the people of this country shall say to the people of the Pacific coast that the Chinaman is equal with the representative of any other nationality; that we propose to naturalize him; that we propose, if you please, to place around him all the conditions which may tend to make him assimilate with the people, the free people of this land, to bear its burdens, to create the products that belong to the great continent, and to multiply our wealth, then, and then only, will it be time for gentlemen to discuss sentimental questions.

But we have been proposing in our past policy to put down among the laboring population of that portion of our common country men not citizens—men under contracts which would not be permitted under the laws of any State of this Union, because subversive of individual liberty. A population of 75,000 of this class, ignorant, pagan, and polygamous; no families with them; coming to offend the decency of our people by surrounding themselves with 4,000 female prostitutes. It is enough to arouse the people; it is enough to arouse every man who has any sympathy with our fellow-citizens in that section.

It is no question of labor, it is a mere desire to escape responsibility that pleads it. It is a mere trick to say that it involves a question of labor. I trust, sir, that this House will, without any hesitation, without any amendment, enact this bill as it is, with these provisions, and give to that section a rest which they can never feel until we have granted this boon.

How much time have I left?

The SPEAKER. The gentleman has occupied a half hour.

Mr. BLOUNT. I do not care to occupy further the time of the House, and will yield the floor to my colleague, [Mr. SPEER.]

Mr. SPEER was recognized.

ORDER OF BUSINESS.

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

Mr. PAGE. I hope the gentleman from Georgia [Mr. SPEER] will go on this evening.

Mr. MANNING. It is now nearly five o'clock and is about our usual time for adjournment. I presume it will be more agreeable for the gentleman from Georgia [Mr. SPEER] to proceed to-morrow.

Mr. SPEER. I yield for the motion to adjourn.

Mr. CONVERSE. Pending the motion to adjourn, I desire to present a bill for reference.

Mr. PAGE. I was in hopes the gentleman from Georgia would go on to-night.

Mr. SPEER. If I occupied my hour it would be within ten minutes of six before I got through.

Mr. PAGE. Before the gentleman from Mississippi [Mr. MANNING] insists on his motion to adjourn, I hope he will yield to the gentleman from New York [Mr. BELMONT] for a resolution.

Mr. MANNING. I yield to the gentleman from Ohio [Mr. CONVERSE] to introduce a bill, and also to the gentleman from New York.

CONSOLIDATION OF RAILROAD COMPANIES.

Mr. CONVERSE, by unanimous consent, introduced a bill (H. R. No. 5226) to prohibit the consolidation of railroad companies, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JACOB R. SHIPHERD.

Mr. BELMONT. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Foreign Affairs be directed to demand of Jacob R. Shipherd, esq., copies of all correspondence between himself and any person or persons whatsoever, and all other evidence in his possession, tending to show what said Shipherd did or attempted to do to enforce the claims of the Peruvian Company, or to induce the United States to enforce these claims against Peru.

The resolution was adopted.

Mr. BELMONT moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ADDITIONAL FORCE IN FOLDING-ROOM.

Mr. HOUK, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Accounts:

Resolved, That the Doorkeeper be, and he is hereby, authorized to employ twelve additional laborers in the House folding-room for the purpose of folding speeches; to be paid out of the contingent fund of the House at the rate of \$720 per annum while employed; provided that the said twelve additional employes shall be dropped from the rolls of the Doorkeeper at a period not more than one month after the expiration of the present session.

OVERFLOWED DISTRICT IN LOUISIANA.

Mr. KING, by unanimous consent, obtained leave to have printed in the RECORD certain papers, petitions, and telegrams from the overflowed district in Louisiana. They will be printed hereafter. [See Appendix.]

HARBOR OF REFUGE ON LAKE PEPIN.

Mr. HUMPHREY. I ask unanimous consent to present for reference to the Committee on Commerce a memorial of the Legislature of the State of Wisconsin for an appropriation for a harbor of refuge on the eastern shore of Lake Pepin, near the village of Stockholm. I also ask unanimous consent that the memorial be printed in the RECORD.

There was no objection, and it was so ordered.

The memorial is as follows:

STATE OF WISCONSIN, EXECUTIVE DEPARTMENT,
Madison, March 10, 1882.

SIR: I have the honor to transmit herewith the memorial of the Legislature of the State of Wisconsin to Congress, in accordance with the resolution of the Legislature.

Very respectfully,

J. M. RUSK.

Hon. RICHARD GUENTHER, M. C., Washington D. C.

Memorial to Congress for an appropriation for a harbor of refuge on the eastern shore of Lake Pepin, near the village of Stockholm.

To the Senate and House of Representatives of the United States in Congress assembled:
The memorial of the Legislature of the State of Wisconsin respectfully represents:

That there is not at the present time any harbor or protection to shipping or commercial interests, either natural or artificial, at any point on the eastern shore of Lake Pepin. That a very large business, by boats, crafts, log and lumber rafts, is annually transacted on said lake, and that the same is annually damaged many thousands of dollars, and the commerce and trade of the entire Upper Mississippi River greatly impaired, by the lack of some place of refuge and safety from the wind and storms frequent upon said body of water. That the estimated cost of the construction of a harbor near Stockholm which will furnish perfect safety, and of sufficient capacity to accommodate all interests, shipping and of commerce, is \$200,000, as made by United States engineer Captain McKenzie.

Therefore, your memorialist respectfully requests that an appropriation be made by the present Congress for the construction of said harbor.

SAM. S. FIFIELD,
President of the Senate.
FRANKLIN L. GILSON,
Speaker of the Assembly.

STATE OF WISCONSIN, State Department, ss:

To all to whom these presents shall come:

I, Ernst G. Timme, secretary of state of the State of Wisconsin, do hereby certify that the foregoing has been compared by me with the original in this office, and that the same is a true and correct copy thereof, and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed my official seal, at the capital, in the city of Madison, this 9th day of March, A. D. 1882.

[SEAL.]

ERNST G. TIMME,
Secretary of State.

NICARAGUAN CLAIMS.

Mr. WILSON. I ask unanimous consent to take from the Speaker's table for consideration at this time a Senate concurrent resolution looking to a communication between this Government and the Government of Nicaragua in reference to the settlement of unadjusted claims. This same resolution passed the Senate on two or three occasions. It has now the approval of the Committee on Foreign Affairs of the House. It takes no money out of the Treasury, and merely requests the President to open communications with the Government of Nicaragua. I hope unanimous consent will be given to consider the resolution.

The SPEAKER. The Clerk will read the resolution.

The Clerk read the concurrent resolution, as follows:

In the Senate of the United States, March 10, 1882:

Resolved by the Senate, (the House of Representatives concurring.) That the President be requested to bring to the attention of the Government of Nicaragua the necessity of arranging by a convention for final settlement of all unadjusted claims existing between the Government of the United States and the Government of Nicaragua and claims of citizens of the United States against the Government of Nicaragua.

Mr. DUNNELL. That resolution has passed the Senate and received the unanimous indorsement of the Committee on Foreign Affairs.

Mr. WILSON. As I have already stated, it takes no money out of the Treasury.

Mr. DUNNELL. I think it is a very proper resolution.

Mr. HOLMAN. I ask that the resolution be reported again.

The resolution was again read.

There being no objection, the resolution was taken from the Speaker's table and concurred in.

Mr. WILSON 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.

CHINESE IMMIGRATION.

Mr. MCCOID. I desire to offer a substitute for the bill now under discussion, and to have it printed in the RECORD, so that members may have it in their possession to-morrow.

Mr. PAGE. That is not to be considered as an amendment pending.

The SPEAKER. It is an amendment proposed but not pending. Is there objection to the proposed substitute being printed in the RECORD?

There was no objection. It is as follows:

An act to restrict Chinese immigration.

Whereas in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act, no Chinese shall be permitted to come as laborers from China to the United States; and during such period it shall not be lawful for Chinese having come to the United States as laborers after the expiration of said ninety days to remain within the United States.

SEC. 2. All Chinese who shall come in numbers exceeding fifteen in any one vessel, or who shall come under any contract with any corporation, company, or person within the United States or China to do or perform labor, or whose transportation to the United States shall be furnished by any corporation, company, or person without charge or by virtue of a contract or agreement to pay therefor in labor or in wages, to be paid after arrival within the United States, shall be construed to come as laborers in violation of this act.

SEC. 3. That any master of any vessel of whatever nationality who shall knowingly on such vessel bring within the jurisdiction of the United States and permit to be landed any Chinese laborers from any foreign port or place in violation of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$500 for each and every such Chinese laborer so brought, and may be also imprisoned for a term not exceeding one year.

SEC. 4. Any corporation, company, or person who shall through himself, his agent or other person, directly or indirectly, import from China or any foreign port or place any Chinese as laborers, or contract for the same to be imported, or receive and employ such persons coming into the United States as laborers, or aid in procuring the importation or bringing into the United States such persons as laborers, in violation of this act, shall be punished by a fine of not more than \$500 for each person so brought, and may be also imprisoned for a term not exceeding one year.

SEC. 5. Any vessel, belonging in whole or in part to a citizen of the United States, and registered, enrolled, or otherwise licensed therein, used or employed knowingly by the owners thereof in transporting persons in violation of this act, with her tackle, apparel, furniture, and other appurtenances shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district courts of the United States for the district where the vessel may be found, seized, or carried.

SEC. 6. The foregoing sections shall not apply to Chinese who were in the United States on the 17th day of November, 1880; nor shall the two foregoing sections apply to the case of any master whose vessel, being bound to a port not within the United States, shall come within the jurisdiction of the United States by reason of being in distress or in stress of weather.

SEC. 7. In order to the faithful execution of articles 1 and 2 of the treaty between the United States and the Empire of China, ratified July 19, 1881, and to the faithful execution of this act, every Chinese who may be entitled by said treaty and this act as an ordinary immigrant to come within the United States, except such as resided in the United States on the 17th day of November, 1880, or who shall have come within the United States within ninety days next after the passage of this act, shall obtain the permission of the Chinese Government in each case, to be evidenced by a passport issued by said government, which passport shall be in the English language or accompanied by a translation into English, showing such permission, with the name of the permitted person in his proper signature, or, if signed by his mark, attested by a witness, and which passport shall state the name, title, or official rank, if any, the height, and any physical peculiarities, and place of residence in China of the person to whom the passport is issued, and that such person is entitled by the treaty under this act mentioned to come within the United States. This passport and the identity of the person named in it shall, before such person goes on board any vessel to proceed to the United States, be visé by the indorsement of the diplomatic representative of the United States in the Empire of China, or of the consular representative of the United States at the port or place from which the person named in the passport is about to depart.

SEC. 8. No master of any vessel owned in whole or in part by a citizen of the United States, or by a citizen of any foreign country, shall take on board such vessel, at any foreign port or place whatever, any Chinese, except accredited officers of the Chinese Government traveling on the business of the government, unless such Chinese shall first produce to him the permission of the Chinese Government, attested by the consular officer of the United States as hereinbefore provided.

SEC. 9. The master of any vessel arriving in the United States, or any of the Territories thereof, from any foreign place whatever, at the same time that he delivers a manifest of the cargo, and if there be no cargo, then at the time of mak-

ing report of entry of the vessel pursuant to law, shall, in addition to the other matters required to be reported by law, deliver and report to the collector of the district in which such vessel shall arrive a separate list of all Chinese passengers taken on board the vessel at any foreign port or place, and of all such passengers on board the vessel at that time; such list shall be sworn to by the master in the same manner as directed by law in relation to the manifest of the cargo; and the refusal or neglect of the master to comply with the provisions of this section shall receive the same penalties, disabilities, and forfeitures as are provided for a refusal or neglect to report and deliver a manifest of the cargo.

SEC. 10. This act shall not apply to diplomatic and other officers of the Chinese Government traveling upon the business of that government, whose credentials in the usual form shall be taken as equivalent to the passport in this act mentioned, and shall exempt them and their body and household servants from the provisions of this act as to other Chinese.

SEC. 11. Nothing in this act shall be construed to prohibit the ordinary and voluntary individual immigration of persons not contracted for as laborers, in numbers not exceeding fifteen in any one vessel, from the Chinese Empire, as immigration is now permitted from all other nations.

SEC. 12. Residents of the United States from the empire of China may be admitted to citizenship according to the provisions of the uniform naturalization laws: *Provided,* That they shall have resided therein ten years, and for five years previous to their naturalization shall have adopted the manners, customs, dress, and general habits of citizens of the United States.

DONATION OF LAND TO SAINT LOUIS.

Mr. CLARDY, by unanimous consent, introduced a bill (H. R. No. 5227) donating to the City of Saint Louis, Missouri, a certain strip of land for street purposes; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

DISTRICT LICENSE LAW.

Mr. BREWER. I offer for present consideration the resolution which I send to the desk. I think there will be no objection to it. The Clerk read as follows:

Resolved, That the Committee on the District of Columbia is hereby directed to investigate fully the practical workings of the license law of the District of Columbia; that they have power to send for persons and papers and report the result of such inquiry to this House at as early a day as is compatible with a thorough investigation of this subject.

Mr. SPRINGER. I object. Let the resolution be referred to the District Committee.

Mr. BREWER. Very well.

The resolution was referred to the Committee on the District of Columbia.

JOHN W. THOMPSON AND OTHERS.

Mr. DEZENDORF, by unanimous consent, introduced a bill (H. R. No. 5228) for the relief of John W. Thompson and others, constituting the executive committee on the inaugural ceremonies of March 4, 1881; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

RELIEF OF SHIPPING.

Mr. DINGLEY, by unanimous consent, introduced a bill (H. R. No. 5229) for the relief of shipping; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SALE OF CUT TIMBER ON MEMONONIE RESERVATION.

Mr. POUND. The gentleman from Illinois [Mr. SPRINGER] withdraws his objection to the request I made this morning to take from the House Calendar and pass at this time the bill (H. R. No. 2736) authorizing the sale of certain logs cut by the Indians of the Menomonee reservation in Wisconsin. I again make that request.

The SPEAKER. Is there objection?

Mr. HOLMAN. Let the bill be read.

Mr. DUNNELL. Is there a report accompanying the bill?

Mr. POUND. The bill has been favorably reported from the Committee on Indian Affairs. It is a departmental bill, and was introduced by myself at the instance of the Commissioner of Indian Affairs.

Mr. DUNNELL. Let the report be read.

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] asks to have the bill read, reserving his right to object. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized to cause to be sold at public sale to the highest bidder, for cash, after due public advertisement, and in such lots or quantities as he may deem judicious, all pine timber cut upon the Menomonee Indian reservation during the winter of 1876 and 1877, under the direction of the then United States Indian agent, J. C. Bridgman.

SEC. 2. That the proceeds arising from all sales of such timber shall be applied first to the payment of any and all indebtedness incurred for labor, supplies, and other expenses incident to the cutting and sale of said timber, and the surplus, if any, shall be deposited in the Treasury of the United States to the credit of said Indians, and expended in their benefit under the direction of the Secretary of the Interior.

The SPEAKER. Is there objection to considering at this time the bill which has just been read? [After a pause.] The Chair hears none, and the bill is before the House.

Mr. DUNNELL. I desire to hear the report read.

The SPEAKER. The report will be read.

The report was read, as follows:

The Committee on Indian Affairs, having considered the bill (H. R. No. 2736) authorizing the sale of certain logs cut by the Indians of the Menomonee reserva-

tion, in Wisconsin, report the same back without amendment, and recommend that it do pass, and that the letter of the Commissioner of Indian Affairs, herewith submitted, be embodied in this report:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 18, 1882.

SIR: I am in receipt of your letter of this date, transmitting H. R. 2736, Forty-seventh Congress, first session, 'A bill authorizing the sale of certain logs cut by the Indians of the Menomonee reservation in Wisconsin,' and requesting my opinion thereon.

On the 26th April, 1876, an act of Congress (19 Stat., 37) was passed authorizing the sale of certain logs cut by the Indians of the Menomonee reservation, in Wisconsin, under the direction of this Department, in compliance with which such logs were subsequently sold.

It has since transpired that there are from a million to a million and a half feet of pine logs lying skidded in the woods on the Menomonee reservation which were cut subsequent to the passage of said act, namely, during the winter of 1876-77, under the direction of the then United States Indian agent J. C. Bridgman, contrary to the express orders of this Department, issued to him on the 14th of January, 1876.

This timber is depreciating in value every year from being worm-eaten, besides the great danger of forest fires, and unless soon sold will be a total loss.

The bill submitted by you, which is herewith returned, is identical with one forwarded by this office on the 5th instant to the Department for transmission to Congress, and meets with my entire approval.

Very respectfully,

H. PRICE, Commissioner.

Hon. T. C. POUND,
House of Representatives.

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

Mr. POUND moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOSEPH SNYDER.

Mr. SCRANTON, by unanimous consent, introduced a bill (H. R. No. 5230) for the relief of Joseph Snyder; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN KENNEDY.

Mr. HEPBURN, by unanimous consent, introduced a bill (H. R. No. 5231) for the relief of John Kennedy; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PURCHASERS OF PATENED ARTICLES.

Mr. MOREY, by unanimous consent, introduced a bill (H. R. No. 5232) to protect innocent purchasers of patened articles; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

JAMES M. SEEDS.

Mr. MOREY (for Mr. BUTTERWORTH) also, by unanimous consent, introduced a bill (H. R. No. 5233) for the relief of James M. Seeds; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

FRIDAY EVENING SESSIONS.

Mr. STEELE. I ask unanimous consent to amend the special order of the House for evening sessions on Fridays by inserting the words "and Committee on Pensions," for which I have the consent of the gentleman from Indiana, [Mr. BROWNE,] chairman of the Committee on Invalid Pensions.

The SPEAKER. A continuing order of the House, adopted on the 6th instant, provided—

That until the further order of the House, on Friday of each week the House shall take a recess at 4.30 o'clock until 7.30 o'clock, at which evening sessions bills on the Private Calendar reported from the Committee on Invalid Pensions only shall be considered.

The gentleman from Indiana [Mr. STEELE] now asks consent to extend that order so as to include bills reported from the Committee on Pensions.

Mr. ROBINSON, of Massachusetts. That will not include any general legislation?

Mr. STEELE. No general legislation.

Mr. ROBINSON, of Massachusetts. Only private bills.

Mr. STEELE. Private bills only.

Mr. SPARKS. How long does the order continue?

The SPEAKER. As made, it is a continuing order.

Mr. SPARKS. During this session?

The SPEAKER. Until the further order of the House. The House may rescind it.

Mr. HAWK. It refers only to business on the Private Calendar.

The SPEAKER. To business on the Private Calendar relating to pensions.

Mr. SPARKS. I understand that the order relates only to pension bills.

The SPEAKER. To pension cases on the Private Calendar. The gentleman from Indiana [Mr. STEELE] asks to have the order include pension bills reported from the Committee on Pensions as well as those reported from the Committee on Invalid Pensions. Is there objection to the modification of the order?

There was no objection, and it was so ordered.

DUPLICATE CHECKS.

Mr. LE FEVRE, by unanimous consent, introduced a bill (H. R.

No. 5234) to amend and re-enact section 3646 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

COMMITTEE ON ELECTIONS.

Mr. CALKINS. I ask unanimous consent that the Committee on Elections, including sub-committees of that committee, have leave to sit during the sessions of the House.

There was no objection, and it was so ordered.

USE OF UNITED STATES TROOPS IN NEBRASKA.

Mr. HENDERSON. The Committee on Military Affairs, to which was referred a resolution of inquiry, have instructed me to report the same back, and recommend its adoption with amendments to strike out the preamble and to insert, after the word "requested," the words "if not incompatible with the public interest."

The SPEAKER. The resolution will be read as proposed to be amended.

The Clerk read as follows:

Resolved, That the President be requested, if not incompatible with the public interest, to furnish to this House at the earliest practicable moment all the facts before him at the time he authorized the sending or employment of troops or military forces of the United States in the State of Nebraska during the present month, together with his reasons therefor.

The amendments were agreed to, and the resolution as amended was adopted.

Mr. HENDERSON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SARGENT MANUFACTURING COMPANY.

Mr. JONES, of New Jersey, by unanimous consent, introduced a bill (H. R. No. 5235) authorizing the extension of letters patent No. 50337 for the relief of the Sargeant Manufacturing Company; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

Mr. DUNNELL. I move that the House now adjourn,

PUBLIC-SCHOOL BUILDINGS, DISTRICT OF COLUMBIA.

Pending the motion to adjourn,

The SPEAKER laid before the House the report of the commission appointed by resolution of the House on February 20, 1882, for the purpose of investigating the public-school buildings of the District of Columbia; which was referred to the Committee on Appropriations.

The SPEAKER. The Chair has been requested to ask that the Committee on Appropriations be authorized to have printed such portions of the report just presented and the accompanying papers as that committee may deem proper.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

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

To Mr. STEELE, for seven days;

To Mr. VAN AERNAM, indefinitely;

To Mr. HARDENBERGH, until Tuesday next;

To Mr. RICHARDSON, of New York, for five days, on account of sickness; and

To Mr. HILL, until Tuesday next.

STATUE OF CHIEF-JUSTICE MARSHALL.

The SPEAKER announced the appointment of Mr. McCook of New York, Mr. LINDSEY of Maine, and Mr. GEDDES of Ohio, as the House members of the joint committee provided for by the act approved March 10, 1882, to authorize the erection of a statue of Chief-Justice Marshall.

The motion of Mr. DUNNELL was then agreed to; and accordingly (at five o'clock and ten minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BUTTERWORTH: The petition of Enoch Jacobs, for compensation for services to the Department of State—to the Committee on Foreign Affairs.

By Mr. DINGLEY: The petition of Maria D. Pierce and others, of Belfast, Maine, for payment of French spoliation claims—to the same committee.

By Mr. ERRETT: The petition of 5 officers of the Twenty-first United States Infantry, and of Lieutenant W. S. Patten, of the Eighteenth Infantry, urging the passage of the bill to reorganize the infantry branch of the United States Army—to the Committee on Military Affairs.

By Mr. FLOWER: The petition of A. L. Hadden and 25 others, for legislation for the suppression of polygamy—to the Committee on the Judiciary.

By Mr. HUMPHREY: The petition of Isaac Clark and others, citizens of Galesville, Wisconsin, for legislation regulating charges for railway transportation—to the Committee on Commerce.

By Mr. KELLEY: The petition of citizens of Syracuse and Onondaga County, New York, in favor of the abolition of the internal-revenue system—to the Committee on Ways and Means.

By Mr. MCKINLEY: The petition of William S. Grant and others, citizens of Navarre, Stark County, Ohio, praying for the favorable consideration of Senate bill to prevent extortion and unjust discrimination by railway companies—to the Committee on Commerce.

Also, the petition of David Reed and others, citizens of Massillon, Stark County, Ohio, relative to the duty on manufactured glass—to the Committee on Ways and Means.

By Mr. RICH: The petition of 156 members of the Congregational Church of Port Huron, Michigan, for the passage of the Edmunds bill for the suppression of polygamy in the Territories of the United States—to the Committee on the Judiciary.

By Mr. SCRANTON: The petition of citizens of Scranton, Pennsylvania, for the repeal of the law imposing a tax on banks—to the Committee on Ways and Means.

By Mr. SHALLENBERGER: The petition of D. Hart and others, honorably discharged soldiers, residents of Washington County, Pennsylvania, in favor of the passage of the bill to establish a soldiers' home at Erie—to the Committee on Military Affairs.

By Mr. SPEER: A bill to appropriate \$75,000 to continue the improvements in the harbor at Brunswick, in the State of Georgia—to the Committee on Commerce.

By Mr. WILLIAM G. THOMPSON: The petition of 264 ex-soldiers, citizens of the fifth Congressional district of Iowa, for the passage of the Bliss bill, granting pensions to all soldiers and sailors of the late war who were confined in confederate prisons—to the Committee on Invalid Pensions.

By Mr. VANCE: Papers relating to the claim of Josiah Welch—to the Committee on War Claims.

By Mr. WAIT: The petition of John Dunham and others, citizens of Connecticut, relative to the French spoliation claims—to the Committee on Foreign Affairs.

By Mr. WATSON: Two petitions of honorably discharged soldiers, residents of the twenty-seventh Congressional district of Pennsylvania, urging the passage of the bill to establish a soldiers' home at Erie, Pennsylvania—severally to the Committee on Military Affairs.

By Mr. YOUNG: Memorial of Augustus Watson, relative to the patent laws—to the Committee on Patents.

The petition of Fordyce Foster was reported from the Committee on Invalid Pensions, under clause 2 of Rule XXII, and referred to the Committee on Pensions.

SENATE.

FRIDAY, March 17, 1882.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, requesting that 6,000 copies of the History of the National Loans of the United States, prepared for the Tenth Census, now being printed at the Government Printing Office, be reserved for that Department; which was referred to the Committee on Printing.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The Chair presents a joint resolution of the Legislature of Iowa in relation to the investment of the endowment fund of the Iowa Agricultural College, which will be referred to the Committee on Public Lands, and printed in the RECORD. The Chair will hereafter order the joint resolutions of State Legislatures to be entered in the RECORD.

The memorial is as follows:

[Joint resolution No. 7.]

Memorial and joint resolution in relation to the investment of the endowment fund of the Iowa Agricultural College.

Whereas it is provided by section 4 of an act of Congress entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, that all moneys received from the sale of land donated by said act shall be invested in stocks of the United States, or of the State, or some other safe stocks, yielding not less than 5 per cent. upon the par value of said stocks; and

Whereas the fund arising from the sale of the land granted the State of Iowa by the said act can be safely and more profitably invested in approved real estate securities:

Be it resolved by the General Assembly of the State of Iowa, That our Senators be instructed and Representatives in Congress be requested to use their influence to secure such amendment to the present law as will permit the State to loan said fund on real estate security, under such rules and regulations for its safe investment as the General Assembly shall hereafter adopt.

Sec. 2. That the Secretary of State shall be directed to forward to the President of the United States Senate and the Speaker of the House of Representatives a copy of the foregoing resolution, with the request that the same be laid before each House of Congress, and that a copy be sent to each Senator and Member of Congress from this State.

Approved, March 11, 1882.

Mr. JACKSON presented the petition of Richardson K. Baird, late private Company E, Second Ohio Cavalry Volunteers, praying for an increase of pension; which was referred to the Committee on Pensions.

Mr. CAMDEN presented resolutions of the board of health of West

Virginia, in favor of conferring sufficient authority on the National Board of Health to empower it to effectually prevent the introduction of diseases into the United States; which were referred to the Select Committee to investigate and report the best means of preventing the introduction and spread of Epidemic Diseases.

Mr. McDILL. I present a joint resolution and memorial of the General Assembly of Iowa, in relation to the investment of the endowment fund of the Iowa Agricultural College, which I ask may be printed in the RECORD.

The PRESIDENT *pro tempore*. The Chair would inform the Senator from Iowa that he has just presented a similar memorial, which he directed to be printed in the RECORD.

Mr. SHERMAN. I think the memorials should be referred to the Committee on Finance, as they relate to a question of the investment of money on hand.

The PRESIDENT *pro tempore*. The Chair thinks the Senator from Ohio is right, and the reference of the joint resolution presented by the Chair will be changed. The memorial just presented by the Senator from Iowa will be referred to the Committee on Finance.

Mr. MITCHELL presented a petition of five officers of the Twenty-first Regiment Infantry, United States Army, praying for the passage of the bill (H. R. No. 1475) to increase the efficiency of the infantry branch of the Army; which was referred to the Committee on Military Affairs.

Mr. SLATER presented additional papers in the matter of the claim of Jacob Fritz to certain lands now included in Fort Dalles military reservation, in Wasco County, Oregon; which were referred to the Committee on Public Lands.

Mr. BROWN. I present a petition of a number of leading citizens of Savannah, Georgia, praying for an adequate appropriation to improve the harbor of that city so as to accommodate the large commerce that passes in and out through that harbor. I move the reference of the petition to the Committee on Commerce.

The motion was agreed to.

Mr. PENDLETON presented the petition of F. W. Loucks and 12 others, citizens of New York; the petition of Thomas Cochran, jr., and 24 others, citizens of Minnesota; and the petition of George A. Karner and 79 others, citizens of New Jersey, praying for a reform in the method of appointment to subordinate executive offices; which were referred to the Committee on Civil Service and Retrenchment.

DAVIS ISLAND DAM.

Mr. McMILLAN. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. No. 1514) appropriating \$100,000 for continuing the work on Davis Island dam, to report it without amendment.

Mr. CAMERON, of Pennsylvania. If there is no objection I should like the Senate to take up the bill and put it on its passage at once.

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

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

REPORTS OF COMMITTEES.

Mr. McMILLAN. I am also instructed by the Committee on Commerce to report favorably and without amendment the bill (H. R. No. 4440) to establish a railway bridge across the Mississippi River extending from a point between Wabasha and Read's Landing, in Minnesota, to a point below the mouth of the Chippewa River, in Wisconsin.

Mr. CAMERON, of Wisconsin. If there is no objection, I should like to have that bill acted on.

Mr. SHERMAN. That is quite a long bill. I think it had better be put on the Calendar, and the Senator will have a chance to call it up at some other time.

Mr. CAMERON, of Wisconsin. It has been reported favorably by the Committee on Commerce, and has passed the House.

Mr. SHERMAN. I know; but it is not exactly right to take up the morning hour by considering bills just reported.

Mr. CAMERON, of Wisconsin. It was not exactly right perhaps to take up the bill appropriating \$100,000 for the work on the Davis Island dam and pass it when it was reported.

Mr. SHERMAN. That is quite a different thing. It is for continuing work.

Mr. CAMERON, of Wisconsin. It is a different thing, but that does not make any difference in the principle.

Mr. McMILLAN. I will state for the information of the Senate that this bill provides for the erection of a railroad bridge across the Mississippi River. The company constructing the road are pressed for passing the river now, and if the bill is passed they can proceed with the work without interruption.

The PRESIDENT *pro tempore*. If there is no objection, the bill is before the Senate as in Committee of the Whole.

Mr. SHERMAN. I thought I objected. It is a long bill, and I do not think it ought to be taken up in the morning hour.

Mr. CAMERON, of Wisconsin. The bill is not a long bill, if that is the only objection.

Mr. SHERMAN. If it is to be understood that it is discourteous to object to the present consideration of bills, let us take them up in their order as they are reported.