

great number of the States of the Union which have revised their statutes, and have had this very same thing to guard against in their revision. We have gone over them sentence by sentence and made them as perfect as we can.

We see no good reason for delay, in order to bring this up at another time in the House, when we have no cause to doubt that it will be perfectly satisfactory to the House. If we had supposed that it was the desire of any gentleman to examine these sections, we would have been glad to have him do so, because we wanted all the assistance we could get. But the whole work is to go before the Senate, and if any gentleman finds anything that requires amendment, it will be perfectly easy for him to make a suggestion, and I am satisfied that the object of every member of the House and every member of the Senate is the same—and that is the object with which we started in the beginning of the session, to endeavor to reduce to this one volume what was the general public statute law of the United States on the first day of this session; and at the same time that nothing herein contained shall affect the right of any man, public or private; but that this shall stand as the law as it then was. And we have put into as clear language as the committee could frame the declaration of that purpose in these sections, having got a good deal of aid from the similar attempts of other legislative bodies.

Mr. LOUGHRIDGE. Have these sections been printed?

Mr. POLAND. They have not.

Mr. LOUGHRIDGE. I would not like to urge anything which the gentlemen who have charge of this work think would delay it materially. Still it is a matter of so great importance that I think there ought to be a vote of the House upon it. And I think these sections ought to be printed before final action by the House, but I do not desire to set up my judgment against that of the gentlemen who have the work in charge.

Mr. SAYLER, of Ohio. The House has been notified that this was the final evening, and that the work was to be completed to-night.

Mr. LOUGHRIDGE. We do not pass an ordinary bill, generally, without having it printed; we print everything, even ordinary pension bills; an amendment to an ordinary bill is printed.

Mr. SAYLER, of Ohio. We have adopted all the amendments to this bill without having them printed, and at sessions where there was no larger attendance than there is now.

The SPEAKER *pro tempore*. The Chair is not at this moment aware of any parliamentary method in which this revision can be brought up in the House. The House has, by unanimous consent, directed this business to be performed at these evening sessions, and the Chair knows of no method by which any portion of this bill, or any single amendment, can be brought before the House at a day session. Of course, any gentleman has a right to insist on a quorum being present before anything is done here, but the Chair does not know of any mode in which this bill can be brought into the House in the day-time, except by a report from the committee *de novo* and a new reading of the bill.

Mr. LOUGHRIDGE. In deference to the views of other gentlemen, I withdraw my objection.

The SPEAKER *pro tempore*. The Chair has given some reflection to the matter, but does not see any other mode. Of course after the passage of the bill any gentleman might move to reconsider; but the motion to reconsider would require, under the order the House has made, to be dealt with at an evening session. The only possible way of getting a vote on the bill in a full House would be for some gentleman to insist on the point that a quorum is not present, and in that case there would have to be a call of the House, and members would have to be brought in here in the evening.

Mr. LOUGHRIDGE. I withdraw my suggestion.

The amendment was agreed to.

Mr. POLAND. I now move the previous question on the bill.

The previous question was seconded and the main question ordered; and under the operation thereof the bill, as amended, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. POLAND 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.

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

The motion was agreed to; and accordingly (at nine o'clock p. m.) the House adjourned.

#### PETITIONS, ETC.

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

By Mr. BELL: The memorial of Catharine Laud, praying for arrears of pension, to the Committee on Invalid Pensions.

By Mr. BIERY: The petition of citizens of Conshohocken, Montgomery County, Pennsylvania, in opposition to the imposition of a tariff duty on tea and coffee, in opposition to any increase of internal taxes, and in favor of the repeal of the second section of the act of June 6, 1872, which reduced by 10 per cent. the duties on foreign imports, to the Committee on Ways and Means.

Also, three petitions of citizens of Allentown, Pennsylvania, of similar import, to the same committee.

Also, the petition of 79 workingmen in the foundry and machine departments of the Allentown Rolling-Mills, of similar import, to the same committee.

Also, the petition of citizens of Allentown and Mauch Chunk, of similar import, to the same committee.

By Mr. HALE, of New York: The memorial of James Rogers and 367 others, remonstrating against reduction of duties on steel, to the Committee on Ways and Means.

By Mr. LOWNDES: The petition of George P. Remsburg, of Frederick, Maryland, for relief for loss of his son's arm from firing of provost guard, to the Committee on War Claims.

By Mr. NEAL: The petition of Louisa Thomas, widow of Cyrus Thomas, Company E, One hundred and seventy-sixth Ohio Volunteers, praying for a pension, to the Committee on Invalid Pensions.

By Mr. RANSIER: The petition of John F. Porteous, of Beaufort, South Carolina, praying for relief, to the Committee on War Claims.

By Mr. SCOTFIELD: The memorial of Frank Bell, late first lieutenant and captain of Company I, First Rifles, Pennsylvania Reserves, requesting pay for horse and equipments lost in action while acting as adjutant of the Bucktail Battalion, to the Committee on Military Affairs.

By Mr. SENER: The memorial of Thomas B. Hunton, of Northumberland County, Virginia, praying relief for losses during the rebellion, to the Committee on War Claims.

Also, the petition of John D. Elder, of Fredericksburgh, Virginia, praying relief for losses incurred during the late rebellion, to the same committee.

By Mr. SHELTON: Papers in the matter of John M. Burrows, petitioning for relief, to the Committee on War Claims.

By Mr. SMITH, of Ohio: The petition of citizens of Clinton County, Ohio, on the subject of the liquor traffic, to the Committee on the Judiciary.

By Mr. WILLIAMS, of Indiana: The petition of Alexander Moffitt, praying for relief, to the Committee on War Claims.

By Mr. WILSHIRE: The petition of citizens of Arkansas, praying for the passage of the bill granting lands to the Saint Louis, Springfield and Little Rock Railroad, to the Committee on the Public Lands.

By Mr. WOODFORD: Resolution of the common council of the city of Brooklyn, memorializing Congress against granting lands of the General Government in the Wallabout, at Brooklyn, to any private corporations, &c., to the Committee on Naval Affairs.

#### IN SENATE.

THURSDAY, April 2, 1874.

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

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

#### HOUSE BILL REFERRED.

The bill (H. R. No. 2782) to extend the time to pre-emptors on the public lands in the State of Minnesota to make final payment was read twice by its title, and referred to the Committee on Public Lands.

#### DEVELOPMENT OF MINING RESOURCES.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. No. 16) supplemental to the act entitled "An act to promote the development of the mining resources of the United States," approved May 10, 1872.

Mr. SARGENT. I move that the bill, with the amendment of the House of Representatives, be referred to the Committee on Mines and Mining.

The motion was agreed to.

#### LOUISVILLE AND PORTLAND CANAL.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. No. 350) providing for the payment of the bonds of the Louisville and Portland Canal Company.

Mr. THURMAN. I move that the Senate disagree to the amendment of the House, and ask for a committee of conference.

Mr. HAMLIN. That is a very important question. The bill passed this body without any discussion, and I think it should not now be referred to a committee of conference until the Senate shall have some understanding about it.

Mr. THURMAN. I was going to present two memorials on the subject; and when I shall have done that I will yield to whatever may be the wish of the Senate.

Mr. HAMLIN. I do not mean to express any objection. I simply think that this is a matter that the Senate ought to pass upon before it goes to a committee of conference. The House amendment should either be referred to the committee that originally reported the bill or an opportunity should be had to discuss it in the Senate.

Mr. SARGENT. I think it ought to go upon the Calendar and the Senate should have an opportunity to pass upon the question. I have no objection, however, to referring the amendment of the House to the committee that originally reported the bill, if that be desired.

Mr. HAMLIN. I have no objection to that; but I do not think the amendment should be agreed to or sent to a committee of conference.

without some discussion and a fair understanding of what the amendment is.

Mr. SHERMAN. I have carefully read the substitute of the House of Representatives. There is only one single point in it on which the Senator from New York [Mr. CONKLING] desires to take the vote of the Senate, and that is the amendment offered by his colleague in the House, [Mr. WHEELER.] With that exception the two bills are almost identical.

Mr. SARGENT. That is a very important amendment.

Mr. SHERMAN. I know it is; but it is an amendment that simply delays the taking possession of the Louisville Canal for two years. That is the main trouble.

Mr. SARGENT. That is very true; but without that amendment we do not know what we are taking possession of. It seems to me that the matter had better be considered in the Senate.

Mr. THURMAN. I wish to present to the Senate some resolutions adopted by the Chamber of Commerce of the city of Cincinnati on this subject, and then I have an observation to make. The resolutions are short, and I can read them probably in as short time as I can state them:

CINCINNATI CHAMBER OF COMMERCE,  
Merchants' Exchange, March 28, 1874.

At a regular session of the Cincinnati Chamber of Commerce, held this day, the following preamble and resolutions were unanimously adopted:

"Whereas we learn from the dispatches from Washington that members of the Committee on Commerce are not favorable to the Government taking possession of the Louisville and Portland Canal until further legislation on the part of the State of Kentucky; and whereas the action of the Kentucky Legislature heretofore was intended to and does cede the property to the United States upon the sole condition that the debts be provided for; and whereas we have good reason to believe that objection to immediate action on the part of Congress is inspired directly or indirectly by parties at Louisville who gain advantages by retaining control of the canal; and whereas the Kentucky Legislature will not meet again for two years, and the commerce of the Ohio River having already been too long oppressed by the heavy tolls collected on a canal owned virtually by the Government of the United States: Therefore,

"Resolved by the Cincinnati Chamber of Commerce, That simple justice to the commerce of the Ohio Valley requires that the Government should take immediate possession of the canal and reduce the tolls.

"Resolved, That copies of these proceedings be transmitted to our Representatives from this county, and also to Senators SHERMAN and THURMAN."

S. F. COVINGTON,  
President.

I also present the following resolution, adopted by the same chamber of commerce yesterday:

Senator SHERMAN or THURMAN:

At the regular meeting of the Cincinnati Chamber of Commerce, held this day, the following preamble and resolution were unanimously adopted, and I was instructed to telegraph the same to the Senators from Ohio:

"Whereas the effect of the Wheeler amendment, embodied in the House bill, providing for the control of the Louisville and Portland Canal by the Government of the United States, insures the continuance of the existing oppressive toll for two years at least; and whereas the charge of fifty cents per ton for passing through the canal is especially oppressive, in view of the fact that freights are carried by water from the city to New Orleans at two to four dollars per ton: Therefore,

"Resolved by the Cincinnati Chamber of Commerce, That the United States Senate be, and it is hereby, respectfully requested, in behalf of the commerce of the Ohio and Mississippi Rivers and tributaries, and in advancement of the cause of cheap transportation, to reject the amendment ingrafted upon the bill on motion of Mr. WHEELER, and cause the same to be passed in such a shape as to insure the immediate control of the canal by the Government and a reduction of the tolls, so as to place this improvement on an equal footing with other canals controlled by the United States."

Very respectfully,

S. F. COVINGTON,  
President.

Mr. President, I am totally at a loss to understand the opposition to this bill. I do not know any subject that has been more thoroughly discussed in the Senate except some subject of great public character and importance; and this may be said to be a subject of that kind, because it affects the commerce of the entire Ohio Valley, and to a large extent that of the Mississippi Valley. Why there should be any opposition, the Government owning all the stock of this company but \$500—I believe that is true—

Mr. SHERMAN. Yes, sir.

Mr. THURMAN. And the objection being of the merest technical character in the world, such as in a suit between individuals no court of equity would regard for one moment; why the commerce of that valley should continue to be burdened with a tax of fifty cents a ton, when it is admitted on all hands that ten cents a ton would be amply sufficient to keep the canal in perfect repair, is past my comprehension; and why this objection should come as it does from quarters in nowise interested in this subject, I really do not understand.

Mr. MORRILL, of Vermont. May I ask the Senator from Ohio if ten cents a ton will keep the canal in repair, and pay the interest on a million and a quarter of dollars that the Government will be required to pay in order to obtain possession of the bonds—the indebtedness of the canal company?

Mr. THURMAN. I cannot answer that question, for I am not as well advised about it as my colleague is who has looked more into the figures; but certainly it requires nothing like fifty cents, nor the half of fifty cents, a ton to pay the interest as well as to keep that canal in repair. But it is Government property, and what the Government ought to do, irrespective of what it owes, is to reduce the tolls on that canal to the very lowest sum which will keep it in repair, and then it will have done less for the commerce of the Ohio River than it has done for the commerce of almost any other great water-channel in the United States.

Mr. SHERMAN. I say again that the only difference between the amendment of the House of Representatives and the bill of the Senate is, that upon the motion of a member of the House an amendment was stuck on here requiring the assent of the Legislature of Kentucky to what Kentucky has already assented to; that is, the cession of jurisdiction over this canal. There would be no objection to the adoption of the amendment if the Legislature of Kentucky were in session. If the House had passed this bill when it was sent there from the Senate, the Legislature of Kentucky was then in session and could have promptly given the requisite assent; but the Legislature—

Mr. DAVIS. If the Senator will allow me—

Mr. SHERMAN. Let me finish my sentence. The Legislature of Kentucky has adjourned and will not convene again for two years under their constitution; and in the mean time the commerce of the Ohio River, which, as shown by recent statistics, is more than double the whole commerce of the United States with foreign countries, will be clamped with a tax of fifty cents a ton on every boat-load of coal, salt, and all the interior productions of the country. While I do not object to any reasonable delay that Senators may desire, yet the interests of my constituents are so affected, and the interests of all the States in that region of the country, including Kentucky, (because they are as deeply interested as we are in this matter,) that I hope the Senate will give us a vote upon it. My impression is that by a committee of conference this very objectionable amendment might be retained, but in such a way as not to prevent the taking possession of the canal by the United States. I am inclined to think that a committee of conference would report an amendment which would cover the point of controversy and would receive the unanimous vote of both Houses.

Mr. MORRILL, of Vermont. I suggest to the Senator from Ohio that the Senator from New York, [Mr. CONKLING,] who takes an interest in this matter, is absent, and it had better go over or be placed on the Calendar until that Senator shall be present.

Mr. SHERMAN. I suppose we cannot object to that.

The PRESIDENT *pro tempore*. The matter may be laid aside informally.

Mr. SHERMAN. Let it lie on the table for the present.

The PRESIDENT *pro tempore*. The bill and amendment will lie on the table. Petitions and memorials are now in order.

#### PETITIONS AND MEMORIALS.

Mr. MORRILL, of Vermont. I present a petition signed by W. S. Johnson, M. D., and three others of the town of Milton, and of two others of the town of Chelsea, Vermont, who ask to have the stamp or proprietary act so altered or regulated as to exempt all physicians in possession of a medical diploma, or being lawfully licensed, from using stamps on any medicine that they may manufacture, vend, or dispose of, and that all pretenders who manufacture and vend a substance called medicine shall use stamps as heretofore and also pay a manufacturing license of ten to fifty dollars and a trading license of twenty or one hundred dollars. I move the reference of this petition to the Committee on Finance.

The motion was agreed to.

Mr. CRAGIN. I present the petition of the survivors of the *Polaris*; and as it is the practice sometimes to read petitions, I ask consent to briefly refer to this one. The petitioners say:

We parted from the ship in or about latitude 73° 28' north on the night of the 15th day of October, 1873, and were on the ice for one hundred and ninety-six days, exposed to all the rigors of an arctic winter, without adequate food, clothing, or shelter, constantly in imminent danger and peril of our lives, expecting never to reach our homes or see our friends; our sufferings, both physical and mental, were terrible, and so great that no language we can use will describe our agony during a long and desolate arctic night, (the sun not appearing for ninety consecutive days.) Once by a heavy swell dashing against the ice during the night of April 19, 1873, we were washed into the sea, and our escape from immediate death was miraculous, and at this time our supply of provisions got so low that we were obliged to be put on an allowance of one-quarter of a pound of bread and two ounces of meat per diem for several months, and at times we suffered greatly from hunger. We were rescued from our perilous position by the Newfoundland steamer *Tigress* on the 30th day of April, 1873.

We are still suffering in body, our health ruined, our means exhausted, and nothing left to support and sustain us, unless your honorable body grants us relief; and as we were employed by the Government for a voyage full of peril and danger, with a small recompense, to wit, twenty-five dollars per month, (when the pay at that time in the merchant service was forty dollars per month,) and with the assurance of Captain Hall and others interested in getting up the expedition that we should be liberally dealt with by the Government upon our return, if ever, we pray your honorable body to grant us and those other survivors of our expedition such relief and aid as shall be just and proper in the premises. And in this connection we would not forget "Esquimaux Joe" and "Hannah" his wife, who are now invalided, probably permanently, on account of the hardships and exposures of the expedition, and in particular we pray your honorable body that they should be liberally dealt with, as through God we believe we are indebted to them for the preservation of our lives.

In connection with this petition I also present a preamble and resolution adopted by the American Geographical Society, asking that the survivors of the *Polaris* be paid an extra sum, and also a letter of the Secretary of the Navy on the same subject. I move the reference of all these papers to the Committee on Naval Affairs.

The motion was agreed to.

Mr. SCHURZ presented the petition of Horatio S. Chalmers and others, heirs of John Chalmers, sr., praying indemnification for spoilsations committed by the French prior to the year 1801; which was ordered to lie on the table.

Mr. SHERMAN. I present the petition of Mercy Ann Hall, the

widow of Charles F. Hall who died while in the service of the United States in command of the Polaris expedition. The petitioner sets out the services of her husband; that before he died he succeeded in carrying the flag farther north than man had ever before penetrated; that his life has been laid down for the common weal just as if he had fallen in battle; that his death left her destitute with two children, aged respectively seventeen and thirteen years, to support; that he died while in the service of the United States in command of the Polaris expedition. In presenting this petition, I desire simply to say that, in my judgment, a stronger appeal could not be made to the mercy and charity of the Government of the United States. This gentleman died while in the service of the Government upon a most dangerous voyage, leaving a widow and children without means of support. Their case is one that will appeal to the private feelings of any one who knows the circumstances. This petition is not only signed by the lady herself, but by Joseph Henry, Professor Baird, and a number of other gentlemen connected with scientific pursuits, W. T. Sherman, General of the Army, W. W. Corcoran, General Meigs, and a great many other citizens of this city. I move its reference to the Committee on Naval Affairs.

The motion was agreed to.

Mr. GORDON presented a petition of James S. Herron and others, praying that a pension be granted to Fannie M. Herron; which was referred to the Committee on Pensions.

Mr. BOGY presented a resolution of the Legislature of Missouri, in favor of the establishment of a daily mail each way between Cairo, Illinois, and Poplar Bluff, Missouri, over the Cairo, Arkansas and Texas Railroad; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HAGER presented a resolution of the Legislature of California, in favor of the appointment of a commission to ascertain the amount of property destroyed by Captain Jack's band of Modocs; which was referred to the Committee on Indian Affairs.

#### REPORTS OF COMMITTEES.

Mr. CHANDLER, from the Committee on Commerce, to whom was referred the bill (S. No. 586) to create a port of delivery at Helena, in the State of Arkansas, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. No. 2692) to change the name of the schooner-yacht Quarantine to Welcome, reported it without amendment.

Mr. RAMSEY. Yesterday the Senate referred to the Committee on Post-Offices and Post-Roads a resolution of the Legislature of Missouri in favor of establishing a daily mail on one of the railroads of that State. The matter belongs entirely to the jurisdiction of the Postmaster-General. I therefore ask that the committee be discharged from the further consideration of the resolution and that it be referred to the Post-Office Department.

The PRESIDENT *pro tempore*. That order will be made.

Mr. RAMSEY. There was also referred to the same committee a memorial of the Legislature of Wisconsin for an increase of mail service. That belongs to the jurisdiction of the Post-Office Department, and I ask that the committee be discharged from its further consideration and that it be referred to the Post-Office Department.

The PRESIDENT *pro tempore*. That order will be made.

Mr. RAMSEY. The Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. No. 123) to provide for the transmission of correspondence by telegraph, have directed me to report it back and to ask to be discharged from the further consideration of the subject.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed.

Mr. RAMSEY. In lieu of it the committee direct me to report a bill to provide for the transmission of correspondence by telegraph, accompanied with a report, which I ask to have printed.

The bill (S. No. 651) to provide for the transmission of correspondence by telegraph was read and passed to a second reading, and the report was ordered to be printed.

Mr. SAULSBURY. In connection with that report I desire to say, as one member of the Committee on Post-Offices and Post-Roads, that I do not concur in it and shall oppose the bill whenever it comes up.

Mr. BUCKINGHAM, from the Committee on Indian Affairs, to whom was referred the bill (S. No. 425) for the restoration to market of certain lands in the Territory of Utah, reported it without amendment.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (H. R. No. 1223) granting a pension to Mary Storrs, reported it without amendment.

He also, from the same committee to whom was referred the bill (H. R. No. 280) granting a pension to Ann Crane, reported it without amendment.

Mr. FLANAGAN, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. No. 434) referring to the Court of Claims for adjudication and determination the claim of the parties therein named, for the past and future use of Norton's post-marking and post-canceling hand-stamp, and of Robertson's improved hand-stamp, reported it without amendment; and submitted a report thereon, which was ordered to be printed.

Mr. SCOTT, from the Committee on Claims, to whom was referred the petition of Jane M. Rudolph, widow of Captain Thomas C. Ru-

dolph, formerly of the United States revenue marine, praying for a pension, asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions; which was agreed to.

Mr. DAVIS, from the Committee on Claims, to whom was referred the petition of E. M. Dennison, of the District of Columbia, praying for extra compensation as crier of court, from April, 1863, to December, 1865, submitted an adverse report thereon; which was ordered to be printed, and the committee was discharged from the further consideration of the petition.

Mr. FERRY, of Michigan, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. No. 753) for the relief of Peter S. Patton, reported it with an amendment; and submitted a report thereon, which was ordered to be printed.

Mr. INGALLS, from the Committee on Pensions, to whom was referred the bill (H. R. No. 1949) granting a pension to Ann M. Brackett, reported it without amendment.

Mr. OGLESBY, from the Committee on Pensions, to whom was referred the bill (H. R. No. 2095) granting a pension to Mrs. Nancy Parkhurst, reported adversely thereon; and the bill was postponed indefinitely.

Mr. PRATT, from the Committee on Pensions, to whom was referred the petition of George W. Trueheart, late private Company F, Sixty-seventh Regiment New York Volunteers, praying an increase of pension, submitted an adverse report thereon; which was ordered to be printed, and the committee was discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the petition of Elizabeth Davis, a citizen of Maine, praying that she may be restored to a pension on account of the services of her son, William L. Davis, late Company E, Twentieth Regiment Maine Volunteers, submitted an adverse report thereon; which was ordered to be printed, and the committee was discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the petition of Ira W. Douthart, late of Company D, Thirteenth Regiment Iowa Volunteers, praying to be allowed a pension, submitted an adverse report thereon; which was ordered to be printed, and the committee was discharged from the further consideration of the petition.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. E. BABCOCK, his Secretary, announced that the President had, on the 26th ultimo, approved and signed the act (S. No. 583) making an appropriation to defray the expenses of the Joint Select Committee to Inquire into the Affairs of the District of Columbia.

#### COMMENCEMENT OF INCREASED PENSIONS.

Mr. PRATT. The Committee on Pensions, to whom was referred the bill (H. R. No. 2456) to amend an act entitled "An act to revise, consolidate, and amend the laws relating to pensions," approved March 3, 1873, have had the same under consideration, and have directed me to report the same back with an amendment, striking out all after the enacting clause and inserting a substitute. I ask for the present consideration of this bill.

By unanimous consent, the bill was considered as in Committee of the Whole. The amendment of the Committee on Pensions was to strike out all after the enacting clause, and in lieu thereof to insert the following:

That where an increase of pension is provided for in the last clause of section 4 of the act entitled "An act to revise, consolidate, and amend the laws relating to pensions," approved March 3, 1873, the increase therein contemplated, as often as it shall occur, shall commence from the date of the examining surgeon's certificate that first showed increased disability; but all such surgeons' certificates under which an increase of pension is claimed, shall be subject to revision by the Commissioner of Pensions as contemplated in the act of which this is an amendment.

Mr. CONKLING. I wish the Senator to explain to us the effect of this proposition.

Mr. PRATT. I will. The last proviso of section 4 of the general pension law reads as follows:

*Provided further*, That, except in case of permanent specific disabilities, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate.

Now, as the Senator from New York very well knows, a man is placed on the pension-roll for disability incurred in the service; he is then rated at one-half disability, say four dollars a month; afterward his disability is increased, and this is established by the report to the Pension Office of the examining surgeon in his neighborhood. Sometimes that report is not acted upon for months, and, under the law as it stands, his increase of pension commences only from the time of the final decision of the Pension Office. The effect of this amendment is to make the increase of pension relate back to the date of the examining surgeon's certificate establishing the increased disability.

Mr. CONKLING. Will the Senator be kind enough to read the proviso again?

Mr. PRATT. The proviso in the existing law, as it occurs in the fourth section of the act of 1873, is:

*Provided further*, That, except in cases of permanent specific disabilities, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate.

It cannot under the existing law, nor can it by this amendment

commence prior to the certificate of the examining surgeon; but under the present ruling of the Pension Office it does not commence until the final action of that office upon the surgeon's certificate.

Mr. CONKLING. There is nothing in that proviso to sustain that ruling. That proviso is that in cases of total or specific disability the Pension Office shall not go back to a period anterior to the surgeon's certificate.

Mr. PRATT. Certainly.

Mr. CONKLING. There is nothing there which forbids it going back to that time, or directs the Pension Bureau to fix it at the time when the action at the Pension Bureau shall occur.

Mr. PRATT. The practice in point of fact, however, is to increase the pension from the time that the report of the examining surgeon is finally acted upon at the Pension Office; and it was thought by the committee that it was proper that the pension should relate back to the date of the examining surgeon's certificate establishing the increased disability. That is the whole of it.

Mr. RAMSEY. What is the action of the House?

Mr. PRATT. My substitute makes the matter a little clearer than the House bill. I prepared this substitute under the advice of the Commissioner of Pensions. I will read his letter. It is brief:

DEPARTMENT OF THE INTERIOR, PENSION OFFICE,  
Washington, D. C., March 25, 1874.

SIR: In reply to your letter of the 24th instant, requesting my opinion as to the advisability of amending the last proviso to the fourth section of the act of March 8, 1873, to make it read as follows—

Then he quotes the House bill—

I have the honor to state that there does not appear to be any important objection to the subject-matter of this amendment.

It is respectfully suggested, however, that the subject, instead of being retained as a proviso to the fourth section, should constitute a separate section.

It is important that the portion of the proviso that gives the Commissioner of Pensions power to revise the certificates of examining surgeons should be retained.

The experience of the office shows that the ratings of the same disability by different surgeons vary so widely, that uniformity in the ratings for disability can only be attained by subjecting the certificates of examining surgeons to revision in the Pension Office.

The statement of the fact that there are about fifteen hundred examining surgeons connected with this office, and the fact that the question of the rate of disability is one which cannot be subjected to any fixed rules, will show the necessity which exists for such revision.

Uniformity can only be attained by subjecting the certificates to revision by persons in this office who endeavor to keep the same standard of disability constantly in view.

Very respectfully,

J. H. BAKER,  
Commissioner.

Hon. D. D. PRATT,  
Chairman of the Committee on Pensions, United States Senate.

Mr. MORRILL, of Vermont. I do not rise to object to the provision proposed by the Senator from Indiana, but I desire to ask him whether the proposed change will not subject the office of the Commissioner of Pensions to a revision of all the pensions that have been granted, where they have been granted at a date subsequent to the date of the surgeon's certificate?

Mr. PRATT. No, sir; it does not have that effect. He has now a supervision over the reports of the examining surgeons. Let me read the concluding part of this proviso of the fourth section:

That, except in cases of permanent specific disabilities, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate; and that in this as well as all other cases the certificate of an examining surgeon, or of a board of examining surgeons, shall be subject to the approval of the Commissioner of Pensions.

He has that power now.

Mr. MORRILL, of Vermont. The Senator does not seem to understand what I am driving at. My point is to ascertain whether, in regard to pensions that have been granted after twenty days, fifty days, or one hundred days, subsequent to the date of the surgeon's certificate, the Pension Office will not be called upon again to readjust all those cases?

Mr. PRATT. I am not prepared to say whether that result will follow or not. This measure is one of obvious propriety. An examining surgeon certifies to an increased disability, and that certificate is subsequently reviewed at the Pension Office and is approved. Now, under the existing law, the pensioner gets his pension only from the date of the decision of the office approving the report of the examining surgeon. The increased pension does not relate back to the time when the increased disability is proved by that certificate.

That is the whole of this amendment, simply to give the pensioner the benefit of the difference between the time when the examining surgeon certified and the Pension Office approved his report.

Mr. MORRILL, of Vermont. But I think it is obvious that if we pass this section, we ought to pass a law increasing the force of the Pension Office by at least fifty clerks.

Mr. PRATT. The Senator has heard the letter of the Commissioner of Pensions. He does not seem to anticipate any trouble of that sort, and he approves of this amendment of the law.

Mr. CONKLING. There is one respect in which there is a remarkable resemblance between pension laws and all other laws, and that is the value of certainty and stability. Now, if I comprehend the force of this measure at all, there are beyond the suggestion made by the Senator from Vermont two or three serious objections to it, and although I do not value any opinion of my own upon this subject as

much as I do that of the Senator from Indiana, I venture to make to him two or three suggestions.

This is to be an amendment of an existing act, an act approved on the 3d of March, 1873, and the provision is "the increase of pensions therein contemplated, as often as it shall occur, shall commence from the date of the examining surgeon's certificate that first shows increased disability." Now, before considering the effect of that, let us observe the present condition of the law. It contains no provision whatever against this very rule. It simply provides that the increased pension in these cases shall not date back of the surgeon's certificate. It does not declare that it may not go back as far as that, or as near that date as the Commissioner of Pensions may fix. Now comes a requirement that in all cases contemplated by the act of 1873, the pension shall thus date back. Therefore the Senator from Vermont is quite right in his suggestion; and there is no answer to it unless it be that the Commissioner of Pensions hereafter is to date back to the certificate of disability and there stop. What shall we have then? Every pensioner crying out, and justly so, that he is the subject of injustice. Why? Because every man whose case is adjudicated after this act shall pass, although adjudicated under a law which has existed for more than a year, is put upon a footing more favorable than he who upon the same state of case and with the same equities had his case adjudicated yesterday or on any prior day. The injustice of that the Pension Bureau and Congress cannot resist; and accordingly, as the Senator from Vermont suggests, this is to be an edict for a general revision and resettlement of all the cases "contemplated," in the language of this amendment, by the act of 1873.

But, Mr. President, that is not all. As often as the increase shall occur, it is to commence "from the date of the examining surgeon's certificate that first shows increased disability." What is to be the effect of that? Here comes a certificate from an examining surgeon. On its face, or by reason of facts which the Commissioner learns otherwise, there is reason to distrust it; no increase occurs. At a subsequent time the Commissioner of Pensions is satisfied that an increase should take place. Then what will be the effect under this? That increase must go back to the first certificate of an examining surgeon that showed this disability. There is to be a second revision of all these cases.

Mr. President, every time we change the pension laws, and every time we propose to change them, an immense amount of agitation and disturbance takes place; and if the correspondence of other Senators on this subject is anything like mine, they will understand the truth of which I speak; and it seems to me that such a provision as this, if now adopted, will start up a question in every case covered by the act of 1873 which has been adjudicated, and in every such case which awaits adjudication.

I asked the Senator from Indiana to repeat his reading of the provision in the act of 1873, in order that we might be sure that there was nothing there which prevented the discretion and judgment of the Commissioner of Pensions going back to the certificate, if he saw fit to do so; and the Senator assents to my assertion that there is nothing of that sort in the act. Therefore, as the law stands now, the Commissioner is clothed with the discretion and the jurisdiction to have the pension date from the first certificate, or the first one which satisfies him of the increased disability. The very fact that this provision is here shows that that has not been his rule of action in all cases, but that governed by his judgment and the facts of the case he has had it antedated more or less, depending upon the merits of the case. Now, we propose to say that it not only shall go back in all cases to the time when a certificate satisfies him of the disability, but that it shall go behind that, hit or miss, to that certificate, be it satisfactory or otherwise, be it true or false, which first showed an increase of disability.

My impression is that my honorable friend from Indiana, to whom we are so much indebted for the care and discrimination he gives to these cases, would do himself and us and the Treasury a favor if he would allow this bill to lie or to go back to his committee to consider whether really it is necessary to uproot all these cases when professedly there is no provision of law restraining the Pension Bureau from doing full justice in every case which the Commissioner thinks calls for this measure of justice rather than for another.

Mr. PRATT. If after I shall have answered some of the objections of my friend from New York he should prefer to make a motion to recommit this bill for further consideration to the committee, certainly I shall not oppose it, although it was considered quite fully in the committee and quite recently. It will be remembered that the law which is now sought to be amended was passed only a little upward of a year since, on the 3d of March, 1873; and consequently the increase to the pensioners cannot amount to a great deal during that short period of time. If in every case of increased disability the increased pension were to relate back to the time of the surgeon's certificate, it would not amount, I say, to a very great sum, because the law has been in force but little upward of one year.

Mr. CONKLING. If my friend will pardon me, I ask if it is not true that under that law, which was virtually retroactive because it related to disabilities which had occurred before the passage of the act as well as to those which should occur afterward, a great number of cases have undergone the action of the Pension Bureau, many thousand cases.

Mr. PRATT. I dare say a great many cases have occurred since the

3d of March, 1873; but I wish to call the Senator's attention now to the absolute justice of the provisions of this bill.

A man is admitted to the pension-roll, but his disability is rated at only one-fourth; he draws, therefore, but two dollars per month pension. He goes with his wounds, to the nearest examining surgeon, and the surgeon, after examining him, promptly reports to the Pension Office that the man is entitled to a pension for a total disability, or for a disability of one-half, or for a disability of three-fourths, as the case may be, and that his pension ought to be increased accordingly. That report is not acted upon here at the Pension Office for months afterward; and when the report is examined it is approved. Then under the present practice the pension is increased to date from the approval by the Commissioner of Pensions and does not go back a day. That is the mischief which is sought to be remedied.

Mr. CONKLING. I should like at that point to ask two questions: first, how does it happen that it takes months to adjudicate a case so plain as that which the Senator states; and, second, by virtue of what law is it that the Commissioner of Pensions feels himself constrained, in a case which he is satisfied is meritorious and truthful, to fix the day when he acts, rather than the date of the certificate, as the day on which the pension is to commence?

Mr. PRATT. In the first place, the honorable Senator will remember that there are nearly two hundred thousand pensioners, and there will of course proceed from different portions of the country a great number of cases every day in the year, and those cases cannot always be considered promptly when they reach the office. It takes time to examine these reports, and a conclusion may not be reached for weeks and months after the report of the examining surgeon is received. That is the fact. Were it not so, this amendment of the law would not be needed.

Now, as to the construction which the Commissioner of Pensions places on the law, that is his business, not ours. He has placed that construction. I think he would have done no injustice to the law if he had ruled otherwise, and when he approved the report of the examining surgeon he had made the increased pensions relate back to the date of the certificate. But the fact that he does not, that this is not the practice of the office, is the occasion of this class of pensioners coming to Congress.

Mr. CONKLING. But if my friend will pardon me again, this bill is not intended to remedy the evil he speaks of now and stop there. This bill makes it mandatory on the Commissioner not only to ante-date the pension, but in all cases to carry it back to the first certificate, not the certificate that he approves as the Senator says now, but the first certificate, of an examining surgeon coming from no matter where, which shows the disability. Thus he is entirely deprived of all power and discretion when he comes to a case where he is satisfied that the first certificate showing this increased disability was a faulty and unreliable certificate. He does not approve it; he disapproves it; but still the mandate of this law requires him to date back the pension to that time.

As I have interrupted the Senator I beg leave to make one other remark. He said a moment ago that this act having passed only a little more than a year ago, there could not be a great number of these cases to be revised; it could not lead to a very great amount of work; and yet now he tells us, using two hundred thousand for illustration, that there are so many pensioners, (thereby meaning pensioners under this increase of pension or else it has nothing to do with it,) that two, three, or four months, I think he said, sometimes elapsed before action. If the Senator is right now, if that is the measure of the increase which has occurred under the act of 1873, he will see that two things follow: first that this is an enormous increase of the pension-roll in money; and second an enormous provision in respect of the labor which will be required to revise all these cases so multitudinous that he says they pile up until three or four months are necessary to reach each particular case.

Mr. MORRILL, of Vermont. May I ask the Senator from New York if he does not think we shall have a large amount of increase of business on the part of Congress provided we undertake to correct the blunders of every officer who administers the law?

Mr. CONKLING. Yes, I do; and I think further, if I am not interrupting my friend from Indiana too much, that the most that can be called for here is a declaratory act which shall say to the Commissioner of Pensions that the existing law does not forbid him to go back to the certificate. I cannot comprehend how this section which has been read can be construed otherwise; but if there is any doubt, remove that doubt. As the Senator from Vermont says, if we undertake now, speaking back, to say that all these pensions shall be put back to the first certificate showing a disability, it seems to me we enter upon a thing which will give great trouble in the end, not only to the Commissioner and to the Treasury, but to ourselves.

Mr. PRATT. I do not rise to protract this debate. I will note simply one point made by the Senator from New York. If he had read the substitute carefully which the committee have adopted in place of the House bill, he would have found that the Commissioner does not absolutely act upon the report of the examining surgeon and necessarily increase the amount of the pension to accord with the increased disability, but he must first approve that report of the examining surgeon before any increase of pension takes place.

Mr. CONKLING. And yet the words are "that the pension shall

commence from the date of the examining surgeon's certificate that first shows an increased disability."

Mr. PRATT. Now read the balance.

Mr. CONKLING. "But all such surgeons' certificates under which an increase of pension is claimed shall be subject to revision by the Commissioner of Pensions as contemplated in the act of which this is an amendment."

Mr. PRATT. Precisely.

Mr. CONKLING. The effect of which language, as I understand it, is inevitably that although the Commissioner may still determine whether an increase of pension shall take place or not, when he does thus determine, he is tied up to a certain date of commencement, which date is the date of the first surgeon's certificate that shows such increased disability.

Mr. PRATT. Certainly, if that certificate is true and meets his approval.

Mr. CONKLING. There is nothing in the bill that says that.

Mr. PRATT. However, I shall not oppose the motion of the Senator from New York to recommit this bill if he thinks that the bill is not sufficiently guarded. Does he make that motion?

Mr. CONKLING. I suggest that it be recommitted, as the Senator has no objection.

The PRESIDENT *pro tempore*. The Senator from New York moves that the bill be recommitted to the Committee on Pensions.

The motion was agreed to.

#### BILLS RECOMMENDED.

Mr. FERRY, of Connecticut. I am instructed by the Committee on Patents to move to recommit to that committee the bill (S. No. 119) for the better security of property in patterns for metal castings.

The motion was agreed to.

Mr. CONKLING. I wish to move that House bill No. 1950, granting a pension to Betsie Lewis, be recommitted to the Committee on Pensions. I think I have the assent of the members of the committee to make that motion. It is a bill reported adversely four or five days ago.

The motion was agreed to.

Mr. BOGY. I move that House bill No. 294, for the relief of Joab Bagley, reported from the Committee on Private Land Claims a few days ago, be recommitted to that committee.

The motion was agreed to.

#### BILLS INTRODUCED.

Mr. BUCKINGHAM asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 652) conferring exclusive jurisdiction over Indian reservations upon the United States courts, and for the punishment of crimes by and against Indians; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. BOREMAN asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 653) for the relief of E. Boyd Pendleton, late collector of internal revenue, fifth district of Virginia; which was read twice by its title, and referred to the Committee on Finance.

Mr. HOWE asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 654) to extend the time for the completion of the railroad from the Saint Croix River or Lake, between sections 25 and 31, to the west end of Lake Superior and to Bayfield, in the State of Wisconsin; which was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed.

Mr. WINDOM asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 655) to enable the Mennonites from Russia to effect permanent settlement on the public lands of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. INGALLS asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 656) to incorporate the Colorado Canal and Irrigation Company, and for other purposes; which was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed.

#### CORPORATIONS IN THE DISTRICT OF COLUMBIA.

Mr. HAMILTON, of Maryland. I submit an amendment to House bill No. 2423, explanatory of an act entitled "An act to provide for the creation of corporations in the District of Columbia by general law," which came over the other day and was referred to the Committee on the District of Columbia. I move that the amendment be printed and referred to that committee.

The motion was agreed to.

#### ASBURY DICKINS.

The PRESIDENT *pro tempore*. The Secretary will report the first bill on the Calendar.

Mr. WEST. I believe that the first bill on the Calendar is the bill for the relief of the legatees of Asbury Dickins, which has already occupied the Senate two days in the discussion of it to the exclusion of much other matter upon the Calendar; and in order that the Calendar may be proceeded with, I move that that bill lie on the table.

Mr. ANTHONY. I hope the Senator will not do that. It has occupied the morning hour for less than twenty minutes altogether and in legitimate debate in the morning hour. This morning has been entirely wasted in the discussion of a bill which has been sent back to the committee.

Mr. WEST. If the Chair permits debate on the question, we might as well now have it for the two and a half minutes left of the morning hour.

Mr. ANTHONY. I shall have to call for the yeas and nays on the motion to lay on the table.

Mr. WEST. I insist on the motion to lay on the table.

The PRESIDENT *pro tempore*. The Senator from Louisiana moves to lay the bill on the table.

The motion was not agreed to.

The PRESIDENT *pro tempore*. The bill (H. R. No. 1580) for the relief of the heirs of Asbury Dickins is before the Senate as in Committee of the Whole.

Mr. PRATT. I wish to submit some remarks to the Senate on the merits of the claim, and I cannot do it in the brief space allowed this morning. There is only a minute left.

Mr. ANTHONY. I hope the Senator from Indiana will be indulged. He is one of the minority of the committee that made the report, and I hope he will be allowed to make his remarks. They will be but a few minutes.

The PRESIDENT *pro tempore*. The Senator from Rhode Island asks unanimous consent that the Senator from Indiana be permitted to submit his remarks on this bill without being interrupted by the expiration of the morning hour.

Mr. SHERMAN. I do not want to object, but there is only one minute left of the morning hour.

Mr. CONKLING. Does the Senator from Indiana prefer to go on to-day?

Mr. ANTHONY. Certainly he does.

Mr. CONKLING. He has not said so.

The PRESIDENT *pro tempore*. The request is that the Senator from Indiana be permitted to proceed notwithstanding the expiration of the morning hour. Is there objection to that proposition?

Mr. CONKLING. Is that request made by the Senator from Rhode Island or the Senator from Indiana?

The PRESIDENT *pro tempore*. It was made by the Senator from Rhode Island.

Mr. CONKLING. If the Senator from Indiana has chosen to speak through the Senator from Rhode Island, he has selected certainly a very judicious attorney.

Mr. PRATT. I want to be considered simply as having the floor, so that I can present my views to the Senate in the morning hour to-morrow.

#### ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. LLOYD, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. No. 1923) authorizing the payment of annuities into the treasury of the Seminole tribe of Indians; and it was thereupon signed by the President *pro tempore*.

#### BANKING AND CURRENCY.

The PRESIDENT *pro tempore*. The morning hour having expired, the Senate, as in Committee of the Whole, resumes the consideration of the unfinished business of yesterday, which is the bill (S. No. 617) to provide for the redemption and reissue of United States notes and for free banking.

Mr. MERRIMON. I desire to offer a substitute for section 3 of the bill, as follows:

That \$46,000,000 in United States notes for circulation, in addition to such circulation now allowed by law, shall be issued to national banking associations now organized, and which may be organized hereafter; and such increased circulation shall be distributed among the several States as provided in section 1 of the act entitled "An act to provide for the redemption of the 3 per cent. temporary-loan certificates, and for an increase of national-bank notes," approved July 12, 1870.

Mr. CONKLING. May we inquire to what is that offered as an amendment?

The PRESIDENT *pro tempore*. A substitute for the third section of the bill.

Mr. CONKLING. May I ask what became of the amendment of the Senator from Illinois [Mr. LOGAN] to strike out the third section and put it back with the word "the" inserted at a certain point?

The PRESIDENT *pro tempore*. The motion of the Senator from North Carolina is in order if moved as a motion to amend the proposition of the Senator from Illinois.

Mr. LOGAN. I will state to the Senate my purpose, and it is to withdraw my amendment to the third section so as to allow the substitute offered by the Senator from North Carolina to be voted on. I have become satisfied that there are a few Senators who have been voting with us for an increase of the currency who are not prepared to vote for free banking on either of the bases that have been proposed, and those Senators not voting with us leaves the matter so close that it might put the bill in jeopardy when it comes into the Senate. For that reason I am willing to withdraw my amendment to the third section, and am ready to vote for the substitute of the Senator from North Carolina, that this question may be ended without further discussion and without further delay, and the country may at least know what we intend to do. For that reason I withdraw my amendment in favor of the substitute of the Senator from North Carolina.

The PRESIDENT *pro tempore*. The Senator from Illinois withdraws his amendment, and the Senator from North Carolina moves to strike

out the third section of the bill and insert what has been read in lieu thereof.

Mr. MERRIMON. Let the words be again read.

The Chief Clerk read the words proposed to be inserted in lieu of section 3, as follows:

That \$46,000,000 in notes for circulation, in addition to such circulation now allowed by law, shall be issued to national banking associations now organized or which may be organized hereafter; and such increased circulation shall be distributed among the several States as provided in section 1 of the act entitled "An act to provide for the redemption of the 3 per cent. temporary-loan certificates, and for an increase of national-bank notes," approved July 12, 1870.

Mr. MORTON. I suggest to the Senator from North Carolina a slight addition to his proposition, in some such form as this:

*Provided*, That the computation of wealth and business in each State upon which national banking capital is to be apportioned shall be computed by the Secretary of the Treasury on the 1st of January, 1875, from the best data that can be procured.

Mr. MERRIMON. I intend to accept that suggestion as a part of the substitute I offer.

The PRESIDENT *pro tempore*. Let it be reduced to writing and sent to the desk. Will the Senator from Indiana reduce it to writing?

Mr. MORTON. I will withdraw the proposition now and present it hereafter in proper form when reduced to writing.

Mr. DAVIS. Is any amendment pending to the amendment of the Senator from North Carolina?

The PRESIDENT *pro tempore*. The Senator from Indiana offered an amendment, but asked time to draw it up.

Mr. MORTON. I withdraw it for the present. I will offer it subsequently.

The PRESIDENT *pro tempore*. There is no amendment pending to the amendment of the Senator from North Carolina.

Mr. SAULSBURY. I offer an amendment to that amendment, to be added thereto:

*Provided*, That no interest shall be paid by the Secretary of the Treasury after the passage of this act on the bonds which have been or shall be deposited in the Treasury to secure the circulation of any banking association, except on the excess of the par value of such bonds over the average circulation of such association during the current year, while such bonds shall remain on deposit in the Treasury to secure such circulation.

The PRESIDENT *pro tempore*. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from North Carolina.

Mr. DAVIS. I offer the following as a substitute for that amendment of the Senator from North Carolina. I move to strike out all of his amendment after the word "that," and insert the following:

So much of the act entitled "An act to provide for the redemption of the 3 per cent. temporary-loan certificates, and for an increase of national-bank notes," as provides that no circulation shall be withdrawn, under the provisions of section 6 of said act, until after the fifty-four millions granted in section 1 of said act shall have been taken up, is hereby repealed; and it shall be the duty of the Comptroller of the Currency, under the direction of the Secretary of the Treasury, to proceed forthwith to carry into execution the provisions of section 6 of said act; and to enable him to do so, he is hereby authorized and required, from time to time, as needed for the execution of the said section, to make requisitions upon each of the national banks described in said section, organized in States having an excess of circulation, to withdraw and return so much of their circulation as by said act may be apportioned to be withdrawn from them, or, in lieu thereof, to deposit in the Treasury of the United States lawful money sufficient to redeem such circulation, and upon the return of the circulation required, or the deposit of lawful money, as herein provided, a proportionate amount of the bonds held to secure the circulation of such association as shall make such return or deposit shall be surrendered to it.

That upon the failure of the national banks upon which requisition for circulation shall be made, or of any of them, to return the amount required, or to deposit in the Treasury lawful money to redeem the circulation required, within thirty days, the Comptroller of the Currency shall at once sell, as provided in section 49 of the national currency act approved June 3, 1864, bonds held to secure the redemption of the circulation of the association or associations which shall so fail, to an amount sufficient to redeem the circulation required of such association or associations, and with the proceeds, which shall be deposited in the Treasury of the United States, so much of the circulation of such association or associations shall be redeemed as will equal the amount required and not returned; and if there be any excess of proceeds over the amount required for such redemption, it shall be returned to the association or associations whose bonds shall have been sold. And it shall be the duty of the Treasurer, assistant treasurers, designated depositaries, and national-bank depositaries of the United States, (who shall be kept informed by the Comptroller of the Currency of such associations as shall fail to return circulation or to deposit lawful money as required,) to assort and return to the Treasury for redemption the notes of such associations as shall come into their hands until the amount required shall be redeemed.

That from and after the passage of this act it shall be lawful for the Comptroller of the Currency to issue circulating notes in the manner and proportion now provided by law, to associations organized or to be organized in those States and Territories having less than their proportion of circulation, under an apportionment made on the basis of population and of wealth, as shown by the returns of the census of 1870: *Provided*, That the whole amount of circulation issued to such banking associations, and withdrawn and redeemed from banking associations under the provisions of this act, shall not exceed \$50,000,000, and that such circulation shall from time to time be withdrawn and redeemed only as it shall be necessary to supply banks in those States having less than their apportionment.

This amendment offered by me is precisely the bill reported by the Committee on Finance originally transferring \$25,000,000 from the States having an excess to the States West and South that have less than their proportion under the act of July 12, 1870, with this exception, that I have stricken out "twenty-five" and inserted "fifty," so as to transfer \$50,000,000 from the States having an excess to the States having less than their proportion. The amendment of the Senator from North Carolina adds \$46,000,000 to the

present volume of national-bank currency. By the amendment which I offer it is proposed to give the South and the West—and to this point I call the attention of Senators from the South and West—more than the amendment of the Senator from North Carolina. It will give an additional circulation to the South and West of \$4,000,000 over and above the proposition of the Senator from North Carolina, so that I cannot see how the South and West can object to it, inasmuch as they get more by this amendment.

Mr. MERRIMON. May I ask the Senator from West Virginia a question?

Mr. DAVIS. Certainly.

Mr. MERRIMON. How much circulation will it add to the country?

Mr. DAVIS. It will give to the country that my friend is from and to all other parts of the country that want additional banking circulation \$4,000,000 more than he asks for in his amendment.

Mr. MERRIMON. How much will it add to the general circulation of the whole country?

Mr. DAVIS. I will answer in a moment. If my friend is legislating for New England and not for his own section of country, then he is right in opposing this amendment; but if he is legislating to advance the interests of his own people, and if the rest of the gentlemen who represent the South and West are doing the same, then this amendment is to their advantage. My friend asks me how much it adds to the circulation of the entire country. He knows that as well as I can tell him. His desire is to call the attention of the Senate to it, I suppose, but I presume there no Senator here who does not know the answer to that question. He and I represent a constituency somewhat alike. They say they want more bank circulation; they want facilities which they cannot have under the present bank act. The amendment I offer will give them more than the amendment of the Senator from North Carolina by \$4,000,000. It is plain to me that there is sufficient banking circulation now in the country. What is wanted is to have it properly distributed and properly located.

We have agreed to add \$44,000,000 to the circulation of legal-tender notes. Now I propose to take from those States that have a very large excess of bank circulation \$50,000,000 of that excess and transfer it to the States that have less than they are lawfully entitled to under the act of July 12, 1870. In that act Senators from the North and South and from the East and West, as I am told, for I was not here at the time, agreed that there should be a transfer on the basis of the census of 1870. It was agreed by the Senate generally that the North and East had more banking capital than they were entitled to on the basis of population and wealth, and that part of it should be transferred to the South and West. Now I propose in this amendment to carry out in good faith the act of July 12, 1870, and it will give to the section of the country where I live and where the western and southern members live more than the proposition of the Senator from North Carolina. Therefore I hope it will be adopted. I think it is just.

Mr. MORRILL, of Maine. Does my honorable friend understand that it is necessary, to carry out the act of 1870, which provided for a redistribution of \$25,000,000, now to increase it to \$50,000,000?

Mr. DAVIS. No, sir.

Mr. MORRILL, of Maine. Good faith would not require that.

Mr. DAVIS. Good faith would require that the East and the North should transfer \$25,000,000 to the South and the West. That is the law to-day. The only reason it has not been carried out is that the Comptroller of the Currency, instead of following the words the law uses, "when it is taken up," says he is waiting until all is issued of the \$54,000,000 additional. I propose a transfer of \$50,000,000, because I believe it is just that the South and West should have \$50,000,000 instead of \$25,000,000.

Mr. MORRILL, of Maine. I should like to make a further inquiry of the Senator. The Senate has agreed to an augmentation of the legal-tenders by an issue of \$44,000,000 more. Now, will adding this \$50,000,000 be satisfactory to those sections to which the \$50,000,000 are to be given?

Mr. DAVIS. What is the question?

Mr. MORRILL, of Maine. This proposition is to give those communities more currency. Is this done on the idea that having done it, this will be satisfactory to those communities?

Mr. DAVIS. I believe it would be to a great extent. There are some gentlemen who differ with me, however. My impression is that it would be just to them. They ought to have it, and therefore I am in hopes that the Senators North and South will agree to it.

Mr. LOGAN. If the Senator from West Virginia will allow me, I wish to understand this proposition. I want to discuss nothing this morning; I want to vote; but if I understand the proposition, it is, instead of increasing the bank currency \$46,000,000, to transfer from the North and East \$50,000,000 of what they already have, and it does not increase the currency a dollar. That is the proposition, is it not?

Mr. DAVIS. The North and East have to-day—

Mr. LOGAN. I understand what they have. I only ask the question.

Mr. DAVIS. I prefer to answer in my own way.

Mr. LOGAN. I ask if this is not a transfer instead of an increase of the currency?

Mr. DAVIS. The Senator is right about that, as he knows. But the North and East have now \$124,000,000 of bank circulation in

excess of what they are entitled to under the act of July 12, 1870. Out of that \$124,000,000 I propose to transfer \$50,000,000 to the South and West. That is the whole of it.

Mr. LOGAN. We do not want it that way. Let us vote.

Mr. SCHURZ. The Senator from Illinois says that this does not mean an increase of the currency but a transfer of the currency. The circumstance that it does not mean an increase of the currency recommends it to my vote. I do not like to vote for a measure of this sort at all; but since we have always been told that we are resisting accommodations to be given to the West and South, we desire to show to the Senate now that we do not resist any such measure at all. What we do resist is an increase of the currency without an efficient system of redemption. I shall therefore vote for this measure, although it does not in every respect meet my views.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from West Virginia to the amendment of the Senator from North Carolina.

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

The yeas and nays were ordered.

Mr. THURMAN. As I understand, the Senator from West Virginia offers this as a substitute for the amendment of the Senator from North Carolina; not as an addition to it, but striking it out.

The PRESIDENT *pro tempore*. The motion is strike out and insert, as the Chair understands.

Mr. ANTHONY. I understand the effect of this amendment is to transfer \$50,000,000 from the States that have an excess of their proportion to the States that are below their proportion, and to make no addition to the currency. Is that the proposition?

Mr. DAVIS. That is it.

Mr. BOREMAN. I regard this proposition as a cheat and a delusion. The effort of what has been the majority on almost every vote here has been to increase the banking capital and circulation of the country. They believe that such an increase is needed for the business of the country, and they believe that a large majority of the people of the country demand such an increase. The proposition now submitted, as is understood by every one here, is not an increase of the banking capital or circulation one cent. It is an effort to take from these States that now have banks established and have more than their proportion of circulation under existing law, and are transacting their business upon that circulation, a portion of it and transfer it to those States that have less than their proportion.

Now, sir, those with whom I am acting on this floor propose national legislation. They do not propose to array one section of this country against another; they do not propose to impair the interests of one section for the benefit of another; but believing that an increase of the bank capital and circulation is a necessity, without interfering with the existing state of things to the prejudice of any section of the country, we wish to give that increase and to afford facilities to our constituents for the transaction of their business. This is in obedience, in my judgment, to the will of the people of this country. We are here, as I understand, to express that will. I suppose every gentleman believes that he is expressing what he regards as the will of his constituents, and is doing that which is best for the people of the country at large.

Now, sir, I cannot understand the tactics of my colleague on this floor in regard to the measure now before the Senate. I have not interfered in this business; I have been content to vote on the various propositions submitted, believing as I do that my constituents demand an increase of currency, not a transfer from other States. They are not controlled by such narrow and contracted views. They do not wish to impair the business efficiency and success of any particular section of this country; but they act upon broad national grounds, and believing that it is demanded, they wish an increase of the banking capital and circulation of this country so that they may transact their business with facility.

I say, sir, that I do not understand my colleague. Yesterday he offered a proposition here to increase the banking circulation more than \$110,000,000, and to-day he opposes a proposition to increase it \$46,000,000 by an effort by indirection to substitute a proposition simply to transfer instead of increasing the banking circulation of the country. These two movements cannot be reconciled. They are inconsistent. It is a sort of tactics that I cannot comprehend. I think there ought to be some consistency. I took great pleasure yesterday in voting for the proposition offered by my colleague to increase the banking capital of this country by more than \$110,000,000; but I cannot go with him to-day in this side effort to defeat the proposition to increase \$46,000,000.

We have seen that every proposition that has been offered here, except this one of the Senator from North Carolina, to increase the capital and circulation \$46,000,000, has been defeated; and the friends of an increase of circulation have therefore come to the conclusion that the best they can do is to support the proposition of the Senator from North Carolina. They believe they can carry that proposition through the Senate. I believe so. I am satisfied of it from the votes that have been taken. But beyond that we cannot hope for success. Then why offer other propositions? When we were about to approach a vote on the \$46,000,000 increase, when everybody seemed to be willing and ready to take that vote, here comes in this other delusive proposition in order to defeat the success of an increase of the banking capital of the country.

Mr. President, I am satisfied that a large majority of the people of West Virginia, whom I have the honor in part to represent here, demand an increase of the banking capital; not that it be taken from New England or elsewhere. They do not wish to create sectional jealousies and unkindness. On the contrary, they wish to cultivate friendly relations with all sections. They wish New England to make the most of the capital they have, but they wish to be themselves supplied with the requisite facilities for the transaction of business. Because our friends from New England here, by their votes and their course, do not aid us in securing what we desire, we are not, therefore, to be controlled by a narrow and contracted course and attempt to impair their business relations; but we expect to be able to overcome the opposition of our friends; we at least hope to do so, and I think if we may be now allowed to vote we shall show to our friends on the other side and to the country that we are able to approach something like what is just to the business interests of the country, and increase the banking capital to the amount of \$46,000,000, at least, if we can do no more. The country demands it, in my judgment; the business of the country demands it.

All this talk about inflation is a scarecrow. Its only effect can be to delude and deceive. I do not mean to say that that is the purpose of Senators, but it must have that effect if it has any at all. Grown-up men who have lived to maturity in this country, and have participated in business transactions, are not to be frightened out of their propriety by this talk of inflation, "a sea of irredeemable paper without shore or bottom," and all that sort of stuff. We think we know what we need; we think we know what we are doing; and we are going to go as near to that thing as we can; that is, if we cannot get free banking, which I believe is the true policy of the country, we will take the next best thing and we will increase the banking capital \$46,000,000. Free banking would relieve the present system of national banks from the charge of monopoly, which is the most potent complaint against it.

Now, sir, I advise the friends of an increase of banking circulation not to be deluded or deceived by the proposition offered by my colleague to transfer circulation from New England to the South and West, but to vote it down and come to the practical proposition which will, without any unkindness, without irritation, without injustice or unfairness to any, give us what we need and what our constituents wish.

Mr. DAVIS. I shall not reply to what my colleague has said in referring to the amendment that I have offered as "a cheat and a delusion." The proposition which I present is a measure which was reported by the Committee on Finance at this session, the only change I have made being to increase from \$25,000,000, as proposed by them, to \$50,000,000, the amount to be transferred from the North and East to the South and West. If there is any "cheat and delusion," therefore, it must have come from that committee; but I deem such remarks unworthy of reply.

It is true, as he has said, (and that was a legitimate argument,) that I voted yesterday for an increase of \$110,000,000. I did so vote. It is well known to all Senators that at the time I offered the amendment to increase the national-bank circulation \$110,000,000, which would be the result on the basis of Pennsylvania, there was then pending a proposition for \$280,000,000 additional circulation. That is the explanation of the proposition for an increase of \$110,000,000 which was voted for by my colleague and by myself yesterday.

As to the act of 1870, I shall not call it "a cheat and a delusion." I believe my colleague was here at the time it was passed, and for aught I know he voted for it. I cannot say whether he did or not; but it is very probable that he did, and now he terms it "a cheat and a delusion." I shall say no more.

Mr. BOREMAN. That was all right. I do not know whether I voted for it or not; very likely I did; and if we cannot get anything else here, if our friends from New England will not allow us to pass anything else, we may ultimately take that now; but in the present status of the matter pending here this proposition is calculated to cripple and mislead and defeat what the friends of the increase of circulation are after; that is, to give us more bank circulation. The vote in 1870 has nothing to do with the exact status of the proposition now before us.

The PRESIDENT *pro tempore*. The Senator from West Virginia has spoken ten minutes.

Mr. FERRY, of Connecticut. Mr. President, I am not, like the Senator from West Virginia farthest from me [Mr. DAVIS,] legislating either for the West or the South or New England, but for the whole country; and in considering what is best to be done with regard to this amendment I try to consider the interests of the whole country. I can conceive of nothing in a financial point of view so disastrous to the interests of the whole country as any expansion of the currency; so that if upon the presentation of this substitute there was an absolute certainty that we had got to have either a transfer of national-bank currency to the amount of \$50,000,000 from the Eastern to the Western and Southern States on the one hand, or an expansion of the currency to the amount of \$46,000,000 on the other hand, I would vote to make the transfer. It would be a less evil than the expansion. But no such absolute alternative is as yet presented to us; and, therefore, upon the present substitute I shall vote as I believe to be right upon the question itself; and believing that such a transfer would be a violation of good faith in the object it attempted to ac-

complish, and, in the second place, a financial absurdity in itself, I shall vote against it in the present stage of the bill, and shall not vote for it under any circumstances until such an alternative is presented as I have indicated.

The PRESIDING OFFICER, (Mr. SARGENT in the chair.) The question is on the amendment of the Senator from West Virginia [Mr. DAVIS] to the amendment of the Senator from North Carolina, Mr. MERRIMON.

Mr. BUCKINGHAM. Let the amendment be reported again.

Mr. LOGAN. It is very long. It is merely a provision for a transfer of circulation from the East to the West and South.

Mr. BUCKINGHAM. I will not ask for the reading of it.

The PRESIDING OFFICER. Upon this question the yeas and nays have been ordered.

The Chief Clerk proceeded to call the roll.

Mr. SAULSBURY, (when Mr. BAYARD's name was called) said: I desire to announce that my colleague [Mr. BAYARD] is sick and unable to be in the Senate. He is paired, however, with the Senator from North Carolina, Mr. RANSOM.

Mr. BUCKINGHAM, (when his name was called.) On this question I am paired with the Senator from Maryland, Mr. DENNIS. I suppose he would vote "nay." If I were at liberty to vote I should vote "yea," choosing this as a lesser evil than expansion.

Mr. MORRILL, of Maine, (when his name was called.) On this and all kindred questions I am paired with the Senator from Rhode Island, Mr. SPRAGUE. If he were here he would vote "nay," I am advised; and I should vote "yea."

Mr. RANSOM, (when his name was called.) On this question I am paired with the Senator from Delaware, Mr. BAYARD, who is detained at home by sickness.

Mr. SCOTT, (when his name was called.) To avoid repetition I desire to say that wherever I have not voted on the bill I have considered myself paired with my colleague, [Mr. CAMERON.] I should vote "yea" on this proposition.

The roll-call having been concluded, the result was announced—yeas 20, nays 31; as follows:

YEAS—Messrs. Anthony, Conkling, Cooper, Cragin, Davis, Fenton, Frelinghuysen, Hager, Hamilton of Maryland, Hamilton of Texas, Hamlin, Jones, Kelly, Morrill of Vermont, Sargent, Saulsbury, Schurz, Sherman, Thurman, and Wadleigh—20.

NAYS—Messrs. Allison, Boggs, Boreman, Carpenter, Clayton, Conover, Ferry of Connecticut, Ferry of Michigan, Goldthwaite, Gordon, Harvey, Hitchcock, Ingalls, Johnston, Lewis, Logan, McCreery, Merrimon, Mitchell, Morton, Norwood, Oglesby, Patterson, Pease, Pratt, Ramsey, Robertson, Spencer, Tipton, West, and Windom—31.

ABSENT—Messrs. Alcorn, Bayard, Boutwell, Brownlow, Buckingham, Cameron, Chandler, Dennis, Dorsey, Edmunds, Flanagan, Gilbert, Howe, Morrill of Maine, Ransom, Scott, Sprague, Stevenson, Stewart, Stockton, and Wright—21.

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from North Carolina, [Mr. MERRIMON,] to strike out the third section and insert a substitute; which will be read.

The Chief Clerk read the words to be inserted, as follows:

That forty-six millions in notes for circulation, in addition to such circulation now allowed by law, shall be issued to national banking associations now organized and which may be organized hereafter; and such increased circulation shall be distributed among the several States as provided in section 1 of the act entitled "An act to provide for the redemption of the 3 per cent. temporary loan certificates, and for an increase of national bank notes," approved July 12, 1870.

Mr. HOWE. Mr. President, I indicated a purpose last evening to vote for a proposition to put free banking on the bill as it stands; and it may be remembered by some that I attempted to justify such a vote upon the ground that I thought free banking in itself was a proper thing, and if inserted upon a proper bill would be quite satisfactory to me. I intimated that possibly if it was put on this bill, unless the bill was largely modified, I should not vote for the bill.

Here is a proposition to put, not free banking on the bill, but a new restriction upon banking. As I do not like restricted banking, I am not very strongly induced to vote for this proposition, because I object to the bill as it stands and to the amendment that is offered. I do not like the proposition moved, because it is a new restriction upon banking. I do not like the bill upon which you put it, because that bill provides for an increase of the greenback circulation.

I have taken occasion to say several times during this long winter that there were communities here and there in the United States which asked, which required, additional banking facilities. I have said that there was capital ready to furnish those facilities if your law would allow them to be furnished. I should be glad to offer those facilities. I should be glad to see that law so modified. But, Mr. President, when we have another bank in the United States I want it to be a real bank; I want it to do the whole duty of a bank, a full-breasted, full-grown bank. If we have got to do business with corporations like those that now exist, corporations which we have got to sit up with nights and feed with greenback broth, I do not want any more of them.

Mr. THURMAN. Mr. President, I shall vote for the amendment of the Senator from North Carolina without at all committing myself to vote for the bill if that amendment be adopted, for if we are to have a bill of expansion without one single feature in it which looks like ever coming back to a sound basis for the currency, I shall vote against any such thing. But I can vote for this amendment, reserving the

right to vote against the bill unless something shall be put into it which looks like saving us from a wholly irredeemable paper currency; and I can vote for it for this reason: We have had various propositions of inflation here; we have already agreed to inflate the greenback currency by the sum of \$44,000,000. That is fixed. Then we had a proposition to inflate the national-bank currency on the basis of the State of Maine, which I believe would inflate between two hundred and sixty and two hundred and eighty million dollars; then on the basis of the State of Pennsylvania, which would inflate by the sum of \$120,000,000 or thereabouts; then on the basis of the State of New York, which would inflate by the sum of \$110,000,000. And now, if I may judge by what is said by one of the leaders of the inflationists, they have concluded to come down to the inflation proposed by the Senator from North Carolina, \$46,000,000.

Well, I must say that this debate has not been without its effect, and that some good at least has resulted from it, when it has brought them down from \$260,000,000 or \$280,000,000 to the modest sum, in comparison with what has been heretofore urged, of \$46,000,000. I can therefore vote to put that in the bill, reserving, as I said, my right to vote against the bill unless something shall be done toward preventing this country from being flooded for all time with a wholly irredeemable currency.

Sir, I derive some little consolation from the fact that the friends of this inflation, who see all the benefits that Heaven itself can bestow upon earth in an inflation of the currency, have so far rectified their views that they seem now to be willing to take one-sixth of what the day before yesterday or yesterday seemed to be their idea of what was necessary to cover this whole country with prosperity.

While I am on this subject I wish to say that I am very apprehensive that if this measure pass it will not have the effect which the mover of it expects. I certainly as much as any one wish to see the South and West benefited; I wish to see every part of the Union benefited; but I know that there are peculiar reasons why the southern part of this country should have the fostering care of the Government. No one feels those reasons more strongly than myself. But when we come to consider what will be the practical effect of this amendment should it be carried and become a law, I must confess that it appears to me that the South will probably derive very little benefit under it if the Comptroller of the Currency will be obliged to award banking facilities to the States that are deficient according to the degree of their deficiency.

Let us see what are the deficient States. That which is the most deficient is the State of Missouri. Her deficiency is \$3,983,000, or in round numbers \$9,000,000. Then comes the State of California, with \$6,300,000; then Wisconsin, \$5,700,000, I leave out the hundreds; then Tennessee, \$5,300,000; Mississippi, \$5,000,000; Georgia, \$4,600,000; North Carolina, \$4,600,000; Alabama, \$4,200,000; Virginia, \$4,100,000; Texas, \$3,700,000; Arkansas, \$2,900,000. I need not read further.

Now, what is the Comptroller of the Currency to do? The total amount of deficiency is \$50,000,000. It is proposed to take \$46,000,000 and give that to the States, pursuant to the provisions of the first section of the act of July 12, 1870, to provide for the redemption of the three per cents. How is he to distribute, I want to know? By what standard is he to distribute? Is he to fix an arbitrary standard of some State, and say that no State shall have any banking facilities until the State of Missouri has the full amount according to that standard which he shall adopt—some standard which bears about the same relation that \$46,000,000 does to \$80,000,000; for the deficiencies which I read are deficiencies which aggregate \$80,000,000? Shall he take some standard such as the proportion that forty-six bears to eighty, and say that no State shall have any currency until Missouri, where the deficiency is greatest, shall have arrived up to that standard, and so on going step by step until all the deficient States have come up to that standard, or going a year without it have, under the provisions of this act, been deemed to refuse it? I do not understand from this amendment how the distribution is to be made; but if that shall be the distribution, my friends from the South will have to wait perhaps a long time before they get this addition of currency which they expect. But that is their lookout. I only mention it for the purpose of showing that if they want to have that relief down South which they say they need so much, they will perhaps have to find some other machinery in addition to that which is provided by this amendment.

Mr. MORTON. I do not care to discuss this question. I only say that the distribution will be apportioned among all the States in deficiency according to their deficiency. Of course it is not enough to meet all the deficiency. I wish it was more; but I ask a vote.

Mr. BUCKINGHAM. I have no doubt many sections of the country will be disappointed if they anticipate banking facilities and currency as it is proposed to have them distributed by this amendment. I believe it is true that money cannot go except where it is purchased by property. I understood some weeks since that the Senator from Georgia, [Mr. GORDON,] in speaking of the wants and necessities of Georgia, said that Georgia was poor. I am very sorry it is so; but I doubt not it is true, or he would not have stated it. Now I ask, if Georgia is poor, what object is it for any man or any association of men to go and establish a bank there where there is only poverty?

The honorable Senator said, if I remember aright, that when cotton was worth there but ten cents per pound they could not get money enough to move it and to buy it. I have no doubt it was true,

and I believe that if the people there had any property to buy money with, if the doors should be opened so that men who have money could send it there and move the cotton, they would do it. But the object of the Senator was to show that they needed banking facilities and could offer inducements for them, and those inducements were grounded first upon poverty!

He said another thing, that the men who borrowed money there paid 1½ per cent. a month, and that compounded every thirty days made it perhaps equal to 24 per cent. a year. I ask how long a capitalist will loan his money at 24 per cent. per annum? I think it is perfectly clear that inasmuch as capital is shy, is timid, the Senator from Georgia would find it very difficult to win capital by such statements as he has made, so as to have it located for banking facilities in his State. I say this, regretting as I do that they have not greater means, because I believe it illustrates what they will find true if this bill shall pass, that their expectations will not be realized.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina, [Mr. MERRIMON,] to strike out the third section of the bill and insert a substitute.

Mr. SAULSBURY. I shall vote against this amendment for several reasons.

First, I believe we have already too much currency in the country. There is too great a discrepancy between the amount of gold coin in the country and the volume of circulation. I believe it to be unwise and injudicious to increase that discrepancy; and for that reason, if there were no other, I should be compelled to vote against this amendment.

I am aware that the people of the South and West complain that they have not a fair proportion of the circulating medium in their midst; but when the proposition to-day was made to distribute \$50,000,000 now engaged in banking capital in the East among the Southern and Western States, almost every friend of inflation from either of those sections recorded his vote against that distribution which they had heretofore claimed to be necessary and to be equitable. Therefore, if the failure of this measure in practice, if the increase of the circulating medium should still leave the West and the South destitute of banking capital, the responsibility must rest and ought to rest exclusively on the Senators from those sections of the country which have refused it and recorded their votes in opposition to it.

But, sir, I am opposed to this increase of the national banking circulation for another reason. It is a proposition to pension upon the Treasury of the United States \$46,000,000 of additional capital. There are \$400,000,000 of property of the rich men of the country now pensioned upon the Treasury of the United States, and those capitalists are drawing from the Treasury of the United States the interest of their capital. That Treasury is supplied by taxation upon the people of this country. The industries of the country are taxed and the benefit of that taxation conferred on the shareholders in the national banks; and this proposition is to increase the list of these pensioners upon the public Treasury. Against that I shall record my vote now, henceforth, and forever, whenever the proposition may come up.

But, sir, I shall vote against this whole bill. I shall vote against it whether this amendment is adopted or rejected, because the first provision of this bill now proposes to increase the legal-tender circulation of the United States. Sir, I believe there never was any power in Congress to make paper promises a legal tender. With that conviction resting upon my mind, notwithstanding the decision of the Supreme Court of the United States in that regard, I cannot vote and no vote of mine shall ever be given to issue further paper money as legal tenders. Nothing but coin ought to be regarded as a legal tender in this country; and that paper legal tender which has been made by act of Congress is not to-day worth exceeding eighty-seven cents on the dollar. The people of this country are compelled as between themselves to accept it—to exchange their property for it at its face value. It is made a legal tender by law. If I owe a debt to you, sir, or to any one, it matters not when the debt was created or how honestly I may have promised to pay every dollar that I owe you, I can take this legal-tender currency and can tender it to you in payment of the debt and you are bound to receive it. The proposition in this bill to increase the volume of the legal-tender notes of this country, so that men can take advantage of it and pay their debts with a less amount than they ought to pay, shall never be carried out by any vote of mine. I therefore shall vote not only against the pending proposition, but against the bill, whether the amendment becomes a part of it or not.

Mr. MORTON. I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. MERRIMON] to strike out the third section and insert the matter that has been read by the Secretary.

The Chief Clerk proceeded to call the roll.

Mr. BUCKINGHAM, (when his name was called.) On this question I am paired with the Senator from Maryland, Mr. DENNIS. If he were present he would undoubtedly vote for this amendment, and I should vote against it. And I take this occasion to say that on all these questions I am for the present paired with him.

Mr. FLANAGAN, (when his name was called.) I suppose that I am

paired with the Senator from Tennessee, Mr. BROWNLOW. I regret it very much. If he were present I should vote "nay," and he would vote "yea." I may make the same statement as to all other questions pertaining to this bill.

Mr. HAMLIN, (when the name of Mr. MORRILL of Maine, was called.) I wish to say on behalf of my colleague, who is absent, that he is paired with the gentleman from Rhode Island, Mr. SPRAGUE. If he were present he would vote "nay," and the Senator from Rhode Island "yea."

Mr. RANSOM, (when his name was called.) On this question I am paired with the gentleman from Delaware, Mr. BAYARD, and on all questions connected with this bill during the day. If he were present he would vote "nay" and I should vote "yea" on this amendment.

The roll-call having been concluded, the result was announced—yeas 33, nays 19; as follows:

YEAS—Messrs. Allison, Boggs, Boreman, Carpenter, Clayton, Conover, Davis, Ferry of Michigan, Goldthwaite, Gordon, Harvey, Hitchcock, Ingalls, Johnston, Lewis, Logan, McCreery, Merrimon, Mitchell, Morton, Norwood, Oglesby, Patterson, Pease, Pratt, Ramsey, Robertson, Sherman, Spencer, Thurman, Tipton, West, and Windom—33.

NAYS—Messrs. Anthony, Boutwell, Chandler, Conkling, Cooper, Cragin, Ferry of Connecticut, Frelinghuysen, Hager, Hamilton of Maryland, Hamilton of Texas, Hamlin, Jones, Kelly, Morrill of Vermont, Sargent, Saulsbury, Stewart, and Stockton—19.

ABSENT—Messrs. Alcorn, Bayard, Brownlow, Buckingham, Cameron, Dennis, Dorsey, Edmunds, Fenton, Flanagan, Gilbert, Howe, Morrill of Maine, Ransom, Schurz, Scott, Sprague, Stevenson, Wadleigh, and Wright—20.

So the amendment of Mr. MERRIMON was agreed to.

Mr. FRELINGHUYSEN. I offer the following amendment, to come in after the first section:

The surplus revenues of the Government shall be used for the purpose of accumulating coin in the Treasury, until the Secretary of the Treasury shall be enabled thereby to redeem United States notes in coin when presented; but this shall not prevent the Secretary of the Treasury from selling gold sufficient to meet all demands on the Treasury which are payable in currency over and above currency receipts, and to keep on hand a proper cash balance for that purpose, and to retire such notes as may be required by this act to be retired.

The Senate has voted to increase the greenbacks \$44,000,000, and we have just voted for an increase of the national currency by \$46,000,000. We have the paper circulation up to \$300,000,000 of the two classes; and, as is suggested, the fractional currency is to be added. The proposition I submit is that the Secretary of the Treasury be authorized to retain the surplus revenue of the Government as a fund for the redemption of the greenbacks. It is the mildest proposition that can be put, if we mean to do anything to keep our pledges. We have heard it stated repeatedly in the Senate that the people of the country demand the increase of currency. Mr. President, the people were once tested. After the exigencies of the war were over appeals were made from various sources to induce the people to throw off the toilsome payment of what was termed an oppressive debt. Then the nation showed its true greatness, for the people all over the land, stalwart men with brawny arms and with the sweat-drops of labor on their brow, sent forth the decree that the faith and honor of the country should be inviolate; and they sent representatives here to carry out that decree, and those representatives placed upon the record, there to remain, if fulfilled, to the honor, and if repudiated to the dishonor, of this country forever, this sacred promise: "The United States solemnly pledges its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin."

A proposition was made here, and is now renewed, to retain the accumulations of our surplus revenue in order to create a fund for the redemption of our promises, and we were told that the nation was too poor; that it was impossible to do anything. Sir, if we had shown the same want of resolution when the existence of this country was threatened we should to-day have had no nation to legislate about. When a proposition was made that those who held the notes of the United States should have the privilege of receiving an interest-bearing bond in exchange for them, we were seriously told that would cost five or ten million dollars a year; as if the fact that it cost something for a nation to pay its debts was a reason why it was not dishonored by the non-payment of its debts.

That is not all. We made a pledge that our interest-bearing obligations should not be paid before maturity unless the United States notes were at the time convertible into coin, unless they were paid off to secure a lower rate of interest. This was but equitable, and yet in violation of that pledge we have paid millions.

Mr. President, there is one other suggestion which I wish to make. There are Senators who have other obligations resting upon them than those which the Constitution imposes. Some here represent a political party, having come here avowing that we would carry out the sentiments of that party. On the 6th of June, 1872, at a convention held in Philadelphia, this plank of a platform was adopted:

We denounce the repudiation of the national debt, in any form or disguise, as a national crime, and confidently expect that our national currency will be perfected by a speedy resumption of specie payments.

And yet some of the representatives of that party have by their votes increased the paper promises of the country nearly \$100,000,000 without making any provision for specie payments. No Senator questions that as we increase this volume of currency the feasibility of

returning speedily to specie payments is diminished. Is this keeping faith?

Mr. President, this Government lies down on its promise; banks lie down on their promises; and it is no wonder that the atmosphere is filled with the sad stories of defalcations and violations of trust by clerks, and cashiers, and trustees, and comptrollers. The true keynote of integrity should here be set. When there is such a desolation of character, the nation should not break down the ramparts of the strictest integrity. If we refuse now to make this provision authorizing the Secretary of the Treasury to hold the surplus revenue with the view at some future day of a resumption of specie payments, we take a departure that is in itself a dishonor.

Sir, I hope that the amendment may be adopted. I know the argument is used that the banks authorized will not be created, that the national currency will not be increased. We, however, legislate on the assumption that it will be; and I understand that the capitalists of the country might hesitate as to creating banks under the pledge of this Government that we were soon to return to specie payments; but the speculators of the country know that specie payments are out of the question, and every dollar that you will permit them to put in new banks will be speedily invested. Let this measure, feeble as it is, be adopted as some poor fulfillment of the repeated pledges which the Government and the dominant party have given.

Mr. THURMAN. I offer the following as an additional section to the bill—

Mr. CONKLING. The amendment of the Senator from New Jersey to hold coin is now pending.

Mr. THURMAN. Let this lie on the table, then, until the amendment of the Senator from New Jersey is disposed of.

Mr. MORTON. Let it be read for information.

Mr. THURMAN. Very well.

The Chief Clerk read as follows:

That from and after June 30, 1874, one-twentieth of the customs duties shall be payable in United States legal-tender notes, and after June 30, 1875, one-tenth, and after June 30, 1876, one-fifth thereof may be so paid.

Mr. THURMAN. Now let the amendment offered by the Senator from New Jersey be read.

The CHIEF CLERK. It is proposed to add to the first section of the bill these words:

The surplus revenues of the Government shall be used for the purpose of accumulating coin in the Treasury until the Secretary of the Treasury shall be enabled thereby to redeem United States notes in coin when presented; but this shall not prevent the Secretary of the Treasury from selling gold sufficient to meet all demands on the Treasury which are payable in currency over and above currency receipts, and to keep on hand a proper cash balance for that purpose, and to retire such notes as may be required by this act to be retired.

The PRESIDENT *pro tempore*. The Chair does not understand the Senator from Ohio to move his amendment at present.

Mr. THURMAN. I have very great doubts of the wisdom of hoarding all the gold that will be received into the Treasury—

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Ohio to move his amendment at present?

Mr. THURMAN. I understand I can move it as a substitute for the other.

The PRESIDENT *pro tempore*. That will be in order.

Mr. THURMAN. But I prefer to let the question be taken on the amendment of the Senator from New Jersey.

Mr. MORTON. Offer it as a substitute.

Mr. THURMAN. No; I do not want to complicate it. I desire to offer this as a distinct proposition before the Senate.

The PRESIDENT *pro tempore*. The Senator makes no motion, the Chair understands.

Mr. THURMAN. I make no motion at present. I shall offer my amendment after the amendment of the Senator from New Jersey has been voted upon.

Mr. LOGAN. Let us take a vote on the amendment of the Senator from New Jersey, and then you can offer your proposition.

Mr. THURMAN. I wish to say a word about the amendment of the Senator from New Jersey.

If I understand the proposition of the Senator from New Jersey it is that all the gold that shall be received into the Treasury—and I do not know but that it goes further than the gold—all the surplus revenue, whether it be in gold or in paper, shall be hoarded in the Treasury for the purpose of redeeming the legal-tender notes. I have very great doubts of the wisdom of that mode of redemption. What would it require? It would require that you should accumulate gold in the Treasury to the amount now of \$400,000,000; that is, if this bill becomes a law, unless indeed it might be assumed that you could commence paying specie before you had acquired the full amount of \$400,000,000 of gold; and I presume you could; but it would certainly require a very large accumulation of gold. As long as the banks are not paying specie, and as long as the volume of greenback currency is \$400,000,000, it would not be safe for the Treasury to begin to pay gold until a very large accumulation had been made, such an accumulation as with a constant excess in the receipt of gold from the customs over and above the amount necessary to pay the interest on the public debt and our gold payments abroad to our ministers and to the Navy would secure a sum sufficient to pay the greenbacks as they might be presented. I do not know exactly what that would be. I do not therefore at first like very much the idea of hoarding the gold in this way, and unless better informed I cannot vote for the

proposition of my friend from New Jersey, although it looks in the right direction.

Mr. FRELINGHUYSEN. Mr. President, the gold receipts of the country are \$180,000,000.

Mr. MORTON. They were.

Mr. FRELINGHUYSEN. The gold expenditures are \$136,000,000, leaving a difference of \$44,000,000. It may be that it will be, and doubtless it would be, necessary to sell a part of that gold in order to meet the currency demands upon the Treasury, and yet it would be possible to retain a part of it, perhaps \$20,000,000, perhaps more, and in the course of a few years we would have an accumulation of gold. The idea that we can ever keep our pledges and make these notes convertible without accumulating gold, I cannot comprehend. We can give paper for paper, but we cannot redeem our pledge and make the notes convertible into gold unless we have got the gold. This is a step in the right direction. It is a step that goes but a little way, I admit. There is no contraction in it; but it gives an assurance to the country that this Government does mean to keep its oft-repeated pledges.

Mr. THURMAN. One word more on this subject. How do merchants obtain gold now with which to pay duties? I suppose the largest portion of it is obtained by sales of bills of exchange, perhaps foreign bills drawn against parties in England or some merchandise or security sent to Europe and sold; but a large amount of the gold with which duties are paid is purchased in New York with greenbacks. Now, the effect of hoarding gold in the Treasury must necessarily, as it seems to me, be to increase the premium on gold and just to that extent to increase the customs duties. The idea, therefore, of hoarding two or three hundred millions of gold seems to me to involve the proposition to make the customs duties, which I think are already onerous, still more excessive.

Mr. MORTON. Mr. President, this was a favorite idea with me six years ago. I presented a proposition to this Senate about six years ago that the Government should retain the surplus gold in the Treasury to provide a fund with which to redeem the greenbacks. If we were to redeem the greenbacks in gold, I did not know any way to do it without getting the gold; and I did not know any way to get the gold except to save the surplus. But I was met almost unanimously by the Senate at that time with the objection that it would require us to hoard gold for several years; that that would make gold scarce in the market; that importers and persons who had to send gold abroad to pay interest would have to buy it at constantly increasing prices; and upon such arguments my proposition was rejected. There was much more gold in the country then than there is now, and that objection was less forcible then than it is now.

The proposition of the Senator from Ohio [Mr. THURMAN] that we shall receive a part of the duties in greenbacks looks in the other direction, looks to diminishing the receipts of gold in the Treasury. That Senator talks constantly about irredeemable paper and about the necessity of redeeming our notes in coin, and yet he proposes to diminish the supply of gold which the Government receives.

Mr. SHERMAN. There is a modification to the amendment of the Senator from New Jersey which I suggested, and which met his concurrence. It is manifest it ought to be inserted.

The PRESIDENT *pro tempore*. The amendment will be reported as modified.

The Chief Clerk read the amendment as modified, as follows:

The surplus revenues of the Government shall be used for the purpose of accumulating coin in the Treasury until the Secretary of the Treasury shall be enabled thereby to redeem United States notes in coin when presented; but this shall not prevent the Secretary of the Treasury from selling gold sufficient to meet all demands on the Treasury which are payable in currency over and above currency receipts, and to keep on hand a proper cash balance for that purpose and to maintain the sinking fund.

Mr. SHERMAN. I do not see what possible objection there can be to this amendment. The great trouble, I am afraid, is that in the present condition of our revenue the surplus will not amount to anything. I doubt very much whether during the current year we shall be able to maintain the sinking fund. Indeed, the Secretary of the Treasury anticipates that he will not be able to provide for all the sinking fund this year. The statement laid upon our tables yesterday shows that since the 1st of July last our revenues have not been sufficient to pay our expenses, even without counting the sinking fund.

But the amendment of the Senator from New Jersey may be very useful in indicating a public policy. If it be adopted, the only thing in the bill (although I hope we may add something else to it before we get through) that will look to specie payments will be the accumulation of the surplus revenue. We have none now to accumulate; but in a year's time or in two years' time our revenues may so far improve that there may be a large accumulation of surplus revenue which will be applicable then to the purpose of maintaining and improving the credit of our currency rather than to the payment of the funded debt before it is due.

I shall therefore vote for the amendment. I do not see how gentlemen who are in favor of contraction can be opposed to an amendment to maintain a surplus revenue in the Treasury. For a year or two at least we cannot hope to have any; but as an indication of a public policy looking to the resumption of specie payments at some time it seems to me it is wise to insert it.

Now, as to the proposition of my colleague, for I may as well say

what I have to say upon both questions at once, the objection I have to it is this: In the first place it is an express violation of section 5 of the act of February 5, 1862, which provides—

That all duties on imported goods shall be paid in coin, or in notes payable on demand heretofore authorized to be issued and by law receivable in payment of public dues—

They are now all paid off—

and the coin so paid shall be set apart as a special fund, and shall be applied as follows.

It is perfectly manifest, therefore, that we can only dispose of the surplus gold over and above the amount necessary to pay the interest on the public debt and to maintain the sinking fund; that is about one-fifth. My colleague recognizes the force of this obligation by limiting his amendment to one-fifth of the gold. But, on the other hand, what is the use of diminishing the revenues to the extent of the premium on that gold to the amount of one-fifth? My own impression is that it would create constant confusion and great trouble. At present the sub-treasury receives nothing but coin certificates or coin. The mere difference between the value of coin and currency for one-fifth of the amount of the duties would not be any considerable relief to the merchant, while it would be a very great practical embarrassment to the Treasury Department in maintaining two systems of coin and currency in the payment of duties. If a duty should amount to ten dollars, two dollars of it would be in currency and eight dollars of it in coin, making a complication of accounts.

But that is not all. It is practically a diminution of the revenue to the extent of the premium on the one-fifth; and at this time we certainly ought not to reduce the revenue. In any point of view, therefore, it seems to me the proposition of my colleague is not advisable. I therefore cannot vote for it. The proposition of the Senator from New Jersey I see no objection to, except, I am sorry to say, that we have not much revenue to accumulate at present.

Mr. FERRY, of Michigan. I desire to call the attention of the Senator from Ohio, the chairman of the Committee on Finance, to the fact which he has stated in his reference to the statute which he has read. At that time Congress provided for the payment for duties of the old demand notes, similar to the proposition now made by his colleague.

Mr. SHERMAN. They have all been paid off.

Mr. FERRY, of Michigan. But at that time they were not paid off, and the law provided that they should be received for duties, which is precisely the proposition made by the Senator's colleague.

Mr. SHERMAN. That was a mere provision that we should not dishonor them. Those \$50,000,000 of demand notes were issued receivable for customs expressly, and consequently we could not pass a law that would violate the performance of that obligation.

Mr. FERRY, of Michigan. Still they were in existence, and the law provided for their use.

Now, as regards the other point that the Senator made, does it not appreciate the greenbacks by permitting a portion of them to be paid for duties? Does not that run in the line of the policy advocated by the honorable chairman of the Committee on Finance, and does it not also check the competition in the market for gold by reducing the amount necessary to be used for customs dues?

Mr. SHERMAN. In reply to the Senator, I stated the other day that this proposition would tend in one direction to appreciate the value of greenbacks, by making them useful for a purpose for which they cannot now be used; but at the same time it would diminish our revenue to the extent of the premium on the gold. It would make a very great difficulty in the accounts and the dealings between merchants and the Treasury and create great embarrassment to trade; and it would open up a question here on the floor of the Senate at this late day of the diminution of the duties on imported goods, because to the precise extent that you receive these notes in payment of customs duties you diminish the duties on imported goods. It will raise that question.

Mr. FRELINGHUYSEN. I have but a word to say. The suggestions against this amendment from the Senator from Ohio [Mr. SHERMAN] and from the Senator from Indiana [Mr. MORTON] do not correspond, do not harmonize. My friend from Ohio, while he will vote for it, thinks there is not much efficiency in the amendment because we shall have no surplus, while my friend from Indiana fears that the great accumulation this amendment provides for of gold in the Treasury will prevent the merchants from obtaining the necessary gold and embarrass business.

As to the first suggestion, that there is no surplus, it seems to me the Committee on Finance ought to address themselves to that question very vigorously. An increase of the tax on whisky and tobacco, as I indicated some three or four weeks ago, would give us a very material increase of our revenue, and we should then have a surplus.

As to the suggestion of the Senator from Indiana that this accumulation would interfere with business, I believe if this Government had an accumulation of gold it could control the gold market instead of being controlled by it, and there would be no difficulty on the double security of our own bonds in issuing gold certificates so as to relieve the demand for gold, and thus even prevent this amount of gold lying without producing any interest. The great advantage of this plan over any other is simply this: We say that the national banks may redeem in greenbacks; now we must make those greenbacks equivalent to gold; and if we do, we save all the interest that the funding

of \$400,000,000 would require, while at the same time we fulfill our pledge in making them convertible into coin.

Mr. MORRILL, of Vermont. I regret that the Senator from Indiana feels obliged to go against any proposition that he was in favor of six years ago. I do not regard this proposition as likely to have any effect for the coming year. Unquestionably we shall have a deficiency and shall be unable to supply the entire amount required for the sinking fund, and it may be, and probably will be, the duty of Congress before its adjournment to provide for that deficiency in some way.

As it has been the practice to consider both of these amendments at the same time, the amendment of the Senator from New Jersey and the amendment suggested by the Senator from Ohio, I desire to say a single word upon the proposition made by the Senator from Ohio, [Mr. THURMAN,] and that is that it is an indirect way of reducing the present tariff. At a moment when our revenues are less than are required for our ordinary expenditures, the Senator from Ohio proposes to decrease them. I think that is a sufficient answer to the proposition made by the Senator from Ohio, for it would practically operate as a diminution of the tariff upon all articles to the extent of the premium on the part of the duty that is proposed to be paid in paper.

Mr. MORTON. There will be nothing for this amendment of the Senator from New Jersey to operate on this year, and probably not for several years, certainly not until there is a restoration of good times. The Senator from Vermont refers to what I proposed six years ago. If my recollection is correct, when I made this proposition six years ago my friend from Vermont was on the other side.

Mr. MORRILL, of Vermont. I cannot say.

Mr. MORTON. I rather think he was.

Mr. MORRILL, of Vermont. I would prefer to have the Senator produce the record.

Mr. MORTON. I have not time to hunt it up, and I do not think Senators' records are worth the labor sometimes. [Laughter.] I would want to know that the record was valuable before taking the trouble to hunt it up.

One thing further. I desire to call the attention of the Senator from New Jersey to the fact that his amendment leaves it discretionary with the Secretary of the Treasury when he will begin to redeem. He may begin when he gets \$25,000,000, when he gets \$50,000,000, or when he gets \$60,000,000. It leaves it altogether discretionary with him. That is a very great power, a very great discretion.

Mr. FRELINGHUYSEN. The amendment says nothing about redemption—when he shall begin. The bill that I introduced before did.

Mr. MORTON. That is where this is defective.

Mr. FRELINGHUYSEN. No; that left it discretionary. If that is the objection that you make here, this only provides for the accumulation.

The PRESIDENT *pro tempore*. The Senator from New Jersey has exhausted his ten minutes.

Mr. THURMAN. I move to strike out these words at the close of the amendment of the Senator from New Jersey, "and to maintain the sinking fund." They ought to be stricken out, although that is not particularly my reason for moving to strike out, because they provide that the Secretary of the Treasury may sell gold to maintain the sinking fund. The sinking fund is to be in gold.

Mr. SHERMAN. No.

Mr. THURMAN. The greater part of it.

Mr. SHERMAN. O, no; he sells all the gold.

Mr. THURMAN. In bonds?

Mr. SHERMAN. Yes, sir.

Mr. MORTON. The duties are pledged to the sinking fund.

Mr. THURMAN. Yes, sir; and to be paid in gold.

Mr. MORTON. That is a part of the contract.

Mr. THURMAN. That is provided for in the act of 1862; but I do not care about that.

Mr. FRELINGHUYSEN. I will state to the Senator from Ohio that these words were inserted at the suggestion of the chairman of the Committee on Finance, supposing that they were necessary in order to preserve the law.

Mr. THURMAN. If Senators say so, very well; I will withdraw that motion and move another amendment.

What the Senator from Indiana says is perfectly true, that this amendment fixes no time when redemption shall commence. It would seem to leave it entirely within the discretion of the Secretary of the Treasury. The accumulation is to go on "until the Secretary of the Treasury shall be enabled thereby to redeem United States notes in coin when presented." I suppose that intends to leave him to judge whether he can commence with coin equal to 25 per cent., or 30 per cent., or 40 per cent., or 50 per cent. of the outstanding volume of greenbacks. I do not know that it is very wise to vest in a single officer of the Government the discretion to determine when specie payments shall be resumed in this country; a resumption that must affect more or less the business of the entire country, and which will require, whenever it takes place on the greenbacks, that the nineteen hundred and odd national banks and the new banks that are to be created shall all pay specie too. I think that is too much power to vest in any one man, and therefore there ought to be some amendment here, if this proposition is to be adopted, saying that the re-

demption shall commence when the accumulation bears a certain proportion to the outstanding volume of the greenbacks. That seems to me to be necessary; and, in order that the sense of the Senate may be tested on that, I move to insert after the word "presented" the words "which redemption shall commence when the accumulated gold is equal to 75 per cent. of the amount of outstanding greenbacks." I am not particular about 75 per cent. I do not think it would be necessary to go so high as that, but I move that simply as an amendment to test the sense of the Senate. I think myself we might commence redemption with 50 per cent., perhaps.

Mr. LOGAN. We might commence it, but it would not last long.

Mr. THURMAN. We might commence it and it would last, too, provided the receipts from customs should continue to be what they have been for the last five or six years. So much for that. I am not, however, in favor of this proposition for the reasons I have stated already and which I do not wish to repeat.

Now, I wish to say a word or two upon the proposition which I intend to submit, and which is not yet before the Senate, but has been commented upon.

In the first place, it is said by the Senator from Indiana that that is a step in the opposite direction. I do not know what he means by a step in the opposite direction.

Mr. MORTON. No; I did not say that. I saw the Senator from Ohio had been talking about irredeemable paper and the importance of redeeming it in coin, and at the same time he proposes to diminish the receipts of coin by the Government.

Mr. THURMAN. I do not care whether the Government has the coin or whether the people have the coin, so that the coin is in the country. It is not in any wise a step toward irredeemable paper to say that a certain proportion of the customs duties shall be payable in greenbacks, but it is a direct step toward resumption.

Mr. MORTON. I suggest to my friend on the question of redeeming greenbacks that it is the Government that has to redeem them and not the people, and therefore it is very material whether the people have the gold, or the Government.

Mr. THURMAN. I will show how it is a direct step in favor of resumption. It is admitted on all hands that if you receive a portion of the customs duties in greenbacks you will appreciate the value of the greenbacks. Everybody admits that, for everybody must see it. Well, just precisely as you bring greenbacks up to the standard of gold, just so do you make it perfectly easy for the Government to resume specie payments. When greenbacks shall have arrived at a commercial par with gold the Government could resume specie payments on their greenbacks with \$10,000,000 of coin in the Treasury, for there would be no run upon it for the coin. Therefore every measure which tends to bring greenbacks up to the standard of gold is a measure that tends to enable the Government to redeem them in gold, and brings about a resumption of specie payments without any pressure, without any hardship. That is the merit of the proposition, that without any shock at all, without any contraction, without any hardship you gradually appreciate the value of greenbacks and bring them up to gold, and then the Government can resume specie payments without any danger whatever of having to suspend the next day.

But it is said by my colleague that this would be a violation of the act of 1862. By no manner of means is it a violation of that act. What is the provision of that act?

That all duties on imported goods shall be paid in coin, or in notes payable on demand heretofore authorized to be issued.

They were coin notes; they are out of existence now, and so I may read it simply that all duties on imported goods shall be paid in coin.

And the coin so paid shall be set apart as a special fund, and shall be applied as follows:

First. To the payment in coin of the interest on the bonds and notes of the United States.

That is the first thing; and so far as this act is a pledge, that is a pledge to the holders of the securities of the United States.

Second. To the purchase or payment of 1 per cent. of the entire debt of the United States, to be made within each fiscal year after the 1st day of July, 1862, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt, as the Secretary of the Treasury shall from time to time direct.

There are two objects. You may say the gold is applied to those two objects: first, to pay the interest on the public debt, which is payable in gold; and second, to provide a sinking fund. Is there any further pledge? None whatever. The third clause is:

The residue thereof to be paid into the Treasury of the United States.

What is the meaning of that? It is to be paid into the Treasury of the United States, and then capable of being appropriated precisely as Congress shall see fit. There is no limitation whatever upon it; and what has Congress done? Has not Congress allowed the Secretary of the Treasury to sell this gold by the hundred millions since this act of 1862 was passed? And who pretends that his sale of the gold for greenbacks was a violation of the pledge contained in that act? If his sale of gold for greenbacks was not a violation of that pledge, then the receipt of a certain proportion of greenbacks in payment of customs duties is no violation of that pledge. All the Government creditor has a right to is that he shall have his interest in gold and that he shall have a certain sinking fund set apart. That is the sole pledge that has been made to him;

and with the residue of gold we can do what the public interest requires. There is no violation, then, of the pledge of the Government.

But in the next place it is said that this measure will give rise to practical difficulties. I can conceive of no practical difficulty in it that amounts to anything. I propose at first that one-twentieth of the duties shall be received in greenbacks—that is a sum easily calculated—and then one-tenth, and then one-fifth. It would not take a boy ten years old to make the calculations upon any invoice as to what duties were to be paid. There can be no trouble about that. If our customs officers are not able to make such calculations and receive payment, they ought to be turned out and better men put in their places.

But then it is said it is proposed to decrease the revenue. How? My friend from Vermont talks about its decreasing the revenue, and my colleague talks about its decreasing the revenue. How? Because you will not take the whole of the customs duties in gold, and let the Government shave its own notes by selling gold for greenbacks and getting for one dollar in gold one dollar and ten cents or one dollar and thirteen cents in greenbacks. That is a singular argument to come from my friends who want gold and greenbacks to be on a par, or want greenbacks abolished altogether. Do they want this spectacle to go on of the Government collecting revenue to carry on the business of the Government by collecting gold, and then buying its own notes at a discount to pay the ordinary expenses? They talk about the Government being dishonored by the fact that these notes are unpaid promises to pay, and yet they propose that the Government shall go on collecting gold and then buying in its own paper at a discount of 10, 15, or 20 per cent. That is not the way I wish to see this Government carry on its business.

Sir, there is nothing in this fear of depreciating or diminishing the revenue to frighten us at all. Here is a plain proposition. The ultimate extent to which I have gone is seven-twentieth parts of the revenue, about one-third of the revenue. Can you safely collect one-third of your revenue after 1876 in legal-tender notes? According to all our experience you can do it, and have ample coin left to pay all the interest on the public debt and to provide for the sinking fund. Why, then, should we not do it? Why, then, should we not in this gradual way bring greenbacks up to gold and by doing so enable the Government to commence redemption, and with it bring redemption throughout the whole country?

Mr. FERRY, of Michigan. I desire to remind the Senator just there of one thing in the line of what he has been saying. He has cited the law and the pledge of the Government in regard to the disposition of the coin received through duties. I wish to remind him that the sinking fund, which was one of the pledges made at that time, was not created until March, 1869.

Mr. SHERMAN. The sinking fund was created by this very same section of the act of 1862.

Mr. FERRY, of Michigan. The law providing for the sinking fund was passed by the act of 1862, but the sinking fund itself, by the appropriation of gold for it, was not commenced until 1869.

Mr. SHERMAN. O, yes; it was provided for, but it was only modified.

Mr. FERRY, of Michigan. It was provided for by law, but not carried out in fact until 1869.

Mr. THURMAN. I do not care whether it was or not. There is the law, and I am willing to stand on the law and treat that as the pledge of the Government to the bondholders if they want that pledge. I am willing to stand by the faith of the Government. All I ask is that after we have performed all we have promised to do for them, then we shall do something for the people.

Mr. FERRY, of Michigan. It was not until the administration of President Grant and Secretary BOUTWELL, of the Treasury, in 1869, that the sinking fund was provided for in fact, by the appropriation of gold to it.

Mr. HAMILTON, of Maryland. I rise to make an inquiry. Is the amendment of the Senator from Ohio [Mr. THURMAN] pending before the body?

Mr. THURMAN. No; not now.

Mr. HAMILTON, of Maryland. Then why discuss it? As I understand, the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN] is now pending. Let us take a vote upon that first, and then we can come to this other question.

The PRESIDENT *pro tempore*. The Senator from Ohio moved an amendment to the amendment offered by the Senator from New Jersey, which is now pending.

Mr. THURMAN. No; I withdraw that. That was in regard to the amount of gold that must be accumulated.

The PRESIDENT *pro tempore*. The Senator from Ohio withdraws his amendment. The question is on the amendment of the Senator from New Jersey.

Mr. FRELINGHUYSEN. In reply to the suggestion of the Senator from Ohio, I do not understand that this amendment gives the Secretary of the Treasury any additional power in reference to redemption.

The PRESIDENT *pro tempore*. The Senator from New Jersey has exhausted his time. Is the Senate ready for the question on the amendment of the Senator from New Jersey?

Mr. FRELINGHUYSEN. I call for the yeas and nays upon it.

The yeas and nays were ordered; and being taken, resulted—yeas 16, nays 31; as follows:

YEAS—Messrs. Anthony, Conkling, Cragin, Ferry of Connecticut, Frelinghuysen, Hamilton of Maryland, Hamilton of Texas, Hamlin, Howe, Jones, Kelly, Morrill of Vermont, Sargent, Sherman, Stewart, and Wadleigh—16.

NAYS—Messrs. Allison, Bogy, Boreman, Boutwell, Carpenter, Clayton, Conover, Fenton, Ferry of Michigan, Goldthwaite, Gordon, Harvey, Ingalls, Johnston, Lewis, Logan, McCreery, Merrimon, Mitchell, Morton, Oglesby, Patterson, Pease, Pratt, Ramsey, Robertson, Scott, Spencer, Thurman, Tipton, and West—31.

ABSENT—Messrs. Alcorn, Bayard, Brownlow, Buckingham, Cameron, Chandler, Cooper, Davis, Dennis, Dorsey, Edmunds, Flanagan, Gilbert, Hager, Hitchcock, Morrill of Maine, Norwood, Ransom, Saulsbury, Schurz, Sprague, Stevenson, Stockton, Windom, and Wright—25.

So the amendment was rejected.

Mr. THURMAN. I now offer my amendment as an additional section:

That from and after June 30, 1874, one-twentieth of the customs duties shall be payable in United States legal-tender notes, and after June 30, 1875, one-tenth, and after June 30, 1876, one-fifth thereof may be so paid.

Mr. MORRILL, of Vermont. The measures before Congress are ostensibly to increase the business of the country by giving larger accommodations in the way of paper money. Now the proposition of the Senator from Ohio is simply to cripple manufactures by reducing the tariff on imports to the extent of the depreciation of our paper money so far as any portion of it is used under his proposed amendment in the payment of duties. Besides that, it proposes a measure that changes the tariff every day. Whenever the price of gold shall be higher or lower, the tariff will be changed accordingly; so that we shall have a fixed tariff, and yet one that is extremely flexible.

Mr. WRIGHT. I move to amend the amendment of the Senator from Ohio by adding the following:

Whenever the same can be done without violating the pledge made by the act of February 25, 1862, for the payment of the interest on the public debt and providing for the sinking fund.

Mr. THURMAN. I am willing to accept that. I do not think it is necessary, but some Senators think it is, and out of abundant caution I am willing to accept it.

The PRESIDENT *pro tempore*. The Senator from Ohio accepts the amendment offered by the Senator from Iowa.

Mr. BOGY. I desire to offer an amendment to the amendment of the Senator from Ohio as modified. I will read my amendment for information. It is to change the amount to be received in the way provided as follows: That "after June 30, 1874, one-fourth of the customs duties shall be received in legal-tender notes and national-bank notes, and after the 1st of January next, one-half shall be received in such notes." My amendment proposes to accomplish the same object as that of the Senator from Ohio, except that the proportions are larger; and instead of providing that legal-tender notes only shall be received, I wish to extend it to national-bank notes. I desire to occupy a very few minutes in explanation of the amendment which I propose.

The PRESIDENT *pro tempore*. The amendment to the amendment will first be reported.

The CHIEF CLERK. It is proposed to amend the amendment so that it will read:

That from and after June 30, 1874, one-fourth of the customs duties shall be payable in legal-tender notes or national-bank notes, and from and after the 1st of January, 1875, one-half shall be payable in such notes.

Mr. BOGY. I wish to modify my own amendment, although that is the proposition which I presented some time ago. I will modify it so as to confine the receipt to legal-tender notes, excluding national-bank notes, and I will give the reasons for that.

The PRESIDENT *pro tempore*. The amendment will be reported as modified.

Mr. THURMAN. Allow me to call the Senator's attention to one fact. His amendment if adopted would defeat the whole thing, because it would make it impossible to comply with the act of 1862 unless our customs duties were increased very largely. Let me give the Senator the figures. It requires now to pay the interest on the public debt and to provide for the sinking fund, and to pay for our expenses abroad—

Mr. BOGY. If the Senator will excuse me, I will relieve him by telling him that I am aware of all these things, and I will give the reasons for this amendment in anticipation of the very objections that he rises to make.

Mr. THURMAN. Let me say that the amount required in gold is \$136,000,000, and we receive something over \$180,000,000 a year, which leaves us only about \$44,000,000.

Mr. BOGY. The limited time accorded me will not allow me to show that the calculation presented by the Senator from Ohio or by his colleague is incorrect. I will simply say that our gold receipts amount to about \$180,000,000 or \$190,000,000 a year, and we need for the public debt about \$100,000,000. We need for the sinking fund, gentlemen say, \$30,000,000. Well, then, we have a gold surplus of \$50,000,000. But we can so arrange that not one cent of gold need be used for the sinking fund. I have not the time to go into that; but it can be shown that gold is not necessary to comply with that portion of the contract.

But, sir, I desire to come to the act of 1862 upon which all these arguments have been based that it would be a breach of public faith now to receive in payment of customs duties legal-tender notes instead of gold. I have looked carefully into that act and I have listened

with great attention to the arguments which have been made on this floor by the chairman of the Committee on Finance as well as by the Senator from Vermont and the Senator from New Jersey and other Senators, and I have yet to see the force of their arguments.

The law of 1862 provides that customs duties shall be paid in gold, and be appropriated first to the payment of the interest on the public debt; second, to the sinking fund; and third, the balance to go into the Treasury as any other fund might go, subject to the disposal of the Congress of the United States. The object of that pledge at that time was, doubtless, to give character and credit to our bonds. We were then engaged in war. The amount of bonds we then had outstanding was small; but if the war continued, as a matter of course there would become a necessity for this nation to extend its debt to a very large amount. It was thence wise, and I commend the wisdom of it, to strengthen the public credit by a measure of this kind; but I say there was no pledge made, no contract made beyond this, that the bonds of the United States and the interest on those bonds should be payable in gold. That was the essence of the contract. The fact that gold was so used, no doubt, did the credit of the nation good at that time, but that did not enter into the contract. The contract is that the bonds shall be at maturity payable in gold. I doubt myself whether it was even a contract at that day, and indeed I believe it was not a contract; but I yield that point because by the act of 1869 it was said to be a contract; but granting that it was a contract, the essence of the contract was that we should pay this debt in gold.

It is proper for a nation having but little credit, like an individual having little credit, to give security for loans. A nation like Mexico or Venezuela or any other nation that has not much credit before the world has to pledge its customs receipts to enable it to negotiate a loan at all. But I say this nation has passed that period; its public faith is good enough; and yet for the purpose of raising \$100,000,000, or \$120,000,000, or \$130,000,000 a year in gold, by the argument made on this floor by every gentleman who has spoken on the subject, the currency has been depreciated 10 per cent. Your legal currency being depreciated 10 per cent., there is an actual loss between it and gold of \$40,000,000 a year. As a matter of interest it will be a great deal better for us to receive all our customs duties in paper money and periodically to buy gold for the purposes for which the Government requires gold, because if you received your customs duties in paper money the difference between gold and paper money would be small, and as you would need but \$100,000,000 of gold to pay your interest, you might well afford to pay 10, 15, or 20 per cent. for your gold and yet make money by the transaction. The depreciation is on the broad basis of \$400,000,000 now of legal-tender notes, and at 10 per cent. it is \$40,000,000. It would be better for this nation, on the score of mere dollars and cents, to buy the gold it needs.

If it were possible that this could be considered a breach of contract before the eyes of the world, of course I would not advocate it; but concede for the sake of the argument that these bonds were made payable in gold, then that is the essence of the contract, and the mode and manner in which this nation shall raise the money to do that is not a part of the contract. Nor would it affect the credit of this nation at all even to the hundredth part of a cent. There is not a bondholder in Europe or in the world but has the utmost confidence in the ability and willingness of this nation to pay all its obligations in the manner it undertook to pay them, whether in gold or greenbacks.

The only good argument which I have heard, and I think the only view in opposition to this amendment which is entertained by a large number of Senators on this floor, is the one advanced by the Senator from Vermont [Mr. MORRILL] awhile ago in answer to the Senator from Ohio [Mr. THURMAN] that by the receipt of paper money in payment of duties you would decrease your tariff duties. That is really the effect.

Mr. LOGAN. If the Senator will allow me, I wish to call his attention to one point. I do not want to make a speech on any of these questions, but I want to call his attention to one point which he may have overlooked, and I ask the attention of the Senator from Ohio also to it. This amendment although offered in good faith, as all these amendments are, would if put on this bill be its certain defeat. Why? Under the Constitution the House of Representatives alone can originate a bill for the raising of revenues; and under that provision of the Constitution the construction has been that any measure changing, raising, or diminishing the revenue in any degree, no matter how slight, must originate in the other House. So the very moment this is put on this bill the House of Representatives, as they did two years ago in another case, would stop the proposition. I ask, then, the friends of the measure not to allow any such thing as this to go on the bill, which if done here will be done in my opinion in violation of the Constitution, and I could not vote for the bill with it in.

Mr. BOGY. I regret that I disagree with my distinguished friend from Illinois—

Mr. LOGAN. I merely wanted to call the Senator's attention to that point, thinking that he had overlooked it.

Mr. BOGY. I regret that I disagree with my distinguished friend under whose banner I have been walking, and walking to victory, the last four or five days. I do not think there is anything in the objection which he raises. This does not affect the revenue in the way contemplated by the Constitution, surely. The mode of collecting the

revenue cannot be construed to come within the provision of the Constitution on that subject.

Mr. President, I think it is very manifest to the mind of every Senator on this floor that there is a majority of this body—and I use the word with some hesitation, because I do not like to use it in a body of this character; but to express my idea I am compelled to do it—that there is a majority in this House in favor of an expansion of the paper money of the nation. For reasons which I have given heretofore, disapproving as I do of the entire system, I am in favor of an augmentation, which some call expansion, and I have so signified my position. It being to me a fact apparent that cannot be contradicted that there will be an augmentation or expansion of the currency, it becomes of the greatest importance, and I realize the importance myself, that proper securities shall be given to prevent that enlarged circulation from being depreciated. If you make it too large and depreciate it itself by the very law you pass, of course it will have that effect.

Now, the great reason, the paramount reason, why the legal-tenders are not to-day equal to gold in value is owing to the fact that we ourselves by an act of Congress depreciate our own issue. Let the Congress of the United States that creates this money say that it shall be good money for all the dues of the Government without any exception; and as far as I am concerned I would go further. I say it would be wise and proper to make no discrimination between legal-tenders and national-bank notes; but knowing the views of a number of Senators on this floor, with some of whom I have agreed in the votes in regard to expansion, that the legal-tender is used as a means of redemption of national-bank notes, I yield my convictions in that respect.

The PRESIDENT *pro tempore*. The Senator has spoken ten minutes.

Mr. MORRILL, of Vermont. Mr. President, I know very well that my opinion in relation to this subject will not be very welcome to those who are sustaining this bill; but at the same time I feel it my duty to call the attention of the Senate to one or two points in this measure.

The proposition is here that we shall take a portion of our duties in paper instead of gold. What will be the practical effect in the first instance? Merely to make perhaps twenty or thirty million dollars of gold an article of merchandise, and have it exported from the country. Do those here who advocate an expansion of currency feel any particular hostility, after they have got all the paper they require, to having thirty or forty or fifty millions more of specie in the country? Not one dollar more will be purchased for the purpose of paying duties.

Mr. LOGAN. The Senator will notice that the proposition is not offered by any person who has advocated an increase of the currency. It is offered by the Senator from Ohio, who is opposed to an increase of the currency.

Mr. MORRILL, of Vermont. I stand corrected. Now, Mr. President, there will be no more gold purchased for the purpose of paying duties, whether the amount of duties is all paid in coin or not, with the bare exception of this proposed reduction, and if this proposed reduction of the amount to be paid in coin shall take place, as I said, it will merely give the privilege to the country of exporting that amount, and there will be so much less of gold remaining in the country afterward than there is now.

Can gentlemen suppose that our paper currency is going to be increased in value by the amount of diminution of the coin of the country? The very idea is an absurdity. Of course all recognize or have hitherto recognized the fact, that if we had a sufficient amount of gold it would be in the power of the Government to commence a resumption of specie payments. But this proposition goes in the direction of transacting the entire business of the country on paper, and bidding farewell to the idea of ever resuming specie payments, and that without the slightest reason, except the reason that may be offered by those who are in favor of reducing our present tariff on duties. If there are any here who are in favor of diminishing the receipts of the Treasury, they may be in favor of going for this measure; but I think no one who has any interest or any responsibility for this Administration can propose at the present time or vote for a proposition that will diminish the revenues, which are now notoriously insufficient to pay the ordinary expenses and provide a sinking fund.

Mr. SCOTT. I wish to call attention a little more distinctly to the point made by the Senator from Illinois in reference to this amendment. It certainly will have the effect of tabling this bill in the House of Representatives if this amendment be voted into it, and for this reason: it will be practically a reduction of the customs duties. If it were to go into effect to-day, it would be a reduction of 12 per cent. on the amount of the duties authorized to be paid in paper currency. There can be no doubt about that.

Mr. BOGY. Will the Senator allow me one word?

Mr. SCOTT. Certainly.

Mr. BOGY. I contend that that difference will disappear at once when we increase the value of the greenback by this process.

Mr. SCOTT. Let that be as it may in the future, I am looking at it as a practical question in the light in which it will be viewed by the House of Representatives. It is not an open question as to how they will receive legislation of this character. We passed a few sessions ago a bill in this body to repeal the income tax. That was

a bill reducing taxation, abolishing taxation, a bill that did not put money in the Treasury at all, did not raise revenue; and yet when it went to the House of Representatives they held that as it affected the revenue it was a measure which the Senate could not originate, and therefore they refused to consider it; they laid it upon the table; and so pertinacious were they upon that subject that they insisted upon it and demanded a committee of conference between the two Houses for the purpose of settling the question. The same question has occurred several times on minor subjects in relation to bills that had been amended by the Senate.

Mr. MORRILL, of Vermont. Once this session.

Mr. SCOTT. And once this session upon a very small point, on which probably the question will come up again. I call attention to it simply as a practical question. Is it advisable that on a bill of this character, upon which the country is asking for speedy action, where both Houses are desirous of speedy action, we should with our eyes open, whatever view we may entertain of the position assumed by the House, incorporate in the bill a provision which will have the effect of putting it upon the table in that House and clogging its passage? I shall certainly vote against the amendment, if for no other reason for that reason, although I concur in the views that have been expressed by the Senator from Vermont.

Mr. THURMAN. Mr. President, before I say anything upon this subject I wish to observe that upon reflection I am inclined to think that the amendment suggested by the Senator from Iowa, and which without due consideration I accepted, had better be withdrawn. There are some Senators who think that it would lead to uncertainty as to whether these legal-tenders would or would not be receivable at any given time in payment of customs duties—an uncertainty that ought not to exist for a single moment. I hope, therefore, that the Senator from Iowa will agree that that may be withdrawn at least for the present.

Mr. WRIGHT. I appreciate what has been said by the Senator from Ohio touching the amendment that I offered. I can see very well that it may leave this question in such doubt and uncertainty that perhaps, instead of reaching the end that is desired by him and the friends of the measure, it may have the effect of crippling it and leaving the matter in such an uncertain position that it is better to have the vote taken upon his proposition by itself, before any further amendment shall be offered. I therefore withdraw my amendment, and leave the question as first presented by him.

Mr. THURMAN. I wish to reply now to an objection that is started against this proposition of mine even by some Senators who do not profess hostility to it, and that is that it must necessarily destroy the bill, because the House of Representatives will not pass any bill which contains any measure originating in the Senate which affects the public revenue. Well, sir, if that is the Constitution of this country, the sooner the Government is abolished and another government set up the better it will be for the people. But that is not the law. My friend from Pennsylvania certainly does not believe that is the Constitution.

Mr. SCOTT. My friend from Ohio will permit me to say that I took the trouble to write a somewhat lengthy report on that subject, in which I took the ground that the House of Representatives was entirely wrong in its position on that question. But, nevertheless, that does not remove their objection as a practical question of legislation.

Mr. THURMAN. The Senator did write that report, which does him infinite credit as a constitutional lawyer; and I think there was not a member of the Senate who did not agree with it, and I do not suppose the Senate intends to relinquish or abjure its constitutional rights. Nor does it follow because a House of Representatives of a former Congress entertained very erroneous notions on the subject of the rights of the Senate, that therefore the present House does; or, if the present House does, that therefore we should abrogate our powers and be governed by the opinion of the House. But, sir, there is nothing in this idea whatsoever. A bill to raise taxes must originate in the House of Representatives. The Constitution is clear enough on that subject; but does it say that every bill or measure that in anywise affects the revenue of the country must have its origin there? It says nothing of the sort. If that were the case we could not originate a bill here in regard to the public lands, or we could not amend a bill in regard to what should be receivable in payment for the public lands. A host of bills would be wholly unconstitutional if they originated in the Senate, because they increase the revenue from the public lands. An amendment to allow homestead, or pre-emption, of payment in scrip, or anything of that kind, if moved in the Senate, would be unconstitutional, because it would affect the revenue. Nay, sir, every single grant to railroads that has been made by bills originating in the Senate would also be unconstitutional, because they tended to diminish the revenue. So that idea does not stand at all. What is the provision of the Constitution, pray? That all bills for raising revenue shall originate in the House of Representatives.

Mr. LOGAN. Will the Senator allow me to state what I meant by raising the objection? I did not propose to discuss the constitutionality of this question, but merely to suggest to the Senate that the question would be raised in the House, and that, knowing what the House had determined, it was a matter for us to look at carefully here in the Senate before we send such a bill there. I agreed with the Senate when the House dissented before and when the conference

was had which has been referred to; but knowing the facts, I say according to the theory of the House (whether correct or not is not the question) this amendment upon the bill would subject it to their objection, beyond all doubt, in my judgment. Therefore I said what I did, that it would certainly produce the defeat of the bill either here or in the House.

Mr. CONKLING. As the Senator from Ohio is interrupted for a moment, will he let me make a suggestion? I hope no Senator will accept the idea that this presents a question parallel to that in respect of which the Senator from Pennsylvania made a report. The suggestion now made goes as far as this: if we were to undertake to say by a bill originating here that in future silver would not be a legal tender for any purpose in sums greater than ten dollars, that would encounter this objection. Why? Because it would require the payment of duties in silver, just as this does when you say that hereafter gold may not be tendered for all the duties, but a certain portion of them may be paid in greenbacks. I venture to say it has nothing whatever to do with the question which the Senator from Pennsylvania discussed in the report to which reference has been made.

Mr. THURMAN. What is said by the Senator from New York is precisely true. It is a wholly different thing from that. I can demonstrate that this whole bill runs counter to the idea of the House of Representatives if this amendment of mine does, for this bill affects the revenue without my amendment at all. It affects the value of the medium in which the taxes shall be paid and its purchasing power in the hands of the Government; and upon the same kind of reasoning by which this amendment of mine would be held to be a measure for raising revenue, which therefore must originate in the House of Representatives, this whole bill would have to originate there; in other words, the Senate would be shorn of its power to legislate as the Constitution provides it shall. I will not waste any time on that. I am sorry that those who are opposed to this measure interpose such an obstacle as that to frighten us out of our propriety.

Mr. LOGAN. Allow me a word, as I raised the question. The Senator says he is sorry those opposed to it do so. I am not opposed to his proposition. The Senator mistakes me. In a speech here on the 19th day of January I suggested to the chairman of the Finance Committee to let a portion of the duty be payable in greenbacks. I raised the objection to putting it on this bill because I believed it would affect the passage of the bill; and that is my objection to it, and not to the principle, by any means.

Mr. THURMAN. I did not misunderstand the Senator from Illinois. I did not believe he was hostile to the amendment I offered. I was not alluding to him as being hostile to it, for in principle I understand him to be in favor of it. But let that pass.

Now it is said by the Senator from Vermont that this proposition of mine is a proposition tending toward perpetuating an irredeemable currency. Well, upon my word, that is quite past my comprehension. Can any man doubt for one moment that if you say that a portion of the revenue now payable in gold only may be paid in the legal-tenders of the United States, that makes those notes more valuable than they now are; that that approximates them to gold? Is there anybody who can doubt that proposition? Has it not been said by the Committee on Finance, did not the distinguished Senator from Vermont as one of the members of that committee report the second section of this bill providing for the redemption of these notes in 5 per cent. bonds, upon the very ground that 5 per cent. bonds being at par with gold, if you made the greenbacks convertible into them you would bring the greenbacks up to the par of gold; and now when it is proposed to make the greenbacks equal to gold in the payment of customs duties, it is said that will not have the effect of appreciating them at all; that will not raise their value at all; but on the contrary it is a step toward perpetuating an irredeemable currency. Sir, I cannot understand such a proposition as that; and I cannot help thinking that if my respected friend, the Senator from Vermont—and there is no man who respects his intellect and his purity more than I do—were not a little warped in his judgment on this question by that prodigious affection he has for a high protective tariff, which amounts almost to the fanaticism of a first love, he would not see this measure in the light he does. But it is before the Senate, and there is no use in arguing it. The Senate understands the proposition. I propose, without any shock, without any contraction, without any violence to the business of the country, without injuring any man who owes money, and without raising any conflict between the debtor and creditor class, a measure that is in the direction of a return to a sound specie-paying currency—not so rapidly as to shock business or do injury to any debtor in the whole country, but quiet and easy in its application, and certain in its effects. I do not say that there may not be much better propositions; but I do say to those who are opposed, as I am opposed, to an irredeemable paper currency now and forever, that I believe they had better take this proposition which I believe they can carry, and enact it into a law.

Mr. CARPENTER. I desire to explain why I shall vote against this proposition. I am for it in and of itself, and on an independent bill introduced providing what the amendment of the Senator from Ohio provides I would vote for it. I am in the second place perfectly clear in my mind that the objection which the House will take to this proposition has no foundation whatever, that a bill to raise revenue within the meaning of the Constitution must be a bill under and by

virtue of which revenue is collected. That is the only kind of a bill which can be styled a bill raising revenue; but it is equally clear in my opinion that the House will object to this, and lay the whole bill upon the table if we send it there. I shall therefore, and for only that reason, vote against this amendment.

Mr. FERRY, of Michigan. It is hardly necessary for me to repeat here that I am in favor of the proposition proposed by the Senator from Ohio. As early as the 4th of December, in a speech which I had the honor to submit to the Senate, I declared my belief that if the Government would make its currency uniform and a full legal tender, it would appreciate it, as the currency of France to-day is appreciated, but within  $\frac{1}{2}$  per cent. of coin. The currency of France is receivable for customs, and if our currency was receivable for customs also we should find no perceptible difference worth noticing between our currency and coin. I also reiterated that view in a speech made, I think, on the 10th of March, and I am of the same opinion now. I am willing, however, to defer to the judgment of others who think that the House of Representatives would lay this bill on the table because holding the feature proposed to be placed in it by the Senator from Ohio, and it is only on that account that I rise to occupy any of the time of the Senate, because I made up my mind at the opening of this day that I would say nothing, if possible, that we might come to a vote and conclude this subject; and yet I am now forced to place myself right on this question, and to say, as has been said by our President *pro tempore*, that whenever there is an opportunity, divested of the difficulties which seem to be attached now to the question, I shall be most happy to vote for a proposition of this kind, believing that it is in the line of the appreciation of the currency, and is the best way of placing our currency at par with coin. I shall be compelled to vote against it at the present time as an amendment to this bill, however, for the reason already stated.

Mr. WRIGHT. Having paired with the Senator from Vermont, Mr. EDMUNDS, upon all questions in connection with this bill, inasmuch as it will be my duty to state that fact when the vote shall be taken, I embrace this opportunity to state the reasons why I should vote for this proposition if at liberty to vote.

During the first week of January, soon after the recess, it will be remembered that in some remarks which I had the honor to submit to the Senate I stated that I believed 10 per cent. of the customs revenues could be safely collected in greenbacks, and that in my judgment there was not any step that could be taken which would tend more certainly to the appreciation of the greenbacks than that one step. I believe so yet; and whether it shall be 10 per cent. or the per cent. proposed by the Senator from Missouri, would make but little difference so far as the principle is concerned. So far as the question now before the Senate is concerned and its effect on this particular bill, as to what steps the House might take on that question is a matter for each Senator to determine for himself. Inasmuch as I am precluded from voting on the question, I only deemed it my duty to state at this time, that I may place myself right, that if allowed to vote I should vote for this proposition.

Mr. MORTON. I desire simply to state the reason for my vote. I shall not vote upon this proposition on its merits. I think the objection is well taken that it belongs to a class of measures which must originate in the House of Representatives. All laws for raising revenue must originate in the House of Representatives. It is equally a part of that prerogative to determine in what the revenue shall be received, because the medium in which it is to be received may affect the amount. For that reason, whether it is to be received in paper or in coin, as that may affect the actual amount of the revenue, is a question to originate in the House—not to be finally determined there, but to originate there; and for that reason, without giving any opinion on the proposition made by the Senator from Ohio or my friend from Missouri, I shall vote "nay."

Mr. HAMILTON, of Maryland. I shall vote for the proposition of the Senator from Ohio for the very reasons assigned by Senators on the other side for voting against it. If I can be induced to believe that putting this proposition in this bill will induce the House to lay it on the table, that is what I want; and the sooner it goes on the table the better, as it now stands. I shall therefore vote for that proposition of the Senator from Ohio. I am for collecting the revenues of the United States in gold and silver; and I am for separating this Government from any contact with paper money at all. But while I am for that, I am opposed to the principle that this Government should force its paper money on other people. But when it undertakes to force its paper money on other people, let it take the medicine itself, and soon the whole system will be exploded.

Mr. CONKLING. The Senator from Maryland, like the Senator from Illinois, reasons very persuasively in favor of this amendment, and I should be tempted to vote for it too if I could concur with either of those Senators in supposing that there was any hope that the House of Representatives would take advantage of the amendment as a reason for laying this bill upon the table. I have too much respect for the common sense and discernment of the House to leave any room to hope for such a result. Therefore I am compelled to vote upon the amendment in respect of its merits, and as I think it has no merits I shall vote against it.

Mr. TIPTON. Mr. President, being unaccustomed to make public addresses, I shall have to vote for this proposition to set myself right on the record. [Laughter.]

The PRESIDING OFFICER, (Mr. MORRILL, of Vermont, in the chair.) The first question is on the amendment proposed by the Senator from Missouri [Mr. BOGY] to the amendment of the Senator from Ohio, [Mr. THURMAN.]

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Ohio, [Mr. THURMAN.]

Mr. CONKLING. I think we ought to have the yeas and nays on the amendment of the Senator from Ohio, and I ask for them.

The yeas and nays were ordered.

Mr. SARGENT. I am paired on this bill and the amendments to it for the rest of the day with the Senator from Louisiana, Mr. WEST.

The question being taken by yeas and nays, resulted—yeas 19, nays 27; as follows:

YEAS—Messrs. Bogey, Davis, Fenton, Hager, Hamilton of Maryland, Hamilton of Texas, Hamlin, Jones, Kelly, McCreery, Merrimon, Pratt, Ramsey, Ransom, Saulsbury, Stewart, Stockton, Thurman, and Tipton—19.

NAYS—Messrs. Allison, Anthony, Boreman, Carpenter, Chandler, Clayton, Conkling, Conover, Cragin, Ferry of Connecticut, Frelinghuysen, Harvey, Hitchcock, Howe, Johnston, Lewis, Logan, Mitchell, Morrill of Maine, Morrill of Vermont, Morton, Patterson, Pease, Robertson, Scott, Sherman, and Spencer—27.

ABSENT—Messrs. Alcorn, Bayard, Boutwell, Brownlow, Buckingham, Cameron, Cooper, Dennis, Dorsey, Edmunds, Ferry of Michigan, Flanagan, Gilbert, Goldthwaite, Gordon, Ingalls, Norwood, Oglesby, Sargent, Schurz, Sprague, Stevenson, Wadleigh, West, Windom, and Wright—25.

So the amendment was rejected.

Mr. SAULSBURY. I offer the following amendment, to be added to the first section of the bill:

That the Secretary of the Treasury, on and after January 1, 1876, shall redeem in coin United States legal-tender notes upon presentation at such places as he may designate, in sums of \$1,000 or any multiple thereof, at the rate of \$100 in coin for \$110 in currency; and after six months from said date he shall redeem said notes, presented in sums as aforesaid at the places aforesaid, in coin at the rate of \$100 in coin for \$108 in currency. On and after January 1, 1877, the Secretary of the Treasury shall redeem said notes, presented in sums as aforesaid at the places aforesaid, in coin, at the rate of \$100 in coin for \$106 in currency; and six months thereafter he shall redeem said notes, presented as aforesaid at the places aforesaid, in coin, at the rate of \$100 in coin for \$104 in currency; and on and after January 1, 1878, the said Secretary shall redeem the said notes, presented in sums as aforesaid at the places aforesaid, in coin, at the rate of \$100 in coin for \$102 in currency; and six months thereafter the said Secretary shall redeem said notes, presented in sums as aforesaid at the places aforesaid, in coin, at the face value of said notes: *Provided*, That said notes shall at no time be redeemed at rates higher or greater than their value relatively to gold.

On that amendment I ask for the yeas and nays. I do not care to debate it.

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

Mr. RANSOM, (when his name was called.) On this question I am paired with the Senator from Delaware, Mr. BAYARD.

The roll-call was concluded.

Mr. MORRILL, of Maine. I am paired with the Senator from Rhode Island, Mr. SPRAGUE, as I was on the question last voted on. I voted on it inadvertently. I ask unanimous consent to withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Maine asks unanimous consent to withdraw his vote on the previous proposition. Is there objection? The Chair hears none. The Chair will, however, call attention to Rule 17:

When the yeas and nays shall be taken upon any question, in pursuance of the above rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

Mr. MORRILL, of Maine. Then I content myself with saying that I voted inadvertently.

Mr. HAMLIN. The rule simply prevents his voting after the announcement.

The PRESIDENT *pro tempore*. The Chair thinks this correction may be made by unanimous consent. The name of the Senator from Maine will be erased from the roll on the preceding vote.

Mr. MITCHELL. I am paired with the Senator from Massachusetts, Mr. BOUTWELL. I am not advised how he would vote on this particular question, and I content myself with this statement and do not vote.

The result was announced—yeas 7, nays 31; as follows:

YEAS—Messrs. Cooper, Hamilton of Maryland, Hamilton of Texas, Hamlin, Jones, Saulsbury, and Stockton—7.

NAYS—Messrs. Allison, Bogey, Boreman, Carpenter, Chandler, Clayton, Conover, Cragin, Fenton, Ferry of Michigan, Gordon, Hitchcock, Howe, Ingalls, Johnston, Lewis, Logan, McCreery, Merrimon, Morrill of Vermont, Morton, Oglesby, Patterson, Pease, Pratt, Ramsey, Robertson, Scott, Sherman, Spencer, and Tipton—31.

ABSENT—Messrs. Alcorn, Anthony, Bayard, Boutwell, Brownlow, Buckingham, Cameron, Conkling, Davis, Dennis, Dorsey, Edmunds, Ferry of Connecticut, Flanagan, Frelinghuysen, Gilbert, Goldthwaite, Hager, Harvey, Kelly, Mitchell, Morrill of Maine, Norwood, Ransom, Sargent, Schurz, Sprague, Stevenson, Stewart, Thurman, Wadleigh, West, Windom, and Wright—34.

So the amendment of Mr. SAULSBURY was rejected.

Mr. MORRILL, of Vermont. I offer an amendment now to come in after the section that was adopted on the motion of the Senator from North Carolina, [Mr. MERRIMON,] in the shape of two sections. I will say that while the amendment is not in accord with my own sentiments, I think it will be in accord with those of a large majority of the Senate. I take the amendment from a bill introduced in the House in relation to the redemption of the national-bank currency, and it is in so moderate a shape that I think it will commend itself to the general judgment of the Senate.

The words proposed to be inserted were read, as follows:

That every association organized, or to be organized, under the provisions of the national-currency act approved June 3, 1864, and of the several acts in amendment thereof, shall at all times keep and have on deposit in the Treasury of the United States, in lawful money of the United States, a sum equal to 5 per cent. of its circulation to be held and used only for the redemption of such circulation; and when the circulating notes of any such association or associations shall be presented, assorted or unassorted, for redemption, in sums of \$1,000, or any multiple thereof, to the Secretary of the Treasury, or to the assistant treasurer in the city of New York, the same shall be redeemed in United States notes. All notes so redeemed shall be charged by the Secretary of the Treasury to the respective associations issuing the same, and he shall notify them severally, on the first day of each month, or oftener, at his discretion, of the amount of such redemptions; whereupon each association so notified shall forthwith deposit with the Treasurer of the United States a sum in United States notes equal to the amount of its circulating notes so redeemed, under penalty of forfeiture of charter. And when such redemptions have been so reimbursed, the circulating notes so redeemed, or if worn, mutilated, or defaced, new notes instead, shall be forwarded to the respective associations: *Provided*, That each of said associations shall reimburse to the Treasury the costs of redemption and of supplying new notes in place of those redeemed. And the associations hereafter organized shall also severally reimburse to the Treasury the costs of engraving and printing their circulating notes: *And provided further*, That the entire amount of United States notes outstanding and in circulation at any one time shall not exceed the sum of \$400,000,000, now authorized by existing law.

That upon all circulating notes hereafter issued, or hereafter to be issued, whenever the same shall come into the Treasury, in payment, or deposit for redemption or otherwise, there shall be printed, under such rules and regulations as the Secretary of the Treasury may prescribe, the charter numbers of the associations by which they are severally issued.

Mr. LOGAN. I wish to call the Senator's attention to the fact that this proposition is pretty much the same as one that I offered yesterday. It is a part of the House bill in connection with free banking, just cut out of the House bill and offered. It applies only to a bill with free banking. Now I should like to ask the Senator why he offers it to this bill, and whether or not he will vote for the bill if this amendment is adopted.

Mr. MORRILL, of Vermont. It is utterly impossible for me to say what shape this bill is going to assume before we get through with it, and whether I shall vote for it or not. I do not think I ever can be induced to vote for it.

Mr. LOGAN. That is just what I supposed.

Mr. MORRILL, of Vermont. But I presume to say, notwithstanding, that the amendment which I offer is offered in good faith.

Mr. LOGAN. I am not doubting that at all.

Mr. MORRILL, of Vermont. And it is offered to perfect the bill. There is no portion of the bill that has any provision of like character; and I think it will commend itself to the good sense of all Senators that there should be something of this sort. I do not say that this is entirely correct; but this was handed to me by a gentleman who has ideas of expansion as well as the Senator from Illinois, a member of the House, and I thought there were some good features in it; and seeing the entire absence of any provision of this sort in this bill, I ventured to offer it here.

Mr. LOGAN. Now I wish to call the attention of the Senate for a moment to this point, because it is important. These two sections in connection with free banking were offered in the House so as to correspond with the features of that bill in connection with the greenbacks; but it ought not to be offered to this bill, because the very redemption that is provided for national-bank notes, with very little change in it, is in the law now as it exists; and it is a mere change so far as the machinery is concerned. Substantially the very same thing exists to-day in the law. But if free banking was to be adopted, it might be well to make these little changes for the purpose of perfecting the machinery. This bill, however, only providing for \$46,000,000 additional bank circulation, there is no necessity for any machinery in reference to it except that which is already in the law, because this is the law with very little change. I presume the Senator offered it with a view to have a vote, without any expectation of its being adopted, or, if it was adopted, without any intention of voting for the bill. I hope the friends of the bill will not permit amendments that ought not to be applicable to this particular feature of it as it stands to be adopted so as to embarrass it.

Mr. MORTON. I presume this amendment is not perfected even as the Senator from Vermont would have it. The Senator would not require the banks to keep 5 per cent. of greenbacks in the Treasury of the United States in addition to what they are now required to keep by law. I presume he would have this 5 per cent. a part of the reserve which they are now required to keep.

Mr. President, the banks are now required to redeem at their own counters; they are also required by the law to select one of the redemption cities in which they shall keep a redeeming agency. They are now required to redeem at two places: at their own counter and at one of the redemption cities. This amendment requires them to redeem at a third place, at the Treasury of the United States, and the amendment would require an additional reserve of 5 per cent. I can conceive no good to be accomplished by it. If you require them to redeem at the Treasury, then you ought to strike out the redemption cities. They ought not to be required to have more than two places to redeem. The old State banks were only required to redeem at their own counters. I believe that is the rule in regard to all banks, even where they pay in specie, that they are only required to pay at their own counters. The objection that the national-bank notes are not presented for redemption grows out of the fact that the national-bank currency is so good that nobody cares about having it redeemed. That is the objection.

Mr. SCOTT. I rose when the Senator from Illinois concluded, but I gave way to the Senator from Indiana when I saw that he was not aware that I had been recognized; and I rose for the purpose of propounding to the Senator from Vermont the very same question that the Senator from Indiana has started. I am glad he has done it; for if it be the intention to add 5 per cent. to the amount of greenbacks which the national banks are required to keep on hand, then I shall offer an amendment to the amendment of the Senator from Vermont, releasing the banks altogether from keeping any reserve on their circulation. At present, as the Senator from Indiana has stated, they are required to redeem at their counters; they are required to select one of the redemption cities, and may keep there three-fifths of their reserve; and if this be added to it, it would make a reserve of 20 per cent. required of all the country banks instead of 15. I am opposed to this amendment unless it is accompanied with a release of the banks from keeping a reserve on circulation altogether. If it be the intention of the Senator from Vermont to take a vote on it as it stands, I will move to add to the section these words:

And said associations shall not hereafter be required to keep on hand any amount of legal-tender notes as a reserve upon their circulation.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves to amend the amendment.

Mr. MORRILL, of Vermont. I will modify my amendment by inserting the words "shall be counted as part of their reserve" after the word "circulation;" so as to read:

That every association organized or to be organized under the provisions of the national currency act, approved June 3, 1864, and of the several acts in amendment thereof, shall at all times keep and have on hand in deposit in the Treasury of the United States, in lawful money of the United States, a sum equal to 5 per cent. of its circulation, to be held and used only for the redemption of such circulation, and which shall be counted as part of their reserve, &c.

Mr. FERRY, of Michigan. I dislike very much to take up time; but still I must call the attention of the Senator to a burden that this imposes on the banks. The redemption now is through their own correspondents, the choice of the banks in New York. It is proposed by this amendment to make the redemption at the Treasury and sub-treasuries of the United States. The process will be to send its currency back to the banks. If it is confined to Washington, it compels them to redeem at a political center, not a financial one. The process in New York now is, they having selected their own correspondents, that the difference is made up through exchanges. In this case it will require the currency to be sent back and the banks will be compelled to pay the express charges.

Another thing; it proposes to characterize the currency, to localize it, and thus start a system of discrimination between the issues of the different banks. I am opposed to anything of that kind. The bank currency passes now universally throughout the country; but the tendency of this amendment is to individualize the issues of each bank and gradually create discrimination against one and another that may be more distant than others. That will be the effect, and it compels the banks to pay the expense of sending back the currency to their own counters. Now they do it through their exchanges, without expense, and it is done in New York where the balances naturally increase. Here it is proposed to be at a political center, out of the financial channel. It seems to me the amendment ought not to be adopted.

Mr. HOWE. I understand that it is even worse than the Senator from Michigan suggests. It seems to me to impose a very direct and not a light burden upon the Treasury Department. It makes the Treasury Department the agent of the eastern banks where the money of the country is concentrated, in assorting that money and collecting greenbacks for it. Two hundred million dollars or two hundred and fifty million dollars are on deposit in Baltimore, Philadelphia, New York, and Boston continually. If I understand this proposition, it says to bankers and brokers, "Send your money *en masse* right into the Treasury; the Treasurer shall find clerks to count and assort it, and return you greenbacks for it at once, and take their chances of collecting it from the country banks all over the United States in thirty days." It seems to me the Treasury is made directly—I do not want to use any offensive term—the agent to effect these collections. If the Government finds the material with which the banks shall redeem their promises, I think that is enough for the Government to do.

Mr. MORTON. I think the suggestion of the Senator from Wisconsin is a very important one. That would undoubtedly be the effect of the provision.

Mr. SHERMAN. The Senator from Indiana remarked a moment ago that there was now redemption both at the bank-counters and in the redemption cities. That is not so in practice. There is no occasion to send notes home for redemption at the bank-counters, because the persons who desired to get greenbacks for their notes would not pay the expense of sending them home. Redemption in the redemption cities has proved to be a failure. I doubt whether in the whole history of the banking law there has been \$10,000 redeemed in the redemption cities. It is simply a means by which the banks get interest on deposits in the redemption cities. There are now two thousand banks. Think of the difficulty of assorting the notes of particular banks. Suppose it was desired to select the notes of a particular bank for redemption, either at its counter or at the place for redemption in a city; it is practically impossible; the difficulty is so great that it is never done.

Then there is another difficulty. Who knows where these bank-notes can be redeemed? Who designates in what particular bank and in which city is the place of redemption of any country bank? I doubt very much whether the bankers could find it out. The redeeming agents are designated by each bank respectively, how? By a notice to the Comptroller of the Currency. Is that published? Is that known? Not at all. You may take a national-bank note out of your pocket. There is nothing on the face of the note to show that it is redeemable at the First National Bank of New York. How can you find out which one of the numerous banks in the redemption cities is the place for the redemption of that note? You might possibly by writing to the Comptroller of the Currency in Washington find out the bank and city where it is to be redeemed. But that is practically impossible.

We have now bank paper which is convertible into a greenback by law at two places of redemption, and yet is practically inconvertible into greenbacks at any place of redemption. It cannot be sent home to a remote point for redemption, because that is too expensive and troublesome; it is too difficult to assort, too difficult to select those particular notes. It cannot be sent to a redeeming bank in a redemption city, because that is not ascertainable either on the face of the note or by any particular regulation of law.

The purpose of this section in the eye of the gentleman who penned it, and who himself is not only in favor of free banking but of an increased volume of legal-tender notes, was to secure something like an oscillation, a movement backward and forward, of this currency to prevent its redundancy; and it seems to me that he has fallen on the best expedient to accomplish this purpose. It is true I do not think it amounts to much, because as you increase the volume of greenbacks and swell the volume of bank-notes there is no great occasion to send the latter home for redemption; but certainly this will enable the holder of national-bank notes who desires to have legal-tender notes to get them by presenting them at the Treasury of the United States.

I have it from a member on whose word I rely, that the Treasurer of the United States says that practically there will be no difficulty in carrying this section into operation; that 5 per cent. is an ample reserve for the circulation of banks, and this would enable persons who desire to obtain legal-tenders either for the purpose of paying a debt or for any other purpose they may have in view to get them. Now, practically anybody may refuse to take a national-bank note in payment of debt. Therefore it is sometimes a proper and right thing to endeavor to get greenbacks. If the volume of bank-notes is to be largely increased there ought to be some mode by which these notes may be converted into greenbacks. There is no mode now. The very fact that these notes are all of the same similitude makes redemption impracticable under the present law. All the notes of two thousand banks are precisely alike, and the very name of the bank, the very designation and character of the bank and its location are in such small type that a man past fifty years would have to put on his spectacles to find out where the note was issued, so that redemption is impracticable. It was to meet that point that another provision contained in this section was inserted by the member who framed it. As each bank is known by a number, numbering from one up to nineteen hundred and odd, according to the date of its charter, it is proposed—which can be done at once by an ordinary machine—to stamp on the face of the note the number of the bank issuing it. Everybody can then ascertain what bank issued any particular note by its number. Now, practically it is impossible to have redemption, as you will see by taking up a pile of bills and assorting them over. You would find it difficult to pick out the notes of banks in one State without referring to localities in it.

I think I understand the object of the section. Indeed I have conversed with the gentleman who drew it. He does not agree with me in opinion; but his object in this is perfectly right and just, to facilitate redemption so as to promote as far as practicable under this system of redemption in greenbacks the oscillation, the movement backward and forward of currency, so that if bank-notes are unduly issued in a particular section of country they may flow back.

Now, take the State of Massachusetts. Massachusetts has issued \$59,000,000 of circulating notes, and they are scattered all over the western country. If the bankers and people of the West could send those notes to the Treasury with the hope of getting greenbacks to carry on their operations, why should they not have that privilege? But now practically it is impossible; there is no redemption, no plan of redemption. Although the law guarantees one, yet it is utterly futile. No man can now convert a bank-note into a greenback without more labor and more trouble than the whole operation would be worth to him. It was merely to remove that difficulty that this section was framed. I shall vote for it, not that I think it will accomplish any great results, but it will certainly tend to permit this oscillation backward and forward of notes from the place of issue to the place where they are loaned, and then let them float back again to the bank or the Treasury, where they will be redeemed by a greenback.

Mr. HOWE. I am very much inclined to think that this measure would get up a little more oscillation than would be agreeable, especially to the banks. I guess you had better keep the circulation as still as you can.

Let me say to the Senator from Ohio what I think is the reason

you have not any practical redemption; nobody wants it. What is the use of changing a bank-note into a greenback? Neither of them is money in a commercial sense nor in any honest sense. The greenback is more abundant than the bank-note. You say the greenback is issued by the Government; the bank-note is supported by the Government also. The greenback is a promise of the Government to pay a dollar; the bank-note is supported by the promise of the Government to pay a dollar and ten cents. There is a dollar and ten cents of the Government credit pledged for the redemption of the bank-note. The bank-note is the stronger of the two.

Mr. MORTON. It is a kangaroo.

Mr. HOWE. It has got the longest legs, you see. Then in paying debts every domestic creditor takes the bank-note just as readily as the United States note, and when you want to pay a foreign debt you cannot pay it with either. What is the use of such a redemption as that? You might provide for redeeming whisky with water and expect that to be practical. Most of the people would prefer to keep the whisky, just as most of the people would prefer to keep the bank-note, because it is the strongest; a good reason for keeping it. [Laughter.] But the fact is, that all those who deal in money care so little whether they have the one note or the other that the banks have taken in and paid out both indiscriminately. You cannot go into a bank and get \$100 without getting all kinds of currency. But the Senator from Ohio suggests that if the United States Treasury will take upon itself this labor of assorting the notes, counting them out, sending them back and forward, then you will get up an oscillation. I have not the least manner of doubt about it, but as I do not hunger for oscillation, I think I shall vote against this amendment.

Mr. FENTON. There is a way of securing redemptions, a practical plan if we want to adopt it, but I do not think we do. I have not seen any such disposition on the part of the Senate when they have had the opportunity, and they have it still. This amendment would not be very successful if it was adopted in securing redemptions in my judgment, and if it would be it ought not to be adopted, for I doubt whether the Government ought to be turned into an assorting and clearing house for the banks of this country. I shall vote against it.

Mr. SCOTT. I offered my amendment to the section offered by the Senator from Vermont, not because I am entirely favorable to that section, but if it is to be adopted I want my amendment to accompany it. My view of this central redemption for national-bank notes is, that it is at entire variance with the whole original theory of the national-bank system. We know it was a part of it, but the idea of the national-bank system was to apportion circulation to wealth and population in certain localities, for the purpose of accommodating the business of those localities; and if there be any way by which that is to be accomplished it ought to be by keeping that national-bank circulation in the very localities to which the law originally apportioned it. To require these banks to keep a portion of their reserves in a distant locality is in effect taking away from the localities intended to be benefited by the apportionment the benefit which the law intended to confer upon them. Therefore, I have never been very favorably impressed with the system of establishing redeeming agencies at the commercial centers for national-bank paper; for I think it is at war with the original idea of apportioning the circulation for the benefit of business in different localities according to wealth and population.

Mr. FRELINGHUYSEN. In order to understand this amendment, I ask the Senator from Pennsylvania whether the amendment does not provide for assorting the bills so that they will be sent to the places where they are intended to circulate? It struck me that that was just the benefit, if there was any, of this amendment, that it was a mode by which the bills which had wandered off thousands of miles away from their locality would through this channel be brought back to the place whence they originally issued. Am I correct?

Mr. SCOTT. If that were the only practical effect, that might be so; but it is evident the practical effect of it is intended to be to give the money-changers at the commercial centers the opportunity of getting greenbacks for this national-bank circulation. That is the effect of it. The other is a mere collateral affair, and not the original purpose of it.

Mr. MORRILL, of Vermont. When I introduced this amendment I stated that it did not precisely harmonize with my own views. I would be much more in favor of redemption at the city of New York. But as we have indications from enough of those who control a majority here to show what would be the fate of this proposition, and it is quite evident that the minority have "no rights which white men are bound to respect" as to offering amendments, [laughter,] I withdraw the amendment, and I hope the majority will propose something from a quarter that they will be ready to accept themselves.

Mr. FRELINGHUYSEN. I move that we now proceed to the consideration of executive business.

Mr. LOGAN. O, I hope not; let us go on and finish the bill.

Mr. ANTHONY. Will the Senator allow me to interpose a motion before that?

Mr. FRELINGHUYSEN. Certainly.

Mr. ANTHONY. Mr. President, to-morrow is a day that is observed with peculiar solemnity by the whole Christian world, and although I was not educated in the doctrine that accepts it as the authentic anniversary of the event which it commemorates, I have great respect for those who do. I believe it has not been customary during

the long session for the Senate to sit on Good Friday. I therefore move that when the Senate adjourns to-day it adjourn to meet on Saturday next; or as we have not sat on a Saturday at all during this session, I will move that when we adjourn to-day it be to meet on Monday next.

Mr. MORRILL, of Maine. Has there ever been an instance when that has been done?

Mr. ANTHONY. Has there ever been an instance during the long session when we have sat on Good Friday? I am sure that we have adjourned over that day. I cannot say that the practice has been uniform, but I know we have done so at times.

Mr. MORRILL, of Maine. I do not remember an instance.

Mr. MORRILL, of Vermont. Never but once.

Mr. ANTHONY. I will move that when the Senate adjourns to-day it be to meet on Saturday next.

Several SENATORS. Say Monday.

Mr. ANTHONY. I would prefer Monday, but I understood some Senators to object to that.

Several SENATORS. No, no; say Monday.

Mr. ANTHONY. Very well; then I move that when the Senate adjourns to-day it be to meet on Monday next.

The PRESIDING OFFICER, (Mr. BOREMAN in the chair.) The motion can be entertained by unanimous consent.

Mr. MORTON. If it is out of order, I object.

Mr. ANTHONY. I should think the Senator would allow us to test the sense of the Senate. I do not want to impose, and I certainly cannot impose, on the Senate any adjournment that they do not desire; but the Senator will allow us to test the question, will he not?

Mr. MORTON. I asked the other day to move to reconsider a vote to adjourn over, and I was told very promptly by the Senator from New York and half a dozen others that it was not in order, and was required to take my seat.

Mr. ANTHONY. Then I move to lay the pending bill on the table, the object being to have an opportunity to interpose a motion for the order of business, which I supposed was always granted. That motion is in order.

The PRESIDING OFFICER. It is in order, but it is not debatable.

Mr. ANTHONY. I hope, however Senators may vote on the question of adjournment, they will give us a chance to test the sense of the Senate upon it.

The PRESIDING OFFICER. The motion is not open to debate.

Mr. ROBERTSON. I call for the yeas and nays on the motion.

The PRESIDING OFFICER. The Senator from Rhode Island moves to lay the pending bill on the table.

Mr. HAMILTON, of Maryland. For the single purpose of moving an adjournment over.

Mr. CONKLING. Let us take the question by the sound, without the yeas and nays.

Mr. MORTON. No; let us have the yeas and nays.

Mr. CONKLING. Very well; then let us lay the bill on the table.

The yeas and nays were ordered; and being taken resulted—yeas 22, nays 21; as follows:

YEAS—Messrs. Anthony, Conkling, Cooper, Cragin, Davis, Fenton, Flanagan, Frelinghuysen, Goldthwaite, Hager, Hamilton of Maryland, Hamilton of Texas, Hamlin, Howe, Jones, Kelly, McCreery, Morrill of Vermont, Ramsey, Saulsbury, Schurz, and Windom—22.

NAYS—Messrs. Boggy, Boreman, Carpenter, Ferry of Michigan, Gordon, Harvey, Hitchcock, Ingalls, Johnston, Logan, Merrimon, Morton, Norwood, Oglesby, Patterson, Pratt, Robertson, Scott, Sherman, Spencer, and Tipton—21.

ABSENT—Messrs. Alcorn, Allison, Bayard, Boutwell, Brownlow, Buckingham, Cameron, Chandler, Clayton, Conover, Dennis, Dorsey, Edmunds, Ferry of Connecticut, Gilbert, Lewis, Mitchell, Morrill of Maine, Pease, Ransom, Sargent, Sprague, Stevenson, Stewart, Stockton, Thurman, Wadleigh, West, and Wright—29.

So the bill was laid on the table.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. E. BABCOCK, his Secretary, announced that the President had on this day approved and signed the act (S. No. 334) to remove the political disabilities of William L. Cabell, of Texas.

#### PROPOSED ADJOURNMENT TO MONDAY.

Mr. ANTHONY. I now move that when the Senate adjourns to-day it be to meet on Monday next.

Mr. FERRY, of Michigan. I move to amend the motion so as to provide for a meeting on Saturday next.

Mr. MORTON. Is this question debatable?

The PRESIDING OFFICER. It is, in the opinion of the Chair.

Mr. MORTON. The proposition to throw away the day to-morrow, in view of all the circumstances, it seems to me, cannot be justified; and I will say to my friend from Rhode Island that I think we ought to be allowed to take a vote on the pending financial question without this sort of delay being interposed. The proposition to adjourn over Good Friday is contrary to the usages of the Senate. I think no Senator here can remember that it has ever been done. There are many other holy days which it would be equally proper to adjourn over as that of Good Friday, that are observed by the Catholic and Episcopalian and other churches. I think we all understand this. I hope now that this sort of proposition will not be interposed to the final decision of this question.

Mr. ANTHONY. When I am charged with wasting the time of the Senate by any Senator who has not spoken more hours than I have

minutes during this session I will defend myself. Until then I can stand upon my record. [Laughter.]

Mr. TIPTON. It is very evident that if we lose to-morrow on account of our piety, we shall take some Sunday in order to make up for it. [Laughter.] We have been in the habit of doing that, sitting on Sunday at the end of a session; and I have no doubt we shall be called upon to sit all day some Sunday in order that we may now piously take a day that our constituents do not expect us to take from the public business.

The PRESIDING OFFICER. The Senator from Michigan moves to amend the motion by substituting Saturday for Monday. That is the pending question.

Mr. CONKLING. That will merely waste the day. We shall not do anything on Saturday.

Mr. MORTON. I want to say one thing further. The remark of my friend from Rhode Island does not change the character of this proposition in the least. I shall make no defense against what he said.

Mr. ANTHONY. If the Senator knows or conceives that I have not made this motion in good faith, or that it has any character that does not appear on the face of it, I would thank him to state it. I am not in the habit of trifling with the Senate.

Mr. MORTON. It occurs to me that this is very much like trifling with the Senate.

Mr. FERRY, of Michigan. I have offered my amendment in good faith. I do not know that the vote just taken is an indication that the Senate proposes to adjourn over to-morrow; but if they are disposed to adjourn over, it seems to me they cannot do less than meet here on Saturday. If it is the object to pay respect to Good Friday, then I meet Senators upon that point, and ask them to meet here on Saturday. We are just as able to meet here on Saturday as we are on Friday, and if we give away Friday, we ought to take Saturday.

It has been stated by others that there has been a disposition to prolong this discussion and waste the time of the Senate. The country has so felt, and has asked us to settle this question of finance one way or the other; and now in the face of that, with the measure pending and evidently a majority disposed to perfect the bill, it is proposed to throw away two days.

Mr. MORTON. To adjourn over three days.

Mr. FERRY, of Michigan. If it is just that we should give one day, I am willing to give that one day, but no more; and I am willing and ready to come here on Saturday and try and do my duty.

Mr. ANTHONY. I think I shall ask my friend from Michigan if his motion is according to the new parliamentary law which has been laid down here within a few days, that no Senator has a right to move an amendment to a proposition unless he is going to vote for it? If the Senator is going to vote for the proposition as amended, then I admit his right to move the amendment. I think he and his friends have laid down the doctrine in the case of my friend from Vermont [Mr. MORRILL] and others, that they have no right to move an amendment unless they are going to vote for the bill.

Mr. FERRY, of Michigan. That was on a financial question, not a religious one. [Laughter.] The Senator from Rhode Island has presented a new precedent, adjourning over Good Friday. I have no knowledge of such an expedient, but I am disposed to defer on religious matters as rapidly and as fully as I can to the Senator from Rhode Island. We have been applying rules, however, to a financial question. This is a new one. I was not aware of it until my attention was called to it. Now I propose to vote according to the amendment that I propose, and then my feeling is to vote down the whole proposition, because I am opposed to an adjournment over. I am disposed to spend the Sabbath religiously; but to adjourn over a day now, when we have spent four months on this great question, I think is asking a little too much.

Mr. BOGGY. I hope the amendment of the Senator from Michigan will be adopted, and that the Senate will adjourn until Saturday. I appreciate the argument made by the Senator from Indiana and also by the Senator from Michigan, that the pending bill ought to be disposed of; but it must not be forgotten that to-morrow is a day that is held in high veneration by the entire Christian world, and I think it would be promotive of good even on this great financial question if we observe that day which is commemorated by the Christian world as the day upon which the Saviour of mankind was crucified. I hope the amendment of the Senator from Michigan will be adopted, and that the Senate will adjourn over until Saturday.

Mr. GORDON. Is it proposed by Senators on the other side to make it a day of prayer and fasting, that they may get light to guide them on the financial question? [Laughter.]

Mr. FERRY, of Michigan. I move that the Senate do now adjourn.

Mr. SHERMAN. I trust the Senator who desires to adjourn now will change the motion and move an executive session. There is occasion for an executive session.

Mr. FERRY, of Michigan. Very well; I modify the motion in that way.

The PRESIDING OFFICER *pro tempore*. The Senator from Michigan moves that the Senate proceed to the consideration of executive business.

The motion was agreed to.

Mr. ANTHONY. I never take advantage of the Senate, and I do not wish to do anything that may seem to do so; and therefore I give notice that to-morrow I shall move to adjourn, so that Senators may be here or not as they see fit.

The PRESIDENT *pro tempore*. The Senator from Rhode Island gives notice that to-morrow he will move an adjournment; but whether at twelve o'clock or during the afternoon he does not state.

Mr. ANTHONY. On the assembling of the Senate to-morrow.

#### EXECUTIVE SESSION.

The Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at five o'clock and eight minutes p. m.) the Senate adjourned.

### HOUSE OF REPRESENTATIVES.

THURSDAY, April 2, 1874.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday was read and approved.

#### RESUMPTION OF SPECIE PAYMENTS, ETC.

Mr. PLATT, of New York. On behalf of my colleague, Mr. CLARKE, who is confined to his bed by illness, I desire to present the petitions of merchants, manufacturers, bankers, and leading business men of the city of Rochester, New York, praying a return to specie payments and that there may be no more issue of paper currency, that it may be referred to the Committee on Banking and Currency.

Mr. FORT. I shall have to object unless others can be allowed the same privilege. Hundreds and thousands of petitions come here praying the very reverse of this petition. I am perfectly willing that this petition shall be presented if we can all present other petitions in the same way; but there will be hundreds of them every morning.

Mr. GARFIELD. Let them all be referred under the rule.

The SPEAKER. Objection being made, the petition will be referred under the rule.

#### CLAIMS FOR ADDITIONAL BOUNTIES.

Mr. HOLMAN. I ask unanimous consent to submit for consideration at this time a bill to extend the time for filing claims for additional bounties under the act of July 28, 1866. I think there will be no objection to it.

The bill was read for information. It proposes to extend the time for filing claims for additional bounties under the act of July 28, 1866, and which expired by limitation on the 30th of January, 1874, until the 30th of January, 1875, and to provide that all claims for such bounties filed in the proper Department after the 30th of January, 1874, and before the passage of this bill shall be deemed to have been filed in due time, and shall be considered and decided without refiling.

Mr. WILLARD, of Vermont. I must object to the present consideration of that bill. It will give rise to debate.

Mr. HOLMAN. I hope the gentleman will allow it to be referred to the Committee on War Claims with permission to report at any time. It is a matter of great importance to the soldiers.

Mr. WILLARD, of Vermont. I have no objection to that.

Mr. HAWLEY, of Illinois. It ought to go to the Committee on Military Affairs, if to any committee.

Mr. HOLMAN. I will withdraw the bill for the present and introduce it on Monday, if I can get the floor.

Mr. GARFIELD. I call for the regular order of business.

#### REDUCTION OF THE ARMY.

Mr. DONNAN. I rise to a privileged report from the Committee on Printing. I report back adversely the following resolution:

*Resolved*, That there be printed for the use of the House three thousand extra copies of the report of the Committee on Military Affairs as to the reduction of the Army.

The resolution was laid upon the table.

#### COMMISSIONER OF FORESTRY.

Mr. DONNAN. I report back from the Committee on Printing the following resolution, with a recommendation that the same be adopted:

*Resolved*, That there be printed five thousand extra copies of the report of the Committee on the Public Lands on the message of the President in relation to the appointment of a commissioner of forestry.

I hold in my hand the report referred to. It consists of some one hundred and sixteen printed pages well indexed, and was made by officers of the American Association for the Advancement of Science. It is a very able report, and there has been so much call for it that the committee have deemed it advisable to recommend the printing of five thousand extra copies. The type is now standing, and the cost of these extra copies will be some sixteen or seventeen cents per copy. The resolution was adopted.

#### PERSONAL EXPLANATION.

Mr. STORM. I rise to a personal explanation, and what I consider to be a question of privilege. I find in the RECORD this morning, upon looking over the remarks of the gentleman from Nevada [Mr. KENDALL] as there printed, certain remarks of a personal character which were not uttered upon this floor during the debate of yesterday. I rise merely to call attention to the fact and to condemn the practice of gentlemen adding to their remarks others of a personal character which were not made upon this floor. I think no gentleman in this House should resort to such practice.

The SPEAKER. Does the gentleman mean personal in reference to a member of this House?

Mr. STORM. Yes, sir.

Mr. KENDALL. I did not understand the statement of the gentleman.

Mr. STORM. I say that the gentleman from Nevada, in his speech as published in the RECORD this morning, has some remarks of a personal character which were not uttered upon this floor yesterday. I mention this fact in order to condemn the practice.

Mr. KENDALL. And I say that if the gentleman had paid attention to what I said he would have heard what is reported in the RECORD this morning.

Mr. STORM. I say that the gentleman has added to his remarks, and the reporters' notes will show it. He does not deny it.

Mr. KENDALL. I do deny it.

Mr. STORM. I move that the RECORD be corrected by striking out that portion not uttered yesterday by the gentleman.

The SPEAKER. The gentleman from Pennsylvania [Mr. STORM] raises the point that there are published in the RECORD this morning, as remarks of the gentleman from Nevada, some remarks of a personal nature which were not uttered upon the floor, and asks that the same should be excluded from the bound copy of the RECORD. The Chair is of opinion that that is a question of privilege.

Mr. KENDALL. I ask that the sentences be read to which exception be taken.

The SPEAKER. They will be read.

The Clerk read as follows:

The gentleman from Pennsylvania who offered this amendment, [Mr. NEGLEY,] and his colleague, [Mr. STORM,] who are so familiar with the condition and wants of the mines and miners of the Comstock, though neither has ever seen a silver mine, bray out their usual argument that this is another movement of the "California Bank ring" to defeat the long-suffering and much-persecuted Sutor!

I had, Mr. Speaker, at one time thought of replying to the other gentleman from Pennsylvania, [Mr. STORM,] usually so reticent, who the other day became so suddenly enlightened about the wants of the poor miners in the "sage-brush;" but I forbear; it is not worth the while; it is not of the slightest consequence.

Mr. STORM. Those remarks, I say, were not uttered upon this floor.

Mr. KENDALL. I wish to say, that standing here in this place on yesterday, where I now stand this morning—

Mr. NEGLEY. Allow me just a moment to say to the gentleman from Nevada and to the House, that so far as any reference is made to me it is a matter of perfect indifference.

The SPEAKER. That is not the question before the House.

Mr. KENDALL. I wish to state that during the debate of yesterday on the bill which has been referred to, standing here where I now stand, the five minutes which I was allowed to address the House expired. I then stated that I should refer to certain extracts from newspapers that had come to me in reference to this bill, and should ask to have them included in my remarks, which I have done. And the gentleman from Pennsylvania [Mr. STORM] who has just now resumed his seat, then standing at my left, should have heard that I said substantially in regard to himself what appears in the RECORD of this morning. Now, sir, the gentleman is somewhat sensitive about the allusion that is made to him, and I am glad of it. It is a sign of good health when the patient has a little sensibility left. My allusion, though not in kind terms to him, was of such a nature that I am a little surprised the gentleman should rise here this morning to a personal explanation and ask that the RECORD be corrected. However that may be does not concern the matter. I repeat that the remarks which have been read were essentially and substantially made here in the course of that debate. That is all I have to say in explanation, not in defense, for I make none and need none.

Mr. STORM. The gentleman does not deny, he cannot deny, that he did not make yesterday in the debate the remarks which the Clerk has read.

Mr. KENDALL. I say that I did make them substantially.

Mr. STORM. I appeal to the notes taken by the reporter at the time, which I have not seen; but I say they will not be found there.

The SPEAKER. That is a question of fact, which the reporters' notes will settle. There have been several instances in which remarks of a personal nature have been interjected into the reporters' notes; and such cases have always given rise to unpleasant debate in the House. A notable case was that of a then member from Ohio, in which case the matter was referred to a committee of the House. It has uniformly been held that where a member revises the reporters' notes, or where he obtains leave to print remarks not delivered, everything of a personal nature, not spoken on the floor, should be carefully excluded. This is a part of the common law of the House.

Mr. SPEER. I ask that the reporter produce his notes.

The SPEAKER. The Chair is informed that the manuscript of the reporters is not in the House, but necessarily at the printing office.

Mr. STORM. I hope that the language printed in the RECORD may be corrected by reference to the reporters' notes. Without having seen those notes, I am ready to stand by them.

Mr. G. F. HOAR. In connection with this matter, I beg leave to inquire of the Chair by what authority the expressions "laughter," "sensation," &c., are put into the debates by the reporters; whether such things are any part of the proceedings of the House?

The SPEAKER. The Chair thinks not.