

Mr. POLAND. I merely desire that the resolution shall be printed in the RECORD.

Mr. BUTLER, of Massachusetts. I do not desire it printed anywhere.

Mr. POLAND. You cannot help yourself, for it will be in the RECORD now.

The SPEAKER. On what ground does the gentleman object?

Mr. BUTLER, of Massachusetts. I believe I have a right to object to the reception of the resolution. I believe that under the rules of the House a resolution even for printing cannot be reported except by unanimous consent.

The SPEAKER. But the gentleman from Vermont had a right to report at any time.

Mr. BUTLER, of Massachusetts. Is there not a question of higher privilege pending, the motion of the gentleman from Indiana [Mr. HOLMAN] to adjourn?

The SPEAKER. The Chair does not so understand. The Chair thinks that that motion was withdrawn.

Mr. BUTLER, of Massachusetts. The gentleman made his report some days ago.

Mr. GARFIELD. That did not exhaust his right to report.

The SPEAKER. The Chair understands that this resolution is only reported for printing and recommitment.

Mr. POLAND. I ask that it be printed in the RECORD.

The SPEAKER. It will be printed in the RECORD, having been read as a part of the proceedings of the House.

Mr. POLAND. I now desire to say that at as early a day next week as is consistent with the public business I shall bring up the report, with this resolution, for the consideration of the House.

Mr. HYNES. Is this the report of the whole committee? Is there no minority report?

The SPEAKER. The form in which a minority report would come up would be in the nature of a substitute for the report of the majority. That would be the parliamentary action in such a case.

The resolution was recommitted to the committee and ordered to be printed.

Mr. POLAND. I have entered a motion to reconsider the vote by which the report was recommitted.

Mr. TREMAIN. I desire to ask if the discussion on the Arkansas question will rise on the motion to reconsider?

The SPEAKER. The motion to reconsider opens the whole question, and gives entire latitude for discussion if the House so chooses.

Mr. BUTLER, of Massachusetts. Why did the gentleman from Vermont enter a motion to reconsider, if he had the right to report at any time?

The SPEAKER. He entered it in order to "make assurance double sure."

#### LEVI W. POND AND EAU CLAIRE LUMBER COMPANY.

Mr. CONGER, by unanimous consent, from the Committee on Patents, reported a bill (H. R. No. 4818) to amend an act entitled "An act extending a patent to Levi W. Pond and Eau Claire Lumber Company," approved June 10, 1872; which was read a first and second time, ordered to be printed, and recommitted to the Committee on Patents.

Mr. RANDALL. Not to be brought back by a motion to reconsider.

Mr. CONGER. I will consent to that.

#### POST-OFFICE BUILDING IN BALTIMORE.

Mr. SWANN, from the Committee on Appropriations, submitted a report in relation to the erection of a new post-office in the city of Baltimore; which was ordered to be printed and recommitted.

#### STREET RAILWAY COMPANIES OF THE DISTRICT.

The SPEAKER laid before the House the following communication from the President of the United States:

To the Senate and House of Representatives:

Under the requirements of section 6 of the act for the government of the District of Columbia, and for other purposes, approved June 20, 1874, I have the honor to submit herewith a report of the board of audit upon the amount equitably chargeable to the street railroad companies, pursuant to the charters of said companies or the acts of Congress relative thereto, together with the reasons therefor.

U. S. GRANT.

EXECUTIVE MANSION, February 19, 1875.

The message, with accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

#### ENROLLED BILLS SIGNED.

Mr. PENDLETON, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the Senate of the following titles; when the Speaker signed the same:

- An act (S. No. 625) for the relief of Lemuel D. Evans, late collector of internal revenue for the fourth district of Texas;
- An act (S. No. 836) granting a pension to William Ira Mayfield;
- An act (S. No. 862) granting a pension to Margaret S. Hastings;
- An act (S. No. 1070) granting a pension to Margaret C. Wells;
- An act (S. No. 1080) granting a pension to J. W. Caldwell, of Marshall County, Indiana;
- An act (S. No. 1154) granting a pension to William Williams;
- An act (S. No. 1205) restoring to the pension-roll the name of Lydia A. Church, minor daughter of Nathaniel G. Church; and
- An act (S. No. 1213) granting a pension to Nathan Upham.

#### ORDER OF BUSINESS.

Mr. MAYNARD. I move that the House now take a recess until half past seven o'clock p. m.

Mr. HOLMAN. I move that the House now adjourn.

Mr. MYERS. I ask unanimous consent that the session of Tuesday evening next be set apart for the consideration of reports from the Committee on Naval Affairs.

Many members objected.

Mr. MAYNARD. Before the question is put upon the motion to adjourn, I desire to make a suggestion to the House. The impression prevails that there are several gentlemen who desire to address the House upon general subjects. I understand that there is no business assigned for to-night, and as this will probably be the only opportunity members will have to be heard, I propose that we have a session to-night for debate only, no business whatever to be transacted.

Mr. HOLMAN. I will withdraw my amendment to adjourn for the purpose suggested.

The SPEAKER. It requires unanimous consent.

Mr. HAGANS. I object.

Mr. BUTLER, of Massachusetts. I renew the motion that the House now adjourn.

The motion was agreed to; and accordingly (at four o'clock and thirty-five minutes 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 stated:

By Mr. ARMSTRONG: The petition of citizens of Sioux City, that the Black Hills in Dakota be opened to settlement, to the Committee on Indian Affairs.

By Mr. BLAINE: Resolutions of the Legislature of Kansas, in relation to the appraisement of the Cherokee lands, to the Committee on the Public Lands.

Also, resolutions of the Legislature of Kansas, asking Congress to establish and create a United States district court for the Indian Territory, to the Committee on the Judiciary.

By Mr. BURROWS: The petition of citizens of Michigan, for the improvement of the harbor at New Buffalo, to the Committee on Commerce.

By Mr. CASON: Papers relating to the application of George A. Arnes for restoration to his former rank in the Army, to the Committee on Military Affairs.

By Mr. CLARKE, of New York: The petition of citizens of Albion, New York, in favor of Government aid to the Northern Pacific Railroad, to the Committee on the Pacific Railroad.

By Mr. COTTON: The petition of tax-payers in the District of Columbia outside of the cities, asking that the tax on property in the country be placed at seventy-five cents on the \$100, and for other relief, to the Committee on the District of Columbia.

By Mr. COX: Memorial of the Legislature of New York, in relation to the improvement of the East River, to the Committee on Commerce.

By Mr. GUNTER: The petition of settlers upon the Hot Springs reservation in Arkansas, for relief, to the Committee on the Public Lands.

By Mr. LAWRENCE: The petition of L. Boyd, Daniel Wissenger, and others, of Clarke County, Ohio, for the abolition of official oaths, to the Committee on the Judiciary.

By Mr. LOWNDES: The petition of citizens of Washington County, Maryland, for the restoration of the 10 per cent. reduction of duties made in 1872 and against a duty on tea and coffee, to the Committee on Ways and Means.

By Mr. SAYLER, of Ohio: The petition of David Quinn, of Cincinnati, Ohio, relating to a machine invented by him for deepening the channels of rivers, to the Committee on Commerce.

By Mr. SMITH, of Virginia: Memorial of the Tobacco Association of Richmond, Virginia, in relation to the proposed increase of tax upon tobacco, to the Committee on Ways and Means.

By Mr. —: The petition of citizens of Jewell County, Kansas, for relief, to the Committee on Agriculture.

#### IN SENATE.

SATURDAY, February 20, 1875.

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

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. ANTHONY. I move that the further reading of the Journal be dispensed with.

Mr. HAMILTON, of Maryland, and Mr. LEWIS. I object.

Mr. MCCREERY. I would like to hear the Journal read this morning.

The Secretary resumed and continued the reading of the Journal of yesterday, and it was approved.

## CREDENTIALS.

The VICE-PRESIDENT presented the credentials of Hon. Andrew Johnson, chosen by the Legislature of Tennessee a Senator from that State for the term beginning March 4, 1875; which were read and ordered to be filed.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of members of the Legislature of Arkansas, in favor of the establishment of a mail-route from Marshall, in Searcy County, to Harrison, in Boone County, in that State; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented resolutions of the Legislature of Kansas, in favor of the establishment of a United States circuit court for the Indian Territory; which were referred to the Committee on the Judiciary.

He also presented a resolution of the Legislature of Kansas, in favor of the passage of a law authorizing the Secretary of the Interior to appoint a commission to appraise the lands of the Cherokee Nation, as provided by the treaty of 1866; which was referred to the Committee on Indian Affairs.

Mr. CRAGIN presented a memorial of physicians of New Hampshire, praying for such legislation as will the better promote the efficiency of the Medical Corps of the Army; which was referred to the Committee on Military Affairs.

Mr. BOUTWELL presented the petition of the heirs of Walter Hunt, deceased, praying the extension of his patent for an improvement in the manufacture of a cotton fabric used for making paper collars; which was referred to the Committee on Patents.

Mr. WRIGHT presented the petition of George Williams, of Iowa, in relation to the bill for the improvement of the Mississippi River, and asking that provision be made for letting the work to the lowest bidder and expressing his readiness if the contract is thus let to bid upon the same; which was referred to the Select Committee on Transportation Routes to the Sea-board.

Mr. CAMERON presented a memorial of merchants of Philadelphia, remonstrating against the annulling of the contract with the Pacific Mail Steamship Company for the transportation of the mails between San Francisco, Japan, and China; which was referred to the Committee on Appropriations.

Mr. HAMILTON, of Maryland, presented a memorial of merchants of Baltimore, Maryland, remonstrating against the annulling of the contract with the Pacific Mail Steamship Company for the transportation of the mails between San Francisco, Japan, and China; which was referred to the Committee on Appropriations.

Mr. INGALLS presented several petitions of citizens of Jackson County, Kansas, praying the passage of the bill (S. No. 456) for the sale of the Black Bob Indian lands in the State of Kansas; which were referred to the Committee on Indian Affairs.

Mr. FENTON presented a resolution of the common council of Long Island City, New York, asking an appropriation for the improvement of the channel of the East River and the removal of obstructions to navigation at Hell Gate; which was referred to the Committee on Commerce.

Mr. LEWIS presented a memorial of late soldiers of the United States volunteers, residents of Portsmouth, Virginia, praying that bounty be allowed to disabled soldiers; which was referred to the Committee on Military Affairs.

## REPORTS OF COMMITTEES.

Mr. RAMSEY. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. No. 4734) to establish certain post-roads, to report it with amendments. I suggest that time will be saved by passing this bill at once.

The VICE-PRESIDENT. The Senator from Minnesota asks for the present consideration of the bill.

Mr. EDMUNDS. I object.

The VICE-PRESIDENT. Objection is made.

Mr. PRATT, from the Committee on Pensions, to whom was referred the bill (H. R. No. 4668) for the relief of John W. Douglass, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. No. 1112) for the relief of B. P. Patterson, reported it without amendment.

Mr. MERRIMON, from the Committee on Claims, to whom was referred the bill (H. R. No. 2689) for the relief of Emille Lapage, surviving partner of the firm of Lapage Brothers, reported it without amendment.

## BILLS INTRODUCED.

Mr. DENNIS asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1333) referring the claim of Jonathan L. Jones to the Court of Claims; which was read twice by its title, referred to the Committee on Claims, and ordered to be printed.

Mr. INGALLS asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1334) to allow pre-emptors to pre-empt an additional amount to aggregate one hundred and sixty acres of public, ceded, or Indian trust land; which was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed.

Mr. CRAGIN asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1335) for the relief of property-owners on

squares Nos. 728, 729, and 731, in the city of Washington; which was read twice by its title, referred to the Committee on Appropriations, and ordered to be printed.

Mr. SPENCER asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1336) authorizing the appointment of a commission to proceed to the Territory of Alaska after the adjournment of the present Congress to inquire into the number of fur-seals killed on the islands of Saint Paul and Saint George and if an increased number could be killed without jeopardizing the perpetuity of the fisheries, and for other purposes; which was read twice by its title, referred to the Committee on Commerce, and ordered to be printed.

He also asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1337) to disapprove of an act of the territorial Legislature of the Territory of Dakota entitled "An act making the conveyance of homesteads not valid unless the wife joins in the said conveyance," approved January 14, 1875; which was read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. ALCORN asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1338) for the relief of the overflowed districts of the Mississippi River; which was read twice by its title, and ordered to lie on the table and be printed.

## COMMITTEE TO VISIT INDIAN TERRITORY.

Mr. INGALLS. I offer the following resolution:

*Resolved*, That a committee, consisting of five members of the Senate, be appointed to visit the Indian Territory during the recess of Congress, with authority to inquire into the condition of affairs in that country, the necessities of the various Indian nations and tribes there located, and to report at the next session of the Senate the results of their inquiry, and what legislation, if any, is needed to protect the interests and promote the welfare of the Indians of that Territory.

Mr. SHERMAN. I think that had better lie over.

The VICE-PRESIDENT. Objection is made, and the resolution will lie over.

## REORGANIZATION OF THE DEPARTMENTS.

Mr. WRIGHT. This morning was assigned to the Committee on Civil Service and Retrenchment by unanimous consent on Wednesday last.

The VICE-PRESIDENT. The Chair is informed that that special assignment was made. If no further resolutions be offered, that committee is entitled to the residue of the morning hour.

Mr. WRIGHT. Yesterday morning I reported, from the Committee on Civil Service and Retrenchment, a resolution, and gave notice at that time that I should call it up this morning. I ask that the resolution may be read by the Secretary.

The VICE-PRESIDENT. The resolution will be read, being regarded as before the Senate.

The Chief Clerk read as follows:

*Resolved*, That a committee of five members of the Senate be appointed, whose duty it shall be to examine and thoroughly investigate the several branches of the civil service with a view to the reorganization of the several Departments thereof, the reduction of expenditures, and to promote the efficiency of such service, and to report thereon at the next session of Congress by bill or otherwise.

Mr. WEST. I have no objection to the object contemplated by this resolution; but I rise to inquire of the Senator whether such duties would not more properly devolve upon the committee of which he is chairman, and could they not be exercised by that committee during the coming recess, or after the adjournment of the present Congress, just as well as by a committee specially appointed by the Chair?

Mr. WRIGHT. The Senator of course knows that our committees fall with this session. There will be none of the present committees existing after the session closes; and it is deemed better by our committee that there be a special committee of five who shall have this subject specially in charge.

Mr. WEST. It may be very proper, and I shall not interpose any further objection, merely calling the attention of the Senator to the fact that the body is to be convened in extra session and will have the power to recreate its committees. Still it may be better to reach it in this way.

The resolution was agreed to.

By unanimous consent, the Chair was authorized to appoint the committee.

## MESSAGE FROM THE HOUSE.

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

A bill (H. R. No. 4817) to authorize the construction of a bridge across the Missouri River at or near Sioux City, Iowa; and

A bill (H. R. No. 3820) making appropriations for the support of the Army for the fiscal year ending June 30, 1876, and for other purposes.

## CIVIL SERVICE EXAMINATION.

Mr. WRIGHT. I ask that the Senate proceed to the consideration of the House joint resolution No. 51, reported on the 15th of May by the Senator from Ohio, [Mr. SHERMAN.]

The joint resolution (H. R. No. 51) in relation to civil service examinations was considered as in Committee of the Whole. It provides that in all cases under the civil service examinations for positions under the Government, when a disabled United States soldier, his wife, or the widow of a deceased soldier dying of wounds or diseases



contracted in the line of duty as such soldier, or his orphan child, shall pass such examination at the standard fixed by these rules, such person shall have precedence for appointment to any existing vacancy, anything in the rules of civil service to the contrary notwithstanding.

Mr. BAYARD. Is this resolution sought now to be put on its passage?

The VICE-PRESIDENT. The resolution is before the Senate, as in Committee of the Whole, and open to amendment.

Mr. BAYARD. Mr. President, it always seems an ungracious thing to stand in the way of any act of intended beneficence; but at the same time in legislation it strikes me that the first duty is broad and impartial justice. The fact that a man has been disabled in the service of his country, whether he be a soldier or a sailor or a civilian, undoubtedly makes him an object of gratitude and arouses in the breast of every patriot a desire to assist and succor him; but I do respectfully submit to the sense of the Senate that we ought not to choose any one class, any single profession from the ranks of our fellow-citizens and say that it shall, in the way of obtaining governmental positions, have precedence over any other class.

It is difficult to imagine a service more deserving of reward than that of him who has in any way brought himself into a condition of permanent disability by serving the whole public. But, Mr. President, there are men who fall before the scythe of death doing their duty in civil posts as distinctly and certainly as those who fall upon the field of battle or who are crippled from wounds received in battle. There are hearts that have longed as earnestly, there are brains that have toiled as painfully, there are frames that have suffered as much in the service of the public who are not described in this class as any who are described. Being indeed not a mere professed but a sincere friend of all these persons who have given us protection by their courage and devotion, I do not think that I could serve them by picking them out and selecting them from their fellows as the especial and preceding class to be rewarded. It is not just to others, Mr. President.

If in those who have the appointing or the electing power in this country there shall exist that feeling of justice, all things being considered—the fitness of the applicant, his title to public thanks and private thanks for his services—then the parties referred to by this resolution will not be neglected, their claims will not be derided, but they will be recognized, and their full share of public patronage and support in the way of official power will be given to them.

I do not think that a proper consideration for these disabled soldiers or their widows or their orphans would dictate such a measure as this. I am sure there is a feeling—I have it, and I believe every Senator in the Chamber has it—a feeling of tenderness and compassion already existing toward a crippled man or toward the child of a man who has fallen in defense of his country in any branch of the public service that would induce us to favor their applications, to say the least.

The public service of the country ought not to be conducted solely with a view of individual reward. That theory is not sound. It is public service that is needed. The office is created for the benefit of the public; the work to be fulfilled is to be public work; and those who have the trust of public power committed to their hands have no right to consider aught but the public good in filling the appointments. I do not believe in this theory of claims for office. An office is simply a position to which duties are attached for the performance of which an adequate salary is supposed in theory to be awarded. If the person fulfills his duty, then he owes the country nothing; and the country again having remunerated him, compensation having passed from those who receive the benefit of his labors, the account is squared. I say nothing of public opinion; I say nothing of that respect of our fellow-men which is one of the most wholesome and the strongest incentives to proper action, that will follow an honest life and honest service in whatever capacity a man may be found acting. But I think it is an evil for the country that the offices, the public duties of which have to be performed by somebody, should be regarded as rewards or considered in the light of patronage.

I submit to those who desire to pass this resolution these very candid remarks. I think that they would create toward this especial and selected class of meritorious fellow-citizens of ours a jealousy which may interfere with a proper appreciation of their services. If, as I said, the feeling should exist which I believe does exist, which every man feels and which we see constantly recognized, there will be no necessity for a resolution of this kind that shall compel every other class of citizens to stand back until the prior claims of an especial class, a select class, a preferred class, have been passed upon before them. This strikes me as being a very defective principle. We are forbidden by the Constitution of the United States to hold titles; we are forbidden to have ranks. It is our pride and glory that under our form of government we stand equal before the law. Now here is a case of preference. It is proposed to be given to a class for whom I most unaffectedly proclaim my personal sympathy; but I consider the precedent a bad one. I consider the principle of this resolution an utterly unsound one. The popular choice regulates itself. That you cannot pretend to control by a resolution of this kind; but you are here attempting to control the discretion and the sound sense of duty of your Cabinet officers and what you may term your superior officers in civil service; and I do respectfully submit that the principle of

this resolution is unsound, and it will in the end provoke a feeling of opposition to the very class that you design to favor and protect. That I do not wish to see. I prefer to allow them to retain the hold they have upon the kind feeling and sympathy of their fellow-men, and not to disturb them by an arbitrary law or a resolution which shall say they are to be preferred over any and all others. It is perfectly easy for any man to imagine not one case but a thousand in which the sense of justice of the country, the sympathies of the best hearts of the country, would be demanded just as positively for some one not within the class referred to in this resolution as for any within the class referred to.

Therefore, sir, I trust that this, no doubt well-intended resolution, may not receive the assent of the Senate. The parties for whose benefit it is suggested will not fail to receive all proper and due consideration; but it is not a wise thing or a just thing, or in my opinion according to the spirit of our Constitution, to select a class and give them precedence for appointment to any class of office whatever. Let them stand, each upon individual fitness, upon individual merit, and let the first thing to be considered be capacity for public service.

Mr. SHERMAN. Mr. President, Congress since the close of the war has by several votes declared that it is the duty of the executive officers to give a preference, all other things being equal, to soldiers who suffered by wounds in the civil war, their widows, and their orphans. These resolutions have passed generally by the unanimous assent of both Houses. Similar resolutions in terms have been passed by the political parties all over the country. This joint resolution is but a simple effort upon the part of the House of Representatives to give some point to that common resolution. This joint resolution I am informed passed the House of Representatives by a unanimous vote and has been sent here and reported back and stands upon our Calendar. It is not subject to the objections made by the Senator from Delaware. These wounded soldiers, their widows and their orphans, are not selected as a favorite class to be benefited. They are not selected as the only class from whom appointments should be made. They are given no advantage whatever except in a slight degree, and that is only where they are equal in all other respects to the requirements made both by the law and the rules of examination. This resolution does not single out these wounded soldiers, their widows and their orphans, as alone the proper subjects of executive favor. Far from it. On the contrary it subjects them to what are called the civil-service rules. No person under this resolution could have any claim to the preference granted by it unless he had complied with in every respect and come up to the standard prescribed by the civil-service regulations. Where a wounded soldier, his widow, or his orphan, has passed the requisite examination and comes up fully to the standard prescribed by law and the regulations of the civil service—in such cases only the person's wound or the loss of a father or the loss of a husband shall turn the table in the choice between that person and some civilian.

Mr. BAYARD. Will the Senator allow the resolution to be read?

Mr. SHERMAN. I may have it read before I am through. If we mean anything at all by the resolutions which have been passed from time to time in favor of the soldier, his widow, and his orphan, we cannot make that manifest in a less degree than by this proposition. Here the soldier, the widow, or the orphan subjects him or herself to a rigid examination. He or she must come up to the full standard of merit, to the full standard of qualification; and if he or she does, it seems to me it is saying but little that he or she shall have the choice as against some other equally meritorious person probably, but who has not suffered so much.

There is another thing to be considered, and the reason for this proposition is this: Most of these soldiers while in the service entered it in the younger years of their life; by their service they were deprived of the opportunities of education which would have been open to them probably if they had not entered the service. Where a wife lost her husband, probably she was thus left exposed to poverty and the misfortunes of life, her husband having died in the service of his country. These orphan children might have been deprived by the loss of a parent of the opportunities of an education, the means by which they could compete in all respects with more favored persons in private life. But if they have been able to overcome all these difficulties growing out of the service of the soldier, and if under all these circumstances they are able to pass the examination provided by your laws and the civil-service regulations, why should not their loss by the service of the parent or the husband or their own inability, occasioned probably by reason of this service, to obtain the full elements of an education, be counted if they are able to show by their examination that they have the substantial qualifications requisite to fulfill the duties of the proposed office?

Now, Mr. President, I hope this resolution will pass. My friend from Delaware I hope will assent to its passage. It can do no possible harm. It is a legal recognition of that obligation which we have so often complained in general terms has not been attended to. It will not interfere with the public service, but will give these people who have sacrificed husband or parent to the public service a positive recognition, more than a general stump resolution. I hope the resolution will pass by general consent.

Mr. BAYARD. Mr. President, I do not suppose the honorable Senator from Ohio intended it, but it seems to me it was scarcely just to appeal to me not to stand in the way of the passage of this resolu-



tion when he has based his only ground for it upon our human sympathy. Sir, I think I feel for these unfortunates quite as keenly as does any Senator in this body. I never have in passing through our public Departments here seen men with empty sleeves but that I felt rejoiced that they should at least have the means of procuring an easy livelihood. Nay, sir, I wish to say that I do not think there has been one-half enough of that. Where you find one of your fellow-citizens incapacitated to perform the ordinary avocations of life, why should not he have precedence for office requiring nothing in the world but honesty, integrity, and sobriety? I speak of the various messengers throughout our Departments, and I say to-day I wish they all were filled by men who wore upon their persons marks of duty to their country. It has not been done so to one-fourth of the extent that I would wish to see it done. I never have seen a man whose disability was the result of his patriotic action rewarded by a place which may be called a sinecure—and there are not a few of them—where my heart did not give a ready assent to it, and I rather envied the power that placed it in the hands of others so to reward deserving men.

But, Mr. President, the honorable Senator is mistaken when he says that this is not a selection of one class of citizens to the prejudice of another. Whatever this "civil service" is, and I admit it is rather a myth to my mind, I have never seen much practical operation of it, but on the contrary I have seen it derided over and over again since it has been talked of in the last few years; there is now a standard, they say, of examination. All can approach it; all must submit to it; and after that has been done, and after the child of any citizen, however deserving, has passed it, here is a rule that there shall be an especial class that shall have precedence over the other class. My friend stated he would read this resolution. He forgot to do so. Let me read it now:

That in all cases under the civil-service examinations for positions under the Government, when a disabled United States soldier, his wife, or the widow of a deceased soldier dying of wounds or diseases contracted in the line of duty as such soldier, or his orphan child, shall pass such examination at the standard fixed by the said rules, such person shall have precedence for appointment to any existing vacancy, anything in the rules of civil service to the contrary notwithstanding.

There is no getting over the effect of it. I only wish the Senate to understand that in my opinion it is legislating under sympathy just, honorable, natural, humane, but it is basing your legislation upon sympathy and not upon the broad rules of general and exact justice. Depend upon it that justice, the rarest of all human attributes, requires us constantly to watch our sympathies; and God knows here in the city of Washington there are enough of appeals to them. I know this, obscure as is my position in this body, unimportant as it is in all the circles where power prevails to make appointments to office, that even at my residence there are applications of widows, of gentlewomen who have known better days, the saddest of all sad classes, who come there asking for recommendation that they may be permitted in any way to earn their bread at public employment. They tell me, widowed women, of families of little children dependent upon them and their needles for support. Why, Mr. President, these cases which I speak of are not peculiar to me; I know there is not the heart of a Senator in this body that has not been appealed to and distressed by the repetition of such cases. Now, in view of this terrible misery and the amount of it prevailing in the community, I do submit that you have no right to select a class and say it shall have precedence. I make no empty professions. It strikes me as being unworthy to be professing extreme tenderness for any particular class. I can only say that it would be disgraceful not to have this sympathy; but I do say that your law should be founded upon a sense of broad and equal justice. If it be based upon mere sympathetic emotion, depend upon it, Senators, you have chosen a wrong precedent for your action. I shall not deny the kindness of your intent; I shall utterly deny the soundness of your basis of legislation.

Mr. MORTON. Mr. President, this resolution simply proposes that the disabled soldier, his widow or his orphan where he has died of disease contracted in the service, if they can stand the examination under the civil-service rules, shall have the preference in the appointment over any other person who was not a soldier or the widow or orphan of a soldier. Now is that based on mere sympathetic emotion, as described by the Senator from Delaware? If we regard the disabled soldier or his family as having any claims upon the public gratitude for wounds incurred in the service or for a husband or father lost in the service, if they have any claims that we are willing to recognize, I should like to know how we can vote against the resolution.

Mr. WRIGHT. Mr. President, I trust we shall have a vote upon the resolution. I only desire to say one thing: If it be founded on sympathy alone, I am for it; but it stands upon a higher and better plane than that even, because it is the clearest justice. Both because it appeals to our sympathies, if you stand upon that ground, and because it is pre-eminently just, I trust the resolution will pass.

Mr. ALCORN. Mr. President, I shall vote against this resolution, and I desire to give the reasons why. To express the sympathy that I have for the soldiers who suffered during the period of the revolution I scarcely deem it necessary. I think that they are entitled to the thanks and the consideration of the nation, and that upon all proper occasions they should be preferred for positions which are to be occupied in the discharge of duties belonging to those who trans-

act the affairs of the Government of the United States. But I propose to leave this matter precisely where at present it belongs: with the executive and administrative departments of this Government. I propose not to suggest to officers of the Government of the United States in this general way whom they shall take into their offices. They are responsible to the people for the discharge of the duties of their several offices; to them belongs the responsibility; and it is not for Congress to suggest to any public officer who has the responsibility of the discharge of duties upon him as to whom he shall take into his employment.

But, sir, there is another view of this case. This resolution practically excludes the Southern States from any participation in the offices of this Government. But, sir, statesmanship demands that all the people of this nation shall be recognized; that none shall be by law excluded; and however contemptuously Senators may treat this suggestion, I say that the highest duties of statesmanship demand that the southern people who participated in the rebellion, but who stand to-day ready to go forward under the Constitution, under the laws, and under the demands of that patriotic duty which they owe to the Government, should be recognized, and that they should be permitted to share in the offices of the nation. Up to this time they have been almost totally excluded, and the effects of that exclusion are to-day apparent in the land. If you leave this patronage precisely where it now is, with the Executive and the subordinate Departments of the Government, there is no question but that they will discriminate sufficiently for all practical purposes, sufficiently for all the demands of humanity, in favor of the widows of the soldiers of the late revolution. I propose to leave there the discrimination. There can be no question but that the Union soldiers, their widows and orphans, will be awarded with a liberal hand, as they should be, their proper share of the public offices. Those who suffered most and did most to protect and defend the life of the nation should not nor will they be overlooked. I trust I shall not be wanting in my duty in this respect.

I do not propose to vote for any law, nor do I propose to support any resolution in this or any other Congress whereby the people of my State shall be excluded from the Departments at Washington. Practically they are now excluded, but I do not propose to dignify the wrong by giving it the indorsement of the Congress of the United States. If the principle of the resolution is good here, it applies as well to the State governments. Carry the suggestion out in its comprehensive scope, and you must give the governments, State and Federal, to Union soldiers only, and let others stand aside.

Mr. FENTON. Mr. President, I shall vote for the resolution, though I have no idea that the appointing power or the party that would disregard the superior claims of the soldiers in the spirit of the resolution without law would pay much regard to the superior claims of law. I have no idea that it will be of much value; still I shall vote for it because I think it is a discrimination, if it can be made, in the right direction.

The joint resolution was reported to the Senate, ordered to a third reading, and was read the third time.

Mr. EDMUNDS and Mr. WRIGHT called for the yeas and nays on the passage of the joint resolution.

The yeas and nays were ordered; and being taken, resulted—yeas 36, nays 8; as follows:

YEAS—Messrs. Allison, Anthony, Boutwell, Chandler, Conover, Dorsey, Edmunds, Fenton, Ferry of Michigan, Flanagan, Frelinghuysen, Gilbert, Gordon, Hamlin, Hitchcock, Howe, Ingalls, Jones, Merrimon, Mitchell, Morrill of Vermont, Morton, Oglesby, Patterson, Pease, Pratt, Ramsey, Robertson, Scott, Sherman, Spencer, Stewart, Wadleigh, Washburn, Windom, and Wright—36.

NAYS—Messrs. Alcorn, Cooper, Dennis, Hager, Hamilton of Maryland, McCreery, Saulsbury, and Sprague—8.

ABSENT—Messrs. Bayard, Boggs, Boreman, Brownlow, Cameron, Carpenter, Clayton, Conkling, Cragin, Davis, Eaton, Ferry of Connecticut, Goldthwaite, Ham, Ilton of Texas, Harvey, Johnston, Kelly, Lewis, Logan, Morrill of Maine, Norwood, Ransom, Sargent, Schurz, Stevenson, Stockton, Thurman, Tipton, and West—29.

So the joint resolution was passed.

The VICE-PRESIDENT. The morning hour having expired, the Chair calls up the unfinished business of yesterday, being the Indian appropriation bill.

Mr. WRIGHT. I desire to say before that business is taken up that the morning hour has been consumed in the passage of two matters reported from the committee of which I am chairman. There are two or three other matters of great importance which I do not propose now to antagonize with the appropriation bill, and will not at any time; but there are two or three matters to which I shall ask the consideration of the Senate when I do not antagonize the appropriation bills.

Mr. WINDOM. I call for the regular order.

HOUSE BILL REFERRED.

The bill (H. R. No. 3820) making appropriations for the support of the Army for the fiscal year ending June 30, 1876, and for other purposes; was read twice by its title, and referred to the Committee on Appropriations.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. FRELINGHUYSEN submitted an amendment intended to be proposed by him to the bill (H. R. No. 4740) making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes; which was referred to the Committee on Commerce, and ordered to be printed.



HOOR OF MEETING OF THE SENATE.

Mr. EDMUNDS. I ask leave to offer the following order; which may lie over until Monday:

Ordered, That the daily hour of meeting of the Senate shall be ten o'clock in the forenoon until otherwise ordered.

INDIAN APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 3821) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1876, and for other purposes, the pending question being on the amendment of Mr. HITCHCOCK to add to the first section of the bill the following item:

To reimburse white settlers for losses and destruction of property by depredations of Indians \$4,700,179.30, said sum being the amount of such claims examined by the Secretary of the Interior and officially reported to Congress.

Mr. WINDOM. There was a point of order made upon this amendment last night and the Chair ruled that the point of order was well taken, and upon that the Senator from Nebraska appealed from the decision of the Chair. I move to lay the appeal on the table.

Mr. HITCHCOCK. I hope the Senator will not insist upon that motion.

Mr. WINDOM. I think the Senator from Nebraska was justly entitled in the condition of things last night to his five minutes. So I waive the motion to lay on the table for that time and will ask the Chair to recognize me to renew it when the Senator concludes.

Mr. HITCHCOCK. Mr. President, I have no desire to consume the time of the Senate in discussing at any length either the merits of the amendment which I offered last night or the point of order which was raised. I offered the amendment, however, in perfect good faith. The Senator from Minnesota seemed to assume that I was joking and raised the point of order that this was a private claim and had not been submitted to any committee and reported by the Committee on Appropriations and was therefore out of order. I insist that this is not a private claim nor an aggregation of private claims in the sense in which the Senator used the term and in the sense which would rule the amendment out of order, and I insist that it is in order in accordance with the rules, being an appropriation to be made in accordance with the provisions of law; and to sustain that point I desire to read section 7 of the act approved May 29, 1872, which is as follows:

SEC. 7. That it shall be the duty of the Secretary of the Interior to prepare and cause to be published such rules and regulations as he may deem necessary or proper, prescribing the manner of presenting claims arising under existing laws or treaty stipulations for compensation for depredations committed by the Indians, and the degree and character of the evidence necessary to support such claims; he shall carefully investigate all such claims as may be presented, subject to the rules and regulations prepared by him, and report to Congress, at each session thereof, the nature, character, and amount of such claims, whether allowed by him or not, and the evidence upon which his action was based: *Provided*, That no payment on account of said claim shall be made without a specific appropriation therefor by Congress.

In accordance with that provision the Secretary of the Interior has reported a list of claims amounting in the aggregate to \$4,700,179.30, and to carry out his recommendation and in accordance with his action and in conformity to law I offer this amendment, and I insist that it is in order and cannot be ruled out of order.

I do not expect of course that such an amendment will be adopted now. I do not expect that an aggregate of nearly \$5,000,000 will be appropriated for this purpose at this time; but I desire that it shall go upon record. I desire that the Senate and the country shall understand that there is another side to this Indian question which is very rarely heard on this floor. We have had the usual annual appropriations for the benefit of the Indians; we have had the usual annual eulogies upon the character of the Indians, the usual annual wail over Indian wrongs and sorrows and sufferings, and the usual annual denunciations of the outrages of the savage white man who has penetrated to the sylvan retreats and disturbed the peace and beautiful life of those noble red men. I desire it to go at the same time upon the record that there are to-day \$5,000,000 of claims for the destruction and loss of white men's property which this committee did not report upon, but which they were bound to report and consider in accordance with the provisions of law.

Mr. WINDOM. After listening to the reading of the statute by the Senator from Nebraska I withdraw my point of order.

The VICE-PRESIDENT. The point of order is withdrawn.

Mr. WINDOM. I now move to lay the amendment on the table, and I make this motion based upon the statement of the Senator from Nebraska himself that he does not expect the amendment to prevail; and if so we had better not spend any more time in discussing it.

The VICE-PRESIDENT. It is moved that the amendment lie on the table.

The motion was agreed to.

Mr. STEVENSON. I now offer this amendment, to come in at the end of section 10:

And each Indian agent shall keep a book of itemized expenditures of every kind, with a record of all contracts, together with the receipts of money from all sources, and the books thus kept shall always be open to inspection, and the said books to remain in the office at the respective reservations, and not to be removed from said reservations by said agents, but shall be safely kept and handed over to his successor; and true transcripts of all entries of every character in said book shall be

forwarded quarterly by said agent to the Commissioner of Indian Affairs: *Provided*, That should any agent make any false entry in said book or in the transcript directed to be forwarded to the Commissioner of Indian Affairs, or shall fail to keep a perfect entry in said book as herein prescribed, he shall be deemed guilty of a misdemeanor, and on conviction before any United States court having jurisdiction of such offense shall be fined in a sum not less than \$500 nor more than \$1,000, at the discretion of the jury, and shall be rendered incompetent to hold said office of Indian agent after a conviction under this act.

Mr. EDMUNDS. I move to amend the amendment by inserting the word "knowingly" before the word "make."

Mr. STEVENSON. I accept the amendment.

The VICE-PRESIDENT. The amendment will be so modified.

Mr. EDMUNDS. And also to insert the word "knowingly" after the word "shall," because otherwise the person might be punished for making an innocent false entry.

Mr. STEVENSON. I think that is very proper, and accept the modification.

The VICE-PRESIDENT. The amendment will be so modified.

The amendment was agreed to.

Mr. BOGY. I offer an amendment recommended by the Commissioner of Indian Affairs. It is after the word "dollars," in line 1898, to insert—

To enable the said Kaskaskias, Weas, Peorias, and Piankeshaws to buy seed and grain for farming purposes, the Secretary of the Interior is hereby authorized to withdraw from their invested funds the sum of \$10,000, and pay the same to them as a *per capita* payment.

This is not an appropriation. It takes \$10,000 of the funds now belonging to those Indians, they having in the Treasury a large fund, to enable them to farm this year. They have suffered exactly as the people of Kansas have and are in the same condition—perfectly destitute. Their crops are destroyed there by grasshoppers or by drought. Now, they want to use \$10,000 of their own money, and it is recommended by the Committee on Indian Affairs.

Mr. WINDOM. Is the amendment reported by the Committee on Indian Affairs?

Mr. BOGY. Yes, sir.

Mr. WINDOM. I make no objection to it then.

The amendment was agreed to.

Mr. BOGY. On page 33, in relation to the Miami Indians, I have an amendment of the same nature. I move to strike out from line 802 down to line 820 and insert what I will read. I will state that the Miami Indians have now in the Treasury something like \$160,000. They are in a destitute condition, owing to the same reason which I gave in regard to the other Indians. Their crops were either destroyed by grasshoppers or prevented by drought. Under the treaty of the 5th of June, 1854, they are entitled this year to \$11,500, and the bill provides that it shall be paid for a miller and other purposes which are specified. They need neither a miller nor a gunsmith. The object of the amendment is to pay the money *per capita*, so that they shall be enabled to buy grain and seeds for this year. In lieu of the words I propose to strike out I move to insert:

That the sum of \$11,500, due the Miami Indians under the treaty of the 5th of June, 1854, be paid to said tribe of Indians *per capita*, so as to enable them to pay for seeds and grain for farming purposes.

This is recommended by the Committee on Indian Affairs. It is a necessity, a matter of charity. It is not an appropriation of Government money; it is their own money which they desire to have applied in this manner so as to enable them to buy grain and seeds for this year.

Mr. EDMUNDS. I should like to hear the recommendation of the Commissioner of Indian Affairs read.

Mr. BOGY. I have not the recommendation with me, but it is in the room of the Committee on Indian Affairs.

Mr. EDMUNDS. Then let me suggest to the Senator that striking out these items leaves the treaty obligation still in force, and some friends of the Indians next year may come forward and say, "To be sure, you gave us that, but we are still entitled to what the treaty calls for," and so we may be obliged to pay double.

Mr. BOGY. I have in my hand the request of the Indian chief himself who is in the city.

Mr. EDMUNDS. But the Indian chief cannot waive the rights of his nation in the Senate. He must communicate with the executive head of the Government, who would communicate to us whether the terms on which we have engaged by this treaty to act are to be varied or not. We cannot bind the Indian nation by any direct arrangements with them here. I submit that we do not know in this way the authenticity of the authority which may be produced. We ought to have it in the regular way.

Mr. BOGY. I will state that it has been customary to make appropriations for a miller, but in point of fact there is not a miller among those Indians. The tribe consists of only one hundred and ten or one hundred and fifteen Indians. There is not a miller or a gunsmith with them; and this money is not needed for education, because they have a sufficient fund without it for that purpose.

Mr. ALLISON. I ask my friend from Missouri not to press the amendment. I think it ought to have fuller consideration. I do not know what the treaty stipulations are with these Indians. The proposition has not received that consideration which I think it ought to receive before being placed in this bill.

Mr. INGALLS. If I understood the Senator from Missouri correctly, he said that this amendment and the one previously offered

by him had received consideration by the Committee on Indian Affairs and been acted upon favorably by them. It must have been during my absence from the committee, for I am not aware that either of these amendments has been acted on by the committee.

Mr. BOGY. The Senator is correct; he was not there. The Senator from Iowa, [Mr. ALLISON,] the Senator from Kentucky, [Mr. McCREERY,] and myself were there.

Mr. INGALLS. At the same time it is my judgment that the interest of these Indians would be subserved by the adoption of these amendments; and inasmuch as they do not provide for any additional appropriation to the bill, they are not liable, as it seems to me, to the point of order, and I trust the Senate will consent to their adoption.

Mr. HARVEY. I appeal to my colleague that these amendments are truly for the good of the Indians; and inasmuch as they make no additional appropriation, I hope the Senate will adopt them.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri.

The amendment was rejected.

Mr. INGALLS. Upon the 17th of this month I submitted an amendment to the bill which was referred to the Committee on Appropriations. I now offer it and ask that it be read.

The amendment was read, as follows:

SEC. —. That the Secretary of the Interior be, and he is hereby, authorized and required to pay to the treasurer of the Cherokee Nation of Indians, at his earliest convenience, the sum of \$300,000, from the trust funds held by the United States, belonging to said nation of Indians, arising from the sales of the Cherokee lands lying south of Kansas and west of the ninety-sixth meridian of west longitude, (disposed of to the Osage Indians;) said amount to be used by said nation in purchasing breadstuffs for said Cherokee Indians, rendered necessary to keep them from suffering in consequence of the destruction of their crops during the past season by the drought, grasshoppers, and chinch-bugs; and that said amount shall be distributed among said Cherokee Indians as provided by an act of the Cherokee national council approved November 19, 1874.

SEC. —. That said amount shall not be paid to the said treasurer of the Cherokee Nation until the Secretary of the Interior shall have received in his office a duly certified copy of the said act of the national council of the Cherokee Nation, approved by the principal chief of said nation.

Mr. WINDOM. I ask the Senator if that has been considered by the Committee on Indian Affairs and received its approval?

Mr. INGALLS. It has not been before the Committee on Indian Affairs, but was referred to the Committee on Appropriations.

Mr. WINDOM. I do not like to make a point of order on a proposition of that sort.

Mr. INGALLS. I can hardly conceive that the amendment is amenable to a point of order. It does not provide any additional appropriation in the bill, and therefore is not open to an objection that the Senator from Minnesota might presume. It is simply to transfer a certain portion of the funds belonging to the nations themselves, in accordance with the request of their own legislature, the proceeds to be disposed of in accordance with the terms of the amendment.

In this connection I will send to the Clerk's desk and ask to have read a communication from the Commissioner of Indian Affairs, dated the 30th December, 1874, a communication from B. H. Ross, W. P. Adair, and J. H. Scales, of the Cherokee Nation, addressed on the 24th of December, 1874, to the Commissioner of Indian Affairs, and also a certified copy of an act passed by the legislative council of the Cherokee Nation on the 19th of November, 1874, in relation to the subject mentioned in this amendment.

The PRESIDING OFFICER. (Mr. FERRY, of Michigan, in the chair.) The Chair understands that the proposed amendment does not increase the appropriation and that one day's notice of it has been given. It is therefore in order.

Mr. INGALLS. It was referred to the committee, and makes no additional appropriation.

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

Mr. WINDOM. If that amendment is to be adopted, it seems to me the amount ought to be stated.

Mr. INGALLS. The amendment is entirely well guarded, as it seems to me, by requiring the money to be expended under the direction of the Secretary of the Interior. I will ask, however, that the amendment may be so modified as to render the appropriation immediately available.

The PRESIDING OFFICER. The Chair hears no objection, and that modification will be made.

The amendment was agreed to.

Mr. THURMAN. I have an amendment to offer to this bill, to which I very earnestly invite the attention of the Senate, because it seems to me to be a matter of very great importance. I move to strike out all of the seventh section from the beginning down to and including the word "provision," in the ninth line. I ask that it may be reported.

The PRESIDING OFFICER. The Secretary will report the amendment.

The CHIEF CLERK. It is proposed to strike out all after the word "that," in the first line of section 7, down to and including the words "and that" in the ninth line, in the following words:

All appropriations made for teachers, millers, blacksmiths, engineers, carpenters, physicians, and other persons employed in the Indian service, and for various articles provided for by treaty stipulations, may be diverted to other uses for the benefit of various Indian tribes, within the discretion of the President, and with

the consent of said tribes expressed in the usual manner, and that he cause report to be made to Congress, at the next session thereafter, of his action under this provision; and that.

So that it will read—

Mr. THURMAN. That is sufficient. The provision which I move to strike out puts it within the power of the President of the United States, with the consent of the Indian tribes respectively, expressed in the usual manner, whatever that may be, to divert all the appropriations for the purposes named in this provision, from the uses declared by the treaties with the Indians and apply them to such other uses as the President and the tribes, respectively, may agree.

Now, how much is covered by this provision? This bill in its aggregate appropriates about five million one hundred and some odd thousand dollars, and of those \$5,100,000 nearly the entire amount is covered by this provision. This provision covers, I am safe in saying, not less than four millions and three-quarters if not \$5,000,000 of the \$5,100,000 in the bill. Thus it is proposed to allow treaties made with the Indians by the President, by and with the advice and consent of the Senate, to be wholly set aside, so far as the use of these \$5,000,000 is concerned, by agreements made, not by the President in person, for he cannot make them, but by the various Indian agents and the Indian tribes, they giving "their consent," as it is said, "in the usual manner." What that "usual manner" is we do not know, but we may infer that it is simply such assent as the Indian agents can obtain from them and report to the President. Thus the Senate is to be ousted of all its jurisdiction in this matter, the treaties made by and with the advice and consent of the Senate are to be set aside by bargains made by Indian agents thousands of miles from here, with the tribes or such members of the tribes as they may represent as giving the consent of the tribe in the usual manner.

Mr. President, I am aware that something of a similar character has been in Indian appropriation bills before; I remember opposing just such a provision on a former occasion; but I do say that it is monstrous that we should legislate in this manner. In the first place, it is monstrous to put at the absolute discretion of the President the distribution of these \$5,000,000. Even if he could exercise his own discretion it would be altogether wrong, and in my judgment unconstitutional, too, for a reason which I will state in a moment. But when we come to consider that the President cannot act of his own knowledge, that it will be simply the action of the various Indian agents, the idea of dispensing with the provisions of treaties or allowing money, or provisions, or goods or the like, which the treaties require shall be furnished to the Indians, to be disregarded and set aside and other provisions, or money, or the like to be given them instead, is to me entirely shocking.

Let me call the attention of the Senate to this provision of the Constitution:

No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

Is it a compliance with that provision in its true spirit and essence to make an appropriation for the fulfillment of treaty stipulations and then put it in the power of the President utterly to disregard every one of those treaty stipulations and expend that money precisely as he may see fit to expend it with only the limitation that an Indian agent shall obtain what he calls the usual consent of the Indian tribes? I say that it is a clear violation of the spirit of the Constitution. The Constitution means that our appropriations shall be specific, so that the money shall be expended for the purpose for which we appropriate it. When we appropriate money to carry out the purposes of a treaty, the requirements of the treaty, the Constitution means that that money shall be thus expended; and it does not mean that you shall appropriate \$5,000,000 at a time to be expended according to the discretion of any man whatever.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. THURMAN. I hope that this amendment of mine will not be resisted.

Mr. HAMLIN. I do not know what has been the practice in this body in relation to the appropriation bills heretofore; I have not looked to see whether they have contained an appropriation similar to this or not.

Mr. WINDOM. The bill last year did.

Mr. HAMLIN. I am told by the Senator from Minnesota that the bill last year did contain a provision like this. I have only to say that I think the statement made by the Senator from Ohio is one which ought to commend itself to the judgment of this body. I do think that this clause in the bill is pernicious to the last degree. Look at it. We have certain treaty stipulations with the Indian tribes, under which we are obliged to provide them with certain specified things, and it is for those provisions and to furnish the precise articles called for by the treaties that we are called upon to make the appropriations. When you depart from that you may as well incorporate in a bill a provision that you will appropriate a given amount of money in gross, without specifying the objects and purposes for which it shall be used, and then say the President shall have control of it. Everybody here knows as well as he knows anything that neither the President himself nor the Secretary of the Interior, nor any one who might be responsible, would be the party to control it. It would be controlled by some other individual and that other individuals in connection with the tribe of Indians. I take it that none of these tribes, however advanced in civilization, are remarkable for



their economy or their use of means placed in their hands, and I apprehend that it would not be difficult to find chiefs of tribes who would divert this money from useful purposes and expend it for purposes that would not be useful.

Mr. MORRILL, of Vermont. May I ask the Senator from Maine a question?

Mr. HAMLIN. Certainly.

Mr. MORRILL, of Vermont. Does not the Senator also think that if any of these appropriations were applied to a different purpose from that agreed upon in the treaties the Government of the United States would be liable to be called upon to reimburse the amount?

Mr. HAMLIN. If the Senator had not asked me the question and had waited one single moment longer, I should have come to that precise point, for it was distinctly in my mind, that under these treaties, if we divert the appropriations which we are obliged to make, if we spend the money in a different way, they may come at least with an equitable claim, and ask us to fulfill hereafter stipulations which we have failed to fulfill by diverting the appropriations to another purpose than that provided for in the treaties. I think that is a very pernicious clause.

I will not refer to the constitutional argument which the Senator from Ohio makes, but I think there is at least much force in it. Taking it, however, upon a simple economical view, I think the Senate ought to strike out this clause in the bill.

Mr. WINDOM. I do not wish to debate this question or to make any resistance to the motion of the Senator from Ohio. All I want to do is to state what the object of this provision originally was as it came from the House either one or two years ago; I am sure it was in the bill of last year. There are in all the various treaties provisions for the employment of blacksmiths, carpenters, and other employes, and for the purchase of useful articles for the Indians which they may need. The design originally was, as we were bound to supply a certain amount under the treaty, to give it in such a way as would really benefit the Indians. If there be any serious objection suggested by gentlemen, I will not resist the amendment; I will only say that the clause was in the bill of last year, and I know of no difficulties having arisen from it. It is to be regretted that we are compelled to appropriate under treaty for the purposes of Indians, nor can we by the adoption of this amendment avoid that. I am not certain but that there are dangers connected with it which should justify us in amending it. I make no resistance to the proposition, but submit the question to the Senate.

Mr. BAYARD. I would ask the attention of the honorable Senator who has charge of this bill. May I ask from him the amount of the appropriations referred to in section 7?

Mr. WINDOM. I have not footed them and cannot tell. I think the Senator from Ohio has overestimated the amount to be covered by this provision very largely.

Mr. THURMAN. I state that amount on consultation with the chairman of the Committee on Appropriations. He gave me the figures.

Mr. WINDOM. There is a very large amount of money here appropriated for fulfilling treaties to be paid in money. The clause certainly would not cover that amount, which is more than \$100,000. It may not be a very large amount.

Mr. THURMAN. It is over four millions and a half anyhow.

Mr. BAYARD. Mr. President, I think the Senate and the country are indebted to the Senator from Ohio for the suggestion that he has made upon this question, and I am glad to find his views indorsed by so experienced and able a Senator as the Senator from Maine. It strikes me very fairly and very forcibly that this is really an appropriation so utterly indefinite, so vague as to its object, that as a matter of law it fails. You have made appropriations for teachers, millers, blacksmiths, engineers, carpenters, physicians, and others employed in the Indian service. These are all well-defined occupations. Under treaty stipulations with these Indians you are obliged to supply them; but after having made this appropriation to them, which is perfectly correct and no doubt made with due examination as to the propriety of the amounts, you change the whole appropriation, you take the very heart out of the law, which is in its definition and distinctness, and declare that all this money may in the discretion of another branch of the Government be diverted to other uses.

Mr. President, such a charity would be incapable of execution in law if made in a man's will; it would be declared void. The very essence of law, especially under a limited government, is that it should be certain and it should be limited. Now, here there are appropriations to a very large amount, an amount of itself so important as to make us pause; but an amount also accompanied by a principle which I think is fatal to a law, and that is one of definition. I do not believe it is within the power of Congress, under the meaning and intent of the clause of the Constitution referred to by the honorable Senator from Ohio, [Mr. THURMAN,] to appropriate money to an indefinite end. Otherwise you may divert this fund to other uses in the discretion of any one. I care not how virtuous or high or large the individual is, I consider that you have departed from that certainty of limitation which is the measure of your power in a republic. We should in all these cases consider the principle upon which we act in legislation. I think the Senator from Ohio has rendered important service in pointing this out, and I am very glad to find that his proposition meets with the assent of the honorable Senator from Maine. I trust that his amendment, therefore, may be made, and that

the committee in making their appropriations will define the objects for which they are made, and that the money will be so appropriated that it shall not be capable of diversion to any other purpose.

Mr. WINDOM. I have no doubt that the money appropriated in many cases will be used much more advantageously for the Indians with the provision as it now is in the bill, because there are, as I said a moment ago, a great many cases under the treaties in which the money is not really needed for the purposes specified in the treaty, and yet we are bound to pay it. This provision simply leaves a discretion, not with the President of the United States but with the President and the Indians, expressed in the usual way. That usual way I suppose would be by treaty with them for the purpose of diverting their funds. I know of no other way, and the same sanctity exactly that has been given originally to the treaties would extend to these arrangements.

Mr. THURMAN. That cannot be contemplated, because a treaty requires confirmation by the Senate.

Mr. WINDOM. Perhaps I should not call it a treaty but an agreement with the Indians.

Mr. THURMAN. The Senator must also be aware of the fact that really under this provision we appropriate beyond the requirements of our existing treaties. For instance, the existing treaty requires us to keep up a blacksmith-shop at Chicago. That is a treaty obligation to-day; at least it was when the last Indian appropriation bill was under consideration. Now we cannot do that specifically, but we make an appropriation for keeping up a blacksmith-shop in Chicago and then allow an Indian agent to commute that for what sum he wishes, and of course the Indians will be glad to get the money.

Mr. WINDOM. What suggestion has the Senator to make about that?

Mr. THURMAN. Not to appropriate for a blacksmith-shop at Chicago.

Mr. WINDOM. Although the treaty may require it?

Mr. THURMAN. Because the use has become extinct. That is only one instance out of many.

Mr. BAYARD. Does the honorable Senator think that it is competent for Congress to make appropriations to the extent of treaties that do not now exist?

Mr. WINDOM. To be expended as may be agreed upon with the Indians, the persons who are to receive the benefit.

Mr. BAYARD. I apprehend that our present laws are made to carry out our present treaty stipulations. The honorable Senator says that appropriations may be diverted to totally different uses, in the discretion of the President and with the consent of the tribes expressed in the usual way, and that consent is to be expressed by treaty hereafter to be made. It seems to me if that be the case we must wait until those treaties have been made before we can appropriate money under them. This is an appropriation bill to carry out existing treaty stipulations, and I submit that the point is very well taken by the Senator from Ohio in opposition to this view.

Mr. WINDOM. I will move, if it be in order, to perfect the section before it is stricken out, by striking out in lines 3 and 4 the words—

And for various articles provided by treaty stipulations.

That will leave but a small amount, so that it will obviate to a great extent the objection of the Senator from Ohio. It will leave but a small amount to be diverted in that way, and will really be for the benefit of the Indians. I submit it to the Senate.

Mr. THURMAN. It is very true that would reduce the amount, but it would leave the wrong principle and the wrong precedent, and the constitutional objection would remain just as before. It would have the further effect of which I spoke, that several of these appropriations, not a few of them, are for uses which have become obsolete and extinct and which we are therefore not bound by the treaty to provide for at all, as in the case I put, and in the case of certain schools to be kept at places where there are now no Indians at all, the Indians having been removed west of the Mississippi. Under cover of fulfilling those treaty stipulations, which are incapable of fulfillment, have become utterly obsolete and nugatory, it appropriates in effect a gross sum of money to be used as the Indian agents may see fit to use it.

I did not say before, for the reason that I had not time, what I now say, that I am assured that provisions of this kind, which allow a commutation, so to speak, or change of the uses declared in the bill, are one of the most fruitful sources of the frauds which are perpetrated by agents. We make an appropriation for a specific purpose. An agent is authorized to make a treaty between himself, in the name of the President of the United States, and the Indians, not a treaty such as the Constitution knows, not a treaty to be confirmed by the Senate, but a bargain, made a thousand or fifteen hundred or two thousand miles from here, that that money which we have appropriated for a specific purpose shall not be used for that purpose, but shall be used for the purpose that he and the head-men of the tribe may agree upon. I am assured by those who ought to know, by those who live where the Indians are, that this provision is one of the most fruitful sources of fraud and imposition by these agents. I hope that the whole will be stricken out. Of course I am in favor of striking out what the Senator from Minnesota moves to strike out, but I hope the Senate, if it carry that, will proceed further and strike out all that I have moved to strike out.

Mr. SPRAGUE. As one of the members of the Committee on Ap-

propositions, I desire to express my gratitude to the Senator from Maine and the Senator from Ohio for proposing thus publicly the amendment which is now before the Senate. It has occurred to me in that committee frequently that the latitude conveyed in this provision is of such a character as to put the whole Indian appropriations at very loose disposal, and undoubtedly frauds committed under it can be increased indefinitely. I trust that the amendment of the Senator from Ohio will prevail.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Minnesota to strike out the words "and for various articles provided for by treaty stipulations."

Mr. MORRILL, of Maine. That is to limit the exercise of discretion in regard to the treaties. I am inclined to think that ought to be done.

The amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Ohio to strike out section 7 from the word "that" to the word "provision," in line 9, inclusive.

Mr. THURMAN. I hope that will be adopted.

Mr. BAYARD. Let the clause, as amended, which is proposed to be stricken out, be read.

The Chief Clerk read as follows:

That hereafter all appropriations made for teachers, millers, blacksmiths, engineers, carpenters, physicians, and other persons employed in the Indian service may be diverted to other uses for the benefit of various Indian tribes, within the discretion of the President, and with the consent of said tribes, expressed in the usual manner, and that he cause report to be made to Congress at the next session thereafter of his action under this provision.

The PRESIDING OFFICER. The amendment is to strike out these words.

Mr. BOGY. It seems to me that the entire provision in the first line down to "law" in the fifteenth line should be stricken out.

Mr. THURMAN. The best way is to let the question be taken on my motion, and then the Senator can move to strike out the rest.

Mr. BOGY. The part to which I specially refer is in regard to contracts for goods and supplies.

Mr. THURMAN. Allow me to say to my friend that from the end of what I move to strike out in line 9 down to and including the word "law," in the fifteenth line, is a distinct matter from that which I move to strike out; it is on a distinct question; and I pray him not to confound the two together. Let the vote be taken on my motion, which I hope will prevail, and then the Senator can move to strike out further.

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

Mr. BAYARD. The first fifteen lines of section 7 are, in fact, a repeal of the whole bill, or nearly the whole bill. What is the bill for? It is a bill appropriating moneys for teachers, millers, blacksmiths, engineers, carpenters, &c., and other persons employed in the Indian service. That is just what the appropriation bill is for; and all these preceding eighty-odd pages, with their infinite variety of sections, are for this very purpose, which by lines 4 and 5 of section 7 are virtually repealed. After providing that these vast sums for all these various purposes shall be and are hereby appropriated, you then say that they may be diverted from these to some other uses not provided for or stated by law.

Mr. MORRILL, of Maine. Allow me to say one word in explanation?

Mr. BAYARD. Certainly.

Mr. MORRILL, of Maine. It must be remembered that this bill covers treaties dating back almost to the origin of the Government. It covers all the treaties for a period of seventy-five years. In almost all these treaties we have provided for this class or service, and the bill appropriates specifically for this service without any regard to the changed circumstances of the tribes. Some of these tribes have changed their relations so far as occupation is concerned, changed in their habits, changed in their position. Although we are obliged to appropriate for the purposes named in the treaties, it is found that a prudent discretion would require a different use of the money. We appropriate for so many blacksmiths, for so many employes, according to the language of the treaties, and we are bound to do it. Now, with the consent of the Indians, we provide that that money may be expended for other objects for their benefit. If it could be relied upon that that would be judiciously done, I think my honorable friend will see that it would be proper.

Mr. BAYARD. I can understand that practically this is the administration of a trust fund, and there is more or less of discretion required in the trustee. I recognize that to be the truth. I believe that a great deal of the injustice and trouble which have occurred in the course of this whole Indian business has arisen from the fact that we have been compelled to trust to the discretion of agents who have been selfish oftentimes; who have been warped by various causes from their duty to the Indians. But it does seem to me very plainly, and I submit it to my honorable friend, that this bill is contained in the seventh section, and all you want is a statement that so much money is to be appropriated for the benefit of the various Indian tribes to be expended within the discretion of the President and with the consent of the tribes, expressed in the usual manner, and that he cause report to be made to Congress at the next session of his action under this provision. If you pass that clause, it is enough; that is the substance of the bill as it is now. The controlling principle of this bill is found in that short language, and my honorable

friend will see that we might just as well pass that short act as resort to this long bill of eighty-three pages of print. By the first fifteen lines of section 7 you provide a general appropriation of four or five million dollars to be spent in the discretion of the various Indian agents. If they have the power at any time to divert these moneys as they have under this section, it seems to me useless to go through the trouble of passing this large bill. I think that is substantially the result.

Mr. MORRILL, of Maine. That remark is unanswerable in a certain sense, but it would apply to all the public service. It is rather in the nature of the budget of the British ministry.

Mr. BAYARD. My honorable friend does not mean to say that the budget, that is the sum total of the scheme of expenditure, is placed at the discretion of the officers charged with the disbursement?

Mr. MORRILL, of Maine. It is appropriated according to the specific estimates, which are vastly more detailed than ours.

Mr. BAYARD. But here the President appoints the officers who make the expenditures.

Mr. MORRILL, of Maine. Of course he does.

Mr. BAYARD. And the appropriations can be diverted to any other purpose in his discretion.

Mr. MORRILL, of Maine. That is to say we allow it in this instance. We adopt the other method. In our method of appropriations we require estimates, and in addition to that we prescribe specifically what shall be the disposition of the money.

Mr. BAYARD. That is the passage of a law and leaving it discretionary with your agents whether they will carry it into effect or not.

Mr. MORRILL, of Maine. That is true to a certain extent. We say that we make these appropriations specifically for this particular service, but if on taking into consideration the condition of that service it shall be found more advantageous to the Indians to receive the service which is due them in some other shape, we allow the exercise of that discretion in that particular instance. That is all there is of it.

Mr. HAMLIN. That being all there is of it, it is just so much too much in my judgment. You make a treaty with Indians and you have provided in that treaty that you will do certain things. Those things are enumerated. They are stated in this bill. You provide for teachers, for millers, for blacksmiths, for engineers, for carpenters, for physicians. Now we are told in the progress of time the tribes arrive at that point when they do not want a miller, when they do not need a blacksmith, and consequently the money which is not needed by the tribe for either of these purposes or any other may be better diverted to another object and will be more useful to the tribe in that way. Well, I concede all that; but when you divert it from the specific article named in the treaty to another purpose, the bill and the bill only should state that purpose, and it should not be left to the discretion of the President nominally, but actually of a person, whom my colleague and nobody else will know, who will do that work; and that money may be every dollar of it used at a hunting frolic or a war-dance.

Therefore the latitude of that section is unsafe. The very moment you divert the money from any specific purpose named in the treaty to any other, that other purpose not being required by treaty, you should state specifically in your bill what is to be done with it and leave it to the discretion of no one. That is safe legislation according to my judgment; the other is unsafe and wrong in principle, not to say that it is unconstitutional. For that reason I think this clause ought to go out.

We appropriate money under a treaty for blacksmiths. They are not wanted; they are not needed; it will do no good if it is appropriated to that purpose. Very well; still are we not obliged to appropriate that amount of money, having agreed to it in the original treaty? If so, then if it becomes wise to divert it to another purpose, state it and state it specifically, and let it be for schools or for some purpose that we shall know and that the law will define.

There has been a great deal said about the looseness of the expenditure of Indian appropriations. I do not know very much about it; but I do know enough to believe that we may not exercise too great care here in placing safeguards around the manner in which these appropriations shall be expended; and it does seem to me that this latitude is an unsafe one, and one which Congress ought not to justify under any state of circumstances.

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

The amendment was agreed to.

Mr. BOGY. I now move to strike out of section 7 all down to line 15 including the word "law."

The section as it is now reads:

That all appropriations made for teachers, millers, blacksmiths, engineers, carpenters, physicians, and other persons employed in the Indian service.

That includes these appropriations entirely amounting to millions of dollars.

The PRESIDING OFFICER. The Chair will observe to the Senator from Missouri that the last motion which was agreed to has stricken out of section 7 all down to line 9. The section now reads:

That hereafter no purchase of goods, supplies, &c.

The Senator will bear in mind that there is nothing in the section now from line 1 to line 9.



Mr. THURMAN. I hope the Senator will explain his amendment, because I really do not see objection to the clause from line 9 to 15.

Mr. BOGY. I move to strike out these words:

That no purchase of goods, supplies, or farming implements, or any other article whatsoever, the cost of which shall exceed \$3,000, shall be paid for from the money appropriated by this act, unless the same shall have been previously advertised and contracted for as heretofore provided by law.

I cannot see any diverting of money there, and yet I can very well see that it is nearly impossible to comply with the law. If the law can be complied with, the appropriation might lapse, and that would suit me very well. I therefore will not raise any objection to that claim.

The PRESIDING OFFICER. Does the Senator withdraw his motion?

Mr. BOGY. Yes; I withdraw it.

The PRESIDING OFFICER. If no further amendment be offered—

Mr. BOGY. On pages 33 and 34 I offered an amendment awhile ago, which was not adopted, in relation to the Miami Indians of Kansas. The bill as it now stands appropriates for various purposes for these Indians \$11,500. It was objected to awhile ago by the Senator from Vermont, because he thought it would be a violation of treaty obligations, and at his request I have drawn an amendment which removes the objection. I now move to strike out from line 802 to line 820, and to insert in lieu thereof the following:

So as to enable the Miami tribe of Indians to buy seeds and grain for farming purposes this year, the President of the United States may, with the consent of said Indians, use the sum of \$11,500, being the amount due them by treaty of 5th June, 1854, for this purpose, and this shall be taken as a compliance with the terms of said treaty.

It is carrying out the treaty as to the amount, but diverting the sum because the Indians are in a destitute condition, and this is at their own request. The appropriation cannot be made in this way unless it is done by the action of the President after obtaining the consent of the Indians. I submit the amendment.

As I said before, this is a matter of great importance to these Indians. They are in the condition of the people of Kansas; their crop has been entirely destroyed either by drought or by grasshoppers; and as we know that large sums are being raised all over this country for the relief of the citizens of Kansas, why should not these poor Indians who have money in the Treasury obtain this small sum? It is theirs, and they have asked for it. The provision is guarded sufficiently, so that there can be no trouble hereafter that the treaty stipulations were not carried out. I therefore hope the amendment will meet with no opposition. It is proper and just.

Mr. WINDOM. I would ask the Senator from Missouri if this amendment has been submitted to the Committee on Indian Affairs and received their approval?

Mr. BOGY. I will state to the Senator that an amendment differently worded was submitted to the committee and met their approval; but this has been submitted to the individual members of the committee now in the Senate and meets their entire approbation.

Mr. WINDOM. As this is a question of policy, and the Committee on Indian Affairs has indorsed it, I shall make no opposition to the amendment. I desire, however, to say to my friend from Ohio, and also to my friend from Delaware, that I think the Constitution is in danger again. This is precisely the same principle that alarmed our friends a few moments ago, as I understand.

Mr. THURMAN. I beg to correct my friend. If I understand the amendment of the Senator from Missouri, it makes a specific appropriation. It specifies the object. It does not leave it to anybody's discretion.

Mr. WINDOM. It specifies the object, but the diversion is to be made, as I understand the amendment, with the consent of the Indians, and the money is to be applied under a new agreement to be made hereafter. That was one objection urged by the Senator from Delaware; I do not know that it was by the Senator from Ohio.

One word further before I sit down. I think that our friends on the other side are a little confused about the Constitution, because the clause that we have just stricken out, if I may be allowed to refer to action elsewhere, is a pet amendment of a good democratic gentleman from Kentucky. It seems our friends are a little confused on constitutional questions, and do not quite agree among themselves. I have no objection to this amendment, however.

Mr. INGALLS. I heartily concur with the amendment offered by the Senator from Missouri. While it has not been formally acted upon by the Committee on Indian Affairs, I may say that it receives the sanction and approval of every member of the committee. I am also authorized to say informally that the subject has been referred to the Commissioner of Indian Affairs and that he also approves of it. I trust there may be no further delay in its adoption.

The amendment was agreed to.

Mr. MITCHELL. I offer the following amendment, to come in after line 1723:

That the Secretary of the Interior be, and hereby is, authorized to remove all bands of Indians now located upon the Alsea and Siletz Indian reservation, set apart for them by Executive order dated November 9, 1855, and restored to the public domain by Executive order of December 21, 1865, and to locate said Indians upon the following described tract of country, namely: Beginning at a point two miles south of the Siletz agency; thence west to the Pacific Ocean; thence north, along said ocean, to the mouth of Salmon River; thence due east to the western boundary of the eighth range of townships west of the Willamette meridian; thence south

with said boundary to a point due east of the place of beginning; thence west to the place of beginning; which is hereby set apart as a permanent reservation for the Indians now occupying the same, and to be hereafter located thereon. And all the balance of said Alsea and Siletz reservations is hereby thrown open to settlement under the land laws of the United States.

Mr. SHERMAN. I want to know if this comes from any committee. It is just by such amendments as this that the Indian appropriation bill has been made what it is—a mass of undigested legislation. I raise the point of order, if the chairman of the committee does not do it.

The PRESIDING OFFICER. What is the point of order?

Mr. SHERMAN. Whether this amendment comes from a committee.

The PRESIDING OFFICER. There is no appropriation in the amendment, as the Chair understands.

Mr. SHERMAN. This makes a new commencement of expenditure—the removal of Indians from reservations.

Mr. MITCHELL. Not at all. I will explain to the Senator and to the Senate the object of this amendment in a very few words.

Mr. INGALLS. Are there any white settlers on the tract proposed to be set apart as a reservation?

Mr. MITCHELL. There are not. In 1855 a treaty was made with these Indians that never was ratified by the Senate. Consequently that failed. In November, 1855, by Executive order a reservation was set apart for these confederated bands of Indians. That reservation extended for a distance of ninety miles along the Pacific Ocean, extending from Cape Lookout down the coast that distance, and extending out in an easterly direction twenty miles, creating a reservation of eighteen hundred square miles. In 1865, by another Executive order, twenty miles in width in the center of this reservation which under the former Executive order was designated as the Coast Range reservation, was relieved from the former Executive order and thrown open to settlement, thus creating two reservations, the one called the Siletz on the north, the other the Alsea on the south. Heretofore and at the present time we have and have had two agents, one in charge of the Siletz Indians and one in charge of the Alsea Indians. On the Alsea reservation there are about two hundred Indians. On the Siletz reservation there are about twelve hundred Indians. There is no necessity whatever for the Government paying two agents, as it is now doing. The Secretary of the Interior and the Commissioner of Indian Affairs are very anxious to have the authority to transfer the two hundred Indians of the Alsea reservation to the Siletz reservation and have a permanent reservation declared, and throw the rest of the country open to settlement. That is all there is in the amendment. Instead of taking anything out of the Treasury, it simply saves the amount that the Government is now paying in keeping up the Alsea Indian reservation.

I will say further that this measure is strongly recommended by the Commissioner of Indian Affairs and by the Secretary of the Interior, by letters which I have here, and also by a telegram which I have received this morning from the Secretary of the Interior, urging that this be done even though no appropriation be made. He thinks there ought to be an appropriation, but I am advised not to ask any appropriation.

Mr. THURMAN. I ask the Senator whether his proposition has been considered by any committee?

Mr. MITCHELL. I will state that it was submitted to the Committee on Appropriations about the time this bill was reported, and since that time I think I am justified in saying that I have had the consent of a majority of the Committee on Appropriations and also a majority of the Committee on Indian Affairs to offer this amendment.

Mr. ALLISON. The Committee on Indian Affairs considered this matter very fully and first objected to it simply because there was an appropriation asked of \$25,000. Afterward the Committee on Appropriations inserted for the benefit of this tribe \$15,000 with the understanding that these two reservations should be consolidated into one. There is no law authorizing it, but the Commissioner of Indian Affairs stated distinctly to us that no additional appropriation would be required if these reservations were consolidated. I think they ought to be consolidated.

Mr. SHERMAN. I desire to say a few words in regard to the character of this legislation. I can give the Senate some examples where this kind of legislation has brought us into trouble. Here is a proposition compulsory in its character without consulting the Indians to remove two hundred from one reservation to another, and the reason given for it is to save the expense of an Indian agency. That is a very small matter. The expense of removing these Indians according to the estimate of the Department is \$25,000. That is too much to pay to stop one agency.

Mr. MITCHELL. That is an entire mistake on the part of the Senator from Ohio.

Mr. ALLISON. If the Senator will allow me—

Mr. SHERMAN. If I have the floor I want my five minutes; I do not wish to be interrupted. The Senator from Oregon himself said that the Secretary of the Interior had estimated for this service \$25,000, but finding he could not get the appropriation or that there was doubt about it, in order to get a mandatory clause in the law for the removal of the Indians he was willing to do it without an appropriation. It was just such an amendment as this to an Indian appropriation bill that caused the Modoc war that cost us \$8,000,000.

A mandatory provision was made in an appropriation bill to compel the removal of a little band of Indians not two hundred in number. This is a serious matter.

Mr. THURMAN. Can my colleague tell us how much the Modoc war cost?

Mr. SHERMAN. Between eight and nine millions, I think, according to the War Department; but I am not certain. It was a great sum of money, and many men were killed in that war. The famous Choctaw claim arose under a resolution offered by a Senator from Arkansas, Mr. Sebastian, which was debated just about ten minutes. An objection was made to it, but Mr. Sebastian turned it off with a few words; and upon that award as it was said to be, a mere resolution of the Senate, was founded the famous Choctaw claim which was defeated in the House of Representatives only a few days ago and which held this very Indian bill for two or three days. The famous award upon which that Choctaw claim rests was made in ten minutes in the Senate and on the motion of a single Senator presenting the report of the Committee on Indian Affairs.

If we are to consider this question of removing Indians from one reservation to another, it ought to be treated as a serious matter, which it may at any time become. It seems to me that it is sufficient answer to this proposition that it is not reported by the Committee on Indian Affairs, it is not accompanied with the necessary appropriation to carry it into execution, which of itself is a suspicious circumstance; and the reasons for it are not given in a written report. It is manifestly the purpose to disturb this Indian reservation in order to extend the white settlements over a portion of this reservation, a part of it having already been taken, and this mandatory provision requiring the removal of these two or three hundred Indians is to be carried out by money paid out of an appropriation made nominally for some other purpose, perhaps made for the education and support of these very Indians, which will be used in removing them forcibly against their will to some other portion of this same reservation. That is the way it appears to me. I think provisions of this kind ought to be made after examination and upon the responsibility of a written report made from the Committee on Indian Affairs. Then I would not object.

Mr. ALLISON. These Indians are on this reservation wholly by executive order. They are not there under any treaty stipulation. They can be removed at any time by executive order without legislation; but as I understand the amendment proposed by the Senator from Oregon, it is to fix by law a reservation for these Indians. It is very easy to propose an amendment as suggested by the Senator from Ohio that these Indians shall not be removed without their consent being first obtained, and I think that would be a very proper amendment. Therefore, if he will allow me, I will offer such a proviso.

Mr. SHERMAN. I think the proposition ought to come in due form from the Committee on Indian Affairs, and they ought to take the responsibility of it. I am not prepared to frame an amendment.

Mr. ALLISON. I care nothing about the amendment itself here; I only make a suggestion in reference to it. I move to insert at the end of the amendment this proviso:

*Provided, That these Indians shall not be removed until their consent has been obtained.*

Mr. MITCHELL. I desire to say in answer to the honorable Senator from Ohio that he assumes that this whole proceeding, this recommendation of the Commissioner of Indian Affairs and of the Secretary of the Interior has been without any investigation of the matter on the ground, without any reference to whether or not the consent of the Indians has been obtained. I will state for the benefit of the Senate that this matter has been investigated not only by the agents of the two reservations but by two Indian inspectors, and their reports are on file in the Indian Department, and upon them the Secretary of the Interior and the Commissioner based their recommendation.

As the honorable chairman of the Committee on Indian Affairs states, that committee have considered this matter, and the only objection they found was the fact that the original proposition referred to the Committee on Indian Affairs asked for an appropriation of \$25,000, not for the purpose of removing these Indians, but for the purpose of providing for them after they should be removed, mainly for the purpose of constructing grist and saw mills on the Siletz reservation. That is what the Commissioner of Indian Affairs wanted \$25,000 for, but the Committee on Appropriations in this bill have provided for that. Consequently there is no necessity for an appropriation in this amendment.

Again, I call the attention of the Senate to this provision in this bill already agreed to:

For the general incidental expenses of the Indian service in Oregon, including transportation of annuity goods and presents, (where no special provision therefor is made by treaties) and for paying the expenses of the removal and subsistence of Indians in Oregon, (not parties to any treaty,) and for pay for necessary employés, \$50,000.

So that a general appropriation is already made by the provisions of this bill, a part of which may be applied to the removal of the Indians; and the cost of removing two hundred Indians twenty miles certainly cannot be very much.

Now, I hope the amendment will be adopted, inasmuch as the chairman of the Committee on Indian Affairs says it has been considered and that the only objection raised by that committee has been obviated by the withdrawal of any demand for an appropriation.

Mr. INGALLS. When this amendment was before the Committee on Indian Affairs my objections were based upon the fact that it involved an appropriation for purposes which I believed to be unnecessary. The Senator from Oregon has endeavored to make the amendment palatable to the Senate by striking out the clause which provides for an appropriation. Upon turning to page 70 of the bill, under the head of incidental expenses of the State of Oregon, to which the Senator from Oregon has just called our attention, I find that the amount of \$40,000 originally passed by the House has been raised by the Committee on Appropriations of the Senate to \$50,000. If the object is to induce the Senate to adopt this amendment by striking out the appropriation, concealing the fact that the appropriation has been placed in another portion of this bill, I for one am unwilling to be a party to any such transaction. If the Committee on Appropriations have raised the sum for incidental expenses in Oregon from \$40,000 to \$50,000 to enable this amendment to be put into effect and at the same time to appear to be without expense to the Government, I think it is not exactly a fair transaction. I should like to hear from the committee whether that is the fact or not.

Mr. MITCHELL. In the absence of any answer from any member of the committee, I will state that I know that had no reference whatever to any contemplated amendment of this kind. The amount was raised on the recommendation of the Department, because the amount inserted in the House bill was wholly insufficient to meet the expenses.

Mr. INGALLS. Can I have the attention of the Senator from Minnesota for a moment?

Mr. WINDOM. Yes, sir.

Mr. INGALLS. I wish to inquire upon what ground the Committee on Appropriations raised the sum for general incidental expenses in Oregon from \$40,000 to \$50,000.

Mr. WINDOM. I understand it was for the purpose of removal and general purposes of the Indian service there. The amount appropriated was not enough.

Mr. INGALLS. Did it involve the expense of the contemplated consolidation of the Alsea and Siletz reservations?

Mr. WINDOM. I think it did not. We had a request from the Secretary of the Interior for a larger amount in addition to that, and the amount estimated was much larger than the amount appropriated for the Indian service in Oregon.

Mr. ALLISON. As I understand the matter, the Commissioner of Indian Affairs did state that if this amount was raised to \$50,000 it would cover the expenses of removal; and if it is not intended to remove these Indians and consolidate them, I think the amendment enlarging the appropriation ought not to be agreed to.

Mr. MITCHELL. This is a matter which will come up again in the Senate, I suppose.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa to the amendment of the Senator from Oregon.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Oregon as amended.

The amendment, as amended, was agreed to.

Mr. MITCHELL. If it is in order, I would move to reconsider the vote by which the Senate, as in Committee of the Whole, yesterday agreed to the amendment proposed by the Committee on Appropriations in line 1792, on page 73.

The PRESIDING OFFICER. The Chair would suggest that the Senator can arrive at his object by reserving in the Senate the question of concurring in that amendment.

Mr. MITCHELL. Very well.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. Will the Senate concur in the amendments made as in Committee of the Whole?

Mr. DAVIS. I wish to reserve the amendment which adds one to the number of agencies.

The PRESIDING OFFICER. The question will be on concurring in the amendments made as in Committee of the Whole. They will be acted on in gross except those reserved. The Senator from West Virginia reserves one.

Mr. MITCHELL. I reserve the one I just now indicated.

Mr. INGALLS. I reserve the amendments on page 9 in reference to the Apaches of Arizona and New Mexico.

The PRESIDING OFFICER. Is there any other reservation?

Mr. INGALLS. I reserve also the amendment on page 68 under the head of general incidental expenses of the Indian service in California, and the amendment on page 70 in relation to the general incidental expenses of the Indian service in Oregon. I want a further examination on that point.

The PRESIDING OFFICER. The Chair will put the question on concurring in the amendments made as in Committee of the Whole except those which have been reserved for a separate vote.

The unreserved amendments were concurred in.

Mr. DAVIS. In line 10 on page 1, sixty-nine special agencies were provided for in the House bill. The amendment is to make it seventy. I understand that there is a change of two from one section to another. I was not present in committee when this particular subject was passed upon. The committee proposed to add one agency in gross, effected by changing two as I understand and



dropping one. Adding an agency or changing an agency costs a good deal more than the \$1,500 paid as compensation to the agent. Where an agency is changed or an agent added there is not only added the salary of the agent but \$10,000 for expenses of that agency may be expended. Then there are buildings such as mills, blacksmith-shops, and houses, &c. The changing of agencies, unless there be great necessity for it, is very expensive. The necessity for adding an agency I do not understand at all. I am of the opinion that the change ought not to take place and that one ought not to be added. However I will wait to hear from the Senator who has the bill in charge.

The PRESIDING OFFICER. The question is on concurring in the amendment striking out "sixty-nine" and inserting "seventy."

Mr. DAVIS. What explanation has the Senator to make?

Mr. WINDOM. The explanation is that two agencies were added in Dakota, and one reduced in the Indian Territory. That makes an addition of one agency in the aggregate, and hence the change from sixty-nine to seventy. The two added in Dakota are for the Black Hills and White River agencies. The authority upon which that was done was a very urgent recommendation from Bishop Hare of the Episcopal Church. He has charge of the Indians so far as under church arrangements any one but an agent can have charge in that region. Bishop Hare has devoted several years to that service, and the church which he represents has taken so much interest in the Indians there that its members have expended of their own money as I am informed about \$40,000 for the civilization and benefit of the Indians. Bishop Hare is very anxious for the establishment of these agencies and believes that it will be conducive to the best interests of the Indians. The Secretary of the Interior and the Commissioner of Indian Affairs concur with him, and the Committee on Appropriations, acting upon the best information they had on the subject, have recommended it. Bishop Hare was present in the city, as I am informed, and went before the Committee on Indian Affairs of the House of Representatives and the Committee on Appropriations of that House and personally urged it. The Senate committee have left it precisely as it came from the House so far as these two agencies are concerned, except that we have changed the name of the Brulé to White River agency—a mere verbal change.

Mr. DAVIS. So far as the change of agencies is concerned the Senator has spoken, but as to the addition of an agency I do not recollect that he said a word.

Mr. WINDOM. I stated that there were two added in Dakota and one dropped in the Indian Territory. I have not gone over the footings, but there is one agent added to the original number, and, as I am informed, the aggregate increase is made up in that way.

Mr. DAVIS. My understanding is that there are two changes and one addition, and in that I think I am right; but I may not be. These changes always are expensive, and unless there is a necessity for them they should not be made. The addition of one agency will cost the Government for the first year perhaps thirty or forty thousand dollars and afterward eight or ten or twelve thousand dollars annually. I hope the amendment changing sixty-nine to seventy will be non-concurred in.

The PRESIDING OFFICER. The question is on concurring in the amendment.

The question being put, there were on a division—ayes 15, noes 16; no quorum voting.

Mr. WINDOM. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. WINDOM. At the risk of repeating the very brief statement I made a moment ago, I will say again that I think the Senate does not consider or has not well considered the authority upon which this amendment was made. The Episcopal Church has taken a great deal of interest in this question. One of their bishops is on the ground and I think really, if we will stop for a moment to consider, may be supposed to understand as well as we can here in our places what is for the best interests of these Indians. He made the journey from Montana here, largely for the purpose of impressing upon Congress the necessity of doing this thing. If that church organization relied wholly upon the Government to spend the money to take care of these Indians they would not come to us with as strong arguments as they now do; but the fact is as I stated a moment ago, that they have spent \$40,000 of their own money and more a great deal than they would ask the Government to appropriate for this agency, and I think are entitled to some consideration.

I will not multiply words on the subject.

Mr. DAVIS. I object to increasing the number of agencies, not only on account of the salary of \$1,500, but it is well known that buildings have to go up wherever there is an agency established, such as a blacksmith-shop, a mill, and other buildings, and \$10,000 is allowed each agency for the expenses of the agency for labor, &c. Whenever there is an additional agency authorized anywhere, it remains. That has been our history; and instead of lessening hereafter, it will always keep up to the full number.

The question being taken by yeas and nays, resulted—yeas 26, nays 22; as follows:

YEAS—Messrs. Allison, Boreman, Boutwell, Clayton, Cragin, Dorsey, Edmunds, Ferry of Michigan, Flanagan, Hamilton of Texas, Hamlin, Ingalls, Mitchell, Morrill of Maine, Morrill of Vermont, Oglesby, Pease, Pratt, Ramsey, Sargent, Stewart, Wadleigh, Washburn, West, Windom, and Wright—28.

NAYS—Messrs. Alcorn, Bayard, Boggy, Cameron, Davis, Dennis, Eaton, Gilbert,

Gordon, Hager, Hamilton of Maryland, Johnston, Kelly, McCreery, Merrimon, Norwood, Robertson, Saulsbury, Sprague, Stevenson, Stockton, and Thurman—22.  
ABSENT—Messrs. Anthony, Brownlow, Carpenter, Chandler, Conkling, Conover, Cooper, Fenton, Ferry of Connecticut, Frelinghuysen, Goldthwaite, Harvey, Hitchcock, Howe, Jones, Lewis, Logan, Morton, Patterson, Ransom, Schurz, Scott, Sherman, Spencer, and Tipton—25.

So the amendment was concurred in.

The PRESIDING OFFICER. The next reserved amendment will be read.

The SECRETARY. On page 9, in lines 204 and 205, the appropriation was increased from \$300,000 to \$375,000; in line 206, from \$100,000 to \$125,000; in line 206, from \$400,000 to \$500,000; so as to make the clause read:

For this amount, to subsist and properly care for the Apache Indians in Arizona and New Mexico who have been or may be collected on reservations in New Mexico and Arizona, namely, for those in Arizona, \$375,000; and for those in New Mexico, \$125,000; in all, \$500,000.

Mr. INGALLS. I discharged a duty yesterday that I believed I owed to the Senate and to the country in calling attention to the reckless and extravagant, and, as I believe, unwarrantable expenditures in this branch of the Indian service. I alluded to the fact that during the last fiscal year an original and deficiency appropriation amounting to nearly \$1,000,000 had been made for the subsistence of these Indians alone; that during the same time two regiments of infantry and two of cavalry had been maintained in those two Territories for the express purpose of keeping this tribe of Indians in subordination, at an additional expense of nearly \$4,000,000. I referred also to the further fact that there were no accurate estimates upon which this approximation was based; that the number of Indians assumed to be upon reservations and requiring subsistence had been grossly exaggerated; that the entire number in both Territories did not exceed seventy-seven hundred; and that assuming that even were all upon reservations, that they were all entitled to subsistence, that the price of an adult soldier's ration was fifteen cents per day, even at that sum computing these all to be adults, the sum that is demanded was largely in excess of the actual amount required for that purpose.

Nor, sir, did I fail to refer to the additional fact that there had been in connection with the administration of the Indian Department in these Territories a habitual disregard of the requirements of law; that in every year since I have been here they had exceeded the appropriations made and had evinced a total disregard of the requirements of legislation upon that subject; that they had expended whatever sums they saw fit to expend, and applied the ensuing year for a deficiency appropriation in the full confidence that whatever sum they asked for would be granted. I also stated that the sum of \$400,000 had been agreed upon in the lower House; that it came here as it came last year with a much lower sum than is now asked, and that it was very extraordinary that we should be called upon here in the Senate to increase this appropriation from \$400,000 to half a million without any testimony whatever being submitted.

I do not desire to go further into this subject, but shall content myself with calling for the yeas and nays upon concurring in the amendment, for the purpose of letting the country know who is in favor of voting these appropriations without any satisfactory estimate.

Mr. SARGENT. Mr. President, I remember the great length which the Senator took to elaborate the assertions which he has made this morning, assertions entirely unfounded, as was shown in the debate of yesterday, in every particular that he assumed on this matter. As was shown by the chairman of the Committee on Indian Affairs, as was shown by the Senator in charge of this bill, and by myself and others who spoke on this matter, his statements were entire misapprehensions of the subject. And in the statement which he has made this morning as to soldiers' rations and the basis of the number of Indians in these Territories, he does not come within a quarter of a million dollars of arriving at the correct facts.

The fact is it costs about fifteen cents a day to feed each Indian, and that is cheap at that distance. The fact further is that these Indians are gathered on reservations and there is not a ration issued to them except on a ticket presented by the Indian which is given to the individual and separate Indian. The further fact was stated here yesterday that these Indians were employed in labor, useful to themselves and the Government, in building irrigating ditches and thereby enabling themselves to become partially self-supporting. The further fact which the Senator entirely ignores is that two or three years ago there was a condition of war and desolation all through the Territory of Arizona, when, as was said here yesterday—but it did not seem to reach the dull ear of the Senator, or if it did it made no impression on his mind—there was an average of two men and women murdered in the Territory each day for the three hundred and sixty-five days of the year, and that has ceased entirely, so that there has come peace and security.

The statement further was made in his hearing, but of no value to him, that whereas the papers of the Territory formerly came up with one prolonged shriek over the conditions to which they were subjected, they now come up day after day stating that a condition of profound peace has been secured in the Territory; that the people are secure in their lives when they go upon the roads; that a man can cultivate his farm without danger of losing his life, and leave his family at his home without returning to a smoking ruin; and that this happy result has been wrought during the time that these appropriations have been made, and commenced with them.

The Senator speaks of the deficiency appropriations made last year. Those deficiency appropriations were for expenditures extending over three years, and were not deficiency appropriations for that year simply. There was a settlement of old accounts up to that date, and it was so stated on the floor of the Senate, and the appropriations made in the bill have year by year decreased. Last year, where there was an appropriation for that year and the current year, it was stated that there would necessarily be some deficiency. Next year the Commissioner says he can get along without any deficiency at all. But, as I said yesterday, it is worth \$500,000 per annum to have the present condition of things in that Territory. How much may you estimate the life of an American citizen at? Is it worth one dollar or \$500,000? At how much do you estimate the life of an American woman living in that country? How much do you estimate the life of one each day in the three hundred and sixty-five days? It is shown by the memorial of the territorial Legislature that over seven hundred were killed in one year. Is there any price that could be set on this thing? Senators sitting here in their comfortable arm-chairs, coming from States that have driven the Indians out into other regions and seized upon their lands, where they are no longer troubled with them, can ignore this terrible condition of things on the frontiers which is brought about by failing in this peace policy of the Government. I know it does not touch them. Their "withers are unwrung." So far as the people of Arizona are concerned, three-fourths of them go from my State, and I know they are good men. They do not want anything from Government except to be protected, and there is an obligation on the part of the Government to protect them in the peaceable pursuits of life there. There is a rich territory abounding in mineral wealth, although of limited agricultural capacity, held out as a reward for enterprising pioneering. These pioneers go there and make themselves homes; they themselves and their families reside there; children are born there. An incipient State is started, and by and by it grows up and becomes a State of the Union. But if you allow them to be the prey of the most ferocious savages when by the expenditure of the amount named in this bill you can maintain profound peace, then I say you are guilty of a crime against the civilization of the age.

If this were a mere experiment, if the last two or three years' experience had not demonstrated that I am entirely correct, then Senators might doubt and hesitate; but when I stand here and appeal to the experience of the past two or three years in that Territory and compare it with the bloody history of the dark battle-grounds there the years previous and for twenty years previous, then I say there is warrant enough in the history of the Territory itself for Congress to persevere in the beneficent course which it has up to this time adopted.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WEST. The Senator from Kansas pointedly called the attention of the Senate that it was about to put itself upon record on a clause of this bill which he characterized as reckless, extravagant, and unwarrantable expenditure; and he then branched off into a general charge of mismanagement of the Indian Bureau with a view, I presume, of getting supporters on his list of yeas and nays. In that view he makes a broad statement here that the appropriation hitherto made for these Indians was in one particular year something like a million dollars. The first time that these Indians ever were appropriated for, for the purpose of maintaining them in a peaceful condition, was in the fiscal year ending June 30, 1874. The amount given on that occasion was \$250,000. During the progress of establishing these Indians upon these reservations General Crook, as I mentioned yesterday, found that he was getting more Indians than he had money; that the appropriation of \$250,000 was not adequate for their support. Consequently he called upon Congress, or the Indian Bureau did, for \$350,000 more, which was granted in the deficiency bill of the spring of 1874. Therefore we have \$600,000 used the first year for the support of these Indians. Then the next year we had \$500,000, and this year we have again \$500,000 upon an estimate of \$750,000 by the Indian Department and the Secretary of the Interior.

Now, Mr. President, what are these Indians doing? What is done with this money? How is it distributed or disbursed recklessly, extravagantly, or unwarrantably? I will read from what General Crook says. First as to the general effects of this pacific policy he says that he is "making important reduction in the expenses of the Department." He says furthermore:

If the present peace with the Apaches remains unbroken, there will be a great reduction in the price of all kinds of meats furnished the troops in the future.

Again, the governor of the Territory says:

At no period in the history of Arizona have our Indian affairs been in so satisfactory condition. Comparative peace now reigns throughout the Territory, with almost a certainty that no general Indian war will ever occur again. General Crook, in the subjugation of the Apaches, has sustained his former well-earned military reputation, and deserves the lasting gratitude of our people. The agencies are generally in the hands of men who seem to be faithfully discharging their duties, and by harmony and concert of action between the branches of the Government having Indians in charge they can before very long be made nearly if not wholly self-sustaining, and sufficiently tamed and civilized to preclude the possibility of again becoming hostile.

The surveyor-general of the Territory corroborates that, and says:

With few exceptions the past year has been one of peace with the Apaches, and the beneficial influence thereof is exhibited in several ways. For this peace we are especially indebted to the energy and wisdom of General George Crook, commanding the Military Department of Arizona.

General Crook goes on to specify how this money, or the provisions purchased by this money, are distributed to the Indians. And remember the distribution of these supplies is not left to the Indian agent, it is done by the officers of the Army. General Crook says:

Each warrior is numbered and carries with him, day and night, his metal check, with the number and designation of his tribe stamped thereon. A corresponding record of each, the number of members in his family, and his own personal description is also kept by the officer in charge; and as issues are made on these checks, the Indians themselves are careful not to lose them and to be well known to the officer as No.—.

Then again:

If the Indians on these reservations are properly managed, kept at work, furnished with seeds and implements, and their present interest in raising stock and making themselves homes encouraged, there will be no further trouble with them and they will gradually become self-supporting.

In no instance within the experience of the management of the Indian Bureau has there been so satisfactory a result for the same amount of money attained as in this present case, and it is palpable according to the report made by the Commissioner of Indian Affairs that to the number of Indians there—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WEST. I move to amend by striking out the word "five" to conclude what I want to say, that to the number of Indians there the officers of the Army dole out these provisions to them by agents in such a way that there can be no possible fraud, and furthermore that the amount of fifteen cents a ration which the Senator speaks of as adequate for an adult soldier he is mistaken about. The amount is twenty-two cents per ration without transportation. This appropriation of \$500,000 is to feed that number of Indians and to pay for transportation besides. If we do not do that, it would not be at all adequate. The amount has been estimated at \$750,000 and the Senate have granted \$500,000.

Mr. INGALLS. The Senator from California has seemed directly to refer to me. He has taken occasion to refer to what he calls the dullness of my ears. I shall not be pressed to put in any comparison as to the longitude of his, because I think that would be entirely unnecessary.

Mr. SARGENT. The Senator might suffer by the comparison.

Mr. INGALLS. I said it would be unfavorable to the Senator from California.

But I desire to say that in the statement yesterday made by the Senator from Minnesota [Mr. WINDOM] as to the necessity for the amount that is here asked for he did state, and his remarks will be found on page 40 of to-day's RECORD, that it was based upon a soldier's ration at \$15.48 per hundred for seventy-two hundred and seventy-six Indians, the entire amount of which would be \$411,108.55, exclusive of transportation. Every Senator on this floor who is familiar with Indian affairs knows that a very large proportion consists of beef, and that beef transports itself. It is driven there by the contractors and furnished to the posts where the supplies are distributed. The remainder of the ration, as is shown by the report of the Commissioner of Indian Affairs, consists of bran and shorts, so that this estimate even is very largely in excess of the actual amount that is necessary to be expended for the subsistence of these Indians.

But I went on further to show, and I am substantiated by the report of the Commissioner, that the entire number of Apache Indians in these two Territories is about seventy-eight hundred; that not more than one-half are on these reservations; and that a very large percentage of that number even consists of women and children, who of course do not require an adult ration. So I think that, instead of being defeated or instead of being overthrown in my position, I am entirely substantiated by the facts in this case, and that there is no proof whatever upon which the Senate can base an intelligent vote for this enormous appropriation.

One thing further, since the Senator from California has seen fit to refer to the previous administration of affairs in that Territory and the deficiency appropriations that have been called for in previous years. Last year the amount that was solicited and reported by the Committee on Appropriation was \$450,000, but I am informed and I believe that there is to-day a deficiency appropriation due for the expenditures of 1873 that has not been paid; that the sum expended in those Territories was so enormously in excess of the appropriations which have been made that the parties entitled to receive it did not dare to make the matter known to the committees of Congress; that there is to-day a deficiency of more than \$100,000 in the expenditures of 1873 which we shall yet be called upon to appropriate. I make this statement upon information communicated to me by the Delegate from one of those Territories, and I think it is necessary to know if that can be substantiated. I say, therefore, before we are called upon to vote additional appropriations in excess of those reported by the committee, the Senate is at least entitled to more accurate and definite information than has yet been furnished.

Mr. SARGENT. The Senator from Kansas is very well aware that last year when a deficiency was asked for, on account of his strenuous opposition, he fighting it as if it were a rattlesnake, the deficiency appropriations were cut down. There was no shrinking on the part of the Department in stating the true condition of affairs. It was well known that the inauguration of this peace policy cost a great deal of money. The exact figures were stated. It was debated here in the Senate, and debated with great heat by the Senator from Kansas, as if there were something urging him to that action more



than appeared on the floor of the Senate. I do not suppose, however, that that was so, or that he had any information more than he disclosed. I do not think so. But I remember that with very great heat indeed he assailed those appropriations, undervalued the work done there by the military, and undervalued the work being done under the peace policy. He insisted that the old condition of things should continue, and that the Government should not pay the debt which had been created by means of this beneficent policy. He and some others helping him in the other House of Congress succeeded in cutting down the deficiency appropriations, against our protest and against our showing that the amount allowed would not be sufficient to pay the bills which had been honestly incurred, from \$70,000 to a hundred thousand. But there was no concealment by the Department, by myself, or any one else, as he seems to intimate. We insisted that that cutting down would leave the deficiency he refers to now. The same argument, I have no doubt, will be brought forward again against the inevitable deficiency for the current year. Large amounts are paid for the expenses in this Territory, but the real fact is year by year the expense has been decreased, because the system of peace has been cheaper than war, and there has been an opportunity to get supplies more cheaply, both for the Indians and that portion of the Army kept there until they can be safely removed. There is now no necessity of transporting so much wheat and flour from long distances as before. Peace has enabled the people to raise many articles, and they are raising more and more each year. They have been able to become herdsmen and raise cattle without having their herds driven off by marauding Indians or the herders slain. Under this condition of things the appropriation of \$450,000 for this present fiscal year, though not adequate, has come nearer to paying expenses.

But a deficiency comparatively small has occurred, which Congress must appropriate at this session, or there will be no provision whatever for the balance of the year. The Commissioner of Indian Affairs says a deficiency of probably fifty or seventy-five thousand dollars—I have not the exact figures—for the rest of this fiscal year. However, for next year, appropriating this \$500,000, the Commissioner and Secretary of the Interior are of the opinion that they can bring the service within the amount of the appropriation.

All I want is that these Indians shall not be let loose upon the people of Arizona. I beg that we treat the people mercifully. If we do not, the result will be most disastrous to affairs in that Territory and most expensive to the United States Government, as well as cruel to its citizens. Instead of two regiments, you will have to go back to the old number and furnish four regiments, and at a cost of \$5,000,000; instead of two companies of cavalry, you will have to double the number, at a cost of—I do not know how much, but it would be very large. In other words, it is very much cheaper to make this meager appropriation for these tribes in Arizona without the expense of war than to be compelled to turn loose those Indians on the arid plains and among the fastnesses of that Territory, from which they will sally out on ungarded emigrants and citizens and take their lives.

Mr. EDMUNDS. If I were to measure my duty in voting for or against this measure by the rules which seem to influence my honorable friend from California when he says that the Senator from Kansas at some other session of Congress spoke warmly about Indian appropriations, &c., I should be certainly compelled to vote against the recommendation of the Senator from California, for I think we have found as a general rule that the side of safety is the side of saying "no" about Indian appropriation bills. While I do not intend to interfere in defense of my friend from Kansas from any inference that might be raised from what the Senator from California has said, (because the Senator from Kansas is quite able to take care of himself,) I do think that it is not quite the just thing for the Senator from California, as an argument in favor of this appropriation, to hint that at some former session, or at this session, the Senator from Kansas has been particularly warm against Indian appropriations.

Mr. SARGENT. Will the Senator allow me a remark?

Mr. EDMUNDS. Certainly.

Mr. SARGENT. The Senator usually understands that which is said in his presence. The Senator from Kansas said there was some concealment in all this, or that the parties did not dare to bring forward estimates and make known their claims. In reply to that I cited the fact that the exact figures were brought forward by the Department and advocated by myself; that there was no concealment; and the figures were cut down by the opposition made in the two Houses of Congress. I question no man's right to oppose an appropriation. I was repelling a charge of concealment.

Mr. EDMUNDS. I did not understand the Senator to say that precise thing.

Mr. SARGENT. That is what the RECORD will show.

Mr. EDMUNDS. If that is what the Senator from California said, and that was all, then of course the observation I made is quite out of place; but I confess if I correctly understood the remark what I said I think was just, which implies no reflection upon him except that in the warmth of this debate he has perhaps forgotten all that is due to other men's motives as well as his own.

Now, Mr. President, to come to the merit of this thing, it does seem to me that, with the information we have, it is much better to keep this appropriation where it stood in the House bill and not to increase it. If it turns out when we get to the deficiency bill that the appro-

priations for this current year, which still run on to the 1st of July, are insufficient to keep peace and justice and all that in respect to these Indians, then we can provide for it; but to undertake to say in advance, for the period of twelve months from the 1st of July next, that there is to be required this increased appropriation, ought to warn us to insist, as the Senator from Kansas has said, upon the clearest proof of a pre-eminent necessity. I do not see that proof, and therefore having had some observation, not experience, in reference to Indian appropriations in the last ten years, I shall vote in favor of sticking to the House bill. That has gone far enough. There will be time enough to provide for what the Senator from California fears when we come to the deficiency bill this year, if there is any trouble until the 1st of July, and otherwise there will be time enough next December if any necessity then exist to provide for it.

Mr. SARGENT. Will the Senator allow me to call his attention to section 6? I would like to make one observation.

Mr. EDMUNDS. Certainly.

Mr. SARGENT. Section 6 provides:

That it shall be the duty of the Secretary of the Interior, and the officers charged by law with the distribution of supplies to the Indians, under appropriations made by law, to distribute them and pay them out to the Indians entitled to them in such proper proportions as that the amount of appropriation made for the current year shall not be expended before the end of such current year, so as to prevent deficiencies; and no expenditure shall be made or liability incurred on the part of the Government on account of the Indian service for any fiscal year (unless in compliance with existing law) beyond the amount of money previously appropriated for said service during such year.

Now, my criticism is this. If we appropriate the smaller amount, it being, under the sixth section, divided by twelve, we have a lingering starvation extended over twelve months, which we cannot expect the Indians to submit to. By this sixth section you cannot use up the appropriation in the first six months and then come in for a deficiency. You must pinch every month in the year. With this section in the bill the necessity becomes greater for an adequate appropriation, so that the monthly parts may each be adequate. So I think the Senator's reasoning fails.

Mr. EDMUNDS. I have no doubt the Senator so thinks, but he will give me leave to differ with him on this paragraph. If you divide this appropriation by twelve, then you have one-twelfth for each of the months of July, August, September, October, and November, in the year 1875. Now, if there is any period of the twelve months when the Indians could require less to induce them to be peaceable, it seems to me it is these very months, when a benign nature (as benign as they have it in that region) is smiling on everybody, when all the fruits of the earth, if there are, are ready for you, when the bitterness of cold is away, and when every means for people in every country that I know of getting on at the cheapest rate exists; so that if you divide it by twelve you will get a larger proportion than is necessary in the very months before we are required to meet again in December, than you will at any time in the year—

Mr. SARGENT. Will the Senator allow me a remark?

Mr. EDMUNDS. If the Senator will pardon me until I finish my observation—so that the pinch will come, if it be any pinch at all, after the 1st day of December, 1875.

Then we shall be here, those of us who remain and shall live until that time. Congress will be here, whatever may become of persons, and Congress it must be assumed will be ready to do what the public good and humanity require. Now I will hear my friend from California.

Mr. SARGENT. The Senator with his familiarity with appropriations knows that the deficiency bill is the last bill that Congress acts upon. It has not even yet been reported in the other House at this session, and here we are away along in February. The next will be the long session. At the last session it was in June before the deficiency bill passed. It was the last bill we passed. They will be through the severe months of the year without this relief and the Indians will be starving there, and any mischiefs from inadequate appropriations will already have happened.

Mr. EDMUNDS. Very good. I am very glad the Senator has made that observation because to my mind it is so easy to answer. Then it appears we are remitted by this implied combination and force to next December before this supposed necessity is to arise. Very well; now the Senator says the deficiency bill does not get forward until the end of the session. Grant it; but if the public service and humanity require us in December to provide \$200,000 or \$500,000 for the Indians, does the Senator suppose that he cannot bring in a bill in December for a special appropriation, and does he suppose that Congress will not be ready to meet it in the spirit in which it is made?

Mr. SARGENT. I will say that, judging by the debate on this matter, I think not.

Mr. EDMUNDS. The Senator thinks not. Very well, then the Senator thinks or believes that Congress will not do what the public good and the interests of humanity require. If the Senator has that opinion of Congress, I think he ought to take some measures to try to reform it, and in some other way than this. If you cannot trust the Congress of December, then the Senator is perhaps quite right in supposing that he cannot trust the Congress of February, if this is February, and he had better give up this amendment.

Mr. WINDOM. I do not rise to continue the debate, but to ask that the five-minute rule may be enforced.

Mr. HAMLIN. Let us vote and stop talking.

Mr. WEST. I only wish to say one word with reference to the statement made by the Senator from Kansas that there were less than the number of Indians stated here to be on these reservations as reported by the Commissioner of Indian Affairs. The Commissioner in his report, page 1, says there are nine thousand Indians, and on a subsequent page, page 106, he says there are seventy-eight hundred and twenty on the reservations. Then, with reference to the price of cattle there, let me tell my friend that the cattle there are all driven from Texas and are higher there a great deal than they are in Kansas. There is no place in the United States or any of the Territories of the United States where cattle are as high as they are in Arizona.

As for the proposition of the Senator from Vermont that the Indians will not be compelled by stress of weather to be fed in the fall of the year, let me tell him that there are no seasons down there affecting their subsistence at all. It is one uniform summer the whole twelve months round. His remarks originated perhaps from the cold climate of Vermont.

Mr. EDMUNDS. You are in quite a different climate. It is a universal summer in your country.

Mr. INGALLS. I wish to make one observation to the Senator from California. Like himself, I am here in the discharge of a sworn duty; and if upon any subject I speak with heat, it is because I feel indignation. I am not certain whether or not I understood him to say that he judged or supposed that the heat of my remarks on a former occasion might have been actuated by some other motive than a sense of duty. I trust before I sit down I shall hear him disclaim any such imputation.

Mr. SARGENT. I expressly stated that I did not make any such imputation, and the Senator will find it so recorded in my remarks.

Mr. INGALLS. I am very glad to hear the Senator say so.

Mr. HAGER. As I stated yesterday, I will vote against this increase of the appropriation to maintain the Indians on the reservations in Arizona and New Mexico. As I understand, that country is a barren waste of itself. It will not support the Indians, and, as a gentleman remarked to me, it would not support a duck, because it has neither grass nor water. These Indians have been in the habit of dwelling or living in the mountain fastnesses. They are now put upon this arid plain, and they are there confined by the soldiers of the United States. Necessarily they must be fed by the Government; but, as I understand, with all the appropriation that was made last year, they were not properly fed, and of course they break out from the reservations to obtain the necessities of life, and the result is that they are slaughtered, as I understand, by the soldiers.

Now as to the policy of having these reservations I am not disposed to discuss it. It is an experiment as I understand. I doubt myself whether it will be successful; but what I do complain of most is the manner in which this fund is managed and manipulated. It is intended for the benefit of the Indians. As I said yesterday, I rely upon the information that I obtained from one of the honorary commissioners, who are gentlemen above reproach, who were acting without salary as an advisory board. When they ascertained that it was impossible, as one of them told me, to effect any reform or to correct any existing abuses with regard to the administration of this Indian Department through the ramifications of agents over the country, they concluded that it was their duty to resign, inasmuch as they had nothing to do. In office they were *functus officio*, and in ability to do anything they became *functus officio* in fact.

With these facts before me I am not disposed to increase this fund beyond what is contained in the bill as it came to us from the House. I doubt myself whether the experiment will be a success. While I am as much disposed to go as far on humanitarian grounds as any one, I must be better satisfied than I am now that it is even a matter of humanity to vote this appropriation or rather to increase it, and for that reason I shall vote against the increase; but I am not disposed to disturb the amount that stands in the bill as it came to us from the House.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Louisiana, [Mr. WEST.]

Mr. THURMAN. The Senator from Louisiana moved that amendment simply for the purpose of speaking.

Mr. WEST. That was all.

The VICE-PRESIDENT. Does the Senator withdraw his amendment?

Mr. WEST. I withdraw it.

Mr. THURMAN. Mr. President, the question under consideration has given me some little trouble. I have been accustomed to vote in such wise as to cut down appropriations to the lowest possible amount that I thought would suffice. I have very seldom voted for an increase of an appropriation, my belief being that the proper policy of the Government is to reduce expenditures instead of increasing taxation. It would require, therefore, very strong reasons to make me vote for an increase of an appropriation which has been made after full consideration by the House of Representatives. Then, on the other hand, I read in the remarks of the Senator of Minnesota [Mr. WINDOM] on this subject that the Department recommends an appropriation of \$750,000, and that "our committee believed that \$500,000 was the very smallest amount with which the Department could possi-

bly get along and carry out this policy"—what is called the peace policy.

Now, when the Department asks for \$750,000, and our committee declare their opinion that half a million is the least possible amount with which the Government can get along without abandoning a policy that it does not propose to abandon, a Senator has some trouble in voting against the proposed increase, and the more so because we all know that these Indians are the most warlike and unruly upon this continent; that they have given us more trouble than any other Indians; and that Arizona especially has suffered more from Indian depredations and Indian murders than any other one of the Territories of the United States within the last five or six years. I remember the list sent us by the territorial Legislature, apparently compiled with care, of the murders committed by Indians in that Territory for two or three years, and I confess I was shocked at the length of the list. I cannot help remembering, too, that at the last session we made an appropriation to supply deficiencies of somewhere about \$700,000. In other words, in order to preserve the peace, in order to feed these Indians who had been chastised by General Crook with great efficiency and compelled to go upon the reservations, the officers of the Government assumed the prodigious responsibility of involving the Government in a debt of \$700,000. I do not like to encourage officers to do any such thing as that. I do not like to encourage officers to assume so great a responsibility as that of contracting debts on the part of the United States to an amount so prodigious. Therefore I am inclined to believe that experience will prove that the committee did right in saying that not less than half a million will suffice. But, on the other hand, it is possible that a less sum may do. I think there is great weight in the suggestion made by the Senator from Vermont, that if this sum shall prove to be insufficient the defect can be supplied by Congress in December next, that this sum will be sufficient for the time being. Experience will show us, and show us in ample time to correct any mistake we might make, whether a larger sum will be necessary. Under these circumstances I am inclined to believe that the committee is right in saying that this much will be needed. Yet as we can correct any mistake we may make at an early part of the next session of Congress, I, for one, shall vote against concurring in the amendment.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

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

The yeas and nays were ordered; and being taken, resulted—yeas 29, nays 28; as follows:

YEAS—Messrs. Allison, Anthony, Boreman, Boutwell, Carpenter, Chandler, Cragin, Davis, Dorsey, Ferry of Michigan, Flanagan, Hamilton of Texas, Hamlin, Howe, Jones, Kelly, Logan, Mitchell, Morrill of Maine, Morrill of Vermont, Morton, Pease, Ramsey, Sargent, Scott, Sprague, Stewart, West, and Windom—29.

NAYS—Messrs. Bayard, Boggs, Cooper, Dennis, Eaton, Edmunds, Goldthwaite, Gordon, Hager, Hamilton of Maryland, Hitchcock, Ingalls, Johnston, McCreery, Merrimon, Norwood, Oglesby, Patterson, Pratt, Robertson, Saulsbury, Schurz, Stevenson, Stockton, Thurman, Wadleigh, Washburn, and Wright—28.

ABSENT—Messrs. Alcorn, Brownlow, Cameron, Clayton, Conkling, Conover, Fenton, Ferry of Connecticut, Frelinghuysen, Gilbert, Harvey, Lewis, Ransom, Sherman, Spencer, and Tipton—16.

So the amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be read.

The SECRETARY. On page 73, line 1792, the Senate, as in Committee of the Whole, struck out "\$35,000" and inserted "\$40,000" as the appropriation for the civilization and subsistence of Indians on the Malheur reservation.

Mr. MITCHELL. I offer the following amendment to the amendment of the Committee: Strike out "\$40,000" and insert "\$60,000."

I will state that the estimate of the Department for this appropriation is \$83,483. An appropriation has been made heretofore of about \$35,000, and the deficiency is some \$25,000. I propose to compromise by my amendment by inserting \$60,000, which is not enough in the opinion of the Department by some \$20,000. I hope the amendment will be adopted. The amendment was submitted, and referred to the Committee on Appropriations.

Mr. DAVIS. I understand that the estimate of the Department was \$40,000, and the committee gave the full amount of the estimate at the time they were considering the bill. There is a subsequent letter, however, from the Secretary of the Interior, which recommends an increase, but my impression is that the committee was of the opinion that \$40,000 ought to supply the demands on us. I doubt very much whether it ought to be raised.

Mr. MITCHELL. I will simply say that every reason which has been alleged for an increase in the appropriation in respect to the Apaches exists in this case. This is the Malheur reservation, on which are gathered the Snakes and Bannacks and other hostile Indians who were kept at bay for some year or two by General Crook, and by the Government were finally collected together and placed upon this reservation. They are wild bands of Indians, hostile Indians, savages, and unless they are fed the result will be very disastrous to the people of that country.

I will state that last year, by reason of the appropriation running out and by reason of a failure on the part of the agents of the Government to provide them with food and clothing which they expected at the hands of the Government, there was an insurrection on the res-



ervation, the agent was run off, and it was expected for some time that there would be a general massacre of the Government officers.

Now I hope that this amendment, which is as I say not within \$33,000 of the amount recommended by the Department, will be allowed to be inserted.

Mr. DAVIS. There appears to be an error about the recommendation of the Department. I said that the estimate of the Department was \$40,000. The Senator from Oregon has said that it was eighty-odd thousand dollars.

Mr. MITCHELL. I say that the original estimate, based of course upon the estimate first made when this reservation was established, was \$40,000. But after investigation of the matter the Department has reconsidered that estimate and addressed a letter to the Speaker of the House of Representatives recommending that \$35,000, the amount inserted by the Committee on Appropriations of the House, be stricken out and that the sum of \$83,483 be inserted. The Commissioner uses this language:

Being satisfied that the amount embraced in the present Indian appropriation bill, as reported to the House, for the purpose above referred to will prove insufficient, I respectfully recommend that Congress be asked to amend the said bill as follows, namely: Strike out after the word "improvement," in line 1655, the words "thirty-five thousand" and insert in lieu thereof "eighty-three thousand four hundred and eighty-three."

Mr. DAVIS. I want to save my friend the trouble of reading that. I think if a portion of the letter is read it ought all to be read, so that the Senate may know why there is any change.

Mr. MITCHELL. Let it all be read, if the Senator desires. I send it to the desk to be read.

The Chief Clerk read as follows:

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., January 11, 1875.

SIR: I have the honor to transmit herewith a copy of a report, dated the 9th instant, of the Commissioner of Indian Affairs, recommending that the Indian appropriation bill now pending before the House of Representatives be amended by striking out after the word "improvement," in line 1655, the words "thirty-five thousand" and inserting in lieu thereof the words "eighty-three thousand four hundred and eighty-three." This appropriation is needed for the civilization and subsistence of Indians on the Malheur reservation, Oregon.

A copy of a communication from Agent Parrish to Hon. J. H. MITCHELL, United States Senate, and of a letter of Senator MITCHELL, dated the 27th ultimo, together with the estimate of the agent therein referred to, are also herewith inclosed.

The recommendation of the Commissioner of Indian Affairs in the premises is approved, and the favorable consideration of the subject by Congress is respectfully requested.

Very respectfully, your obedient servant,

B. R. COWEN,  
Acting Secretary.

The SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., January 9, 1875.

SIR: I have the honor to acknowledge the receipt, by reference from the Department, of a letter from Hon. J. H. MITCHELL, United States Senator, dated the 27th ultimo, in which he states that the amount (\$40,000) embraced in the general estimate of appropriations for the Indian service during the fiscal year ending June 30, 1876, for civilization and subsistence of Indians on the Malheur reservation, Oregon, is in his judgment and in the judgment of Mr. Parrish, the agent in charge, wholly inadequate to meet the wants of that agency for the period indicated, and that the result of an insufficient appropriation can but result in a heavy deficiency at the end of the year. He also transmits a communication from Agent Parrish, dated December 6, 1874, including a copy of an estimate heretofore submitted to this office, calling for the sum of \$83,483 for the civilization and subsistence of Indians collected on the said reservation during the fiscal year ending June 30, 1876,

and, with the remark that the appropriations heretofore made have been entirely inadequate, earnestly urges that a new estimate be submitted to Congress for said agency in accordance with the estimate above referred to and submitted by the said agent.

Adopting the views of Senator MITCHELL in the premises, and being satisfied that the amount embraced in the present Indian appropriation bill, as reported to the House, for the purpose above referred to, will prove insufficient, I respectfully recommend that Congress be asked to amend the said bill as follows, namely: Strike out, after the word "improvement," in line 1655, the words "thirty-five thousand," and insert in lieu thereof "eighty-three thousand four hundred and eighty-three."

The papers in the case are herewith returned, with advice that the deficiencies referred to in the Senator's letter have already been estimated for.

Very respectfully, your obedient servant,

H. R. CLUM,  
Acting Commissioner.

Hon. SECRETARY OF THE INTERIOR.

UNITED STATES SENATE CHAMBER,  
Washington, December 27, 1874.

DEAR SIR: The Department estimate heretofore made for the Malheur Indians (\$40,000) is, in my judgment and in the judgment of Mr. Parrish, the agent in charge, wholly inadequate to meet the wants of that agency for the next fiscal year, and the result of an insufficient appropriation can but result in a heavy deficiency at the end of the year, which is of course undesirable to the Department, the agent, and all concerned. I am just in receipt of a copy of estimates submitted by Mr. Parrish, which I herewith inclose, amounting in all for the next fiscal year to \$88,483. The appropriations heretofore made for this agency have been entirely inadequate. I therefore earnestly urge that a new estimate be submitted to Congress for this agency, in accordance with the estimates submitted by Mr. Parrish, who is on the ground and is fully advised as to the necessities of the case. I also inclose Mr. Parrish's communication to me. I would be pleased to have all papers herewith submitted returned to me, with the answer of Department separately in reference to estimates for next fiscal year and to deficiencies for the past. An early answer is desirable.

Respectfully,

J. H. MITCHELL.

Hon. C. DELANO,  
Secretary of the Interior.

MALHEUR INDIAN AGENCY, OREGON,  
December 7, 1874.

SIR: I have this day mailed to the honorable Commissioner of Indian Affairs an estimate of funds required for the Indian service at this agency for the fiscal year ending June 30, 1876, and also a list of outstanding debts against this agency, with the request that the amount be included in the deficiency bill.

I take the liberty of sending you a copy of the estimate, also list of outstanding debts, most respectfully soliciting your influence toward securing the amount estimated for, as well as having the amount of liabilities recognized and provided for.

This is a new agency; consequently our necessities are numerous. I have not estimated for one dollar more than is really needed to put us on a sound basis. The amounts carried out for the various articles have been calculated from extremely low figures in currency, and if I can secure this amount the coming year I shall be able to get things in good running order.

The Indians under my charge are wholly unused to labor of any description, and it will require a great amount of patience on my part to induce them to undertake any manual labor.

I hope that before another year shall have passed to be able to make a report of the condition of affairs at this agency which will be more than satisfactory to the Department.

My earnest desire to get this agency free from debt and to carry out the desires and expectations of the Department with regard to these Indians is my excuse for trespassing upon your valuable time.

Hoping that you will use your best endeavors toward accomplishing this result,

I am, sir, your obedient servant,

SAM. B. PARRISH.

Hon. J. H. MITCHELL,  
Washington, District of Columbia.

Estimate of funds required for the Indian service at Malheur agency for the fiscal year ending June 30, 1876, by Sam. B. Parrish, United States Indian agent.

Objects for which funds are required.	Amount of estimate.	Objects for which funds on hand will be needed.	Currency.
<i>For civilization and subsistence of Indians collected on Malheur Indian reservation, Oregon, for year ending June 30, 1876.</i>		<i>For eight hundred Indians.</i>	
<i>Miscellaneous.</i>		Flour for one year, 288,000 pounds, at 5 cents per pound .....	\$14,400 00
For the purchase of goods, subsistence stores, &c., for the Indians collected on the Malheur reservation, Oregon, for instructing said Indians in agricultural and mechanical pursuits, providing employes, educating children, procuring medicines and medical attendance, and for such general beneficial objects as the condition and necessities of the Indians may demand .....	\$83,483 00	Beef for one year, 360,000 pounds, at 7½ cents per pound .....	27,000 00
<i>For pay of agent.</i>		Sugar, tea, rice, beans, &c. ....	1,500 00
Pay of agent for one year, at \$1,500 per annum .....	1,500 00	Medicines .....	500 00
<i>For pay of interpreter.</i>		Pay of the following employes, namely:	
Pay of interpreter for one year, at \$500 per annum .....	500 00	Commissary .....	1,200 00
<i>For general incidental expenses.</i>		Physician .....	1,200 00
Pay of traveling expenses of the agent and general incidental expenses of the agency for one year .....	3,000 00	Teacher .....	1,000 00
	88,483 00	Mail-carrier .....	1,200 00
		Carpenter .....	1,200 00
		Blacksmith .....	1,200 00
		Superintendent of farming .....	1,200 00
		Farmer .....	1,000 00
		For purchase of blankets and clothing .....	8,870 00
		For purchase of plows, horses, and oxen .....	880 00
		For the erection of a grist-mill .....	6,000 00
		For the purchase of lumber for houses, barn, fencing, &c., and shingles .....	10,133 00
		For miscellaneous purchases, such as hardware, paints, stationery, and all other necessary articles .....	5,000 00
			83,483 00

SAM. B. PARRISH,  
United States Indian Agent.

Mr. DAVIS. It will be seen that the original estimate from the Department was \$40,000 as I stated, and upon a letter written by the Senator from Oregon to the Department that estimate has been changed. Now, I think all the original information of the office must have been obtained when the agency called for but \$40,000; and the parties submitting the increased estimates ought to inform us of all the facts as to the cost of supporting these Indians. I understand that probably this money is to be used for collecting or bringing together Indians or changing them in some way, which may not meet with the approbation of the Indians, and may lead to a much greater expense than the \$80,000 now asked for. I believe it is a fact that some of the Indians are to be changed against their will, and we know from past experience how expensive such things can be in the future.

Mr. MITCHELL. Mr. President—

The VICE-PRESIDENT. The Senator from Oregon has spoken all the time allowed him.

Mr. MITCHELL. I move to amend by making the amount \$70,000 instead of \$60,000.

The Senator from West Virginia says that the original estimate in this case was \$40,000 and that that estimate was changed upon a letter written by the Senator from Oregon, leading the Senate to infer that the Senator from Oregon of his own motion had undertaken to advise the Department of the Interior in reference to this matter and to suggest that there ought to be an increase. If the Senator had listened to the reading of the letter from the Commissioner of Indian Affairs to the Secretary of the Interior, he would have found that my letter to the Department was simply referring to the Department a letter addressed to me by the agent in charge of these Indians. That is all there is of that.

Now, it is true that the original estimate was \$40,000, but it is equally true that while the appropriation last year was \$35,000, there was a deficiency of about \$25,000; and when the attention of the Department was called to these facts and to the cost of keeping these Indians on the reservation, and the cost of beef, the cost of clothing, the cost of transportation to that reservation, situated as it is far out in the wilderness, a revision of the estimate was made and now they say that that sum is insufficient. Therefore the fact that the original estimate was \$40,000 ought not to weigh, it appears to me, against the better judgment of the Department after they have been advised in the matter, after they have had all the facts laid before them.

The honorable Senator said that perhaps part of this \$60,000 is intended for the removal of Indians, or something of that kind. Not a bit of it. The estimates of the agent are given *seriatim*. The items are given; the amounts are given. There is not a dollar of it to be applied in the removal of Indians. It is all to be applied for the civilization and subsistence of Indians collected on the Malheur Indian reservation, Oregon, for the year ending June 30, 1876.

Then it goes on to state the number of pounds of beef necessary to feed these Indians and the cost of getting beef at that reservation. It goes on to state the number of pounds of sugar and tea and rice and beans and medicines, the pay of the employes on that reservation, the purchase of blankets in order to clothe these Indians. This is the character of the subsistence that is to be furnished to these Indians.

Again, how many Indians are on this reservation? Between eight hundred and a thousand wild savage Indians, and as I said before, unless they are provided for, the result inevitably will be the massacre of the agents at that place and a general outbreak in Eastern Oregon, as we had year after year until these Indians were collected on this particular reservation. I hope, inasmuch as the amendment does not propose by \$23,000 to appropriate the amount recommended by the Department, that at least this much will be allowed. I do not wish to take up the time of the Senate.

Mr. DAVIS. I do not want to take any time, but I think the committee recommended all that they thought was necessary. They had the letter before them of the Department and they reported \$40,000.

Mr. MITCHELL. I withdraw the last amendment I offered, and stand on the amendment increasing the amount to \$60,000.

The VICE-PRESIDENT. The Senator from Oregon moves to amend the amendment made as in Committee of the Whole by substituting \$60,000 for the amount there proposed.

The amendment to the amendment was rejected, ayes 7, noes not counted.

The VICE-PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole in line 1792, striking out \$35,000 and inserting \$40,000 for the civilization and subsistence of Indians on the Malheur reservation.

The amendment was concurred in.

The VICE-PRESIDENT. The next reserved amendment will be read.

The SECRETARY. The next reserved amendment is on page 68. The Senate inserted, as in Committee of the Whole, the following clause:

For this amount, or so much thereof as may be necessary, to supply a deficiency in the proceeds of the lands in the Round Valley Indian reservation, applicable for the payment of the improvements of settlers on said reservation, appraised in accordance with the act of March 3, 1873, entitled "An act to restore a part of the Round Valley Indian reservation, in California, to the public lands, and for other purposes," and to liquidate such claims on said reservation as shall be found valid by virtue of pre-emption or homestead entry, \$30,000.

Mr. EDMUNDS. This Round Valley question has been before the Senate nearly every year since I can remember this body, and so far I believe it has not been very successful. I should be glad to have the Senator in charge of this bill state to the Senate the precise grounds upon which we are asked to vote in favor of this amendment. If he will be good enough to give the Senate a condensed history of the Round Valley question, and why we are called upon to do such a thing as this, I shall be very much obliged to him.

Mr. WINDOM. With the consent of the Senator from Vermont I will yield to the Senator from California, who is familiar with this matter.

Mr. SARGENT. I send to the desk and ask to have read letters of the Secretary of the Interior and Commissioner of Indian Affairs on this subject.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., January 18, 1875.

SIR: I have the honor to transmit herewith a copy of a report, dated the 16th instant, from the Commissioner of Indian Affairs, together with an estimate of appropriation required for the Indian service in California in the sum of \$30,000, or so much thereof as may be necessary, to supply a deficiency in the proceeds of the sale of lands in the Round Valley Indian reservation, in California, applicable to the payment of settlers for improvements on said reservation, appraised in accordance with the act of March 3, 1873, entitled "An act to restore a part of the Round Valley Indian reservation, in California, to the public lands, and for other purposes," and to liquidate such claims on said reservation as shall be found valid by virtue of pre-emption or homestead entry.

The favorable consideration of Congress is respectfully invited to this subject.

Very respectfully, your obedient servant,

C. DELANO,  
Secretary.

The SPEAKER of the House of Representatives.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
Washington, D. C., January 16, 1875.

SIR: I have the honor to invite your attention to the following, namely:

By the act of Congress approved March 3, 1873, entitled "An act to restore a part of the Round Valley Indian reservation, in California, to the public lands, and for other purposes," (17 Statutes at Large, 633,) provision is made for the sale of the lands restored at not less than \$1.25 per acre, cash, and that the proceeds, or so much thereof as may be necessary, shall be used to pay for the improvements and claims of settlers residing within the limits of the new reservation created by said act and for improvements of Indians on the lands thereby restored to the public lands, after such improvements shall have been appraised and the appraisal approved. It is also provided that the Secretary of the Interior shall appoint three commissioners to make such appraisal, and that he "shall cause the same to be paid to such settlers or Indians out of the money hereinbefore reserved for such purpose," and further, that the settlers shall be required to remove from the new reservation "as soon as they shall be paid for or tendered the amount of the appraised value of their improvements."

The report and appraisal of the commissioners appointed under the provisions of the act in question were approved by the honorable Secretary of the Interior, under date of the 4th August last, and show the total amount awarded settlers to be \$32,669.78. No report in regard to Indian improvements, as provided by the act, accompanies the appraisal, nor is it shown that any notice was taken of such improvements, or that any such improvements existed.

In addition to the sum of \$32,669.78 due settlers for improvements, it is stated by the commissioners that the sum of \$20,000 will be required to settle claims to the lands themselves which have been acquired by pre-emption, homestead, and purchase, making a total of \$52,669.78. The amount now on the books of this office, realized from the sale of the restored lands and applicable to the payment of the awards made to settlers, is \$15,920.33, and it is estimated that the total amount to be realized will not exceed \$27,000, thus leaving a deficiency of \$25,669.78 to be appropriated by Congress. In order to meet this deficiency, it was suggested by the commissioners of appraisal, consisting of Hon. J. P. C. SHANKS, Hon. B. R. COWEN, and Charles Marsh, that an appraisal be authorized of the lands restored to market, which were considered very valuable, and estimated by them to be worth \$54,400.

In accordance with their recommendation a draught of a bill to so amend the act of March 3, 1873, as to authorize such appraisal, was submitted to the Department for the action of Congress January 7, 1874, but no favorable action appears to have been taken by that body.

In view of the foregoing, and in order that the settlers hereinbefore referred to may be paid the appraised value of their improvements and be required to remove from the reservation, I respectfully recommend that Congress be requested to appropriate the sum of \$30,000, which amount, with so much of the proceeds of the sale of the lands herein referred to as may be necessary for the purpose, shall be used to pay for such improvements and the value of such claims as shall be found valid by virtue of pre-emption or homestead entry, as aforesaid.

An estimate of said appropriation is herewith submitted.

Very respectfully, your obedient servant,

EDWARD P. SMITH,  
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

Estimate of appropriation required for the Indian service in California.

For this amount, or so much thereof as may be necessary to supply a deficiency in the proceeds of the lands in the Round Valley Indian reservation, applicable for the payment of the improvements of settlers on said reservation, appraised in accordance with the act of March 3, 1873, entitled "An act to restore a part of the Round Valley Indian reservation, in California, to the public lands, and for other purposes," and to liquidate such claims on said reservation as shall be found valid by virtue of pre-emption or homestead entry, \$30,000.

Mr. EDMUNDS. I should be glad to hear the Senator from California explain this, as the gentleman in charge of the bill turns it over to him.

Mr. SARGENT. It is fully explained in this report, and more tersely than I can do it. This subject has been before Congress for a number of years. Prior to the last Congress there were unsettled boundaries as to reservation; there were difficulties between the Government and settlers which interfered with the usefulness of the reservation. Congress passed a law authorizing the appointment of three commissioners to go out and settle the boundaries of the reservation. In settling those boundaries, which they did according to their own



judgment, one of them being the Assistant Secretary of the Interior, another a gentleman from this city, they cut off one end of the reservation and added on to the other end, thinking that by thus locating it it was better for the Indian service. I presume that it was; I am not familiar with the tract. But simply on the faith of their action, assuming that it was cut off, the land at one end was sold to settlers and they have paid the money to the Government. On the other end, where the Government took land, it was to pay the settlers for it out of the money thus received. The fund derived from the sale of the lands to the settlers on the one end is not sufficient to pay the money for the land which was taken from settlers on the other end, and this is to make up the deficiency.

Mr. EDMUNDS. I should like to ask my friend from California where these settlers who were found to be within the boundaries of the reservation got their title?

Mr. SARGENT. I do not say they were within the boundaries of the reservation. I think that is a matter of extreme doubt.

Mr. EDMUNDS. Where did they get their title, whether they were inside or outside the boundaries of the reservation?

Mr. SARGENT. Under the pre-emption laws and by twenty years' residence and cultivation.

Mr. EDMUNDS. Does the Senator mean to say that these settlers were pre-emption settlers?

Mr. SARGENT. I mean to say they were pre-emption settlers.

Mr. EDMUNDS. The Senator states what the report does not.

Mr. SARGENT. I state that they were pre-emption settlers.

Mr. EDMUNDS. How does the Senator know it?

Mr. SARGENT. By the facts laid before Congress and considered when the former bill was passed.

Mr. EDMUNDS. Can the Senator give us any reference to where that appears?

Mr. SARGENT. The report does say so, and the amendment refers to pre-emption settlers:

And to liquidate such claims on said reservation as shall be found valid by virtue of pre-emption or homestead entry.

The legislation of the last Congress, however, provided that to the extent that settlers had *possessio pedis*, where they had improved and cultivated and inclosed, should be taken as the measure of their boundaries, not to exceed a certain amount, which I think was more than one hundred and sixty acres. In that sense only, and for those persons limited by that description, it was strictly under the homestead and pre-emption laws.

Mr. EDMUNDS. I understand the fact to be, but I may be mistaken, and I shall be glad to have the documents to convince me of it if I am, that these settlers were not pre-emption settlers; that they were not homestead settlers; that they were squatters in the very strongest sense of the term.

Mr. SARGENT. The Senator will allow me to say that I do not know the distinction in my State between a settler and a squatter. A man who goes upon unsurveyed public lands, by the laws of the United States is a pre-emption settler, but his right of course is inchoate until after the land is subdivided. We know nothing about squatters in my State, and the Senator will have to use language that we understand. I understand the policy of the law to be to encourage settlers to go on the public domain, surveyed and unsurveyed; and so far as my State is concerned we have nothing applying to that class of people which would make an opprobrious term proper in reference to them.

Mr. EDMUNDS. I do not know that "squatter" is an opprobrious term. If it is I withdraw it, because I do not wish in this Chamber to use any opprobrious terms to anybody. Not using it in an opprobrious sense, I repeat that, according to the information I have on examining these statutes, &c., these people were settled upon that land without any lawful authority, and the United States had an absolute right under many decisions of the Supreme Court to make an Indian reservation there wherever they liked, and these settlers went upon the land knowing that law.

When the Senator speaks of the policy of the law as distinguished from the law itself, I must say that he uses language which, if I am not able to say I do not understand it, I say as far as I do understand it is altogether inadmissible. If there is any value in having a Government at all, that value is in having a law instead of a policy floating about outside of the law. The question really comes down to this, if I am correctly informed about the statement of the law and these reports, and if I am not I shall be very glad to be corrected by the documents, because I do not wish to do anybody an injustice: These settlers, as they are called, were people who had no right to resist the authority of the United States in laying down the boundaries of this Indian reservation; they had no claim upon the United States if they were expelled from it; and when they went there and settled they took their chances of that event. Then it comes to this: We are to pay out of the Treasury of the United States people who are intruders upon the public lands which turn out by a settlement of the boundary to be within the proper limits of an Indian reservation. If you once adopt that policy, if I may borrow a phrase from my distinguished friend, the amount of taxes you will have to impose will be altogether more considerable than those with which we are now threatened.

Now let us see exactly what this case is. Here is the statute of 1873, which provides for this Round Valley reservation. In order to

do generous acts toward the people who were upon it the act provided:

That the improvements owned by persons on the lands hereby restored before the passage of this act shall be the sole property of such persons, who shall have priority of right to purchase not exceeding three hundred and twenty acres of land in adjacent quarter-sections, containing and adjoining said improvements; and all said lands shall be sold and disposed of for cash only, the same to be done through the local land office within the jurisdiction of which these lands are situated: And provided further, That the proceeds of the sale of the lands hereby restored—

And lest I should be unable to read this through before my time is out I move to postpone the bill indefinitely.

Mr. HAGER. The bill?

Mr. EDMUNDS. Yes, sir.

Mr. HAGER. The whole bill?

Mr. EDMUNDS. I move to postpone the bill indefinitely.

That the proceeds of the sale of the lands hereby restored, or so much thereof as may be necessary, shall be used to pay for the improvements and claims of settlers now residing within the limits of the new reservation created under this act, and for improvements of Indians on lands hereby restored to the public lands, after such improvements shall have been appraised and the appraisal approved, as hereinafter provided.

Now what is hereinafter mentioned?

And the Secretary of the Interior is hereby authorized and directed to appoint three commissioners, who shall proceed to make an examination of the country in that locality and report their views in regard to where the northern line of this reservation should be located; they shall also make an appraisal of all improvements of white persons north of said southern boundary of the reservation—

Which they were not authorized to locate in respect of changing it, but only to find out where it was—

as established by this section of this act, within the limits proposed by them for a reservation, and of all Indians south of said line, and report the same to the Secretary of the Interior, who shall cause the same to be paid to such settlers or Indians out of the money hereinbefore reserved for such purpose.

That is to say, as far as one hand could be made to wash the other, these intruders upon the public lands should have the benefit of it. There was no undertaking on the part of Congress to pay intruders upon these lands who happened to be moved by the settlement of this reservation beyond what the amount of money to be derived from the performance would amount to that should be given to them. Now, we have the bald and naked proposition that the Treasury of the United States is to be saddled, as of right, as a demand which we are bound to meet, with the payment of the claims of squatters upon an Indian reservation, because when you settled the boundaries it turned out that it had no right to be there. If the Senate is ready to go into that species of appropriation, very well. If it is not, then it ought to vote against this amendment. I withdraw the motion to indefinitely postpone.

Mr. SARGENT. The act which the Senator cites refers to the boundaries of the new reservation to be established; the new reservation implied something different from the old reservation; and that new reservation was moved upon land which was occupied by the homes of people who had lived there for twenty years. The spirit of the law of the last Congress was perfectly just, more just than the Senator's comment upon it. So far as this proposition is concerned, I do not care for it one straw. The people upon one end of the reservation have bought their lands from the Government and have paid for them, and have received or will receive their patents. I am satisfied with that. Upon the other end of the new reservation the people are in possession and are equitably entitled to possession, because they never did enter upon a Government reservation; but when the Government thought it could get a better chance by sliding over on to that, it has done so. They are in possession of their lands, and by the very act which the Senator has cited it is provided that until the money is paid to them or tendered to them they shall remain in possession. The fund which was contemplated by that statute is not sufficient to pay them or make this tender.

It is a matter of perfect indifference to them, and I must say it is of perfect indifference to me, except so far as the interests of the Government are concerned, whether the money is paid or tendered to them or not. If not, they remain in the homes, which are very pleasant to them, which they did not desire to leave, but which the Congress of the United States declared should be taken away from them, provided a certain amount, which was entirely inadequate to the value of their possessions, was paid or tendered to them. So I do not care, as I said before, whether the amendment is adopted or not, but in the interest of the Government believing that this would be a better reservation, that it was better for the Indian service that this small amount of \$30,000 had better be appropriated in order to settle this claim, extinguish the rights of these persons, and give the Government more elbow room in dealing with the Indians on that reservation.

I did not even care to press for the yeas and nays on the proposition.

If the Senator from Vermont insists that this shall not be done and is satisfied with his reasoning, I shall take no further issue with him for the reason I have stated.

Mr. HAGER. This reservation is in the northern part of the State of California, and I must confess that I am not very familiar with it or with the question that is before the Senate upon this amendment. All I know is that the Representative from that section of the State in the other end of the Capitol, who resides there, has told me that the provision ought not to pass, he being familiar with it. I am in-



clined to rely upon his representations. He told me that he would send some documents, if he could get hold of them—they were at his room—that I might offer here in the Senate. I do not undertake to express any opinion of my own, but from what he said to me I was impressed, and will try to follow his recommendation and vote against the appropriation, though perhaps I may do injustice by doing so. From the best information I can obtain I am inclined to vote that way. I am satisfied that there is something wrong in that section of the State in regard to this reservation. The Representative says that it is a wrong on the part of the officers of the Government. If what he states be true, the local officer there is using it as a sheep ranch for his own benefit; but how that is I would not undertake to state. I merely give it as information obtained from the Representative from that section who resides there. I would not state it upon my own information to the Senate.

Mr. SARGENT. The representations of Mr. LUTTRELL, I think, spring from the fact that the settlers to whom this money is to be paid do not want to leave this place. They desire to remain there. They, I presume, do not want any appropriation made. I think it is the interest of the Government that it should be made. The sheep-ranch proposition to which my colleague refers was rejected by the Committee on Indian Affairs. It was embraced in another bill, which was indefinitely postponed a month ago on my recommendation that that should be done. This is not the sheep-ranch proposition, but that was another bill entirely, and I was opposed to it. I think I understand this Round Valley matter. I think I understand that it is the interest of the Government that this appropriation should be made, and for that reason I have urged it; but as I said before the settlers there do not want to receive this money. They prefer to keep the land, and they are licensed by the law of the last Congress to keep the land until this money is paid to them or tendered, and as to remain will be satisfactory to them, if serious objection is made, I will not insist on pressing the amendment.

The PRESIDING OFFICER. (Mr. INGALLS in the chair.) The question is on concurring in the amendment.

The amendment was non-concurred in.

The PRESIDING OFFICER. All the reserved amendments have been acted on.

Mr. STEWART. I offer the following amendment: On page 70 strike out lines 1702 to 1707 and insert:

For the general incidental expenses of the Pi-Ute reservation in Southeastern Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to sustain themselves in permanent abodes by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, \$20,000, \$10,000 of which amount shall be available from the passage of this act for the remainder of the fiscal year ending June 30, 1875; and the Pi-Ute reservation in Southeastern Nevada is hereby reduced to one thousand acres, to be selected by the agent, A. J. Barnes, in a compact body; and when such selection shall have been made he shall report the same to the Secretary of the Interior, and the remaining portion of said reservation, after said selection shall have been made, shall be and remain a part of the public domain, subject to the laws of the United States in the same manner as it would have been if no reservation had ever been made: *Provided*, That the claim of no settler shall be included in the reservation to be selected under the provisions of this act.

For the general incidental expenditures of the Walker River and Pyramid Lake reservations in Nevada, presents of goods, agricultural implements, and other useful articles, and to assist them to sustain themselves in permanent abodes by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, \$15,000.

Mr. WINDOM. I ask the Senator from Nevada if that has been considered by the Committee on Indian Affairs and recommended by them?

Mr. STEWART. I do not know to what extent they have considered it. I believe they are for it.

Mr. WINDOM. I did not ask that question to interpose a technical objection; but if they have not examined it I want to raise the point of order. If they have examined it, although they may not have formally recommended it, I do not.

Mr. STEWART. I cannot speak for them. I wish they would speak for themselves.

The PRESIDING OFFICER. Does the Senator from Minnesota raise any point of order?

Mr. WINDOM. I rose to ask the question first before making the point.

Mr. STEWART. I believe the committee are in favor of it.

Mr. ALLISON. I think a majority of the Committee on Indian Affairs believe this proposition ought to pass.

Mr. BOUTWELL. I should like to make one inquiry. I observe that the amendment proposes to limit a certain reservation to a thousand acres. What is the present reservation in size?

Mr. STEWART. It is seventy miles by fifty. If the Senate will indulge me for five minutes I will make a statement.

Mr. WINDOM. I shall insist on the rule being complied with, the debate is running so long, but I will not make the point now.

Mr. BOUTWELL. The right to object is reserved.

Mr. STEWART. Three years ago the Department made an order withdrawing the southern part of the State of Nevada as a reservation. It included several mining districts and several little towns, and it was a portion of Nevada that extended down to the Colorado River. It is not very much inhabited now, but there is a large amount of property within the reservation. There are on it, as in various places in Nevada, a few Indians; probably five or six hundred Indians living by the springs of water and little streams.

Mr. BOUTWELL. Allow me to inquire whether this reservation is by treaty?

Mr. STEWART. No; by an order of the Department simply, and I will give the exact history of it. After this occurred the agent suggested that there could be a great enterprise of getting emigration to carry on mining and benefit that country very much. I told Mr. Ingalls that if that was the object, if anything could be done for these poor peaceable Indians who are inclined to work if they have the opportunity, I would help to take measures to secure a farm. I inferred that he wanted only a farm for them, and that would be sufficient. Mr. Ingalls differed with me. I went to the Department and found they differed, relying on Mr. Ingalls's report. I then came to the Senate and offered an amendment which finally became a law providing for inspectors with a view of getting a report from them. My testimony was not good; the testimony of the people of Nevada was not good. They were represented as being desirous of killing Indians, &c.; but there is no people as kind to the Indians, I undertake to say, as the people of Nevada, and there is no place where the Indians have made as much progress as they have there. Our people employ them, and they are really making some progress in learning to live and take care of themselves. Notwithstanding all that, I had no influence in the matter.

After that provision became a law I called on the President and told him I was very anxious to have the matter investigated. He assured me it should be investigated and he would appoint men who would attend to it. He made the appointment, and I came here last winter supposing we should have some facts in regard to the reservation. I found a report confirming Mr. Ingalls's view right through and through. I was very much astonished at this report, the person making it being a sensible man. I inquired and found that the man who was the inspector and had made the report had never been there. He had started across on the railroad and stopped at Salt Lake, saw Mr. Ingalls there, and he and Mr. Ingalls made up the report without having seen the reservation.

Mr. EDMUNDS. Is this amendment recommended by the Department of the Interior?

Mr. STEWART. I think they are now in favor of it.

Mr. EDMUNDS. Have we any evidence that it is recommended?

Mr. STEWART. I will tell the whole story, and the Senate can judge. All I know about this transaction I will state. I offered a resolution to inquire whether this man had been there, and they reported that he had not been there. In the mean time I was receiving, and so was my colleague, letters from the people there complaining of the whole proceeding, complaining of this immense reservation taking in mines, &c., complaining of being compelled to sell out their homes. On the other hand it was proposed by the Department to make an appropriation to buy off the inhabitants; \$40,000 was proposed, but it would have taken several hundred thousand dollars, as I was well aware, to compensate the people before you could drive them off. They were protesting against this, but it was being pressed. My colleague and myself opposed an appropriation on this grand scale for such a purpose. I called on the President and told him about it. His language was, "You have sore grievances, and we will try to redress them." He said he would have the thing investigated. I told him what I wanted was to investigate whether this was a reasonable proposition, and he said it should be done. The Secretary of the Interior then invited my colleague and myself to a conference about the matter, and we told him that all we wanted was to have somebody go there who would make an investigation and see if the southern part of the State ought to be set apart for this purpose, or whether we should take the sensible course, as we believed, of having a farm set apart with a reasonable appropriation and try to do some good for the Indians, and let the matter go on without this agitation. He said most certainly he would do it. Said he, "I will appoint men of undoubted character." Said he, "Mr. Vandever, of Iowa, is a good man. He belongs to one denomination, Mr. O'Conner, of New York, belongs to another, and you can ask the delegation from these States whether they will be satisfactory."

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STEWART. I ask for a few minutes more.

The PRESIDING OFFICER. It can be given by unanimous consent only. The Chair hears no objection.

Mr. STEWART. I spoke to the delegation, and they were certainly most highly recommended. Those gentlemen called on me and had a talk about it. Then by appointment we met the Secretary of the Interior and said he, "I want you to state the instructions you want, the facts you want to get by this investigation." My colleague and myself stated what we wanted to ascertain by the investigation. That was taken down and the instructions prepared. I wrote, and I think my colleague and myself wrote jointly, to the people there that this matter was to be investigated, that sensible men, men of the world, who had nothing to do with reservation schemes themselves, were going to go there and inquire into the particulars, and that the Department would take special pains to have the facts laid before Congress at the next session, and then the whole matter could be adjusted and the debts that had been contracted by Ingalls could be paid up and the thing would start upon a reasonable basis, such as would be satisfactory to sensible men.

I wrote a great many of those letters. When I came back here a few days ago I had a large number of letters from there stating that



nobody had been there to make the investigation and that the original appropriation was still being urged. I found out that there was nobody who had made any investigation. All we had was the report of Mr. Ingalls, the same Indian agent, and on inquiry he had not been there at all himself. He had been removed on the representation of my colleague and myself because of some very crooked transactions of his, and he had been promoted to another place, but he had not been out there to Nevada at all, and yet here comes a report stating how things were going on there by a man who was here in the city. No other facts were laid before the committee. The chairman of the committee spoke to my colleague and myself and asked us to arrange the matter if we could. There was a new agent; my colleague said he knew where he was, and if I would call at his house we would send for him and see if anything could be done. I called there and the agent, Mr. Barnes, came; he appears to be a very sensible man.

The PRESIDING OFFICER. The Senator's extension of time has expired.

Mr. STEWART. I am almost done.

Mr. WINDOM. Does the Senator—

The PRESIDING OFFICER. Is there objection to the Senator from Nevada proceeding? The Chair hears none.

Mr. STEWART. I only want to state how this amendment came. I told him in order that he might go there on a safe basis first to ascertain the indebtedness and get at the vouchers. I had written to those people that they must bring affidavits with their claims and have them in detail before I would consent to pay them. We did look them up and spent a day or two getting up these vouchers of indebtedness so that he could go there with safety without going there owing everybody. I had him then make an estimate of what it would take to support a farm. He made the estimate \$24,000 and cut it down to \$20,000. I think \$20,000 this year and \$10,000 hereafter will be all that is necessary.

Then we discussed the quantity of land. I asked him how much land he could get there and not take any off settlers and how much had been cultivated. Three or four hundred acres had been cultivated, he said. I then asked how much could be cultivated by all the Indians with a reasonable appropriation. He thought it would be doing pretty well to cultivate five or six hundred acres. I asked him if he could select a farm of a thousand acres and not take in any settlers. He thought he could. He thought that would be sufficient, and so I thought. So we limited the amount to a thousand acres, and provided for \$20,000 to start the farm. We have nothing to start it with yet—nothing there but debts. That is the only legacy he will have. After the first year I think \$10,000 will carry it on.

Then the other branch of the amendment is \$15,000 for the western part of the State, two reservations there, or \$7,500 each for these reservations. I think these reservations will be all that Nevada will require. I hope the amendment will be adopted.

Mr. WINDOM. I think this amendment was clearly subject to a point of order; but I did not make it, because I desired that the Senator from Nevada should have an opportunity briefly to state his case to the Senate. As he has stated it, it seems to me very clearly that it is a case which ought to be investigated by a committee; that the open Senate is no place to investigate it. Now, having given the Senator a full opportunity to explain it and not attempting to answer at all or to express any opinion whatever in reference to its merits, I move to lay it on the table in order to bring the Senate to a test-vote on the question.

Mr. STEWART. I ask for the yeas and nays on that motion.

The yeas and nays were ordered.

Mr. EDMUNDS. I wish to reserve any points of order about this amendment subject to this vote.

The question being taken by yeas and nays, resulted—yeas 23, nays 24; as follows:

YEAS—Messrs. Boreman, Boutwell, Cameron, Clayton, Cragin, Dorsey, Edmunds, Ferry of Michigan, Gilbert, Hamilton of Texas, Hamlin, Ingalls, Morrill of Maine, Morrill of Vermont, Pease, Pratt, Ramsey, Robertson, Sherman, Sprague, Washburn, Windom, and Wright—23.

NAYS—Messrs. Bayard, Bogz, Cooper, Davis, Dennis, Frelinghuysen, Goldthwaite, Gordon, Hamilton of Maryland, Hitchcock, Johnston, Jones, Kelly, Lewis, McCroery, Merrimon, Mitchell, Norwood, Oglesby, Sargent, Stevenson, Stewart, Stockton, and Tipton—24.

ABSENT—Messrs. Alcorn, Allison, Anthony, Brownlow, Carpenter, Chandler, Conkling, Conover, Eaton, Fenton, Ferry of Connecticut, Flanagan, Hager, Harvey, Howe, Logan, Morton, Patterson, Ransom, Saulsbury, Schurz, Scott, Spencer, Thurman, Wadleigh, and West—26.

So the amendment was not laid on the table.

Mr. WINDOM. If the vote can be taken without any more debate I will not raise the point of order, but if it gives rise to debate I shall.

Mr. EDMUNDS. I raise the point of order if the Senator in charge of the bill does not.

The VICE-PRESIDENT. The Senator from Vermont will state his point of order.

Mr. EDMUNDS. I make the point of order that this is a violation of the thirtieth rule, in that it proposes new items of appropriation not reported from any committee and not recommended by any head of a Department.

Mr. STEWART. I beg pardon; that is not the fact. It is recommended by the Department.

Mr. EDMUNDS. I ask to have the recommendation read. Let us hear what it is.

Mr. STEWART. I have not got it at hand. The chairman of the Committee on Indian Affairs has it.

Mr. EDMUNDS. Let us have it produced.

Mr. STEWART. I state the fact.

Mr. EDMUNDS. We will take the paper, not the fact. We must have the evidence.

Mr. STEWART. I undertake to state that it is the fact that \$50,000 is recommended. I ask any member of the Committee on Indian Affairs who are here if that is not the case? I now have the recommendation. The Clerk can read the recommendation.

The Secretary read as follows from the Book of Estimates:

Incidental expenses of Indian service in Nevada:

General incidental expenses of the Indian service in Nevada: Presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and to sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, \$50,000.

Mr. STEWART. There are two agencies in Nevada and the appropriations have been made for the two agencies in gross. This is one agency, and there is another agency with two reservations in the western part of the State.

Mr. EDMUNDS. Now I ask the Secretary to read this amendment that we may see what it has to do with this estimate.

The Secretary read the amendment.

Mr. EDMUNDS. I have made the point of order which I ask the Chair to decide, that this amendment proposed by the Senator from Nevada is not in pursuance of any estimate of a head of a Department and that the estimate he has read has nothing to do with it either by name or in any other way, and that it is not reported from any committee.

The VICE-PRESIDENT. The Senator from Vermont raises a point of order. The Chair is of the opinion that the point of order is well taken.

Mr. STEWART. I should like to call on some member of the Committee on Indian Affairs to ask him a question or two about this thing.

Mr. SPRAGUE. It is decided against you.

Mr. STEWART. Is it decided against me? Then I appeal from the decision. Is there a member of the Committee on Indian Affairs in the Senate?

The VICE-PRESIDENT. The question is on ordering the amendments to be engrossed and the bill to be read a third time.

Mr. STEWART. I beg pardon; I have appealed from the decision of the Chair.

The VICE-PRESIDENT. The Senator from Nevada appeals from the decision of the Chair.

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

Mr. STEWART. You have not got the floor to do that.

The VICE-PRESIDENT. The motion is not debatable. It is moved that the appeal lie on the table.

Mr. STEWART. I should like to inquire of the chairman of the Committee on Indian Affairs if this recommendation of \$50,000 by the Department for the Indian service in Nevada does not include this agency as well as the other?

Mr. ALLISON. It covered the whole Indian service in Nevada, including this agency.

Mr. STEWART. Then as I understand the chairman there was a recommendation for an appropriation for this agency.

Mr. ALLISON. There was a recommendation for the general Indian service in Nevada, which of course included this agency.

Mr. STEWART. There were two agencies in it. I submit that that comes within the rule, that it is recommended by a Department, so far as the appropriation goes.

The VICE-PRESIDENT. Does the Senator from Minnesota insist on his motion to lay on the table?

Mr. WINDOM. I do.

The VICE-PRESIDENT. The Senator from Minnesota moves that the appeal lie on the table.

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

The yeas and nays were ordered.

Mr. MERRIMON. I beg to inquire what was the ruling of the Chair from which the Senator from Nevada appealed?

The VICE-PRESIDENT. The ruling of the Chair was that the amendment was not in order. The motion is to lay the appeal from that decision on the table.

Mr. ALCORN. To sustain the Chair is to vote "yea," as I understand.

The VICE-PRESIDENT. To lay the appeal on the table.

The yeas and nays were taken; and resulted—yeas 42, nays 3; as follows:

YEAS—Messrs. Alcorn, Bayard, Bogz, Boutwell, Cameron, Chandler, Clayton, Conover, Cooper, Cragin, Eaton, Edmunds, Ferry of Michigan, Frelinghuysen, Gilbert, Goldthwaite, Gordon, Hager, Hamilton of Maryland, Hamilton of Texas, Hamlin, Ingalls, Johnston, Kelly, McCroery, Merrimon, Mitchell, Morrill of Maine, Morrill of Vermont, Pease, Pratt, Ramsey, Ransom, Robertson, Schurz, Sherman, Sprague, Stevenson, Washburn, West, Windom, and Wright—42.

NAYS—Messrs. Allison, Sargent, and Stewart—3.

ABSENT—Messrs. Alcorn, Boreman, Brownlow, Carpenter, Conkling, Davis, Dennis, Dorsey, Fenton, Ferry of Connecticut, Flanagan, Harvey, Hitchcock, Howe, Jones, Lewis, Logan, Morton, Norwood, Oglesby, Patterson, Saulsbury, Scott, Spencer, Stockton, Thurman, Tipton, and Wadleigh—28.

So the motion was agreed to.

[Two messages were received from the House of Representatives, by Mr. McPHERSON, its Clerk, communicating to the Senate extracts from the Journal of the House.]

Mr. BOGY. I have some amendments to offer to the bill which were not considered as in Committee of the Whole.

Mr. MORRILL, of Maine. Is there any amendment pending?

The VICE-PRESIDENT. The Senator from Missouri proposes to offer an amendment.

Mr. MORRILL, of Maine. If there is no amendment pending, I hope we shall have the question on the third reading.

Mr. BOGY. I move to strike out the appropriation for three Indian inspectors from line 146 to line 152. I do not offer this amendment because I am captious, but I offer it because I think these inspectors are not at all necessary. They are of modern growth. I never could see any utility in these inspectors.

Mr. MORRILL, of Maine. Let the amendment be reported from the desk.

The SECRETARY. It is proposed to strike out line 146 to line 152, as follows:

For pay of three Indian inspectors, at \$3,000 each, \$9,000: *Provided*, That after the commencement of the next fiscal year there shall be but three inspectors; and the provision of law requiring that each agency shall be visited and examined by one or more of the inspectors at least twice in each year is hereby repealed.

Mr. BOGY. I hold that these inspectors are entirely useless, that this is an unnecessary expense. There are six inspectors, and why only three should be mentioned in this bill and three others not provided for I do not know, but I do know that no good results from this inspection. It is a very expensive undertaking. These inspectors travel from one end of the country to the other and obtain mileage. They go into every State and Territory where there are Indians—to California, to Oregon, and to Washington Territory, as I know some did last summer. I should like any Senator to inform me what good has ever resulted from this inspection. We are providing for a large number of officers, from the Secretary of the Interior and the Commissioner of Indian Affairs down to agents and sub-agents to look after the Indians. I hold that these inspectors are worse than useless; they are an injury; they do no sort of benefit whatever. I therefore move that the appropriation for three inspectors be stricken out. It is my intention if this motion should prevail to offer at an early day a separate bill to do away with the other three inspectors. We have, in addition to three inspectors, peace commissioners, whose duties are very much the same as those of inspectors. It is a multiplication of officers without any benefit whatever. I therefore hope that my motion will prevail.

Mr. MORRILL, of Maine. There is no end whatever to an appropriation bill if every Senator feels at liberty to indulge his whims or fancies in regard to what the public service ought to be. This is a branch of the public service and it is here provided for. That is all we have done. There is no end to this sort of thing if the Senate indulge in it. I move to lay the amendment of the Senator from Missouri on the table.

Mr. BOGY. I say there is an end—

Mr. MORRILL, of Maine. I will not give way. My motion is to lay the amendment on the table.

The VICE-PRESIDENT. It is moved to lay the amendment on the table.

Mr. BOGY. I call for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 28, nays 21; as follows:

YEAS—Messrs. Alcorn, Allison, Boutwell, Cameron, Chandler, Conover, Dorsey, Edmunds, Ferry of Michigan, Flanagan, Frelinghuysen, Gilbert, Hamilton of Texas, Harvey, Jones, Logan, Mitchell, Morrill of Maine, Morrill of Vermont, Pease, Ramsey, Sargent, Sherman, Sprague, Washburn, West, Windom, and Wright—28.

NAYS—Messrs. Bayard, Boggy, Cooper, Davis, Dennis, Eaton, Goldthwaite, Gordon, Hager, Hamilton of Maryland, Hitchcock, Kelly, Lewis, McCreery, Merriam, Norwood, Robertson, Stevenson, Stewart, Stockton, and Tipton—21.

ABSENT—Messrs. Anthony, Boreman, Brownlow, Carpenter, Clayton, Conkling, Cragin, Fenton, Ferry of Connecticut, Hamlin, Howe, Ingalls, Johnston, Morton, Oglesby, Patterson, Pratt, Ransom, Sausbury, Schurz, Scott, Spencer, Thurman, and Wadleigh—24.

So the motion was agreed to.

#### DEATH OF HON. SAMUEL F. HERSEY.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, communicated to the Senate intelligence of the death of Hon. SAMUEL F. HERSEY, late a member of the House of Representatives from the State of Maine, and transmitted the resolutions of the House thereon.

Mr. HAMLIN. I rise for the purpose of asking the Senate to consider the resolutions just communicated from the House of Representatives.

The VICE-PRESIDENT. The resolutions will be read.

The Secretary read the resolutions of the House of Representatives, as follows:

*Resolved*, That this House has heard with deep regret of the death of Hon. SAMUEL F. HERSEY, late a member of this House from the State of Maine.

*Resolved*, That as a testimony of respect for the memory of the deceased, the officers and members of this House will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

Mr. HAMLIN. Mr. President, the resolutions which have just been read, informing the Senate of the decease of my colleague in the House, furnish another admonition to us all of the frailty of human existence. Another seat has been made vacant in the Halls of Congress. Its warning may, as it should, subserve a useful purpose. The event, though not unexpected, brings to myself a sorrow that I cannot express. The deceased was my friend. In all the relations and vicissitudes of life, in all its changing scenes, from youth to manhood, from manhood to mature age, and for more than half the period of life allotted to man, we were knit together in an unceasing and unbroken friendship. He was a friend who could "bear a friend's infirmities." How impressively am I reminded, as it becomes my sad duty to pay an earnest and truthful tribute to his memory and his worth, that under the decrees of an inscrutable Providence he might well have been spared to perform a like service to mine.

General HERSEY came to this city at the commencement of the present Congress to discharge the duties which had been imposed upon him by a generous and confiding constituency. He was then in feeble health; but having been possessed of great physical power, it was the hope and belief of himself and friends that a more genial climate than his home afforded would restore him to health.

In that hope all have been disappointed. Failing health, however, compelled him, much against his will, to withdraw from active participation in his official duties, and to seek the best medical advice that could be afforded in a neighboring city. From thence he repaired to his own home in an apparently improved and improving condition, giving to his friends a renewed hope of his permanent recovery. This hope was strengthened by his own faith, which impressed itself upon all around him, giving assurance even to the despondent. Indeed, his own belief in his final and full recovery was marvelous, and he held it with unsubdued courage to the last. He endured his sufferings and sickness with remarkable fortitude and cheerfulness. From their commencement to their close he murmured not. When absent from home all that kindness and attention could do to alleviate his condition was done. But to me, and I may say to all my colleagues, it is a matter of consolation to know that friends and home and wife and children all contributed to cheer and mitigate his pain and sufferings in the last days and hours of his life. There is no place to those who suffer like home; no hand to minister, no voice to cheer like that of an affectionate wife. Stricken with a disease which baffled all medical skill and defied the affectionate care of wife and friends, on the 3d of the present month, without a struggle, his spirit took its flight to "the better land;" and all of him that was mortal reposes to-day in the soil of his native State.

"Virtue alone has majesty in death."

General HERSEY was a native of the State of Maine, to the manor born. He was born in the town of Sumner, county of Oxford, in the month of April, 1812. At his decease he was nearly sixty-three years of age. His early years, like those of most young men of that time, were devoted to agricultural pursuits upon his father's farm, where those habits of industry were established which marked his future life and to which he was indebted for his great success. He was studious in his habits, and availed himself of the common school and academy, in which he acquired a good, substantial English education. Ambitious for a broader field than the farm afforded, and at a time near his majority, he entered the counting-room to prepare and fit himself for mercantile and business pursuits, in which he subsequently became distinguished. Several years of his life were devoted to merchandising; and afterward extending his business to the manufacture and sale of lumber in his own and some of the Northwestern States, he became one of the most extensive and successful lumbermen of the country.

He was a republican in principle, understanding fully the wants of the country and the duties of the hour. He was no bigot, but conceded to others the rights of opinion which he so firmly maintained for himself. From the formation of the republican party until the time of his death he gave to its support a mature judgment and an energy of purpose and personal efforts which made him a power in that organization. He loved his whole country, and through all the dark and trying hours of the war, when it trembled in the balance, he contributed to it his earnest and efficient support, and his eldest son did gallant service in the Army.

He has been prominent in the administration of the affairs of the State; and he was an honor to his State, as his State had honored him.

In the years 1842, 1857, and 1858 he was a member of the house of representatives of the State; and in the years 1867 and 1869 he served in the State senate. In 1852 and 1853 he was a member of the executive council. In 1870 he was induced by his friends to be a candidate for the republican nomination for governor and came within a very few votes of receiving the nomination. In 1872 he was nominated for Congress in the fourth district and elected by over five thousand majority; and was re-elected to the Forty-fourth Congress at the annual election in September last. Besides these he held other important political and public trusts. The duties devolved upon him in all these varied positions were discharged with ability, fidelity, and integrity. That speaks his own best eulogy.

General HERSEY was an honest man—"God's noblest work." He



was a man of unsullied and spotless integrity; peerless in his purity. In the counting-room or on the public mart his word was the equivalent of his bond. He was a man of public enterprise, and entered with zeal into every measure which would elevate the character of his State or city or promote the welfare of the people however humble. He was benevolent and charitable, as the poor who were the recipients of his bounty can attest. While his contributions to all of our charitable institutions were of a generous character, many were the charities he bestowed unseen and unknown by the public. He was an earnest friend of the cause of education; has contributed liberally to institutions of learning, and has left large bequests for its future aid and support. He was an earnest worker in the church of which he was a member. How much he contributed, how invaluable were his services, how constant he was in the discharge of all his varied duties, the church itself can best know. But that his services were invaluable, that his duties were well performed, and that his contributions were of the most liberal character, even those not closely associated with him are well informed. How he will be missed and mourned within that circle!

He was a Christian gentleman, and his daily life adorned his profession. He was best loved by those who knew him best. His loss will be sincerely felt and mourned by all classes of the community in which he lived, from the highest to the most humble. I mourn the loss of a sincere friend. The State is bereft of one of her distinguished sons; his constituents are deprived of the valuable and efficient services of an able Representative. In the home circle, as husband and father, he was genial, kind, and affectionate. He strove to make and did make home what it should be—the most endearing spot on earth. A widowed wife and children weep in a home made desolate for the irreparable loss of a kind husband and an affectionate father; but into that mourning circle it is not my province to enter. Time, "with healing in its wings," will assuage their grief, and their reliance must be on "Him who doeth all things well."

The House has paid a tribute to his worth and have manifested their appreciation of the man in their resolutions which have been communicated to the Senate. I ask the Senate to join with the House in an expression of respect for the deceased and of sympathy for the surviving relatives by adopting the resolutions which I now send to the Chair.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate receives with sincere regret the announcement of the death of Hon. SAMUEL F. HERSEY, late a member of the House of Representatives from the State of Maine, and tenders to the relatives of the deceased the assurance of their sympathy with them under the bereavement they have been called to sustain.

*Resolved*, That the Secretary of the Senate be directed to transmit to the family of Mr. HERSEY a certified copy of the foregoing resolution.

Mr. MORRILL, of Maine. Mr. President, the bereavement which arrests the proceedings of the Senate touches so many hearts with tenderest sorrow in the State that honors me with its confidence, and withal sunders ties of friendly and official relations, that I trust to be indulged in adding a few words to what has already been so feelingly and appropriately said.

The claims of Mr. HERSEY upon our respect spring from an unsullied character, from his personal virtues and public services. By the inherent energies and fidelity of his nature, unaided by adventitious supports, he had acquired affluence in private affairs, had often been associated in the councils of his State, and had at length entered those of the nation, alas! unhappily, soon to fall under the heavy hand of disease, which ere long was to remove him hence.

His was an active and useful life in the departments of practical duty and endeavor, whereby society is advanced through a community of interests, the general welfare, the highest good of the greatest number.

He was ever the sagacious, upright, eminently successful man of business, of generous impulses, of a truly catholic spirit, charitable, liberal, and humane, whose daily life was without reproach, and was an example to all. He has sprung from among the people in the common walks of life, was by the simplicity of his tastes, the habits formed in pursuits intimately connected with their interests, and by his truly democratic intentions always in deepest sympathy with them, and was therefore fitly and not infrequently their trusted Representative.

The memory of Mr. HERSEY will be cherished by the people of Maine as among the public men who had rendered valuable public service in its councils, who in private life was faithful to every duty, to the obligations of friendship, and the claims of good neighborhood.

Mr. President, I second the resolutions offered by my colleague.

The resolutions were adopted unanimously.

#### DEATH OF HON. JOHN B. RICE.

Mr. OGLESBY. I ask for the reading of the House resolutions announcing the death of Hon. JOHN B. RICE, which I believe are on the table, having been received from the House a few minutes ago.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
February 20, 1875.

*Resolved*, That this House has heard with deep regret of the death of Hon. JOHN B. RICE, late a member of this House from the State of Illinois.

*Resolved*, That as a testimony of respect to his memory the officers and members of this House will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

Mr. OGLESBY. Mr. President, the solemn duty of announcing in this body the death of our honorable colleague of the other House would have fallen naturally and more appropriately upon my colleague, the senior Senator from Illinois. A short time ago, however, he advised me that he would have to forego his purpose of addressing the Senate upon this occasion in consequence of severe and painful sickness. I regret that my colleague is deprived of the sad privilege of performing the solemn duty of addressing the Senate at this hour. He was more familiarly acquainted with the dead member. I, however, knew him long enough and well enough to honor and love him. There was something more in his death than a loss to his family. There was a loss in some sense to the whole country. He had acted upon two stages in life—upon that common stage to which we are all dedicated and upon that other one which has done so much to enlighten and elevate mankind. He was fond of the drama. He had studied all the great dramatists of ancient and modern times. He was fond of works of fiction, and loved to study the human character as portrayed by the best authors who had written upon it.

He was born in the midst of slavery, at some little village in the State of Maryland, in 1803, and learned the trade of his father, that of a shoemaker. For years, I think, he followed this obscure but honorable calling. A strange circumstance changed his career. Possessed of an unusually sweet voice, that gave expression to the tender feelings of a sweet soul, he arrested the common ear as day by day he was toiling at his quiet seat. Upon one such occasion an artist in music, passing by the door of his shop, stopped to listen. He at once called upon the stranger, and from that hour Mr. RICE's occupation in life was changed. For the future he was dedicated to the theater. He went through the whole course of theatrical education and became a manager of large establishments successively in Philadelphia, in Buffalo, in Milwaukee, and finally in Chicago. He was the companion of such men as Forrest, the elder Booth, and that incomparably superior American genius, Charlotte Cushman. Some of her earliest performances were star engagements under the management of Mr. JOHN B. RICE in Buffalo and in Chicago.

I will not stop to follow his career in detail. In many respects it is the career of all men. He had his troubles, his misfortunes, his delays, in marching forward through the race of life; but it is enough to say that he became distinguished in his profession. He was absolutely honored and more than respected; he was loved by all admirers of that art. Finally he abandoned it in 1857 and retired, as he supposed, to private life, upon an entire competency.

Mr. RICE had one son and five daughters. The only son he had he gave to his country; a brilliant and promising young man, the pride of a fond mother and proud father. Under the solicitation and encouragement of that father, the son enlisted as a private in the late war, soon became a captain, and on the 19th day of September, 1863, fell in leading his company forward into the battle of Chickamauga.

Mr. RICE was an intense patriot. Born, it is true, in Maryland and in his youth habituated to the southern cast and shade of politics, he had, strange as it may seem from his peculiar associations, separated a long way from the masses of the people, from the common thoughts of that locality, and imbibed the spirit of anti-slavery. He became an active worker in the republican party at its very origin, and though mingling most of the time with associates not of his mode of thinking politically, he yet adhered steadfastly to his political faith up to the very hour of his death.

In 1865 the people of Chicago, who had great respect for him, insisted upon his running for mayor of that city. He consented, and was elected by a very large majority as the union republican candidate, and served two years. The people of that city insisted that he should again serve them in that capacity. He consented, and the second time was elected over a very strong opponent by a decided majority. At the end of his second term, which was again two years, he was for the third time urged by the people of that city to run once more for the office of mayor; but he declined and insisted upon retiring to private life. He did substantially retire to private life; but in 1872 the republican party in the city of Chicago, in the district where my colleague resides, insisted upon honoring him with their nomination for Congress. He had not sought it; he did not desire it. He had but little taste for politics; his tastes were almost exclusively literary. He consented, and over a very formidable antagonist was elected by an overwhelming majority. He entered the other House of Congress a stranger to most of the people of his own State, intimately acquainted with but very few of the members; a modest and retiring man, with great personal courage, great purity of purpose, great kindness of heart, great fidelity to what he believed to be right. He took his stand upon the republican side and said:

I will support my party and its principles when it and its principles are right; but if I shall ever come conscientiously to doubt that its policies are correct, I will not follow them. I come to the halls of legislation to represent my people, and my chiefest object and my great purpose shall be that right and only right shall prevail in legislation.

He took no active or leading part. He was very industrious and very faithful to his constituents, discharged all the ordinary duties that fall upon members of either House of Congress cheerfully and faithfully; occasionally spoke, and when he did speak in that House was listened to. He was a gentleman of fine presence, of captivating and alluring voice, fine taste in the use of language, and eloquent in all respects as a public speaker.

He was no scholar, Mr. President, in the proper and high sense of



that term. He was a scholar in perhaps the too common American sense. His education was based upon experience; it was the result of a long line of observation, purely and almost entirely practical. He knew nothing of the greater and deeper sciences; he had not gone down to the very bottom of education; he had not fathomed the deepest and purest sources of thought. He was not, in that sense, either a philosopher or a student; but he was a man of eminent practical learning, practical wisdom, and had happily blended in him those qualities that arrested the attention of the learned and the rich, the lowly and the poor. All classes met upon his plateau. He was happily adapted by nature to all the various phases and changes of society—one of those few men who are ever at home with the highest and purest, ever at home with the lowest and poorest. Such a character, Mr. President, is an enviable one.

Mr. RICE did not live long enough to leave a reputation behind him as a representative of the people. He began to fail in health, and in the hope of being restored traveled largely last summer. Finally he went to Norfolk, Virginia, and although past the meridian of life was apparently in the midst of his usefulness; still vigorous, and but for the sudden attack which seized him had the promise of many years. He fell, however, and has gone down to the earth. He has passed away from life. But there was enough in that life to arrest deliberation in this great body, to arrest deliberation in that other great body at the other end of the Capitol. A nation stops for an hour to pass a brief, poor eulogy upon his character. How many there are who pass away unthought of, unremembered, and unnoticed! It was his happy lot to have earned the love, the respect, and confidence of all women and men who knew him and to have arrested public attention in the halls of national legislation.

Farewell to the memory of JOHN B. RICE! Farewell to all the good acts and graces of his life! I join with my associates here in dropping a tear to his worthy name.

I ask, Mr. President, the adoption of the resolutions which I send to the desk.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has received with profound sensibility the announcement of the death of Hon. JOHN B. RICE, late a member of the House of Representatives from the State of Illinois.

*Resolved*, That the members of the Senate, from a sincere desire of showing every mark of respect to the memory of Mr. RICE, will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That the sympathies of the members of the Senate be tendered to the family of Mr. RICE in their bereavement, and that the Secretary of the Senate transmit to them a copy of these resolutions.

Mr. LOGAN. I rise merely to say that I sincerely regret that the condition of my health is such as to prevent me, as the senior Senator from Illinois, paying a proper tribute of respect to the memory of my deceased colleague in the other House. Mr. RICE was my friend and neighbor, and it would have been a source of sad satisfaction to me to have done him the honor that his life and character deserve.

Mr. President, I second the resolutions offered by my colleague.

The resolutions were adopted unanimously.

#### DEATH OF HON. ALVAH CROCKER.

Mr. WASHBURN. I rise to ask for the reading of the resolutions from the House of Representatives in regard to my late colleague, Hon. ALVAH CROCKER, which I believe are on the table.

The VICE-PRESIDENT. The resolutions will be read.

The Secretary read as follows:

#### IN THE HOUSE OF REPRESENTATIVES.

February 20, 1875.

*Resolved*, That this House has heard with deep regret of the death of Hon. ALVAH CROCKER, late a member of this House from the State of Massachusetts.

*Resolved*, That as a testimony of respect to the memory of the deceased, the officers and members of this House will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

Mr. WASHBURN. I have presented the resolutions which have been read with feelings of peculiar sadness. Never before has our State, never before has any State since the formation of the Government been called to mourn the loss of so large a percentage of its delegation during a given Congress. Four during the term, three in the past year, nearly one-third of our delegation have fallen in the ranks. Death came so sudden and unexpected upon each one that their most intimate friends hardly realized that they had withdrawn from their daily official labors. Surely the reaper has thrust his sickle into our ranks with no sparing hand.

During the last session Mr. CROCKER being confined to his room for a long time by severe sickness, none of us would have been surprised at the news of his death at any moment. But soon after his return home in the summer he began to improve and recovered his usual strength and vigor, so that when he returned to his official duties at the commencement of the present session he had the appearance of a strong, healthy man. A few days previous to our late recess he left for home to spend the holidays with the members of his family and near relatives of his own house. When he reached home he had a slight cold, but not sufficient to cause the least alarm. He applied himself from day to day to the inspection of his business affairs till Christmas, when he found himself too unwell to participate in the festivities of the day. It was not, however, until Saturday evening that he felt the necessity of medical attendance. His family physi-

cian was summoned and upon examination pronounced the disease to be congestion of the lungs, not of such a nature, however, as to cause alarm. But he gradually failed during the day, and finally at eleven o'clock in the evening died while sitting in his chair. Thus he passed over the river before many beyond his own family circle knew of his sickness.

Mr. CROCKER was born in Leominster, Massachusetts, October 14, 1801, and consequently was seventy-three years of age at the time of his death. His father, a hard-working, energetic man, was a paper manufacturer. He placed his son Alvah in the mill to learn the trade when but eight years of age. The boy was anxious to secure for himself better educational advantages than could be obtained at that time in our public schools. By practicing the most rigid economy he was enabled to acquire an academical education.

When twenty-two years of age he moved to the neighboring town of Fitchburgh and commenced the manufacture of paper for himself. Beginning with nothing but an inheritance of poverty and toil, he struggled long against untold difficulties and with varied success. With means so very limited he was obliged to commence in a small way, but gradually extended his business as he was able until he became the important proprietor of six or eight large establishments, and one of the most extensive and most successful paper manufacturers in the country.

But his time and energies were by no means confined to the prosecution of his own business. He was a man of liberal views and large public spirit; he took special interest in the prosperity and growth of the town in which he lived. He did more than any other inhabitant to develop its resources; he devoted not only his time but most liberally his means to this end. From a small town of some two thousand inhabitants when he commenced business it has grown to be one of the most beautiful, thrifty cities in the State, with a population of over fifteen thousand. The variety of its industries, the busy hum of its machinery, its railroad facilities quickening into renewed intensity the exchanges of business and the intercourse of men, all combine to make it one of the most attractive municipalities in the State. Mr. CROCKER desired to develop and utilize every waterfall in the town. To this end he secured new and unexpected means of transportation to, and communication with, every section of the State. Not that his vision was narrowed and circumscribed within the limits of his own town.

When the system of railroads had hardly been commenced, when but few miles had been built in the county, when most business men refused to risk their capital in such visionary enterprises, Mr. CROCKER conceived the idea of constructing a railroad from his town to Boston, in order that the northern part of the State might have free and easy access to the sea-board. He labored long and earnestly to secure a charter for this road. He met with considerable opposition not only from many of the most influential men in the eastern part of the State but also from those who resided along the line of the route. It was thought the scheme would end in utter failure. But Mr. CROCKER knew no defeat, but when rejected by one Legislature applied to another, until he obtained his charter. Then, with unexampled energy and faith, he pushed forward the enterprise to a most speedy completion. In March, 1845, he rode in triumph into Fitchburgh upon the first locomotive that ever entered the town.

But this was but the commencement of the great work he had in mind. His plan embraced a complete and extended railway system for the northern part of the State. Hence he proceeded at once to secure a charter for the Vermont and Massachusetts Railroad which would extend the line from Fitchburgh to the western part of the State, thence into the State of Vermont. He was more largely instrumental in the construction of this road, also, than any other person. But he well knew that these roads would be of little benefit to any except to those who resided in their immediate vicinity unless a connection could be made with the West. Hence his next step was to secure a charter for a road from the Vermont and Massachusetts road through the Hoosac Mountain. This was no ordinary task. The road would be very expensive and most difficult to construct. It required the construction of a tunnel through the mountains five miles in length. Such were the difficulties to be overcome, so great the expenditures to be made, that few men had faith to believe that the undertaking would ever be successful. But from first to last Mr. CROCKER never hesitated or doubted. He lived to see his predictions for twenty-five years verified, and the tunnel the object of his dreams by night and of his toil by day completed.

Some ten years ago his attention was called to the most extensive water-power in the State, at Turner's Falls on the Connecticut River, which had never been improved. He concluded to devote his energies and means to its development. A company was organized, of which he was the president and the leading spirit. The power and the territory adjacent was purchased, a dam and canal constructed, machine-shops, paper-mills, and extensive factories erected, and the region which yesterday was a desolate, barren waste has to-day become a beautiful, flourishing town with its thousands of inhabitants. The beautiful churches, school-houses, and public and private structures of every variety attract the attention and call forth the admiration of the beholder. A national bank of discount and a savings institution each bear his name, and he was the president of each. Turner's Falls stands to-day with its wonderful improvements as a monument to the energy and foresight of Mr. CROCKER.



Mr. CROCKER served three terms in the lower and two in the upper house of the Massachusetts Legislature with credit to himself and honor to his constituents. In 1871 he visited Europe on account of the sickness of his wife, and during his absence was elected to the Forty-second Congress, to fill the vacancy caused by my resignation. He was re-elected to the Forty-third Congress by 14,919 votes against 4,588 for the democratic candidate. He declined to be a candidate at the last election. When he entered upon his duties here he was over seventy years of age, and much of the time his health was so impaired that it was with difficulty that he attended to his official duties. In public as in private life he was strictly honest. He discharged all his duties in a most conscientious manner. No jobbery or corruption was ever traced to his door; but his entire record stands above suspicion.

Of his private life, of his genial and liberal hospitality, of the strength and warmth of his friendship, there is no time or need of reference on this occasion. Beyond the immediate circle of his friends, he will be especially mourned by the large company of his business associates among whom the greater part of his daily life has been passed, by the thousands of employes who were more or less dependent upon him for their daily sustenance, and by that untold number who have been the recipients for many long years of his charities.

Mr. CROCKER was not without his faults. Like most men he made his mistakes and had his weaknesses. But on such an occasion as this we may well forget these. If we estimate his worth by what he has accomplished for the community in which he lived, for the section of State in which he resided, few men will bear comparison with him. May it be ours to gather up and cherish the memory of his many virtues.

Mr. President, I send to the desk resolutions which I offer for the consideration of the Senate.

The VICE-PRESIDENT. The resolutions will be read.

The Secretary read as follows:

*Resolved*, That the Senate has received with deep sensibility the announcement of the death of Hon. ALVAH CROCKER, late a member of the House of Representatives from the State of Massachusetts.

*Resolved*, That as a mark of respect for the memory of Mr. CROCKER the members of the Senate will wear the usual badge of mourning for thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Secretary of the Senate to the family of the deceased.

Mr. WADLEIGH. Mr. President, a residence of some years near the home of ALVAH CROCKER and a knowledge of his reputation there lead me to pay a brief tribute to his memory.

His reputation was not won in political warfare nor in public life. Five years in the Massachusetts Legislature and two in the national House of Representatives after the age of three-score and ten were not sufficient for that. Yet he always manifested good sense, sincerity, praiseworthy fidelity to the interests of his constituents, and enlarged patriotism.

But his reputation was won in the course of a long and successful business career. Beginning life in obscurity and poverty, at the early age of eight years he was a factory operative. But his energy and ability conquered adverse circumstances. He secured an education which furnished a foundation for business success, and achieved a large fortune. That fortune was not used mainly for his personal advantage; it was used to forward and complete enterprises which have largely contributed to the growth and prosperity of Northern Massachusetts. The people whose welfare he had promoted manifested their respect for him by sending him to represent them in Congress when at the advanced age of seventy-one years by an overwhelming majority.

What can be said of him in these Halls will do comparatively little to perpetuate his memory. He has a nobler and more enduring monument than speech can rear. In Worcester County, upon the rocky banks of a flashing river hurrying swiftly to the sea, stands one of the most beautiful and thriving cities of New England, which within a few years has been created and which owes very much of what it is to the business ability and public spirit of ALVAH CROCKER. Till that city perishes will his memory be preserved as one of its founders.

The resolutions were adopted unanimously.

#### DEATH OF HON. SAMUEL HOOPER.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had passed resolutions as a mark of respect for the memory of Hon. SAMUEL HOOPER, late a member of the House of Representatives from the State of Massachusetts.

The resolutions were read, as follows:

IN THE HOUSE OF REPRESENTATIVES,  
February 20, 1875.

*Resolved*, That this House has heard with deep regret the announcement of the death of SAMUEL HOOPER, late a member of this House from the State of Massachusetts.

*Resolved*, That as a testimony of respect for the memory of the deceased the members and officers of the House wear the usual badge of mourning for thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

*Resolved*, As a further mark of respect that the House do now adjourn.

Mr. BOUTWELL. Mr. President, the death and the circumstances of the death of Mr. HOOPER are fresh in the memories of Senators. Mr. HOOPER had three claims of a high character to the considera-

tion of his fellow-men while living, and there remain three special grounds for enlogy now that he has passed away.

In the relations of life that may be called personal he bore himself not only without reproach, but in a manner to command the respect of all who enjoyed his friendship or acquaintance.

He was charitable to the poor in the largest sense of that term; helpful to those who needed assistance either by advice or the use of capital for business purposes; considerate of the wishes, wants, and trials of the humble, and to his friends and associates he tendered an unostentatious hospitality, which literally was without limits.

As a merchant, he was trained, careful, enterprising, and successful. He was one of the oldest and one of the best of the business men of Boston. As an importer, dealing with countries most remote from his own country, he based his undertakings upon a knowledge of the products and the demand for the products of those distant lands. He had knowledge of the systems of finance and currency of other nations, and he was thoroughly instructed in the financial system of the United States; and this knowledge contributed alike to his success in business and to his success as a representative of business men.

His honorable career as a member of the House of Representatives for nearly fourteen years is known to the Senate and to the country. For many years he was a member of the Committee on Ways and Means, and at different times he was chairman of the Committee on Coinage, Weights, and Measures, and of the Committee on Banking and Currency.

In these various places he brought to the service of the country an amount of knowledge, historical, practical, and theoretical, not surpassed by that of any of his associates. His powers for debate were limited, but his judgment was so highly respected that his influence with the House was but slightly impaired by this circumstance.

As a man, a merchant, and a Representative he should be remembered with affection by his associates in life, and with gratitude by the people of the State that he so long and faithfully served.

I submit for the consideration of the Senate the resolutions which I send to the desk of the Secretary.

The Secretary read the resolutions, as follows:

*Resolved*, That as a mark of respect for the memory of Hon. SAMUEL HOOPER, late a member of the House of Representatives from the State of Massachusetts, the members and officers of the Senate will wear the usual badge of mourning for thirty days.

*Resolved*, That the sympathies of the members of the Senate be tendered to the family of Mr. HOOPER in this bereavement, and that the Secretary of the Senate transmit to them a copy of these resolutions.

Mr. MORRILL, of Vermont. Mr. President, my acquaintance with Mr. HOOPER began in 1862, when he succeeded Mr. Appleton, of Boston, on the Committee on Ways and Means in the House of Representatives. Mr. Appleton had been a thoroughly trained, high-toned merchant, with considerable experience in public affairs, and his counsel upon financial subjects at the called session of 1861, although he was then in very feeble health, had great weight with the committee as well as with the public; but he did not live to aid the measures of the next regular session of Congress.

Mr. HOOPER, taking the place thus made vacant, brought similar qualifications to those of his predecessor for his new field of duties, and brought in addition health and that robust frame which enabled him then to bear the heavy strain of continuous labor upon a committee most heavily charged with the business of the House. At home his known sagacity for the conduct of important business affairs had secured to him from a large corporation a salary quite equal to that then allowed to the office of the President of the United States. His knowledge of trade, especially that known as the East India and China trade, was extensive and accurate. With the subjects of banking, coinage, and currency he was practically familiar, and all measures in relation thereto commanded his careful study. In the workshop of the committee—the crucible which daily tests the merits of every legislator—Mr. HOOPER was ranked as a man of high value. If he did not shine greatly as an advocate or debater of measures, there were few who had more good sense in their proper preparation, few who could more clearly put propositions in writing, and he was ever listened to with respectful attention.

Close association with Mr. HOOPER month after month, year after year, every morning bringing news of some battle lost or won, and most generally in accord with him as to particular measures, it was natural that he should have won a large share of my confidence and esteem.

The city of Boston has often bestowed upon her eminent merchants the honor of choosing them as Representatives in Congress, and no one longer retained the confidence of his constituents than Mr. HOOPER, and no one could have been more diligent in looking after their interests, whether public or local.

At the Treasury Department his advice was fully appreciated and frequently sought after. Everywhere he bore the character of a cool, deliberate, and wise man.

In the field of charity he was liberal and constant, but never sought to be conspicuous. With abundant means, to him it seemed a pleasure to do good without proclaiming it upon the house-tops. He will be missed and mourned not only by a large circle among the cultured and wealthy, but by the humble poor and by colored people who needed his liberal-handed assistance. He was their friend.

The elegant but modest hospitality of his home in Washington,



where visitors to the city and distinguished men were often invited, has been so long enjoyed here that it might almost be called one of the attractions of Washington society. Here learned men, statesmen, jurists, and diplomats were from time to time brought together, and bore their parts in conversations often brilliant and never devoid of some peculiar interest. All guests were at their ease, none had to be thawed out, and the host, far from monopolizing too much time, set the example of a good listener.

He was not an extreme partisan, though a consistent republican, and as devotedly attached to all the doctrines touching human freedom as he was to his personal friends.

So lately in our daily sight, his death strikes us with awe by coming so swiftly, but now that his career is ended, if he is not crowned by the splendor of any work of one great day, his memory should be more precious because he made himself useful to the world and faithfully discharged the duty of an honorable man all the days of his life.

The resolutions were unanimously agreed to.

Mr. HAMLIN. Mr. President, now, as a further mark of respect to the deceased, I move that the Senate adjourn.

The motion was unanimously agreed to, and (at five o'clock and twenty minutes p. m.) the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

SATURDAY, February 20, 1875.

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

The Journal of yesterday was read and approved.

### ORDER OF BUSINESS.

Mr. DURHAM. I call for the regular order.

Mr. COBURN. I rise to make a privileged report.

Mr. DAWES. I move to suspend the rule which gives the gentleman that privilege, in order to go into Committee of the Whole upon the tax and tariff bill.

The SPEAKER. The gentleman from Kentucky [Mr. DURHAM] who has charge of the Freedman's Savings and Trust Company bill, which is in the morning hour, desires that the House shall now proceed with the consideration of that bill.

Mr. DURHAM. I ask to have read by the Clerk a letter from the commissioners of the Freedman's Savings and Trust Company to the chairman of the Committee on Banking and Currency showing the absolute necessity of our considering the bill which is in the morning hour in my charge, but I was taken from the floor some three weeks ago, and have not been able to obtain it since for that purpose.

Mr. COBURN. I must object to any interference with the morning hour.

Mr. DURHAM. I am entitled to the morning hour upon this bill.

Mr. DAWES. Let us hear the letter read.

The Clerk read the letter, as follows:

OFFICE OF THE COMMISSIONERS OF THE  
FREEDMAN'S SAVINGS AND TRUST COMPANY,  
Washington, D. C., February 18, 1875.

SIR: Conscious of the increased sufferings which a protracted delay in the payment of a dividend will entail upon many of the depositors of the Freedman's Savings and Trust Company, we feel constrained once more to call upon you as chairman of the committee to which the matter has been intrusted, and through you upon Congress, to secure for us the additional legislation recommended in our late report, as well as the purchase by the Government of the company's banking property, before the close of the present session.

There are many of the assets of this company the collection of which ought to be attended to without further delay, but as it is impossible to realize their full amount, they will prove a total loss unless we are authorized by way of compromise to effect speedy settlements upon partial payments.

So also do we deem the additional legislation concerning the purchase and sale of property and the assignment of depositors' accounts absolutely necessary to a successful prosecution of our duties.

With regard to the purchase of the company's banking property we feel there ought to be but one opinion, and if half of the distress and suffering which the failure of this company has produced among its thousands of depositors and their families were known there would be but one.

The property is worth more than we ask for it, the Government needs it, and is now paying a heavy rental for a portion of it.

Upon its sale depends the immediate payment of a 20 per cent. dividend, and the relief of the suffering depositors. It is in their name and in their behalf that we plead for this assistance.

If Congress fails to make provision for the purchase of this property by the Government and we are left to our ordinary collections, another year at least will elapse before we can hope to pay a dividend.

We have the honor to be, your obedient servants,

JNO. A. J. CRESWELL,  
ROBT. PURVIS,  
R. H. T. LEIPOLD,  
Of the Commissioners.

Hon. HORACE MAYNARD,  
Chairman Committee Banking and Currency, House of Representatives.

Mr. DURHAM. I will say to the chairman of the Committee of Ways and Means that if I can get next Wednesday morning assigned for the consideration of this subject I shall be satisfied.

Mr. DAWES I hope that will be accorded to the gentleman, as we can probably dispose of the revenue bill before that time.

Mr. RANDALL. I suggest that it is not necessary to make this assignment. At any time the majority of the House can determine to have a morning hour, and the bill of the gentleman from Kentucky [Mr. DURHAM] will then come up.

Mr. DURHAM. I prefer that a day should be set apart for the bill.

The SPEAKER. The gentleman's bill will be in a somewhat safer position if a day be set apart for it.

Mr. MAYNARD. I hope the House will not fail to appreciate the importance of legislation in regard to this institution—the Freedman's Bank. There are some seventy thousand depositors whose means are tied up at present, and for whose relief some legislation is necessary.

Mr. DAWES. I think that the suggestion of the gentleman from Kentucky is a good one; that it had better be understood that next Wednesday shall be set apart for the consideration of this bill.

Mr. G. F. HOAR. I object.

Mr. DAWES. Then I must insist on my motion.

Mr. MAYNARD. I hope, then, the House will take up this Freedman's Bank bill now and get it out of the way. I do not wish to antagonize the gentleman from Massachusetts, [Mr. DAWES.] He knows that I have stood shoulder to shoulder with him in many a hard fight.

Mr. DAWES. I very much regret to be obliged to press this revenue bill now; but it seems absolutely necessary to get it over to the Senate as soon as possible.

The question being taken on the motion of Mr. DAWES, there were ayes 66, noes not counted.

Mr. MAYNARD. I will not ask a further division; but I take this opportunity to give my friend [Mr. DAWES] notice that from this time I shall on every occasion, in season and out of season, unite with my associate from Kentucky [Mr. DURHAM] in trying to get the House to consider the interests of the people whose means have been put into this institution.

Mr. DAWES. And I will unite with the gentleman as soon as I can get this bill out of the way.

Mr. DURHAM. I hope we shall have next Wednesday morning for our bill.

Mr. COBURN. I demand a further count upon the motion of the gentleman from Massachusetts.

The negative vote being counted, there were noes 17.

The SPEAKER. If no further count be demanded, the motion is carried.

Mr. DURHAM. Now I again make the appeal to the House to give us next Wednesday morning for our bill.

The SPEAKER. The gentleman from Kentucky [Mr. DURHAM] asks unanimous consent that one hour next Wednesday, immediately after the reading of the Journal, be assigned for the consideration of the Freedman's Bank bill.

Mr. BROMBERG. I shall object unless I understand how much time is to be given to the discussion of the bill.

The SPEAKER. No conditional objection can be entertained. The gentleman from Alabama [Mr. BROMBERG] objects. The House resolves itself into Committee of the Whole on the tax and tariff bill. The gentleman from Maine [Mr. HALE] will resume the chair.

Mr. DURHAM. I understand that the gentleman from Alabama withdraws his objection.

Mr. BROMBERG. I withdraw my objection unconditionally.

The SPEAKER. It is too late.

### TAX AND TARIFF BILL.

The House accordingly resolved itself into Committee of the Whole, (Mr. HALE, of Maine, in the chair,) and resumed the consideration of the bill (H. R. No. 4680) to protect the sinking fund and provide for the exigencies of the Government.

The CHAIRMAN. The pending question is on the motion of the gentleman from Illinois [Mr. BURCHARD] to strike out the fifth section of the bill.

Mr. CLYMER. I rise to oppose the motion, for the reason that in my judgment, if there is any merit in this bill, it is contained in this fifth section, which restores the duty of 10 per cent. on iron, steel, cotton, and woolen goods, glass, and other articles, which was removed by the act of June 6, 1872. If we are threatened with bankruptcy; if there is disaster about to happen to the credit of the Government; if there is to be a large deficiency, as is stated by the chairman of the Committee on Ways and Means, which I believe is generally conceded by every one on this floor, I do not think it would be difficult to discover the cause for this condition of affairs. I believe it comes from mismanagement, from extravagance, and from general misrule. Yet the fact exists. I do not doubt that all these difficulties could be obviated by a return to the economy of former days, by reducing the executive and legislative expenses of the Government, by cutting down the overgrown expenditures of the Army and Navy, by postponing to a more convenient and prosperous season the large appropriations made for the improvement of our rivers and harbors, by suspending partially the work upon the great public buildings in this capital and many other cities. By this means the people would be shielded from increased and oppressive taxation at this time, when by reason of the general stagnation in business they are little able to bear it.



But, sir, no such just and equitable mode is proposed by those in the majority here. The preceding sections of this bill provide for largely increased taxation upon whisky, tobacco, and sugar. How onerous and oppressive this would be has been clearly shown by those who more immediately represent those great interests. They are from congressional districts in every State, and on this question their political differences are laid aside and forgotten. They are united by a common interest to resist if possible what they know to be a common wrong. I would gladly aid them could I do so without defeating the fifth section, which, as I have already said, is in my judgment the only redeeming feature in the bill. It restores duties which the republican party reduced in 1872. At that time, sir, those engaged in the manufacture of iron, steel, woolen, cotton, glass, and other articles which my brief time will not permit me to enumerate fully felt that a grievous blow had been struck at their prosperity, and there was little consolation in the reflection that it came from those who have professed to be their special friends. Their anticipations of evil have been fully realized. In my own district and in the great State which I have the honor in part to represent there is general, indeed almost universal stagnation in business, and from our mines, mills, furnaces, and factories the prayer of tens of thousands comes to us that we shall repeal the act of 1872 which reduced the duties 10 per cent. on the articles I have mentioned.

On this question touching their material interests I shall to-day, and I trust always hereafter when acting in a representative capacity, represent my own people. They are dearer and nearer to me than any other people, and for them I propose to stand here and now. For them and in obedience to their wishes I shall vote for the section. If it be stricken out I shall vote against the bill; if it is retained and my vote is needed to pass the bill, it shall receive it, objectionable as I consider its other provisions to be.

Mr. CHITTENDEN and Mr. SCOFIELD rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SCOFIELD] is recognized.

Mr. SCOFIELD. Mr. Chairman, a revenue bill is necessarily a compromise bill; it always has been so, and always will be so. No one section of the country, no one interest, no one Representative can have their way in such a bill. The Committee on Ways and Means is perhaps as prudent a committee as there is in this House. I have sometimes criticised them for being too slow, too patient and careful. They represent all sections of the country, and most of them have had great experience in originating bills of this kind. The chairman of the committee particularly knows how difficult it is to frame any revenue bill that will secure a majority of the whole House in its support. After careful consideration of the interests of all sections of the country, they have at last reported a bill which promises both to replenish the Treasury and aid in the revival of business. It is not entirely satisfactory to me nor to many others who still support it, but I believe it is the only bill that can pass. If we lose this none will be agreed to, and we will be left with an empty Treasury. But the moment it is reported the complainants and fault-finders attack it. It is easy to complain, easy to criticize, but it is not easy to frame a revenue bill that everybody will assent to. The gentleman from New York [Mr. CHITTENDEN] does not like this bill. He has been all his life an importer, and tariffs are offensive to him. He comes down upon this bill with a wonderful flow of adjectives, the accumulation of long years of interested free-trade advocacy.

Mr. CHITTENDEN. If the gentleman will only give me an opportunity I will supply him with twenty facts for every adjective, and a hundred if he wants them. But it would seem that nobody in this House wants any facts on that subject.

Mr. SCOFIELD. I do not object to facts, but denunciation is not convincing. A man who speaks with such immense and disproportionate emphasis and with such an excess of adjectives is almost always in the wrong.

You do "protest too much."

Then my friend from Illinois, [Mr. BURCHARD,] who has sat all winter upon this bill, occasionally giving a little attention to Pacific Mail operations, when the bill is brought in immediately turns around and arraigns his colleagues on the committee because it is not better.

Then there is my colleague from the fourth district of Pennsylvania, [Mr. KELLEY,] He is unhappy because there is a little tax placed upon whisky. He cares nothing about whisky as a beverage—nobody does—but it is used, he informs us, in the manufacture of drugs, and he wants cheap whisky for medicine. If this tax is left in the bill, he announces his intention to oppose the whole—fifth section, 10 per cent. protection, pig-iron, and all. Everything must be sacrificed to untaxed whisky for drugs. Free physic he will have though the whole tariff falls and though it kills two where it saves one.

And so criticism goes on. Every man has his little complaint. Now, Mr. Chairman, I believe if you strike out the fifth section, which, as my colleague from Pennsylvania who has just spoken from the democratic side [Mr. CLYMER] has most justly said, is about all we care for in our State, and I believe all they care for in some other States, as Michigan and perhaps Ohio—if you strike that out either to please the free-trade sentiments of my friend from New York [Mr. CHITTENDEN] or to gratify the views of my colleague [Mr. KELLEY] in regard to the whisky-drug question, or to gratify my friend from Illinois—although I do not know exactly what his objections to it are—you lose the whole bill. We had better take it as it is.

Mr. KELLEY. I would like to ask my colleague whether I support or am opposed to the fifth section? His argument implies that I oppose it.

Mr. SCOFIELD. O; most certainly he supports it; but he says that if it be adopted he will still vote against the whole bill because of the tax on whisky.

Mr. KELLEY. Not because of the tax on whisky; but because the measure as a whole is fraught with danger to the public revenues and oppression to the people.

Mr. DANFORD. I do not propose in the five minutes allotted to me to attempt to discuss the policy of protection. I have sought the floor only for the purpose of correcting, as well as I may, an impression that seems to prevail that a tariff looking to the protection of American industry is wholly for the benefit of New England and Pennsylvania. I believe that no truer words have been uttered upon the floor of this House during the present Congress than those that were uttered by the gentleman from Connecticut [Mr. HAWLEY] at the last session, when he told us that the West and South were more interested in this policy of protection than New England.

If you will examine the industries of our country during the last twelve years you will find that the manufacturing industries have not only doubled but quadrupled in the West and South, while in New England the increase is comparatively small. Those industries are not yet firmly fixed and established in the West and South as they are in New England and Pennsylvania, and if the capital and labor now engaged in manufacturing in Ohio, Indiana, Illinois, and Missouri are given to understand that it is the policy of the country to abandon the idea of protection, you will strike down the manufacturing industries of the West and South at a single blow.

There is one other idea I wish to present, and that is the suggestion that by a policy of protection you are taxing the people of this country inordinately in an increase of the price of the commodity protected. Now I have personal knowledge of one of the leading interests of the West. The manufacture of nails in the city of Wheeling and in the district that I represent has become one of the leading industries of that section. There are manufactured now in the city of Wheeling and in my district, which is on the opposite side of the river, the finest nails manufactured in the world. They command the highest price in the market, and under this policy of protection that industry has grown to be enormous, and it is a fact that the establishments engaged in this industry are now running barely upon profit enough to pay for their labor, and that you can now buy the finest nails manufactured in the world at a less price than they could be purchased before we entered on the policy of protection, notwithstanding the premium on gold. I believe that by encouraging the industry, ingenuity, skill, and enterprise of the people of this country we will secure home competition and give us cheaper commodities than we can get from abroad under a system of free trade, and at the same time protect the labor engaged in manufacturing enterprise. I hope the House will restore the law as it was prior to the 10 per cent. reduction.

[Here the hammer fell.]

Mr. SMITH, of Pennsylvania. Mr. Chairman, in harmony with what has just been so well said by the gentleman from Ohio, [Mr. DANFORD,] I read a single line from Alexander Hamilton:

The encouragement of manufactures is the interest of all parts of the Union.

This was written by that great financier in 1791, and is still the true American policy. Our fathers adhered to it and the country prospered. Let not their descendants in an evil hour be misled by free-trade visionaries. Some of our western friends I fear have been indoctrinated with this financial heresy. In a burst of wild indignation they denounce every manufacturer as a common robber. Incidental protection, in their judgment, is legalized swindling. In their blind zeal they wholly ignore what is painfully obvious to all others, that in breaking down the American manufacturer they play into the hands of English monopolists. New England and Pennsylvania have fully realized that there is no conflict between the farming and manufacturing interest. Let the West profit by their example and utilize the great advantages of soil, water, iron, and coal found either separately or combined in almost every locality. What it needs most is a home market.

Let a familiar illustration point the moral. Said a farmer recently to me, as he sat down in my office, "I do not visit your city as often as formerly." "Why not," I replied. "I take," said he, "my products to the factory store in the village and get in return for the same either cash or its equivalent." I commend this homely practical argument to my free-trade theorist, who must needs travel to Canada or cross the ocean to buy his fabrics. In a word, the whole occult science is in a nutshell; let the producer and consumer join hands. Such proximity must secure community of interest.

But, Mr. Chairman, the five-minute rule affords no opportunity to discuss the tariff. I rose simply to urge the restoration of the 10 per cent. reduction of duty made by the act of 1872. That confessedly unwise legislation caused a loss to the Government annually of six or eight millions dollars and did great injury to both capital and labor. No possible good came by that change. Harm, and harm only, was the result. In 1873 the importation of iron and steel and their manufactures amounted to \$45,000,000, and this large addition to the stock in hand greatly tended, by glutting the market, to aggravate the



severities of the panic. Hence the cry for repeal. The following table will show the amount of duty likely to be collected by the repeal of the act of June 6, 1872:

*Importations of fiscal year 1874.*

Articles.	Value.	Duty.	10 per cent.
Wool and manufactures of wool.....	\$55,030,279	\$30,046,002	\$3,004,600
Cotton manufactures.....	28,183,178	9,846,196	984,619
Iron and steel manufactures.....	33,713,455	10,619,738	1,061,974
Glass and glassware.....	6,257,958	2,878,670	287,867
Metals, &c.....	4,781,041	1,482,122	148,212
Paper and manufactures of paper.....	4,132,279	1,055,630	105,563
Other manufactures.....	3,703,347	1,185,071	118,507
Total.....	135,909,707	57,113,431	5,711,343

In 1872-'73 the same classes of imports furnished a much larger sum; yielding over \$80,000,000 in duties and over \$8,000,000 on the 10 per cent.

But while this restoration of the 10 per cent. duty will benefit the whole nation, it will be hailed with unbounded joy by the industrial classes of Pennsylvania. They, more than all others, have suffered by this unasked-for legislation. Relief should have come last session, but Congress will err irretrievably if it fails now to respond to these urgent appeals.

Without protective duties the American cannot compete with the European manufacturer. Here the laborer is not a mere hewer of wood and drawer of water. Here he is pre-eminently a man with all that appertains to elevated manhood. His children must be fed and clothed and educated and duly prepared to discharge the full duties of intelligent citizens. Pauper wages have been justly again and again repudiated by the American people.

Statistics show that on the 1st July, 1874, there were 673 furnaces in the United States. Of this number there were on the 1st November, 1874, in blast 382, and out of blast 295. There were made in the United States in 1872 2,854,558 tons of pig-iron, in 1873 2,868,278, in 1874 1,900,000. Pennsylvania in 1872 made 1,401,497 tons of pig-iron, and in 1873 1,389,573 tons; making nearly one-half of the entire product made in the United States.

Iron and coal have made Pennsylvania the great workshop of the Union, and in protecting her industrial interests the Government is engaged in no sectional work. What benefits this State cannot injure the nation.

Prostrate though he lies foes cannot crush our infant giant, for his ribs are made of iron and steel; nor can they fetter and manacle his sinewy limbs, though they bind him with seven green withies that were never dried, and if he is to fall into the hands of the Philistines, I pray Heaven it may not be through the dalliance of his republican friends.

The bill as reported will receive my support. Revenue is needed to carry into effect the laws of 1862 and 1864. These do not become obsolete because, as is alleged, high officials failed to carry them into effect. The President has reminded Congress of its duty, and the Secretary is ready to execute the law. We must furnish him with the necessary funds. How are these to be raised? For one, I am opposed to a tax on tea or coffee. Tax the luxuries, not the necessities of life.

[Here the hammer fell.]

The CHAIRMAN. All debate on the pending amendment has closed. Mr. SMITH, of Ohio. I move to strike out the last word.

The CHAIRMAN. That is the pending amendment.

Mr. SMITH, of Ohio. Then I move to strike out the last two words.

The Pennsylvania heart seems to have been fired up this morning, and there have been two rather remarkable things said on this floor by Representatives from that State. The gentleman on my right, [Mr. SCOFIELD,] from whom I always expect to hear good reasons stated in good nature, indulges in a five-minute general scold of everybody who is not in favor of this bill just exactly as it comes from the Committee on Ways and Means; and the gentleman on my left [Mr. CLYMER] acknowledges that in voting for this bill he is voting for the benefit of his constituents. He puts his support of this bill on the ground that he believes it will benefit his own individual constituents. Pure selfishness for his constituents is the reason which he offers for supporting this bill.

I wish to call attention to the general character of this bill. What is it? It is an attempt to increase the price of nearly all the articles that the people of this country consume. The gentlemen from Pennsylvania tell us that it is to raise the price of whisky and to crush out the present manufacturing interests of that article. It raises the price of tobacco; it raises the price of sugar; and it increases by 10 per cent. the present duty on all the imported goods already brought into this country, because if you do not raise the price of goods already imported and upon the market, you do not get any increase of the revenue by this bill. If there are \$100,000,000 worth, and I have no doubt there are, of goods already imported in this country and held by the merchants of this country, you will by this bill put an expense of \$10,000,000 on the people of this country and into the pockets of those merchants.

Not only that, but you raise the price of all goods of like character manufactured in the country and in the hands of merchants and manufacturers. We cannot tell how many goods there are of that character, probably \$200,000,000 worth of American manufactured goods, the price of which is to be raised 10 per cent. by the operation of this bill, or you will get no revenue from it. Therefore every consumer in this country, East, West, North, South, is to be taxed for the benefit of manufacturers and merchants to the tune of not less than thirty, forty, or fifty millions. That is the way you are proposing to tax the interests of the laboring people of this country. You commence by putting into the pockets of the favored classes of this country an enormous sum of money.

The gentleman near me from Pennsylvania [Mr. SMITH] says that this bill is not in the interests of Pennsylvania. I undertake to say that three-fourths of the manufactured goods in this country, whether made in the United States or made abroad, the price of which is to be raised by this bill, are east of the Alleghenies and north of the Potomac, which portion of the country contains not more than one-quarter of our entire population.

[Here the hammer fell.]

The CHAIRMAN. The gentleman's time has expired.

Mr. SMITH, of Ohio. I would like to have five minutes more.

Mr. PARKER, of New Hampshire. I move that the gentleman have five minutes more.

Mr. BECK. You cannot do that.

The CHAIRMAN. It requires unanimous consent.

Mr. HAZELTON, of New Jersey. I object.

Mr. BUNDY. I rise to oppose the amendment, and will ask the Clerk to read a petition sent to me by workmen, including farmers and mechanics and everybody else, for the purpose of showing what great fools they are as compared with the workmen in this House. After the Clerk has read it, if I have any time left, I will yield it to my colleague, [Mr. SMITH, of Ohio.]

The Clerk read as follows:

Resolutions of a mass meeting of workmen held at Ironton, Ohio.

Whereas the people of the United States have been most positively assured by their highest financial officer, the Secretary of the Treasury, that the revenue derived from all levies made by the Government, including those to be derived from what is commonly called the "little tariff bill" which has just been enacted, are inadequate to meet the necessary expenses of the Government and enable it to make provision for the gradual redemption of its indebtedness; whereas we believe the credit of our Government is as solemn an obligation resting upon the people as their individual indebtedness, and should be as faithfully provided for and maintained: Therefore,

*Resolved*, That the workmen of the city of Ironton, in council assembled, do most cordially approve and heartily indorse the recommendation of the Committee on Ways and Means to restore the tariff on all foreign manufactures; the removal of which has in no small degree added to the financial embarrassment of the country for the past year and a half, and paralyzed all our American industries.

*Resolved*, That we recognize just and wise statesmanship in exempting from importation duties tea, coffee, and all other necessities of life not produced in this country, regardless of all the charges of the press that it is political demagoguery come from whatever quarter that it may.

*Resolved*, That we regret the policy of the past, (in removing protection to American industry), which has been for months driving from our shores thousands and tens of thousands of the honest and industrious sons of toil from almost every nation of the earth, whose services, had they found profitable employment with us, would have contributed largely to the development of our unlimited resources and made a profitable home market for the corn, wheat, and other produce of our farmers, thus adding to our national wealth from our own resources and enabling us to attain the financial position we should occupy among the nations of the earth, which should be second to none.

*Resolved*, That we believe it the imperative duty of every workman, whether he be a mechanic or farmer, to stand by the men in Congress, regardless of political parties, who vote and work for the fullest protection to American industries.

Mr. BUNDY. These resolutions were unanimously adopted by a large meeting of workmen in Ironton, Ohio, three hundred and twenty of whom affixed their names to the same on the spot. These resolutions utter the voice of the workmen and producers of the country, without regard to the nature of their avocations respectively—

[Here the hammer fell.]

The CHAIRMAN. Debate on the pending amendment is exhausted.

Mr. BECK. If the gentleman from Ohio [Mr. SMITH] will withdraw his amendment, I will renew it.

Mr. SMITH, of Ohio. I withdraw my amendment.

Mr. BECK. I renew it. I desire to say but a few words. The House seems to have forgotten the object of this bill. It was brought before us, it was said, because the revenues of the country were deficient and the Secretary of the Treasury needed money to pay the sinking fund, and that money must be brought into the Treasury now during this present fiscal year in order to enable him to comply with the requirements of the law in regard to that fund. That was the avowed object of the bill. It seems, however, now to have taken a turn in favor of protection, which means to exclude revenue for the purpose of aiding manufacturers and others to make more money. The original object of the bill is lost sight of. Why do I say so? Because the more you protect the less you import, the more it costs the consumer for what he has to buy, and the more it enriches the home manufacturer who pays no revenue. Where is revenue to come from if protection is the idea? No, gentlemen, the 10 per cent. that is added by this section and all other per cents that are added simply cut off the revenues of the country.

The "little tariff bill" has been alluded to in a petition which has



been read—a petition purporting to come from “workingmen”—a petition written I suppose by their employers and signed by the employés under threat of discharge.

Mr. PARKER, of New Hampshire. A petition coming from “Iron-ton?”

Mr. BECK. Yes; from Ironton at that. The “little tariff bill” was passed the other day; and let me use some of its provisions as an illustration. It was said on this floor by the members of the Committee on Ways and Means, it was said by everybody, the gentleman from Connecticut [Mr. HAWLEY] making a short speech on the question, that the object of the bill, so far as silks were concerned, was to prevent fraud. It was alleged that a few cotton strands were put into silk ribbons and thus they were imported under the 50 per cent. duty and the revenue defrauded. The House allowed an amendment to be inserted which is now a part of the law, providing that there must be 25 per cent. of such material to make the goods mixed goods. The bill went to the Senate, and that body, upon the demand of the silk manufacturers, struck out the words “in material” and inserted the words “in value.” What is the result? While goods made wholly of cotton are taxed 35 per cent., every particle of silk-mixed goods that does not contain 75 per cent. of cotton is now taxed 60 per cent. From those silk-mixed goods we heretofore derived, as the statistics show, \$5,000,000 of annual revenue. Under that “little tariff bill” it will be impossible to import one dollar’s worth of mixed-silk goods, because, with a tariff on cotton at 35 and silk at 60, when a pound of cotton costs 29 cents and a pound of raw silk \$5.75 per cent. of the goods must be cotton or they cannot come in otherwise than at 60 per cent. duty. Thus the manufacturers of silk goods will pocket the \$5,000,000 which the Government received last year as revenue and the Government will get nothing. Yet that is called “a revenue bill.” The article of silk furnishes as good an illustration as anything else of the effect of high tariffs. Let me show how. We are consuming in this country \$70,000,000 worth—I think \$80,000,000 worth.

[Here the hammer fell.]

Mr. BECK. I will try and finish this statement hereafter.

Mr. MAYNARD. I rise simply to assign the reasons why I shall vote against striking out this section. I am about to retire from my connection with the legislation of the country. Ever since I have been honored with a seat in this House my every vote, my every speech, has been directed to what I regarded as the material interests and prosperity of that portion of the country from which I came. I have from the beginning considered this the weak point of the South, (if I may use that expression without offense,) that she manufactured so little and imported so much; that she did not work up her own abounding raw material into forms suitable for her own use and for sending abroad to other portions of the world. Gentlemen here sometimes seem to suppose that Pennsylvania is the home of iron and coal. It is true that there more than anywhere else have iron and coal been developed; but the home, the great depository of iron and coal in this country, lies south of what is known as Mason and Dixon’s line. If production there is properly encouraged and properly engaged in, that will be the great producing center for the iron of the world.

Our cotton, of which we hold practically a monopoly as regards all the rest of the world, we have been in the habit of sending all over the globe to be manufactured before it was fit to be used, instead of manufacturing it there where we have every facility for doing so, not merely in a climate more especially adapted to it, (being the climate where the staple is grown,) but also in respect to water-power, cheap agricultural products for furnishing food and clothing to laborers, and every other facility for economical manufacture. Until we adopt this policy of home manufacture we shall remain practically the fetchers and carriers for mankind, toiling in our fields to raise cotton and sending it thousands of miles to be manufactured that a mere modicum may be brought back for our own use and wear.

I trust, therefore, that the policy which we have been taught from our infancy in that part of the country to believe has developed New England in her barrenness and sterility, and Pennsylvania in her mountain inaccessibility, will, if adopted by us, develop our far greater resources and make us wealthy, great, and powerful, beyond the wealth and prosperity or power either of Pennsylvania or of New England.

I wish we could eliminate from our political discussions these questions affecting simply our material interests; that we could meet together and, without any of the embarrassments of political platforms or party associations or records, discuss them. I consider that this policy which is sometimes spoken of disparagingly, sometimes otherwise, as the protective policy—that is to say, a policy which discriminates between American labor and the labor of other lands—might be laid hold of and applied to our own section of the country. If I could secure that I should retire from political life better satisfied than with any other one thing except the maintenance of the American Union.

One word more. It has been said this will not bring revenue into the Treasury. Why, sir, I submit if \$9, to use figures by way of illustration, are paid for 1 ton of iron imported, whether if we had \$10 it would not be an additional dollar into the Treasury. But who pays the additional dollar? Not the American consumer, but the capital and the labor abroad that were engaged in producing it. It is easy to see whom the tariff affects. Where does the clamor come from?

It comes from the workshops of England and from the store-houses of men who are importing foreign fabrics.

[Here the hammer fell.]

Mr. TODD. Mr. Chairman, I have no confidence in my ability to throw light upon this subject, especially in the short period allotted to me; but I desire to call attention to what I regard as the singular and inconsistent argument indulged in by the opponents of this bill. With an empty Treasury staring them in the face, they deny the fact and refuse the means of replenishing it. Knowing that the good name and plighted faith of the Government are menaced by dishonor, they will not give it adequate protection or ward off the impending shame and disgrace. In asserting that no increase of revenue can be derived from the imposition of increased tax on distilled spirits and tobacco, they calumniate their own constituents and characterize them as liars and thieves who by fraud and perjury will evade the law. Protesting earnest solicitude for the welfare of the poor, they are eager to impose upon them onerous and odious taxes, and at the same time deprive them of the opportunity of earning an honest day’s wages by an honest day’s work. Knowing that the horizontal reduction of 10 per cent. is a failure and a blunder, they still, with a fatuity born of unreasoning obstinacy, stagger on toward the commission of other greater and more criminal blunders that will aggravate and perpetuate the suffering and the poverty and the ruin which they have already accomplished by their unwise and pernicious legislation.

Sir, I am too humble a man to lay any claims to the character of a statesman; but I cannot but believe that the era of true statesmanship has fled and gone, and has been succeeded by one of mediocre empiricism where the actors are bewildered and lost in the fog of their own crude ideas and aimless purposes.

What is the spectacle exhibited here from day to day? One side of this House, actuated by a blind antagonism that has grown chronic by habitual use, opposes and attacks every measure proposed, regardless of its merit or demerit. The other side, torn and divided into factions, and destroyed by conflicting interests and contending ambitions, submit projects which they have neither the courage nor the fidelity to carry to completion, but on the contrary surrender and betray in their hour of peril.

Sir, how long is this state of things to endure? How long will the independent and intelligent people of this country silently stand by and see its rich resources, its unbounded capacities, wasted and deadened by the misconduct and blunders of its rulers? Let the history of past parties answer the question and point out the lesson.

I say to this House and to both sides of it that the only way to retrieve the blunders and errors of the past is to retrace their steps. There is but one path to pursue, one policy to adopt, one grand idea to be clearly conceived, faithfully adhered to, and manfully carried out, and that is to encourage, stimulate, and protect the right of the people to work, to live, and to prosper.

[Here the hammer fell.]

Mr. ELLIS H. ROBERTS rose.

The CHAIRMAN. Debate on the pending amendment is exhausted. The question being taken on the amendment to strike out the last two words, it was not agreed to.

Mr. ELLIS H. ROBERTS. I move to amend by striking out the last three words.

Mr. LOUGHRIDGE. I rise to a question of order. I submit that no gentleman has a right to speak till Pennsylvania has been all heard from. I believe there are Pennsylvanians who have not yet been heard from on this subject.

Mr. FORT. I rise to another point of order.

The CHAIRMAN. The Chair has just recognized a gentleman who is pretty well known to be from New York.

Mr. FORT. I raise the point of order that no gentleman has a right to speak twice until an opportunity has been given to others who desire to speak.

The CHAIRMAN. Has the gentleman from New York [Mr. ELLIS H. ROBERTS] spoken on this section?

Mr. ELLIS H. ROBERTS. I have not.

Mr. FORT. He spoke in the general debate, and had an hour.

The CHAIRMAN. The gentleman from New York will proceed.

Mr. ELLIS H. ROBERTS. Mr. Chairman, I am not willing that the discussion of this section should turn altogether upon considerations of theory. This section was put into the bill for the purpose of raising money for the Treasury. I ask gentlemen to look at it as a measure of revenue. Experience has shown that the taking off 10 per cent. did not result, as theorists upon this floor are in the habit of saying, in increased importation.

The figures which have been submitted show that of the class of articles included under the 10 per cent. reduction, the importations fell off during the first year after that reduction, and fell off in the succeeding year, and have continued to fall off steadily up to this time. It is illogical, then, to say that the restoration of the duty will produce a contrary effect from that which the committee anticipated, to wit, increase of revenue. The committee believe, as experience demonstrates, that the duty is only one of the many elements which go to determine the amount of importation. The committee believe that with the reviving business all classes of importations will increase, and until then that the 10 per cent. restoration will bring back to the Treasury very nearly 10 per cent. additional upon a class of goods to which it applies.



Now, my friend from Ohio [Mr. SMITH] has brought up the old fallacy again that the amount of duties determines the price of manufactured goods. The truth is that the supply and demand are large elements in determining the price. When supply exceeds the demand, the price must be weak; and only when the demand holds a strong ratio to the supply can the price be raised. The market is overloaded with the articles included in the 10 per cent. reduction. Riding in the cars the other day I saw acres covered with pig-iron. Woolen factories have in many cases been piling up their products.

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

Mr. ELLIS H. ROBERTS. Not now; I would be glad to answer, but I have only five minutes. I know cotton factories which have made few sales in many months, and have been compelled to stock up all their fabrics. With such supplies of goods on hand the gentleman from Ohio [Mr. SMITH] need not fear that the price of domestic fabrics can be much increased if the pending section be retained. The holders of the goods dare not attempt to raise the price of these goods, but must accept the market.

Let gentlemen on this side who appreciate the needs of the Treasury consider also that this section adds great strength to the bill. Probably it is the crucial point. Strike out the section and you defeat the bill. Keep it in and you supply the deficiencies of the Treasury. The gentleman from Kentucky on the Committee of Ways and Means [Mr. BECK] opposes the section logically, for he is against passing any revenue bill. But those who see the needs of the Government and recognize the duty of meeting them must not be led away by any theory.

[Here the hammer fell.]

Mr. FORT. Mr. Chairman, this question of tariff is one upon which those who have the ability to do so may make a very good speech on either side. It is a sword that cuts both ways. Ever since I can remember I have heard this question discussed *pro* and *con*. I had supposed that the people had settled down in the belief that tariff should be levied for revenue only, and not for protection.

We have heard gentlemen here to-day claim that this section of the bill ought to be adopted for the reason that it would revive the industries of the people whom they represented who are engaged in manufacturing; that it would benefit and give protection to their constituents; and I am therefore inclined to believe that they have some selfish motive, honorable though it may be, in urging the increase of the present tariff; and again we hear other gentlemen representing the great cities whose people are engaged in importing the commodities of other countries, which they wish us to buy and pay them for. They urge upon us the adoption of the principle of free trade, in order that they may buy and sell more goods and amass more gigantic fortunes. I am constrained to believe that they too have some selfish interest, honorable though it may be, in the settlement of this question.

And so it seems that the representative of each locality and business sees his own interest and the interest of the constituents. The protectionist represents the interest of the manufacturer, and the free-trader represents the importing merchant. In either case the consumer is forgotten. There are some people in this country who are neither engaged in manufacturing nor in importing merchandise from foreign countries.

Let us remember the people, a portion of whom I represent, are compelled to purchase from the manufacturer or importer, and in either case they are compelled to pay too much. We should not be compelled to pay anything for protection. What we pay should be only such as is indispensable for revenue to the Government, administered upon the most rigid principles of economy.

There is another thing which has always appeared strange to me. We have to-day upon this floor heard a distinguished gentleman who belongs to the opposite party [Mr. CLYMER] address the House in favor of the adoption of this section, for the reason that it would afford protection to his constituents and protection to home production generally. I supposed that especially the party to which he belongs had long since abandoned the principle of protection. It always did seem strange to me that that party, which was in undisturbed power in this country for twenty-five years, and during all that time professing to be in favor of free trade, never adopted it or took a single step in that direction.

Now, sir, it is not the first time that I have learned that they taught free trade at home, yet when they come here they favor protection. Sir, we have nearly \$300,000,000 of revenue to raise to support the Government, economize as we ought, and still we cannot reduce our expenses very much below that amount, and there are nearly three hundred congressional districts in the United States. If we adopt absolute free trade, each congressional district, therefore, would have to pay \$1,000,000 as its share of the revenue. If we repeal all the tariff law and allow my friend from New York [Mr. CHITTENDEN] and other princely merchants to import goods free of duty without limit, they may grow rich while we will have to pay their enormous profits. My friend by my side [Mr. CHITTENDEN] informs me that he is not now engaged in the importing business.

Sir, our tariff should be levied for the purpose of raising revenue, and not for protection. At least these are the views entertained by many of the western people.

The tariff is now high enough in my judgment. We should decrease

it instead of raising it. Put tax on other things. Tax whisky and champagne wines and tax incomes to raise a part of the revenue needed. This will relieve the poor of a part of their taxation, and will put some of the burdens of the Government upon the rich manufacturers and bondholders, and will compel these merchant princes, such as my friend here, and the Stewarts, Dodges, &c., to contribute a portion of their enormous profits to the support of the Government. Yes, Mr. Chairman, by an income tax we could compel some of the monster corporations to contribute a part of their immense profits for the support of that Government that gives them protection.

My friend from New York [Mr. CHITTENDEN] informs me that he is not engaged in importing. He does not own a dollar's worth of merchandise here or abroad; and I cheerfully withdraw my reference to him.

Mr. SCOFIELD. I think the truth of the matter is that the gentleman from New York [Mr. CHITTENDEN] divides it up in this way: He leaves his business with his boys, and comes here to run the politics of the country.

Mr. CHITTENDEN. I protest that that is not the case.

Mr. FORT. Instead of levying additional import duties, I am in favor of internal taxation—taxing the intoxicating whisky and wine; taxing whisky on hand as well as that which is to be made hereafter. Tax it a dollar a gallon if you please. Tax high salaries. Tax our salaries. Tax large incomes, and put no more burden upon articles used by those who are unable to pay any more than they now do.

[Here the hammer fell.]

Mr. SPEER obtained the floor.

Mr. DAWES. I would like to have some time indicated when debate on this section may close.

Mr. KELLOGG. We have had very little debate on this section.

Mr. DAWES. If it can be generally understood that in twenty minutes' time all debate on this section will close, I will not move that the committee rise to obtain an order from the House to close debate.

The CHAIRMAN. That requires unanimous consent.

Mr. LOUGHBRIDGE and many others objected.

Mr. DAWES. I will ask the majority of the House to determine that question.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SPEER] is entitled to the floor.

Mr. SPEER. The democratic convention which met in Baltimore in 1872 declared what I believe to be the true doctrine upon the question of tariff, in these words:

We demand a system of Federal taxation which shall not unnecessarily interfere with the industry of the people, and which shall provide the means necessary to pay the expenses of the Government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof; and recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts, and to the decision of the Congress thereon, wholly free from executive interference or dictation.

Whether this bill be called a revenue bill or a tariff bill, it is wrong upon our part to attempt to make it a political measure. The question is, is the passage of this bill in this form, or in any other in which it may be put, essential to carry on the Government? If it is, we all should support it; if it is not, we should not support it.

I am not satisfied that under existing duties we will not have enough revenue. What we need most is not additional taxation but an honest and economical administration of the Government. The general paralysis of business for the last eighteen months has caused a reduction in the national revenue; but the bill now pending, if passed, cannot produce immediate results. I believe with honesty and economy we need no additional taxation; yet if I be in error in this, I feel sure that with the revival of business the coming summer our receipts will be ample to meet our necessary expenses.

This bill increases the tax on tobacco, whisky, sugar, and molasses, and proposes to repeal the act of 1872, which reduced the duty on iron and other articles 10 per cent. The section of the bill repealing the tax on matches, which I heartily approved, has been struck out; and the motion now is to strike out the fifth section, increasing the duty on iron and other articles 10 per cent. To this I am opposed; for if we need additional revenue at all it should be raised by levying duties on those productions and manufactures which give employment and reward to labor.

I am inclined to vote against the bill as a whole in its present form, because I do not believe its passage is demanded by the necessities of the Government; but if it is to pass, I hope the fifth section will not be struck out. In my judgment the fourth section, increasing the duties on molasses and sugar, should be defeated, as it is unnecessary in any just view that can be taken of the public needs.

We require from two hundred and fifty to three hundred million dollars annually to carry on the Government and pay the interest on our debt. How shall it be raised? By direct levies upon the States or by impost duties? It has been the practice of this Government from its foundation to raise its revenues mainly by imposts. When we admit the correctness of this policy, then the only remaining question is upon what articles shall this duty be laid and at what rates?

When we come to that, we strike local interests and sections. New England wants this article protected; Pennsylvania wants that article protected, Michigan another, and Kentucky another. So it becomes a grab game, every State and every section for itself, and the result



is a compromise bill, protecting to some extent at least the interests of the whole country. When I hear gentlemen from New York and other places sneeringly say of Pennsylvania that her Representatives are faithful to her interests, I cannot but reply that if they were faithful to the interests of their people instead of the interests of British importers, it would be better for our State and national prosperity.

Take my district, for instance, rich in mineral wealth. Its fields are gardens; its hills mines of wealth. It is not a pauper on the Government. From year to year it gets no appropriations for local improvements. In peace and war, in sunshine and storm, it stands faithful to the Government, and takes not a dollar by direct appropriation out of the Treasury. Yet we make appropriations here for Hell Gate, New York; for the rivers and harbors of Michigan, Wisconsin, and for the mouth of the Mississippi River to the extent of millions and millions of dollars that are silently paid into the Treasury, their respective shares being paid by my constituents and not a word said by them, without turning to the Representatives of those districts and saying you are paupers on Pennsylvania. But when the toiling millions of my own State who live by the labor of their hands ask that our factories, iron mills, and furnaces may be started that they may earn the bread to feed their families, we hear the cry of "pig-iron," "protection." Is not Pennsylvania a part of the country, and should not every Representative here take a just pride in her greatness and prosperity? Born upon her soil, I trust the day shall never come when I shall be found recreant to her interests; but while a Pennsylvanian, proud of the history and position of my State, I am an American, prouder still of the history of my country, her matchless march to power, and her manifest destiny.

[Here the hammer fell.]

The CHAIRMAN. Debate upon the pending amendment is exhausted. The question is upon the motion to strike out the last three words of this section.

The motion was not agreed to.

Mr. FIELD. I renew the amendment.

Mr. DAWES. Move to strike out the last four words; the committee has just decided not to strike out the last three words.

Mr. FIELD. I move to strike out the last four words. My chief objection to this section is that it does not raise the duties high enough. I am opposed to the policy of taxing domestic productions, because such taxation oppresses the people; but, Mr. Chairman, I favor the policy of taxing foreign productions, and taking the revenue which our Government requires out of the pockets of foreign manufacturers and foreign monopolists. Let us provide the required revenue by imposing the increase of taxation on foreign productions as proposed in the pending section, and in this way we shall take more money out of the pockets of foreign producers, and at the same time secure for our countrymen at home a larger amount of labor.

Mr. Chairman, this is a laboring-man's country. More than nineteen-twentieths of our population are laboring people; and it is patent to the understanding of every man that the more labor and employment we reserve for the country the more our laboring population will prosper and become independent. Therefore I favor this policy of taxing foreign producers when they wish to come into our markets to sell their productions.

If we adopt the section now under consideration, it will yield to the Treasury at least \$10,000,000 of revenue per annum. The section of the act of June 6, 1872, which made a 10 per cent. reduction of duties, caused a heavy reduction in revenue, as shown by the report from the Bureau of Statistics.

The varied productions necessary to supply the demands of civilized life are the results of labor; and if we allow the people of other countries to do one-half of the work required in furnishing these productions, then our own people can do only the other half. That is a plain proposition and can be understood by all. Our working people all over the country are beginning to see that when our home markets are supplied by foreign producers they are robbed of their own labor, are denied the occupations to which they are accustomed.

European labor has been supplying our market altogether too much with those manufactures and commodities which our people would be glad to produce and thus enlarge and diversify domestic employments. We have the raw material here; we have the artisans and the workmen who can do all the labor required in the country, and if foreigners wish to work for our markets let us require them to "step up to the captain's office," that is the custom-house, and pay the tolls which a protective tariff requires. I favor this policy; it is the policy of the West; it is the policy that our farmers indorse, and not the policy which the gentleman from Connecticut [Mr. KELLOGG] advocated the other day. He said he wanted wool to come in free. Sir, our farmers ask the adoption of this section because they want a tariff upon wool which will help our wool-growers and make the country more prosperous. Our western farmers can supply the manufacturers of the East with all the wool they require.

[Here the hammer fell.]

Mr. LOUGHRIDGE obtained the floor.

Mr. FIELD. The gentleman from Iowa [Mr. LOUGHRIDGE] yields to me for three minutes.

Mr. LOUGHRIDGE. No, I believe not. I will yield one minute to the gentleman.

Mr. FIELD. I am very much obliged to the gentleman.

Now, Mr. Chairman, I understand that some gentlemen on this floor from New England are not very favorable to this section of the bill. The manufacturers of New England have been prosperous; they have been doing very well under those laws which have given to them the markets of our country; and they are more willing today to compete with foreign monopolists and foreign manufacturers than to compete with the rising manufacturers in the West. They know that very soon the Western States will do their own manufacturing; and then they will not have those markets to enjoy as they have had in the past. Now, Mr. Chairman, in my judgment we ought to increase the tariff on all foreign manufactures 10 per cent. every quarter until the price of gold falls to the par of greenbacks; and then instead of draining the country of our gold every year, instead of shipping \$100,000,000 in gold every year as we have been doing for the past fifteen years to pay for the productions of foreign labor imported, we should do our manufacturing at home and thus keep our laborers employed and keep the gold produced from our rich mines.

[Here the hammer fell.]

Mr. LOUGHRIDGE. Mr. Chairman, I have taken no part in this discussion thus far, and I rise now simply to state in a very few words the reasons why I shall vote in favor of striking out this section. I do not believe that the section is in the interest of revenue. I believe that it involves nothing more nor less than a tax upon the producers, the farmers, the laboring classes of this great country, and nine-tenths of this tax will go into the pockets of the iron-masters of Pennsylvania. I do not wonder, sir, that when this section is under consideration all the Pennsylvanians on this floor (democrats and republicans alike) rise to their feet to advocate it. I see democrats on the other side of the House—standing, I suppose, within the ranks of their party upon every other question—rising here and advocating the imposition of 10 per cent. additional upon a heavily taxed people in a tariff which is now almost prohibitory in its operation, the duty being upon some articles 40 and 50 per cent.; upon different articles of iron averaging about 30 per cent. Upon the article of carpets the duty is 45 per cent., and yet gentlemen on this floor—democrats, too—rise here and demand that an additional 10 per cent. shall be taken out of the pockets of the laboring people of this country. And this is not to be added to the revenues of the Government.

I now ask the gentleman from New York, [Mr. ELLIS H. ROBERTS,] who declined to answer before, to explain if he can how this is in the interest of revenue. I understood him to say that he had recently seen acres upon acres of pig-iron awaiting a market, piled up ready for sale, and no purchasers. I would like to ask him how this additional duty will enable the owners of that iron to sell it? How will it make a market for that iron? In what way will this additional duty so operate and give relief to the owners?

Mr. ELLIS H. ROBERTS. The statement I made was that the price of the manufactured article would not be increased by the additional duty, because the supply is so great.

Mr. LOUGHRIDGE. Then how will they be able to sell that iron, and how will its owners be relieved?

Mr. ELLIS H. ROBERTS. I did not say that they would be able to sell it.

Mr. LOUGHRIDGE. Then I cannot see the point of the gentleman's argument.

Mr. ELLIS H. ROBERTS. I say the supply is so great that the enhanced duty will not increase the price.

Mr. LOUGHRIDGE. I tell the gentleman that they will get an additional amount for their iron equal to the increase of the duty; that much will be added to the price of the iron to be paid by the consumers; that much more will be added to the price of the iron made in this country as well as the iron imported. This must be so; otherwise the iron interests of Pennsylvania will derive no benefit from this duty, and they certainly expect some special benefit as evidenced by the zeal with which their Representatives support the section on this floor.

They believe—what is the fact—that the amount of this additional duty will be added not only to the price of the iron imported, but to the price of every pound and ounce of iron now manufactured or to be manufactured in this country, and to all ironwares and all manufactures of iron, and the people will pay \$100,000 to get \$8,000,000 into the Treasury.

Now, sir, I say again I oppose this imposition of 10 per cent. on an already heavily taxed people, affecting especially as it will my constituents in the West. The gentleman from Pennsylvania [Mr. SCOFFIELD] says this is a compromise and gives advantages to every interest. What interest have the farmers of the country in this tariff section, the effect of which will be simply that they will have to pay that much more out of their pockets than they otherwise would have done? And not one-tenth of the addition they pay will go into the Treasury.

Sir, I protest against this section, as an injustice and an outrage upon the masses of the people.

[Here the hammer fell.]

Mr. SCUDDER, of New Jersey. The principal objection to this bill, so far as I can discover from this debate, is that it imposes a tax on whisky and also a tax on tobacco without being attended with corresponding benefits to the parties taxed. Now, the only justifica-



tion for such a tax is the necessity of the Government. If the necessity of the Government be sufficient to authorize it, then we should acquiesce; and not otherwise. The restoration of the 10 per cent. is thrown in with the view of benefiting the manufacturing interest. I take it that the sense of this House is to restore that 10 per cent. which was heretofore taken off.

Then it comes back to the proposition, shall we tax spirits and tobacco? There is only one good reason for it and that is the importance of maintaining the honor and credit of the Government, to keep up its sinking fund and to keep the Government in a proper condition in the management of its affairs. That is the only justification for this measure.

Looking at it in that light, taxation is not oppression. We draw from the people and we give back to the people. The sun which draws water up to the heavens and sheds it in copious showers upon hill and valley while it takes it restores; and in an important sense such is the operation of taxation in our own country and in every country. You must maintain the credit of your Government. No great people, no rich people, no powerful people has a poor government. A government that is poor represents a poverty-stricken people as a rule. Therefore if you pay taxes enough and keep the affairs of the Government in a sound condition, you raise the credit of the nation and you necessarily to some extent, even though you may seem for a time to oppress industry, raise and sustain industry. That is the natural and inevitable result according to all the well-established principles of political economy relating to that subject.

And, further, you will be able to fund your public debt cheaper; you will prevent bonds from being sent here from Europe to be sold; you will keep off panics, distress, and disaster. Moreover, you will nerve the arm of the soldier in his duty, and enable the sailor to bear mast-head the glorious flag of his country. You will produce confidence all over the country and raise our credit abroad, and that confidence itself is a great part of success and prosperity, without which beneficial results cannot be accomplished.

For these reasons and upon these grounds alone I am constrained to support this bill.

[Here the hammer fell.]

Mr. PARKER, of Missouri. I desire to submit a few remarks as reasons why I propose to vote for this fifth section. It strikes me that many gentlemen in the House when discussing this question of tariff and taxation are constrained to localize their views, and if they conceive that Pennsylvania or New England is likely to derive any immediate benefits from the passage of a law of this kind they at once indulge in eloquent tirades against the passage of any such proposition.

My friend from Iowa [Mr. LOUGHRIDGE] sees proper to oppose this section because he believes it will benefit the iron-masters of Pennsylvania. According to my view when legislating upon a question of this kind we should, if possible, look to the general interest of the whole country. Now, my observation has been that when the iron-masters of Pennsylvania were prosperous, generally speaking the whole country was prosperous. When the blaze of the iron furnaces in Pennsylvania could be seen in almost every valley and at the foot of almost every iron-mountain in that State we beheld prosperity over the whole nation. But when those furnaces from necessity and from the terrible effects of the panic were compelled to go out, we find every industry in the land, the agricultural in the West and the manufacturing in New England, stricken down as well as the industries of Pennsylvania.

This is not a local question. It is a question which pertains to the whole nation. I believe that the prosperity of this nation is to be restored by the development of our internal commerce rather than by dependence upon our external commerce. Therefore whatever has a tendency to develop that internal commerce meets my approval. While my friend from Iowa, [Mr. LOUGHRIDGE], situated as he is, may see proper to oppose this, I believe he is making a mistake.

I believe that the true solution of this question of getting the full value for the products of the farmer depends in the end not so much upon the capacity of Congress to fix this question of transportation, but in placing the farmer side by side with the consumer. Let me say to the gentleman from Iowa that immediately south of his State there will be found one of the States of this Union known as Missouri, that has in it iron, lead, and tin, and all of the mineral resources of which are yet to be developed, and which in the future will place thousands, yea millions of consumers of the products of his State side by side with the farmers of Iowa—the men who raise corn, wheat, and pork, to be fed to these mechanics and laborers in the mines, factories, and mills of Missouri in the future.

Now, sir, if there is ever any change in this question of the tariff that change will be this: that the States lying upon the sea-board of this Union will in the end look to foreign commerce, and the great States in the interior, like Pennsylvania, Virginia, West Virginia, Ohio, Indiana, Illinois, Missouri, Arkansas, Kentucky, Texas, Tennessee, Alabama, and Georgia will be the great manufacturing districts of this country.

[Here the hammer fell.]

Mr. COX. I have only five minutes to speak. In that time I propose to answer three gentlemen. That will be one minute and forty seconds to each. These gentlemen are my friend from Michigan, [Mr. FIELD,] the gentleman from Pennsylvania, [Mr. SPEER,] and

the gentleman from Pennsylvania who spoke the other day, [Mr. KELLEY.]

I will begin with the gentleman from Pennsylvania, [Mr. KELLEY,] for he seems to be singularly situated. He is opposed to this bill. He is a republican and opposes this administration measure, and yet we find democrats from Pennsylvania favoring its worst features. We have Pennsylvania democrats willing to vote all its worst features—the 10 per cent. raise—for local and selfish reasons, and to vote against it if these bad lineaments are not preserved. What is singular is that democratic gentlemen from Pennsylvania plead these local claims. They shriek for their districts, while the gentleman from Pennsylvania [Mr. KELLEY] on the republican side votes against this bill on a higher plane, even if it be much lower than that of others of our side.

The gentleman from Pennsylvania [Mr. KELLEY] the other day made an unfortunate reference to localities. He referred to myself in that connection. He said that the farmers of Ohio drove me out of the State and that I was now ignobly representing the "importers." He intimated that I had made the same speech here on this topic for fourteen years.

Sir, I have made speeches upon this question for fourteen years. But they are all imbued with same generous and liberal band, and have that variety in unity which springs from the various circumstances of our remarkable situations before, during, and since the war. Those relations connected with the currency, and pertinent to war tariffs, are new thoughts, though founded on immutable principles. His reproach to me for consistency does me honor. His allusions to my scholarship are hardly deserved.

But, I congratulate the gentleman from Pennsylvania that he is opposed to this bill. It indicates progress. His people will be rejoiced to learn that after many fitful fights and fevers, he denounces such measures and votes against them. In this, he is in strange contrast with his democratic colleagues. But he has said, to counteract my efforts here for the farmers, that I was driven from my home in Ohio by that class. Sir, I was gerrymandered out of my district by a republican Legislature. But there are two democratic members here representing my old district. Let them speak as to my friends there. My object in going to New York, after my service here, is no one's business; but I volunteer to say, it was not ambitious or partisan or political. I settled, without knowing it, in a republican district, from which I was twice elected. I represent another district now scarcely without competition. It is a district of workingmen. If, however, I speak for the "importers," I may say that they never asked anything in bounty from Congress.

My friend from Pennsylvania [Mr. SPEER] who sits near me, so meekly, let the cat out of the bag when he said that we of the Atlantic States and Western States get appropriations for rivers and harbors, while they who live in the Middle States get nothing, because they are in the interior. He wanted bounties inland, to make up for the taxes on the rivers and coasts. Bounties for what? For his iron and coal mines. "You thus get direct taxes from the people," he would exclaim; "and we want indirect taxes to help our interests by tariff." He thus admits the whole fallacy of protection. I say this irrespective of platforms or previous condition of parties.

Now for the gentleman from Michigan, [Mr. FIELD.] I love to hear him. He reminds me of Nature: "Sweet fields arrayed in living green, and rivers of delight." He manufactures cloth; compare my clothes with his own. I bought these clothes in Canada for \$21.

Mr. DAWES. And smuggled them in.

Mr. FIELD. I get an American tailor to do my work.

Mr. COX. The gentleman says he gets an American tailor to do his work.

Mr. FIELD. And a Michigan one, sir.

Mr. COX. I get my clothes to suit me, by the laws of liberty and sense. Now keep still or I will take your clothes off you.

I refer to this fact as illustrative of the tariff and its protection. While we can buy such clothes in Canada for \$21, a suit of the same kind of clothes costs the people in this country \$50. How much of that is revenue, how much protection? I do not care who makes the cloth. Cloth and clothes do not make patriots by the place of manufacture! Only about \$10 or \$20 of that amount goes into the Treasury. Where does the rest of the \$50 go? It goes into the fob of manufacturers. They take the money from the needy and laborious farmers and mechanics of the country whose interests are in cheap clothes for themselves and families.

I have now answered three members in five minutes; and I am happy.

[Here the hammer fell.]

Mr. KELLOGG. The gentleman who goes to Canada and buys his clothes and smuggles them in over the lines, instead of patronizing his own constituents, has been very well answered by the gentleman from Michigan, [Mr. FIELD.] But I want to call the attention of the gentleman from New York [Mr. COX] to the speech which I have heard him make here for six years right straight along in this connection. It is this; the lower you put your duties on our manufactures the more revenue you get, because you increase the importations. Now the tables from the Treasury Department, as found in the speech of the gentleman from Illinois [Mr. BURCHARD] who moves to strike out this section, show that the actual importations after the 10 per cent. reduction went into force was more than



\$55,000,000 less the year ending June 30, 1874, than in the year ending June 30, 1873; and there was an actual loss to the Treasury, as another report of the Secretary shows, for nine months immediately following the going into operation of that bill and before the panic came in the fall of 1873, showing that we not only imported a less amount of goods from abroad, but obtained of course a less amount of revenue upon our importations of the articles embraced in the 10 per cent.

reduction of last Congress. You cannot lay it to the panic of 1873, for the falling off in imports of these articles commenced from the very day the 10 per cent. reduction took effect, and nine or ten months before the panic. A report to this House made last session shows this. I will give the tables as contained in the speech of the gentleman from Illinois [Mr. BURCHARD] to sustain my position and statements:

## IMPORTS.

*Statement of the value of imports subject to the reduction of 10 per cent. of the rate of duty under act of June 6, 1872, imported into the United States during the fiscal years ended June 30, 1873, and 1874, with estimated rate and duty on the same.*

Articles.	Fiscal year ended June 30—		Decrease of 1874 from 1873.	Estimated—	
	1873.	1874.		Average rate of duty.	Amount of duty for 1874.
	<i>Value.</i>	<i>Value.</i>		<i>Per cent.</i>	
Cotton and manufactures of.....	\$35,201,324	\$28,183,878	\$7,017,446	36	\$9,846,196 08
Glass and manufactures of.....	7,420,044	6,257,978	1,162,066	46	2,872,669 88
Iron and steel and manufactures of.....	59,309,452	33,713,455	25,595,997	31½	10,619,738 33
Metal, metal composition, and manufactures of, not otherwise provided.....	9,114,221	4,781,041	4,333,180	31	1,482,122 71
Paper and manufactures of, including books.....	4,928,963	4,130,729	789,234	25½	1,055,630 90
Wool and manufactures of.....	71,509,400	55,130,279	16,379,121	54½	30,046,002 05
All other articles.....	4,340,340	3,703,347	636,993	32	1,185,071 04
Total.....	191,823,744	135,909,707	55,914,037	41.02	57,113,430 99

Now, if you have a good business here, if your men get two dollars or two dollars and a half a day, their wives and daughters will buy foreign goods. I believe in paying good wages for American labor, and you can do it if business is good. But strike down your own industries, throw your men out of employment and they will not only be unable to buy foreign goods, but will find it difficult to keep the wolf from the door. Make business good, and you have more importations from abroad, and you will have an increased revenue. My friend from Kentucky [Mr. BECK] never fails to go for all the duty he can have on hemp, and yet he takes the same ground as my friend from New York [Mr. COX] when you come to New England manufactures.

I shall sustain this section, but not for the protection of any industry whatever. As I said the other day, New England is not constantly asking for us to disturb the tariff for the sake of protection. She prefers a stable, settled policy, and not these constant changes of tariff. I will not vote a dollar in the bill for the sake of protection only, but I will vote for all that may be necessary in my judgment for the revenues of the country. As I said to the gentleman from Michigan, who would like to have wool protected still more, that I was not in favor of it for the reason that it is now protected with a duty of 54 per cent., while most other articles that were embraced in the 10 per cent. reduction have a protection of but 31 or 35 per cent., I think it is better to leave it with its 54 per cent. protection as it is now, than to make any change in it; and I think our woolen manufactures would revive if they could get their foreign wools, which they are obliged to use for certain kinds of goods, at a lower rate of duty; and they would make an increased demand and a better market for your domestic wools if you would make the burdens on the raw material less, and increase and diversify our own manufactures.

The other day one gentleman from Ohio [Mr. GUNCKEL] who seems to have his brain affected about Connecticut tobacco, and to be afraid our tobacco will get some advantage over his, said that we in Connecticut asked to have this tax on tobacco increased for our benefit. Not at all; we would be glad to be rid of all the increased tax on tobacco. And let me tell my friend from Ohio, when he talks about Connecticut, that Ohio is but one of the children of Connecticut; a splendid, great, overgrown child, it is true. We sold the better part of your great State of Ohio once for \$1,200,000, and waited five years without interest before we got our first installment at that price. I will repeat one word in regard to the wool interest, that if you increase the duty it would rather be a burden than a benefit to our manufacturers and no benefit to the wool-growing interest. It has already 54 per cent. protection; about 20 per cent. higher than most other classes of articles embraced in the 10 per cent. reduction. I would like to see the section adopted with that exception; but if it cannot be done I shall vote for the section as it now stands, for the purpose of increasing the revenues of the Government.

[Here the hammer fell.]

Mr. BIERY. I want to say a few words on this section. I am against the motion to strike it out, not because I am from Pennsylvania, not because I represent a district interested in pig-iron and rolling-mills, but because of the principle which I hold, that protection to American industry is essential to our prosperity. It seems to me that the arguments which are arrayed here against this section strike not against Pennsylvania or New York, or any other manufacturing State, but against the general interests of manufacturing industry the country over.

If Illinois chooses to array itself against the development and manufacture of raw material, let it be so. If Iowa, if some parts of the South, think it is better to array themselves against those States that develop and turn into manufactures the raw material,

let it be so. I will say, however, that in order to perpetuate the prosperity of the country in all its various interests we must look to the protection of American industry.

Can it be possible that one State can have an interest in this country which does not affect the interest of every other State? Can it be possible that the large manufacturing interests located in my native State can be against the interests of Iowa or Illinois? My county has as rich a soil as there is upon God's footstool; yet we do not produce grain enough to feed our operatives. Illinois feeds a great part of my people living in Lehigh County. We go to the great market of Chicago, in Illinois, and bring wheat to our doors, and grind it to feed our operatives. Iowa sends her pork there for them to eat. We get from the South her cotton and spin it into yarns and make cloth of it, and our operatives wear it. We feed our operatives with the rice that South Carolina produces. The sugar of Louisiana comes into our markets and we consume it.

Is it possible that this is a sectional interest? Listening to the arguments of gentlemen on this floor a man would suppose that Pennsylvania had grown to be an immense monopoly that seeks to swallow up every other interest in this country. I was surprised to hear my friend from Ohio [Mr. SMITH] declaiming against this section of the bill. Sir, he told me last year that the only manufactory he had in his district was a little establishment engaged in making agricultural implements. I am not surprised, therefore, at the gentleman's wisdom in regard to protection.

Mr. SMITH, of Ohio. The gentleman is mistaken. Mine is one of the largest manufacturing districts in Ohio.

Mr. BIERY. Then I am very sorry that the statement made by the gentleman last year should have become so indistinct in my memory.

Mr. SMITH, of Ohio. The gentleman is mistaken.

Mr. BIERY. If I am, I beg the gentleman's pardon. But if the gentleman represents here a manufacturing district, then it is much more to his discredit for him to seek to strike down that which makes us a great people. What are we without the development of our interests and resources? What is Pennsylvania, for instance, with all her immense coal and iron deposits, unless those deposits be developed? Of what good is your raw material if you do not work it up at your own doors? Ship your raw materials to England, let her manufacture them and bring them back with her profits charged upon them, and she makes you pay whatever she pleases for the manufactured article, while she fixes the price for the raw material. Thus a fatal blow is struck at your prosperity.

[Here the hammer fell.]

Mr. DAWES. I do not desire to be stringent in reference to debate; but it seems to me desirable that some limit should be fixed. I therefore rise for the purpose—

Mr. POLAND. I desire to say a word, and I hope the gentleman will yield to me before he makes his motion that the committee rise.

Mr. DAWES. I yield to the gentleman from Vermont, [Mr. POLAND,] and then I will move that the committee rise.

Mr. MERRIAM. I want to give notice that I have an amendment.

Mr. SHANKS. I object to the gentleman from Massachusetts [Mr. DAWES] yielding conditionally to the gentleman from Vermont.

The CHAIRMAN. The Chair does not understand that there is any condition whatever. The gentleman from Massachusetts by yielding has lost his right to make his motion.

Mr. DAWES rose, and moved that the committee rise for the purpose of closing debate on the pending section, but yielded to

Mr. POLAND. Mr. Chairman, I have asked the chairman of the Committee on Ways and Means to yield to me to say a few words, not particularly about anything there is in this bill, but about a matter that has been brought into the debate upon it.



The gentleman from New York, a member of the committee, [Mr. Wood,] made a speech during the general debate on the bill, in which he went out of his way to make an attack upon the recent provisions of the statutes, a work which had been carried through Congress by a committee of which I have the honor to be chairman, and for the correctness of which I acknowledge myself to be properly to a considerable extent responsible. The gentleman in his speech said:

The Revised Statutes, so called, materially increased the tariff duties \* \* \* This result is the product of both the clumsiness of the statutes, as revised, and the mischievous construction of the Treasury Department.

Attached to the gentleman's speech he has had printed in the RECORD a long letter on the subject signed by himself and purporting to be written by him. In that letter, after saying that he acquits the committee having it in charge of any willful design to change the rate of duties on imports, he goes on to say:

Whether any one else inspired changes with such an intent is not so certain. There is certainly much method in some of the alterations. Nor do I impute any blame to the present Secretary of the Treasury, although I am free to say that in my view the person who is referred to by Mr. POLAND as assisting the committee in behalf of the Treasury should not have afterward been selected to put the law in operation and interpret the interpretation. It is estimated that this increase will add \$5,000,000 annually to the customs receipts.

Upon a former occasion I stated to the House the source of all these attacks upon that portion of the revision which concerns the tariff.

The papers in New York City and some others during the summer and fall were full of articles attacking the revision of the tariff, and long lists of articles were paraded upon which it was alleged that duties had been raised by reasons of changes of the law made by the revision. They went before the country, uncontradicted, of course, because neither the officers of the Government nor those concerned in making the revision could properly enter into a newspaper war with a New York customs broker. The person to whom I refer even went so far as to get up petitions to the President, asking him to suspend the operation of that part of the Revised Statutes by proclamation. His views of the power of the President were about as correct as his knowledge of the tariff revision. But these incessant attacks upon the revision circulated through the press and unanswered did have the effect to make many people believe that some great fault had been committed either by design or carelessness. So general was this belief that in a debate in the Senate a few days since an eminent Senator, who is himself a most excellent lawyer and a man who would not knowingly do injustice to anything or anybody, said, in speaking of the revision:

The Senator is aware of the very trenchant criticism which has been bestowed, and in many cases most justly, upon the revised code as presented. Alterations which were neither authorized nor intended by Congress have appeared in the new code. Changes of duties upon imports have appeared there, and have *sub rosa* been incorporated into law by the adoption of these Revised Statutes.

It is perfectly evident from all that the Senator said that he spoke from no knowledge derived from any examination made by himself of the law, but had taken it for granted that all the newspaper charges which had gone uncontradicted must be true. No man I know will be more pleased to know than that eminent gentleman that the accusations against the revision are utterly false; and I doubt not he will take pleasure in declaring his confidence in the revision as publicly as he did his want of it. The knowledge that the gentleman from New York has on the subject is evidently just the same and no more. He has never given the matter the slightest attention in any such way as to know whether the revision is correct or not. He has read the newspaper articles, and possibly he may have had the pleasure of personal communication with the author of them, as they reside in the same city. Indeed, there is a very striking and suspicious similarity between the letter purporting to be written by and signed by the gentleman and these newspaper writings. The substance is the same and the language wonderfully like.

It has long been said that great minds are apt to think alike; and I do not know but the same moving cause might not produce similarity in language, either spoken or written. I am sorry the gentleman from New York is not at this moment in his seat that I might ask him if he knows who made the revision of the chapters relating to the tariff. I do not believe he knows, even after writing so learned a letter on the subject.

Gentlemen who have given any attention to the history of the revision know that the work was done by three commissioners appointed by the President. The work of the tariff part was done by Mr. Abbott, an eminent lawyer of the gentleman's own city, a man specially eminent for his knowledge of the statutes of the United States, having made a digest of them years ago, besides being the author of other legal works. The gentleman from New York will hardly claim that Mr. Abbott was not a competent person to do the work well, or that he would be likely to have any special hostility to that much-abused class of persons, the merchants of New York. When the revision came before Congress for action, it was referred of course to the committee which had charge of that subject. It was of course parceled out to the different members to make careful scrutiny of all parts to see whether the law had been accurately stated. The portion relating to the tariff and for the collection of tariff duties was not assigned to myself at first.

Great anxiety was felt by many persons in Congress and out of it as to that part of the revision. Everybody knew, who had any knowledge of the subject, the disgraceful condition of the statutes

relating to the tariff and the almost impossibility of ascertaining what the law was. But it was regarded as a most ticklish subject. It was said that by the wrong use of a comma the Government had been really cheated out of several hundred thousand dollars of duties. One gentleman in Congress told me he proposed to offer a resolution to leave all relating to the tariff out of the revision because of the great danger that by some such mischance we might strike down some of the great industries of the country. But I was unwilling to have it said that the law on any subject had become so disordered that it could not be translated correctly and placed in an intelligible form.

Before that portion of the work was entered upon, the member of my committee to whom it had been assigned was called home by sickness in his family, and I was obliged to take his portion of the work. At the request of the Committee on Ways and Means Mr. Lorin Blodgett, one of the general appraisers at Philadelphia, was employed to aid me in going over the tariff revision. He was represented to me by the chairman of that committee as having great experience and knowledge of the tariff laws, and as a man of perfect integrity of character.

The work of going over the entire legislation on the subject since the beginning of the Government was very great. The work, as left by the commissioners, was very well done, considering the mass of disjointed and incongruous matter it had to be made out of. We found an occasional error and more omissions, but these were not generally in the rates of duty, and very few indeed were altered from the report of the commissioners. The effort in all cases was to exactly state the existing law.

In the attacks on the tariff part of the revision by this New York gentleman, Mr. Blodgett has been brought in largely; indeed, he has been charged as the principal in the mischief, and myself rather as the subordinate.

I have before publicly borne testimony to the value of the services of Mr. Blodgett. I take pleasure in again doing so. He was possessed of very great and very accurate knowledge of the tariff laws, and it has never been my fortune to be associated with any gentleman whose action evinced more sincere desire to do perfect and exact justice. Our labor on the tariff revision extended over several weeks, and that portion of the work undoubtedly received a much larger and more thorough examination than any other part of the work.

Every change in the work of the Commissioners was reported to and explained to the full committee, and none adopted unless sanctioned by them.

Now, Mr. Chairman, I have to say that the tariff part of the revision is undoubtedly the most perfect of any part of the entire work. Members of Congress know well how difficult it must be in the multitude of duties which devolve on us all here to find time for so laborious work as this. I think I know that the faithfulness and diligence of the committee in this work of the revision is known and appreciated by every member of this House; and the confidence they gave the committee has never been paralleled. I feel confident no one of you will ever complain that that confidence was abused.

But, sir, I was saying that the tariff part of this revision was nearer perfect than any other part of it.

It is known to the House that during this session the Committee of Revision have been carefully over the whole volume to correct all errors that could be discovered in the work. I have had the list of articles on which it is said duties have been raised carefully gone over by Judge James and Mr. Durant, who were employed by the Secretary of State to prepare the work for publication. They say there has been no change of law made. I have carefully examined them, and I say there has been no change made. The Secretary of the Treasury says he has examined it and had it examined by experienced experts in the Department, and he says there has been no change.

I have one more authority. I went to the gentleman from New York [Mr. Wood] and told him the committee were going carefully over the work to correct all errors, and if he could point out any we should be glad to have him do so, that we could correct them. He replied that he could not point out any.

But they say higher duties have been collected since the revision than before. How can this be if the law was not changed? The Secretary of the Treasury explained all this in his letter in answer to the resolution of the gentleman from New York, [Mr. Wood.] He says the laws were so mixed and doubtful it was often nice and difficult to decide what the duty was. The greatest pressure was always on to get duties down; the subordinates in custom-houses and Departments were not supported by advice, counsel, and argument, and primary decisions were always most strongly against the Government. Obsolete and superseded laws were relied on, and often really made to repeal a later one. The revision wiped all this out and left the essence of all the existing statutes crystallized into a single plain statute, which no ingenuity could warp out of its true intent and meaning. But the gentleman from New York complains of the Secretary for enforcing the law. He should have enforced the old mistaken and erroneous rulings. The Secretary is a gentleman quite competent to take care of himself, and I certainly shall not become his champion until some charge more dangerous than this is brought against him.

But great wrong has been done the merchants of New York? "The merchants of New York" is ever on the tongue of the gentleman from



that city, [Mr. WOOD.] He repeats it and accents it, as if they were a higher and better class of men than any others; and he will insist that great wrong has been done them by the Secretary. Why? Because he requires them to pay duties on their imports, such as the law requires. But they had not been required to pay so much, and purchased cargoes, relying upon paying the old rates. This could hardly happen but once, and I hardly believe they failed to add the increased duty to the price to the customers.

I know a few merchants in New York, and I suppose they are pretty much like the rest of the men in the world, neither better nor worse as a class. They have always tried to get the lowest rate of duty on their goods. I do not know that this is different from what other men would have done in like case.

The gentleman from New York says that it is estimated the annual increase of duties by the revision will be \$5,000,000 a year. I had always high hopes and great expectations of the value of the revision of the statutes; but I never looked upon it as a great financial measure. But according to the gentleman, it has proved so; and if true, and I think it is to a degree, I have and so has the country another cause of rejoicing in the completion of the work.

The gentleman from New York argues as if this \$5,000,000 was wrongfully exacted from the merchants.

Now, there is a good deal in the way of putting things. Another and far more correct way of putting this is that for years the importing merchants have been defrauding the Government out of \$5,000,000 every year. The hardship is that they cannot do it any longer, and the Revised Statutes must bear the blame. If this be true, the people of the country will not think the less of the revision.

I desire to say, in conclusion, that in my judgment not only the bench and bar of the country, but the whole people owe a debt of gratitude to the gentlemen who made the revision for placing the laws of the nation not only within reach but within reason. The perhaps still more difficult task of perfecting it and carrying it through to adoption, which was done by myself and colleagues, is sufficiently rewarded by seeing the work completed.

Mr. SHANKS. Mr. Chairman, if I believed this increase of revenue was necessary to carry on the Government I should vote for it. I am always willing to take the responsibility of adding to the burdens of the people wherever such an increase is necessary for properly administering the operations of the Government; but I am not willing to vote any more than that. And when I learn on this floor that it is not necessary to meet the expenses of the Government, then I think it is not necessary to have it passed, and I shall oppose this measure. I shall vote against the increase of 10 per cent., because it is not necessary in order to provide for the expenses of the Government.

That is what I wished to say and all I wished to say. I yield the balance of my time to the gentleman from New Jersey, [Mr. DOBBINS,] and hope he will have his own five minutes besides.

Mr. DOBBINS. I am very much obliged to my friend from Indiana for his kindness. I am sorry to differ from my friend in opinion. I am a practical farmer from New Jersey. My friend from New York [Mr. COX] remarked on Thursday that he would he had a trumpet's voice, by which he might talk to the farmers of the country. I have been a practical man, sir, for the last forty years. A certain writer has said—

'Twere wise to talk to our past hours,  
And ask them what report they bore,  
And how they might have borne more welcome news.

I have been an observer, sir, as well as a practical man, and I have invariably found that under a low tariff or the free-trade system the practical bearing of it was general devastation and want. The business interests of the country have generally suffered and suffered materially. And, sir, I believe that our interests are mutual; that when the great manufacturing interests of the country are prosperous, then all are prosperous.

Who are the great consumers of the country? Five-sixths of them are the workingmen of the country, and if they have nothing to do and no money to pay for their produce, the result is that the farmer has no market.

I put away a few thousand bushels of potatoes in my cellar last fall. And why? Simply because I could not sell them as I usually did. But I was informed by my good wife when I was at home the other day that the very best thing that I could do would be to hire another man to help to carry them out to give them to the people who were idle in the country. If our factories were in active operation, and these people were employed, I could have sold my potatoes last fall for liberal prices and been benefited by the money. Thus as a farmer I should have been advantaged.

My learned friend from New York imparted this piece of information, that the plow of the farmer was at least in part made of iron, and that his mowing-machine was in part made of iron, and that his wagon was in part made of iron, and that this tariff would tend to increase the price of those articles in the market, and consequently the farmer would have to pay more for them. Well, sir, what does the farmer care for all that so long as he has a good home market, when the very first load of perishable produce he takes to his neighbors and sells would remunerate him enough to pay all the advance in price on his implements. And then, sir, his plow and his reaping-machine and his wagon would last him for years to come, and he could use them without any increased cost.

Upon philosophical principles, sir, water will find its level; and if

there is any protection to the working men of our country, as a necessary consequence they must be reduced in their wages to a par with the wages paid the paupers of Europe. This protection, this 10 per cent., acts as a dam between the two ponds. We are not ready to indorse the idea that our workingmen shall come down to a shilling a day.

I would like to tell an amusing anecdote, if it is admissible, which is just in point. A son of the Emerald Isle called on me to buy a bushel of potatoes. He asked me my price. I told him \$1 a bushel. That was when we had a tariff for protecting our business. "Out upon ye," said he; "in the old country I could buy them for a shilling." "Could you, Pat," said I; "then why didn't you stay there and buy them?" "Ah, Mr. DOBBINS," said he, "that's the devil of it, where to get the shilling from; that was the trouble."

[Here the hammer fell.]

Mr. STORM. I am opposed to this section of the bill, and I shall not vote for the bill at all. It will be remembered that the only response which the Forty-second Congress made to the demand of the country in 1872 for a modification of the revenue system and a reduction of taxation was this very slight reduction of 10 per cent. And now, that being all that was accomplished by that Congress in that direction, you propose to undo it by this last section of the bill under consideration.

I am opposed to the former sections of the bill, which provide for a tax of \$1 per gallon on distilled spirits. I think that it is too high. The chairman of the Committee on Ways and Means has argued that the rates should be determined by the amount which could be honestly collected. I say there is another consideration which must enter into that question—the consideration of diminished production; because if you diminish production by the increase of taxation, as a matter of revenue you gain nothing by it.

In my opinion the duty both on distilled spirits and tobacco is too high and will diminish the production of those articles and thereby diminish the revenue. I believe that 70 cents per gallon is a high enough duty, and that 20 cents per pound is a high enough duty on tobacco; but I would have been willing to have gone as high as 80 cents on whisky, leaving tobacco where it is.

Sir, I am opposed to the restoration of the 10 per cent. upon principle. My distinguished colleague [Mr. SPEER] believes that this whole question of protection and free trade is based on no principle, and that each of the congressional districts of the United States should settle that question for itself. I believe that this question of protection and free trade is a question of principle, and I cannot see how what is right in one congressional district can be wrong in another. I would no more leave this question to the congressional districts, so far as principle is concerned, than I would leave it to be settled by the congressional districts whether robbery is right or wrong.

Mr. ALBRIGHT. Is my colleague in favor of free trade?

Mr. STORM. I am in favor of free trade if a tariff for revenue alone is "free trade," and have always been so, and I believe that the curse to-day of Pennsylvania is that her members of Congress are here in the character of mendicants begging favors at the hands of the national Government. And the ruin that now prevails in Pennsylvania is owing to the high tariff by which you have overstimulated production, until pig iron and railroad iron are piled up mountain high, and for which there is no market. I indorse the doctrine of Mr. David A. Wells, that after all a high tariff defeats itself; and it makes no difference how high you lay it, a higher duty will soon be required.

Mr. ALBRIGHT. Does not my colleague know that the rise of 10 per cent. will increase protection in his State; and that the 10 per cent. reduction did not make iron any cheaper, but gave the foreign manufacturer the advantage of the difference, which was about \$12 a ton? Competition reduces prices.

Mr. STORM. I know that you can go to all the large iron manufacturing of Pennsylvania—and it has been so for more than a year past—and find an immense amount of iron on hand for which there is no market. I will say to my colleague [Mr. ALBRIGHT] that the difficulty is not the want of a tariff but of a market. There has been an overproduction in pig and railroad iron, and no amount of protection beyond that already enjoyed will make a market. Truly, if Pennsylvania is not now satisfied, then indeed "protection does not protect." I yield the rest of my time to the gentleman from Ohio, [Mr. SMITH.]

Mr. SMITH, of Ohio. I thank God that there is one Representative of Pennsylvania on this floor who looks to something besides the particular interests of his State. I was trying to say when the hammer fell upon me before that the Committee on Ways and Means had introduced a bill which was intended and the purpose of which was to raise the price of all articles consumed by the people of the country. Now, I want gentlemen from the West and the South to go home, if they please, and to go home if they dare and tell their people that they have voted to raise the price of all the articles necessary to their industries.

[Here the hammer fell.]

Mr. DAWES. I move that the committee rise for the purpose of closing debate.

The question was taken; and on a division there were—ayes 70, noes 56.

Mr. WARD, of Illinois. I call for tellers.

Tellers were ordered; and Mr. DAWES and Mr. ELDREDGE were appointed.



The House divided; and the tellers reported—ayes 91, noes 90. So the motion was agreed to.

The committee accordingly rose; and, the Speaker having resumed the chair, Mr. HALE, of Maine, reported that the Committee of the Whole had, according to order, had under consideration the bill (H. R. No. 4680) to protect the sinking fund and provide for the exigencies of the Government, and had come to no resolution thereon.

Mr. DAWES. I move that the House resolve itself into Committee of the Whole on the state of the Union on the tariff bill, and pending that motion I move that all debate on the section now pending in the committee be closed in thirty minutes.

Mr. THOMPSON. I move to amend that motion by striking out "thirty minutes" and inserting "one hour," and I do so for the reason—

The SPEAKER. A motion to close debate is not debatable.

The question was taken on the amendment, and on a division there were—ayes 74, noes 72.

So the amendment was agreed to.

The question recurred on the motion of Mr. DAWES to close debate, as amended, and being put, it was agreed to.

The question was then put on the motion of Mr. DAWES that the House resolve itself into Committee of the Whole on the state of the Union; and being put, it was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, (Mr. HALE, of Maine, in the chair,) and resumed the consideration of the bill (H. R. No. 4680) to protect the sinking fund and provide for the exigencies of the Government.

Mr. HUBBELL obtained the floor and yielded to Mr. KELLEY.

Mr. KELLEY. I thank the gentleman from Michigan for his courtesy, as I desire in justice to my friend from New York [Mr. COX] to say that when on Thursday I referred to the fact that the farmers of Ohio had driven him out as an indignity, I did not mean to imply, as it appears some understood me, that they had actually driven him out by physical force. I mean that they had done it constructively; that as a seat in Congress is essential to his existence, they forced him to leave that State when they refused to elect him, and compelled him to go to one in which he could be elected. This is shown by his experience in New York. In his brief career in that city he has represented three districts, and would, had he received votes enough, have represented the State as member at large. They gerrymandered him out of a district there as he says they did in Ohio; but by some means or other a gentleman who had been elected in a district in which he could be elected suddenly died, and here by the aid of death he turns up again.

He would, I apprehend, like to go to Canada to get cheap clothing. He may even now be negotiating for a seat in the parliament of the Dominion, because he cannot live unless he is in a representative body, though he might get his clothes more cheaply. As a gentleman behind me says, he is a peripatetic philosopher and statesman, but he must be a representative or he feels that he is not.

As regards the allusion to his speech having been frequently made, did he not read it from a yellow-covered copy of the ninth edition, which was laid upon the desks of members while he was making it the last time he made it preceding yesterday? Every gentleman had a nice "yaller-kivered" copy laid on his desk, which I hope he will lay aside in lavender and keep for years. If he does so and keeps the successors he will in a few years have a large volume of that speech; for if my friend does not come back from New York he will carpet-bag—I mean he will take his carpet-bag and trunk, too, and go somewhere else where he can find a constituency who love free trade and drollery.

Now I beg leave to say that there is no statesmanship in piling thousands per cent. of taxes on our domestic products, in burdening our own people with taxation, when by adjusting tariff duties we can make the foreign manufacturers pay the expenses of our Government for the privilege of enjoying our market—the best market in the world. Yet the theory of the gentleman is, let the foreigner enter and control our market free of restraint, and reduce the wages of our laborers, reduce the profits on the products of the farm. That is his philosophy, and that will be the effect of this bill. It will so reduce the farmer's net result from his wheat and corn that is distilled, it will so reduce the planter's net result from his tobacco, that they cannot as freely as they now do consume imported and dutiable goods. It brings the burdens of the Government all home to our own people and lays them upon the fields tilled by the sweat of our farmers and planters. I do not wonder that he goes to Canada for his clothes. His whole policy is that our labor should be degraded to the level of that of other lands.

[Here the hammer fell.]

Mr. BECK. When I had the floor last I was endeavoring to show the pernicious effect of a high tariff, especially on silks and silk-mixed goods, on the revenue. Before I resume that subject I desire again to call attention to the charge made over and over again by gentlemen on the other side, which is really untrue, that those who oppose this bill are endeavoring to repudiate the obligations of the Government by refusing to furnish the necessary revenues. I showed the other day, and no man can deny it, that we have reduced our public debt since 1865 over \$600,000,000, nearly one-fourth of the whole war debt, and we have spent all the proceeds of the immense war material we had on hand, and all the proceeds of the sales of our ships, and everything else, if honestly expended, in paying off our floating

indebtedness. No people ever before paid so much of such a debt in the same length of time, and no creditors ever had such security as ours. So much for the charge of repudiation and want of good faith which has been so freely made, without a shadow of foundation therefor.

This bill is urged upon us on the pretense that the Administration needs money; it was not brought forward as a measure of protection but to put money at this time into the Treasury. I assert that every feature of the bill is a failure in that regard. The increased tax on whisky, as the Secretary and all other well-informed men tell us, and as all past experience proves, will diminish the revenue from five to ten million of dollars annually, instead of adding to it. It will enable public officials to combine with producers and defraud the Government as they did in 1868, both in regard to whisky and tobacco, and the revenue will be diminished instead of increased. A few men may make money out of stocks on hand, but honest dealers will suffer in their regular business.

One thing seems to be admitted in this debate which I am very glad to hear, which is that the consumers of products pay the increased price caused by additional taxation. If they do so in regard to goods taxed by internal revenue, why not in those things that are reached by the tariff? I say they do so in both cases. The only excuse now made for the increased tax on tobacco and whisky is that the consumers all over the country pay it. Do not the consumers pay the tax as well on all tariff-taxed articles? Of course they do. I believe in fostering the industries of the country, but I believe in fostering legitimate industries in a legitimate way. I do not believe in creating artificial industries and taxing all the people to sustain them. I would not limit our orange market to New Hampshire. I am not a free-trader in one sense of the word. I am in favor of a revenue tariff, where the money collected from the people shall go into the Treasury of the United States and not go to enrich a few at the expense of the whole. I admit that we must keep up a revenue system by taxing imports.

I do not believe we can collect our revenues otherwise until the Constitution of the United States is changed. If we undertake to collect them by direct taxation, it must be done now according to population. Under such a system the impoverished States of the South and the comparatively poor States of the West would pay five or six times as much in proportion to their means as the wealthy people of New York and New England. I hope the Constitution will be changed some day by striking out "population" and inserting "wealth;" and then we can collect direct taxes according to the basis of wealth instead of population, for it is certainly true that the property of a country and not its poverty should bear its burdens.

But waiving that, I was about to show when the hammer fell, the effect on the revenue of some of the provisions of the "little tariff bill" passed the other day in regard to silk goods. I have an amendment to it which I hope to make part of this bill, and therefore take this occasion to call attention to it. We consume annually about \$70,000,000 worth of silk goods in this country. The consumption would be the same whether the goods were manufactured here or abroad. And the price to the consumer would remain the same, as we do not manufacture enough to affect in the slightest degree their price in the markets of the world. If all silks used in this country were manufactured abroad they would yield a revenue of \$42,000,000 annually at the present tariff rates. But Congress has undertaken to foster what is falsely called an American industry. There are a few silk manufacturers in New Jersey and elsewhere. You have given them their raw material free, which is on the average half the value of the manufactured products, and you have imposed a duty of 60 per cent. in gold upon the importation of the manufactured articles. Thus you have given a few home manufacturers who pay no revenue a protection equal to 120 per cent. in gold. The result is that the Government, instead of getting \$42,000,000 of revenue which the amount of silk used in this country would produce, is getting about \$17,000,000 by this system which gentlemen on this floor laud so highly. Over \$30,000,000 is collected from the consumers, rich and poor alike, and goes into the pockets of a few people who have less than \$15,000,000 invested in their business and who employ less than two thousand heads of families.

As I said before, I repeat, when the people have to pay high prices for what they use the Government ought to get the benefit of the increased cost. The benefit should not go to enrich a few favored individuals. We could afford to pay to the silk manufacturers all the capital they have invested, to pension all their hands, and still have a surplus of several millions during the present year, and \$42,000,000 instead of \$17,000,000 every year hereafter. That is the way your protective tariff works.

[Here the hammer fell.]

Mr. MYERS. The great want of the Government at the present time is revenue. The need of the people at all times is protection to life, property, and business.

During the war money and men were offered without stint in order to save the country. When the war ceased we lifted the heaviest burdens of taxation from the people who had borne them so willingly, but foolishly boasting that we would pay off the national debt, all our surplus receipts were devoted to that purpose until now we find an almost empty exchequer. How shall it be replenished; how shall the necessary expenses of the Government be met? Internal taxation is unpopular. You cannot tax the necessities of life



without great complaint. Internal taxes must be chiefly raised upon luxuries. What source of revenue then remains? Only the duties on imports.

This tariff question a few years ago divided the two great parties of the country. The whigs favored a tariff for protection with revenue as an incident. The democrats said they wished a tariff for revenue, the protection being incidental. And now, for the first time in many years during a period of peace, there is a chance of testing the sincerity of the democratic party.

The bill before us is for the purpose of raising revenue; yet a large majority of the democratic members here—not all of them—like the gentleman from New York, [Mr. COX,] are bitterly fighting the bill because it affords incidental protection. Pennsylvania manufacturers, with what he terms their legalized robbery, troubled his distorted vision, and a few so-called revenue reformers, like the gentleman from Illinois [Mr. BURCHARD] and the gentleman from Ohio, [Mr. J. Q. SMITH,] I am sorry to say, join in his cry of distress. I am sick of this sectional folly. Sir, there is no American industry in this country antagonistic to another. There is not one which, duly protected, does not give a healthier growth to many others.

We cannot build up our commerce on either ocean by striking a blow at American ship-builders or purchasing our vessels on the Clyde. We cannot aid our farmers to sell their grain by paralyzing every trade and mechanic art. We cannot bring prosperity to the land by arresting the progress of manufactures and driving the people of the cities into want. Yet all these mistakes the gentleman from New York proposes to make, as he often has done before. His theories are in favor of the laborer, but not the American laborer, not the American ship-builder or mechanic or worker in the arts. I do not object that his suit of clothes was, as he boasts, purchased in Canada for thirty dollars, but I do protest against his objection that a like suit in this country would cost fifty dollars. If so, the twenty dollars' difference goes to the American wool-grower, to the working people at home—such as those who in my own district made the suit which I have on; to the American tailors and sewing-women, to whom I am glad to pay better wages than they can earn in other lands. O, no! This is the old siren song, "Buy at the cheapest market," where pauper labor produces, and close the workshops at home.

Did I say close them? That is half done already. There are a million working-people in the land unemployed looking to Congress for relief, and when we are absolutely driven to extremities for revenue, do not let us begrudge the means which will at the same time lift them into employment and comfort. Start the wheels of trade in the iron, cotton, woolen, and other branches of manufactures to be affected by this section, and every industry of the nation will take new life from it. The blow aimed at them by the reduction of this duty of 10 per cent. two years ago was struck without a note of warning. Until the financial crisis came it was not so severely felt, but to-day over three hundred of the largest woolen and cotton mills lie idle, half the furnaces in the country are out of blast, and many forges quenched. The factories are on half time, or with less than half their usual employés, and the ship-yards almost vacant. No wonder the farmers complain, when so many thousands find it difficult to buy the necessities of life. The land is as rich as ever. I believe prosperity will soon be restored; but when we need increased revenue and can incidentally start into new life a hundred American industries, the friends of the importers of foreign goods plead for the cheap products of pauper labor abroad, and standing in the gate-way of trade refuse the entrance of a fair competition to our own artisans and sons of toil.

Against this wrong I protest in the name of all the American people.

Mr. WILLIAMS, of Michigan, obtained the floor but yielded to Mr. FIELD.

Mr. FIELD. I have one word to say to the Committee of the Whole with reference to prices. The duties we impose upon foreign productions imported do not affect the prices of the articles here. The duties which we levy upon those products come out of the pocket of the foreigner.

Mr. LOUGHRIDGE. I rise to a point of order. I understand that the Chair ruled that no gentleman should speak twice on the same section as long as there were other gentlemen who desired to speak.

The CHAIRMAN. The gentleman from Michigan [Mr. WILLIAMS] having been recognized by the Chair had a right to yield his time to his colleague. The gentleman from Michigan [Mr. FIELD] will proceed.

Mr. FIELD. Now, Mr. Chairman, I wish to have the committee understand clearly that the duties we impose on these foreign productions come out of the pockets of the foreigners. They are not paid by our people at all, and do not affect prices here.

These commodities mentioned in the section now under consideration are more largely produced in this country, and as prices are fixed by the law of supply and demand, the European producer takes the American market price for his products, and when he goes home he goes home with those prices less the duty he has been required to pay. Let this be understood plainly, that the foreigner does not fix prices in this country. He takes the American market price for the products, and when duties are imposed the amount comes out of his pocket. During the last fiscal year over a million bushels of wheat were imported, and on that quantity of wheat the Canadian farmers have paid into the Treasury the duties, amounting to over \$250,000 in gold. Every one

knows that the American consumers do not pay the duty. It was paid by the Canadian farmers, and the money has gone into the Treasury of the Government. The duty is 20 cents per bushel. And has this duty increased the price of wheat all over our country 20 cents a bushel? I should be glad to have it so operate. It would be a happy thing for our farmers if by raising the duties on wheat we could raise the price of our wheat in this country. But such is not the case.

And here is the duty on corn of 10 per cent. a bushel. Does that duty raise the price of corn 10 cents a bushel? Why, sir, when I traveled on the western prairies I found the price of corn was only 8 cents a bushel; therefore, on the theory advanced by the gentleman from Iowa, [Mr. COTTON,] the farmer out there would have to pay 2 cents a bushel to have his corn taken off his hands.

[Here the hammer fell.]

Mr. COTTON. I claim that in opposing this increase of duties on manufactured articles we are consulting both the interests of the manufacturer and the interests of the farmer. The manufacturer, in consequence of the high rate of duties, has obtained upon manufactured articles such an artificial price that he has destroyed the foreign market for his productions. I desire to call attention to the fact that while we have a duty of from 50 to 100 per cent. on woolen goods, our exports of that class of goods for the last fiscal year amounted to but \$196,000, while of the farmers' produce there was exported to the amount of \$101,000,000 of wheat alone. High duties have destroyed the foreign market for the manufacturer. He is limited to his own territory. Foreign trade for him is entirely cut off. These high duties therefore have proved an obstruction to the increase and extension of his business and trade. They even have the effect, by increasing the cost of production, to disable him from retaining his own home market, and foreign goods continue to come in however high the duties may be placed. It is evident that under this sort of tariff nursing we will never be able to stand alone, as was promised years ago we could soon do if only protected for a season while manufactures were in their infancy.

On the other hand, the farmer must take for the produce he has to sell the prices of a foreign market. He is compelled to compete with the so-called pauper labor so much talked of on this floor, and he is the only producer in this country who is compelled to compete with that labor. A large portion of what he has for sale must find a market abroad, and whether the products of the farmer are sold in Europe or in this country, the Liverpool prices control the prices he must accept. Those prices determine the prices in New York, the latter those in Chicago, and finally the prices in the local markets in Iowa at which a farmer of that State makes his sales are gauged according to the Chicago market; and hence the farmer, while compelled to pay the manufacturer of this country, sheltered and protected by high duties, prices much in excess of what the same articles could be purchased for in the foreign market, must take for his products the prices of that foreign market, and he can have no more than is paid for grain raised in Europe by what is called pauper labor. He is compelled under these high-tariff duties to pay the manufacturers of this country a bonus above what he could purchase the same goods for in the European market that regulates the prices of what he sells, and moreover the cost of transportation is largely increased by the additional cost of railroads and of operating them caused by high tariffs. Manufacturers have debarred themselves of the power to export. There is exported no more of cotton goods, woolen goods, iron, and manufactures of iron than was exported ten years ago, and the amount exported of these articles is but a trifle in comparison to the exports of farm products.

Why, sir, the export of all the iron and manufactures of iron, cotton goods, and woolen goods, does not amount to as much as the export of the single article of cheese, nor to one-half of the value of the lard that is exported.

I shall incorporate with my remarks a table taken from the report of October, 1874, of the Chief of the Bureau of Statistics, for the purpose of showing how little is exported of manufactured goods and what do constitute the exports, from which it will appear that they consist in great part of bread and breadstuffs, provisions, cotton, tobacco, petroleum, and gold and silver.

Those who favor adding this 10 per cent. to the duties say establish manufactures at the West, and thus make a home market for the farmers of that part of the country. Why, sir, this cannot be done, because by the high-tariff duties there has been destroyed the foreign market for manufactured goods. They have been made to cost so much that they cannot be sold except in this country. There would be no place to sell the additional articles which it is proposed should be made by factories to be established in the West. High tariffs have brought this nation to the unfortunate condition of being compelled to wear out in this country all the goods that are made here, as the manufacturers have destroyed their power to compete in foreign markets. They complain that they cannot find a market for what is now being produced, and insist on more tariff and more protection. So there is no room for building up manufactures in the West. The farmers must continue to find a market in other countries for much of their produce, and will be under the necessity of taking prices controlled by the foreign market; and while this is the case, it is unequal and unjust that they should be made to pay extra prices to the manufacturers.

The following is the table referred to by Mr. COTTON:



Table showing the values of certain domestic exports from the United States for each of the twelve fiscal years (ending June 30) from 1863 to 1874, inclusive.

Articles.	1863.	1864.	1865.	1866.	1867.	1868.
<b>Bread and breadstuffs:</b>						
Bread and biscuits.....	\$582,268	\$600,324	\$797,775	\$701,603	\$626,061	\$649,493
Indian corn.....	10,592,704	2,404,398	3,849,758	11,070,395	14,871,092	13,094,036
Indian corn meal.....	1,013,372	1,349,765	1,450,928	1,139,481	1,555,585	2,008,430
Rye flour.....	38,067	37,991	34,370	68,144	112,414	60,958
Rye, oats, and other grain and pulse.....	1,833,757	957,394	883,742	2,039,993	3,497,392	1,942,651
Wheat.....	46,754,195	31,432,133	19,398,028	7,842,749	7,892,555	30,247,632
Wheat flour.....	28,366,069	25,588,249	27,507,084	18,396,686	12,803,775	20,887,708
<b>Cotton, unmanufactured</b>	6,652,405	9,895,854	6,836,400	281,385,223	201,470,423	152,820,733
Manufactures of.....	2,906,411	1,456,901	3,451,561	1,780,175	4,608,235	4,871,054
<b>Gold and silver coin.....</b>	44,608,529					
<b>Gold bullion and coin.....</b>		97,134,624	56,552,706	70,127,466	26,329,676	68,231,153
Silver bullion and coin.....		3,338,938	8,059,418	12,515,908	18,746,580	15,514,817
<b>Iron, and manufactures of.....</b>	6,054,518	2,960,371	3,646,730	3,979,649	3,650,755	2,976,487
Locomotives, fire-engines, and other machinery.....	9,706	2,315,112	3,510,192	38,373	2,316,542	2,597,809
Nails.....	411,655	484,113	947,658	330,902	321,716	368,650
<b>Lumber: Shingles and timber, shooks, staves, headings, and hoops.....</b>	8,123,773	9,929,130	14,696,340	11,544,163	12,856,171	13,060,943
Household furniture.....	1,282,002	1,359,302	2,170,703	1,132,104	1,052,249	1,199,160
Other manufactures of wood.....	2,549,036	1,041,411	1,484,521	730,025	930,154	888,994
<b>Oil: Coal, and petroleum.....</b>	27,839	10,722,689	16,563,413	24,830,887	24,407,642	21,810,676
<b>Provisions:</b>						
Bacon and hams.....	18,658,280	12,323,327	10,536,608	6,263,796	3,291,176	5,476,998
Beef.....	2,185,921	3,024,018	2,768,451	1,727,350	1,727,350	2,696,011
Butter.....	6,733,743	6,140,031	7,292,715	1,267,851	1,184,367	552,745
Cheese.....	4,216,804	5,638,067	11,697,746	6,036,822	7,893,535	7,010,424
Fish.....	1,350,447	1,506,029	1,759,255	1,286,099	1,003,361	992,372
Lard.....	15,755,570	11,260,728	9,134,858	5,970,651	6,634,556	9,427,831
Meats, preserved.....		936,884	142,683	58,220	146,926	75,226
Pork.....	4,334,775	5,829,030	6,850,808	4,788,484	3,597,690	3,267,652
Potatoes and other vegetables.....	536,003	671,844	1,120,953	791,257	772,772	748,994
Tallow.....	6,738,486	6,215,260	5,015,955	2,488,587	2,747,618	2,540,227
<b>Tobacco, manufactures of.....</b>	3,398,177	3,647,883	3,682,707	1,982,416	2,951,753	3,179,164
Leaf, unmanufactured.....	19,752,076	22,845,936	41,625,226	29,456,145	19,620,159	22,898,823
<b>Wool, and manufactures of.....</b>	178,434	148,301	394,349	403,860	225,555	397,998

  

Articles.	1869.	1870.	1871.	1872.	1873.	1874.
<b>Bread and breadstuffs:</b>						
Bread and biscuits.....	\$623,506	\$581,046	\$760,637	\$629,841	\$690,832	\$676,197
Indian corn.....	6,820,719	1,287,575	7,458,997	23,924,365	23,794,694	24,709,951
Indian corn meal.....	1,656,273	935,676	951,830	1,214,999	1,474,827	1,529,399
Rye flour.....	52,249	38,458	34,135	34,401	46,129	388,313
Rye, oats, and other grain and pulse.....	408,925	1,067,356	686,276	1,851,923	1,902,751	3,155,451
Wheat.....	24,383,259	47,171,229	45,143,424	38,915,060	51,452,254	101,421,459
Wheat flour.....	18,813,865	21,169,593	24,093,184	17,955,684	19,381,664	29,258,094
<b>Cotton, unmanufactured</b>	162,633,032	227,027,624	218,327,109	180,684,595	227,243,069	211,223,580
Manufactures of.....	5,874,222	3,787,282	3,558,136	2,304,330	2,947,528	3,095,840
<b>Gold and silver coin.....</b>	28,442,776	28,580,609	64,581,678	48,377,520	44,472,038	32,645,486
<b>Gold bullion and coin.....</b>	14,473,190	15,303,193	19,821,681	24,420,738	29,433,508	27,054,200
<b>Iron, and manufactures of.....</b>	2,100,969	2,472,305	3,909,219	2,730,671	3,957,815	4,459,828
Locomotives, fire-engines, and other machinery.....	2,948,165	2,350,892	687,023	3,850,283	4,430,380	4,727,868
Nails.....	290,380	265,951	259,324	241,429	356,990	410,850
<b>Lumber: Shingles and timber, shooks, staves, headings, and hoops.....</b>	12,501,174	11,398,407	10,808,356	12,542,989	15,911,991	17,938,894
Household furniture.....	1,202,486	1,245,886	1,110,091	1,493,679	1,727,764	1,882,767
Other manufactures of wood.....	1,422,799	1,090,545	1,023,834	1,204,204	1,480,047	1,532,060
<b>Oil: Coal, and petroleum.....</b>	30,625,446	32,101,485	36,857,380	34,058,390	42,050,756	41,245,815
<b>Provisions:</b>						
Bacon and hams.....	7,482,060	6,123,113	8,126,683	21,126,592	35,022,137	33,383,908
Beef.....	2,430,357	1,939,778	3,826,666	1,870,826	2,447,481	2,956,676
Butter.....	484,094	592,229	853,096	1,498,812	952,919	1,092,381
Cheese.....	6,437,866	8,881,934	8,752,990	7,752,918	10,498,010	11,898,995
Fish.....	925,571	1,245,793	1,467,484	1,500,636	1,420,100	2,023,812
Lard.....	7,443,948	5,933,397	10,563,020	20,177,619	21,245,815	19,308,019
Meats, preserved.....	181,140	213,757	208,362	697,067	575,407	845,246
Pork.....	3,422,928	3,253,137	4,302,320	4,122,308	5,007,035	5,808,713
Potatoes and other vegetables.....	672,013	601,501	436,689	667,449	674,363	679,467
Tallow.....	2,362,630	3,814,861	3,025,035	6,973,189	7,068,471	8,135,320
<b>Tobacco, manufactures of.....</b>	2,794,776	1,604,805	2,087,160	2,523,755	2,642,811	2,569,347
Leaf, unmanufactured.....	20,552,943	21,100,420	19,903,797	24,136,166	22,689,135	30,399,181
<b>Wool, and manufactures of.....</b>	315,881	179,087	247,167	249,103	227,521	196,268

Mr. WARD, of Illinois. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add to the fifth section these words:  
*Provided*, That emery ore shall, from the passage hereof, be subject to no duty or tax whatever.

Mr. DAWES. I rise to a question of order on the amendment.

The CHAIRMAN. Does the 10 per cent. tax apply to emery?

Mr. DAWES. Not at all.

The CHAIRMAN. Then the Chair sustains the point of order.

Mr. WARD, of Illinois. I move to strike out the last word for the purpose of calling attention to what was contained in that amendment. The gentleman from Massachusetts [Mr. DAWES] had something to say yesterday about there being no dividing lines. I am not particularly instructed or informed upon this matter, but there is a tradition here which I have heard circulated around the Hall that up to within a recent period emery ore was free, but that recently there has been discovered in a certain district of Massachusetts emery mines, and the influence of my respected friend from Massachusetts enabled a duty to be placed on it at three or four dollars a ton for the benefit of citizens of a particular district. Now, sir, I am not scared about the question of protection of free trade, but I should be glad to see my amendment adopted. It is an article which is equally used all over

the country, and I call upon you men from Pennsylvania, Ohio, and the West to see that this tax is not levied for the benefit of men in one little locality. I look upon it as unjust that these taxes should be imposed upon the farmers and mechanics of the country for such purposes; and I trust the gentleman, enlarged as he is by broad views, not limited by the lines of any district, will see that this tax is not levied for the benefit of his constituents at the expense of men all over the country.

[Here the hammer fell.]

Mr. DAWES. I desire, Mr. Chairman, to express my admiration of that breadth of statesmanship, that sublime consideration of the subject, irrespective of persons, which has so distinguished the brief career of the gentleman from Illinois in this House. It only amazes me it should not have impressed itself more on his admiring constituents. If there ever was anything like ingratitude, it must come home to the gentleman from Illinois, that his constituents are of all other men the most ungrateful; for if my memory serves me, the gentleman has devoted a career which commenced and will terminate with the present Congress to the personalities of discussion.

He seems to have discovered something now about emery ore. I wish to tell him that if he had studied facts more than prejudice he would not have made that speech, as there is no foundation of facts on which to make it. He found it, or it had its birth in the New York Sun;



and if any gentleman wants to find anything that is not the truth, I commend him to that interesting paper.

Now, to begin with, I never moved in my life anything pertaining to emery in the world. The House of Representatives, not I, moved by the fact that citizens in the States of North Carolina and Virginia, within a few years, had discovered the finest bed of emery in the known world, and another one in the State of Maine, thought it quite an object to emancipate the United States from the Rothschilds, who owned all the emery outside of the United States; and for that purpose they put back the duty to what it had been, \$3 a ton. After it had been put back folks in New York thought that on a piece of land which they owned in my district there was some emery. They tried to work it, and they could not do it; that is all there is about it. The New York Sun and my distinguished friend from Illinois may have the benefit of all that they can find; there is no track of mine in it; and while I welcome my friend in the highest sphere, I only importune his constituents not to let this brilliant light go out in the night of a single Congress.

[Here the hammer fell.]

Mr. O'NEILL. Mr. Chairman, in the limited time allowed for debate, I first desire to call the attention of the committee to the views of a member from Pennsylvania upon the subject of the tariff. I refer to the remarks of my democratic friend from the eleventh district [Mr. STORM] made awhile ago. I believe, with but one exception in the House of Representatives of the United States during the last ten years, he is the only member from Pennsylvania who has had the boldness to avow free-trade doctrines upon this floor.

I have seen many democrats before election in the State of Pennsylvania who were terribly in favor of a judicious tariff. I have seen such democrats all over our State when running for Congress shielding themselves under the term of a judicious tariff, and some such were elected in November last. But I never until now, save with the one exception, heard a Pennsylvania Representative here declare himself to be a free-trader.

The idea of the gentleman as to the reason for the immense numbers of tons of pig-iron lying around the country unsold is very remarkable. Does he not know that the general depression of business has caused a depression in that business? Does he not know that the iron business of Pennsylvania and elsewhere in this country has been depressed just as other kinds of business in the country have been depressed?

Mr. Chairman, the State of Pennsylvania has as usual in a tariff debate been referred to as desiring in this respect selfish legislation. The question of a tariff is not a question for a mere locality or for a congressional district or State. It is a national question; and if perchance one State seems to prosper more than another, it is only so comparatively. Prosperity in Pennsylvania is prosperity in Ohio, in Illinois, in Iowa. Material progress and development in the State I in part have the honor to represent means advancement in all other States. The thousands of miles of railroads in this country, especially in the West and the Northwest, were built while the country was prosperous. The five thousand miles of iron roadway in Pennsylvania, nearly the same number of miles in each of the States of Ohio and Illinois, and the railroad system of Iowa, were constructed and developed when the business of the country was stimulated and encouraged by protection, when capital thereby was invested in abundance, and no man's hands were idle who desired employment. It is easily to be seen in looking back but a few years that when a tariff for protection was upon our statute-book every industry flourished, and that all public improvements were in rapid progress of completion. Thus it was always just in proportion as we protected our own industries and manufactures that the poor man became richer and the man of capital did not hesitate to invest his means in every channel of business.

In reference to the section under discussion, the restoration of the 10 per cent. duty, I believe its adoption now would stimulate business and give confidence to both capital and labor all over our land. I have no doubt but that its reduction a few years ago was one of the causes of the stagnation in trade, the failure of countless firms, the impoverishment of those depending upon the labor of their hands. The manufactured products of Pennsylvania, as I said before, remain unsold because of the depression of business generally. The fearful crisis of September, 1873, brought ruin and destruction everywhere, and millions of made-up materials are to-day in the market without purchasers. Certainly a protective tariff is not responsible for this condition of things. The financial difficulties of the times are responsible. There is no demand for goods, foreign or domestic. Millions upon millions of importations to-day remain in bond, the importers and merchants from the meagerness of trade being obliged to let their goods be held in the bonded warehouses. I hope sincerely that we will vote for the restoration of the 10 per cent. Its adoption will create confidence, lead to the employment of thousands of people, and assure the country that congressional action will be in the interest of our own industries and not for the benefit of foreign producers.

Mr. Chairman, I am for a protective tariff at all times. I am not for a merely revenue tariff. I favor the imposition of duties upon all imported articles, saving only a most judicious free list to apply only to such raw material as we cannot possibly produce in our own country. I am not an individual tariff man. I am not for a tariff

merely in its application to a certain line of industry or to circumscribed limits. My tariff views are for protection to American industry in the abstract, in its broadest sense, and being so I know the products of Pennsylvania will be fully protected and her great resources will continue so to be developed as to mark her out on the map of States and nations as the spot for the thrifty and industrious.

Mr. ATKINS. I have but a word or two to say upon this question. It seems that many gentlemen speak here for their own particular districts. I do not desire to speak particularly for my district, but for the principle. I cannot understand why gentlemen should be in favor of the doctrine of protection. The idea that one portion of the people are to be protected at the expense of another portion of the people is to me altogether wrong. But I cannot discuss the general question in five minutes.

I have risen for the purpose of protesting against the increase of the tax on tobacco. It is believed by those who have studied this question that a tax of 10 cents a pound upon tobacco would produce more revenue than any other rate of taxation.

I also desire to protest against the idea of the Government breaking faith with the men who are interested in the manufacture and sale of whisky, those who have made their purchases and have their stocks on hand. I protest against the idea that they should now have to pay an additional tax of 15 cents a gallon. That to my mind is founded in injustice. I hope that the Government will keep faith with the people. It is strange that the Committee on Ways and Means would advocate a measure that would be founded upon the principle that the Government itself is to break faith with the people.

I desire also to reply briefly to an argument made by my colleague who represents the State at large upon this floor, [Mr. MAYNARD.] He argued for the doctrine of protection; he said that if the mines of coal and iron of Tennessee were protected by a high protective tariff they would be developed. Have we not for the last twelve years had a high protective tariff, and what has been the effect on those mines? The manufacturing interests of Tennessee to-day are at as low an ebb as they ever were in the history of this country. I hold the doctrine that protection would only build up a few individuals even in Tennessee; that if it were applied to the people of Tennessee, it would only be for the benefit of a few individuals at the expense of the great masses of the people. So far as Tennessee is concerned, I ask nothing for Tennessee; I have no sectional feeling; I have no sentiments that confine my patriotism to the State of Tennessee. I want the same principles applied to Tennessee that are applied to the people of this whole Union. We ask no protection; we only ask equality; we only ask justice.

[Here the hammer fell.]

Mr. ALBRIGHT. I yield to my colleague [Mr. SPEER] for the purpose of having an extract read, and then I will resume the floor.

Mr. SPEER. In view of the remarkable speech made to-day by my colleague, [Mr. STORM,] I ask to have read an extract from a carefully prepared speech of his on the tariff bill, to be found in the Congressional Globe, of May 2, 1872.

The Clerk read as follows:

Pennsylvania has been sneered at because her Representatives, like the Representatives from other States, have looked after her interests. As the able Representatives of Illinois and Indiana adhere to the most objectionable and questionable income tax; as the Representatives of New York watch with proper care the commercial interests of that State, so do the Representatives of Pennsylvania endeavor to care for her interests on this floor. And if we can in the future as we have in the past induce a sufficient number of gentlemen of this House to vote with us, it will either prove that we are right or that our powers of persuasion are greater than those of our opponents.

No State will be so much affected by a change of tariff duties as Pennsylvania. Her vast coal-fields furnish the fuel for the nation. Her oil wells supply it with light. Her furnaces, rolling-mills, foundries, machine-shops supply the farmer with his implements of husbandry, the artisan and mechanic with his tools, the railway with its track and rolling-stock, the ship-builder with the materials out of which he constructs his vessel.

A State so affected by tariff legislation has a right as a member of the Federal Union to see that her interests are not sacrificed. \* \* \* And I further believe that, having entered upon such a course of legislation for the encouragement of manufactures, Congress should have persisted in a uniform system of legislation until the object was attained.

The instant our manufactories and workshops closed the price would advance, and we would be compelled to pay to British what we now pay to American manufacturers.

I wish to do right; I will not be swerved from it by taunts or considerations of selfishness. I will vote and act as a member of the American Congress, not as a Pennsylvania man.

Mr. ALBRIGHT. Mr. Chairman, I propose to say that I do not advocate the restoration of the 10 per cent. duty as a Pennsylvanian simply; I am interested in the prosperity of the whole country. I want to call the attention of the gentlemen on the other side of this Chamber to the fact that last year there were built 61 new furnaces, 26 of them in the Southern States. There are in all those States 88 furnaces. The resources of the South and the West, the great mineral wealth, the coal and iron in their soil, need protection as much and more than do the coal-fields and the iron-beds and manufactories of Pennsylvania. The production of iron during the last year in the Southern States was 383,308 tons; the value of that production was \$15,332,320. Most of this money represents labor. Now, when the South and the West employ men in their coal-beds and their furnaces and their iron mines, they are furnishing a market for the farmer's grain and pork and beef. The more men you can employ in furnaces



and workshops and manufacturing establishments in the East, South, or West, the more men there will be to buy the productions of the farmers, and the greater the prosperity of the country will be.

Now I understand that some men in this House are in favor of taxing American productions, while they are ready to admit duty free the fabrics and goods of the foreigner. I hear men talk of the taxes on whisky and tobacco, and nearly everybody agrees that articles of luxury should be taxed, but tobacco and whisky are the productions of American labor; when you talk of taxing the manufactured goods, however, of the foreigner, it is said the tariff must be reduced. I do not believe in any doctrine like that. I believe that when the God of nature put into our mountains, hills, and valleys the great mineral resources that made them rich, He meant that they should become an element of strength to the American people who thereby should become independent of the products of foreign labor. This tariff is proposed not only for revenue but for protecting incidentally the workshops of our country.

I should not have risen at this time to say a word had not my colleague, [Mr. STORM,] who represents the district in which I reside, declared himself in favor of free trade unconditionally. Sir, my friend represents one of the largest manufacturing districts in Pennsylvania; and it needs protection. There are thousands of men who are now out of employment and who have been knocking at the doors of Congress for protection that will revive their prostrate industries; they have been sending through my colleague petitions that we shall vote for a restoration of these 10 per cent. duties.

Mr. STORM rose.

Mr. ALBRIGHT. I cannot yield to the gentleman at this time. I want to say that his constituents do not agree with him in advocating the doctrine of free trade and no employment for idle labor.

[Here the hammer fell.]

Mr. BURCHARD obtained the floor.

Mr. STORM. I hope I shall have an opportunity to reply to my colleague, [Mr. ALBRIGHT.]

Mr. BURCHARD. Mr. Chairman, when I made the motion to strike out the pending section I called the attention of the committee to the amount that would be raised by the bill as it stood with the amendments of the Committee of the Whole and to the amount that would be brought into the Treasury by the repeal of the 10 per cent. reduction, adopting last year's importation as a basis. No one has controverted the statement I made that the bill with the amendments will give within \$1,000,000 of the amount originally proposed by the committee. I then stated, and I repeat, that the wants of the Treasury as presented by the Secretary of the Treasury require for the next fiscal year only \$10,000,000. But say that even \$20,000,000 will be required, I still insist that the bill as amended and with the fifth section stricken out will give more than the amount needed, and if the section remains will raise over \$40,000,000, or double the amount required.

But this debate has taken a wide scope. Gentlemen here on one side and the other have brought in the subject of protection, revenue, and free trade. I do not wish now, I did not wish then, to discuss those questions. But gentlemen having referred to me and some remarks which I have made, I wish to say a word in reply.

They tell us in protection circulars and speeches that a reduction of the rate of duties will flood the country with foreign commodities. And yet the gentleman from Connecticut quotes some Treasury statistics that I presented, and shows that even that 10 per cent. reduction did not flood the country with foreign commodities; but on the contrary, after the reduction the importation of those commodities fell off. The total importations, it is true, fell off in 1874 from the amount in 1873, but they did not fall off as much on other dutiable imports as they did upon those to which the 10 per cent. reduction applied. And why? Because the duties on the latter articles are higher. The average rate of duties on all the dutiable imports entering into consumption in the United States in 1874 was 38.5 per cent., while the average rate of duty on the articles to which the 10 per cent. reduction applied remained after the reduction 42 per cent. In consequence, while there was a falling off of \$81,000,000 in 1874 from the \$497,000,000 of total dutiable imports of 1873, the greater part of the decrease was in the falling off of the importations of the articles embraced in the 10 per cent. reduction. The Bureau of Statistics shows that the importations of all dutiable articles were in—

1873.....	\$497,320,326
1874.....	415,924,580
Decrease.....	81,395,746

The Bureau gives the importations of articles embraced in the 10 per cent. reduction for the fiscal years—

1873.....	\$202,000,000
1874.....	141,000,000
Decrease.....	61,000,000

The importation of all dutiable articles in 1874, compared with 1873, fell off 16 per cent., while the importation of the articles upon which the duty is sought by this section to be increased fell off 30 per cent.

The 10 per cent. reduction does not seem to have flooded the country with foreign goods of the same kind. The domestic producers under the reduction not only hold their own, but crowd out the foreign productions of the same kind.

Then, again, I want to ask the gentlemen who are so clamorous for the increase of these duties, and who represent manufacturing and mining States and portions of the Union, why do you insist upon the increased duty? You either expect it will raise prices, and so help you, or that it will shut out foreign goods. If it shuts out foreign goods it will reduce the revenues, and it is as a revenue measure we are asked to support this bill. If it will raise prices you do it for the interest of less than half a million workers in these industries at the expense of over twelve million workers in all the other industries of the country. And I say it is not fair to single out a few classes, scarcely 3 per cent. of the workers of the country, and assess the benefits upon the other classes.

You come here and say it is in the interest of labor. You ask it as if there were no laborers in the country except those engaged in the manufacturing industry; as if the farmers who work under the broiling summer's sun, often from early dawn till late at night, are not laborers and have not interests to be looked to.

[Here the hammer fell.]

Mr. DAWES. Gentlemen have debated this measure as if it were a demand to put more money into the Treasury of the United States. That is a mistake. From no quarter, executive or legislative, does there come up a demand to put more money into the Treasury. It is to supply a deficiency, not to produce more money for the Treasury. Those having the responsibility of the carrying on of the Government do not ask more money, but are content with less than they had before. But they do ask, inasmuch as the revenues are falling short and there does not come into the Treasury as much as heretofore or enough to meet the obligations of the Government, that new sources of revenue shall be sought out. It is not because they want more, but because the necessities of the Government, not greater to-day than before, are nevertheless such that the Government must have more revenue than is now yielded; and as industries change, as revenues change, as more comes from one source, less from another, in the varying and ever-shifting of pursuits all over this country, the taxes and the duties must shift like them. Hence this bill.

Now, sir, the debate, which seems strongly to have taken a sectional turn, is answered, the whole of it, by the history of this very 10 per cent. reduction. The East are charged with an attempt to restore the 10 per cent. reduction. In their interest I am arraigned here. Why, sir? How came this 10 per cent. reduction about? Did not the gentleman from Pennsylvania [Mr. KELLEY] tell you here yesterday that I was responsible for it. If, therefore, the restoration of it is in the interest of the East, the reduction of it two years ago, when at that time we did not need a revenue, came from the East.

Just look at this in another view. Suppose it to be true and admitted, as gentlemen contend, that this 10 per cent. restoration is a tax; still it is a tax of more equal distribution than any other. It enters into the consumption of the whole country alike. It rests upon one portion just as much as it does upon the other, and if you need this \$8,000,000 to meet the obligations of the Government, what more just, what more equitable tax can be devised than that which is distributed all over the country? Everybody that consumes any portion of these articles contributes just to the extent of his consumption. But to those who believe, as I do, that this 10 per cent. restoration brings eight millions into the Treasury without a tax and at the same time revives industry, that is an argument in favor of it.

Why, sir, I have a table here which I produced two years ago, which shows that New England has lost her prestige in manufacturing; that in the last ten years the manufacturers have gone to the West and to the Southwest; and while in 1860 New England had two-thirds of them all, in 1870 two-thirds of them all, according to the census, had gone there.

[Here the hammer fell.]

Mr. KASSON obtained the floor and yielded his time to Mr. DAWES.

Mr. DAWES. Now, I want to say further that it is true that New England does not desire this restoration. It is true that New England manufactures, better than any others in the United States, can stand without its restoration; because New England—and that is the secret of her prosperity—adapts herself quicker and with more efficiency in the existing state of things than any other portion of the country. In the year 1824 she was a commercial country; engaged almost entirely in commerce. The policy of this country then changed to that of a protective tariff, destroying her commerce and depriving her of her pursuit of commerce, and she turned herself immediately to the new order of things, and under that policy which encourages manufactures all over the country she has become a manufacturing region. It is true to-day that the cotton manufacture of New England can compete with the cotton manufactures of the world. I ask gentlemen, then, not to vote for or against this bill because New England desires it. New England would be better pleased if it fails, but New England believes that \$8,000,000 will be brought into the Treasury in this way easier than by a tax on whisky and tobacco or any other tax in the world, and therefore New England yields, as she always has done in every one of the many changes upon this subject, to the existing state of things and the necessities of the country.

Now, sir, here is a source of revenue which as any one will see is an equal tax. Here is a means of bringing to the Treasury \$8,000,000 and at the same time building up the languishing industries of the country and giving employment to the hungry, starving laborers of



the land, satisfying the public press of the country and strengthening the courage of those who toil at the anvil and the loom, and giving to capital confidence and building up the industries of the country. That is why two years ago I did what I did, as the gentleman from Pennsylvania has said, to bring about this reduction, and why now I am for this restoration. I am for it, first, because the demands of the Treasury require it; second, because of all sources of revenue that can be devised this more equally than any other distributes itself over the entire land, applying to every industry affected by it, to every man who consumes its products, to every man who furnishes supplies for the comfort of those engaged in it, to every school-house that is built in the villages of those that congregate around these establishments, to every church to which they go on the Sabbath day to thank God for the daily bread upon their table.

[Here the hammer fell.]

The CHAIRMAN. By order of the House all debate upon section 5 is closed.

Mr. EAMES. I move to amend the text of the bill by inserting the following:

And so much of section 3437 of the Revised Statutes as imposes a stamp tax on the articles mentioned in Schedule A of said section, be, and the same is hereby, repealed, to take effect on and after the 1st day of July, 1875.

Mr. DAWES. I raise a point of order on that amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DAWES. My point of order is that the amendment is not germane to the section.

The CHAIRMAN. The Chair sustains the point of order.

The question was upon the amendment offered by Mr. BURCHARD, to strike out the fifth section of the bill; and being put, there were, on a division—ayes 71, noes 81.

Tellers were ordered; and Mr. DAWES and Mr. BURCHARD were appointed.

The House divided; and the tellers reported—ayes 95, noes 103.

So the amendment was not agreed to.

Mr. KELLOGG. I rise to offer an amendment to the fifth section of the bill. I move to insert in the fourth line of the fifth section, after the word "enumerated," the words "except wool and woolen goods."

Mr. FIELD. That is an amendment against the farmers of the West, and we cannot vote for it.

Mr. KELLOGG. No sir; not at all.

The question was taken on the amendment; and it was not agreed to.

Mr. BECK. I offer the following amendment to come in at the close of the section:

That the first section of the act approved February 8, 1875, entitled "An act to amend existing customs and internal-revenue laws, and for other purposes," be amended by striking out of the proviso at the end of said section the words "on the value" and inserting in lieu thereof the words "on the quantity." And provided further, That said section shall not be so construed as to impose duties on bolting cloths, which are hereby restored to the free list.

Mr. DAWES. I raise the point of order that the amendment is not germane to this section.

The CHAIRMAN. Does it relate to any subject-matter affected by the 10 per cent. reduction?

Mr. DAWES. Not at all; it relates to the little tariff bill.

Mr. BECK. It relates to dutiable articles, not particularly enumerated in this section perhaps.

The CHAIRMAN. The Chair rules the amendment out of order.

Mr. EAMES. I move to add to section 5 these words:

Provided, That the provisions of this section shall not apply to wools imported from foreign countries.

The amendment was not agreed to.

The Clerk read the sixth and last section of the bill, as follows:

SEC. 6. That the increase of duties provided by this act shall not apply to any goods, wares, or merchandise actually on shipboard and bound to the United States on the 10th day of February, 1875, nor on any such goods, wares, or merchandise on deposit in warehouses or public stores at the date of the passage of this act.

Mr. FORT. I move to strike out the section which has just been read. I wish to say that by the provisions of that portion of the bill which have already been adopted we propose to tax whisky on hand, which I supported and still think was right. I can see no reason in the world why we should exempt from the increased taxation imposed by this bill goods that have not yet entered the ports of this country. Upon the same principle which we have adopted in reference to whisky, we should tax the goods that have been received into the country and remaining in store and not yet distributed. And in order to be consistent we should at least make the provisions of this act apply to goods not yet actually imported; but it is here proposed in this section to exempt goods and let them enter free of this increased taxation, all goods which have been shipped or are in store for shipment to this country.

I cannot understand the philosophy of the Committee on Ways and Means when they come in here and propose to tax whisky upon which a tax has already been levied and collected. The bill as it is provides that any persons who have been to Europe, to every foreign port on the globe, and purchased goods, may hereafter import them free of this increased tax. They say that they will not tax anything that has been purchased for the purpose of shipment to this country; and

why not, I ask, if they are consistent? My friend by my side here says that whisky is the only exception. Where is the principle upon which that should be made an exception? If we tax whisky on hand, whisky in store, whisky that has already been taxed, we certainly ought to tax the goods which have not yet arrived in this country. Will not this merchandise be enhanced in value on arrival in our ports to the same extent and in the same proportion that whisky will be enhanced by this increased taxation?

Mr. DAWES. Whisky can bear almost any load.

Mr. FORT. Yes, I know that whisky can bear almost any load, and I am willing to go as far as the gentleman in taxing whisky. Tax it a dollar a gallon, tax the whisky on hand, and tax that which is yet to be made, if you please. So far as I am concerned individually, you may tax it out of existence. I do not use any of it myself as a beverage, nor do I use tobacco either. So you cannot frighten me individually. In my judgment, a dollar a gallon on whisky is about all you can collect; and I believe you ought not to raise the tax on tobacco at all. But, Mr. Chairman, I am speaking now with reference to the principle which the committee wish to apply by this bill. Why do they go away to all the ports in the world and exempt from additional taxation all the goods that may be imported into this country for the next six months, and by the same bill go to the extent of taxing another article which is now on hand here in the country, and which has already paid all the tax that was imposed by the law in force at the time it was manufactured? Can any of the gentlemen tell me?

When those goods arrive in this country, as I have already said, their value will be increased by reason of this increased taxation if that provision becomes a law, just as much as the value of any other goods, just as much as whisky is increased in value by this additional taxation; just as much as the value of the goods bought the next day afterward. If you have bought a cargo of goods which has been shipped to-day or placed on shipboard to be transported to this country, why should you be preferred to the merchant who buys his goods to-morrow and puts them on shipboard the next day? Can some gentleman tell us any good reason why this principle should be applied to imported merchandise when the directly opposite principle is applied to whisky and other articles manufactured in this country? If the committee will give any good and sufficient reason for this apparent inconsistency I will vote for this section of the bill. But I am opposed to any increase of the tariff; yet if we are to increase taxation I want it to begin at once as upon other articles. I want no favoritism, so I move that it be stricken out.

[Here the hammer fell.]

Mr. PARKER, of New Hampshire. I take the floor and yield my time to the gentleman from Pennsylvania, [Mr. STORM.]

Mr. STORM. Mr. Chairman, I sought the floor some time ago in order to express my views upon this bill. I endeavored to express myself, and I think I did, decorously. But it seems that, notwithstanding my endeavors to be courteous to my colleagues, I brought down upon myself to a certain extent their combined wrath. Because I saw fit conscientiously and candidly to express my views upon this important question, my colleague [Mr. SPEER]—I will not say unkindly—sent up to the Clerk's desk and had read a few remarks which I made here three or four years ago upon another bill. I see nothing in those remarks now contradictory to my position to-day; nothing whatever. For if my colleagues will read those remarks they will find they were intended as an apology for just such conduct as we have witnessed here to-day on the part of some few Pennsylvania members. They always do some ridiculous things when the tariff is under discussion that need some apology.

I do not think it is necessary for me to get up here to-day and reply to anything which has been said, at least so far as my colleague now nearest me [Mr. SPEER] is concerned. Gentlemen will remember that a few days ago he got up here and confessed that he had some years since given a cowardly vote. Now, I never in my life gave a cowardly vote on this floor. Some years ago my colleague voted for the repeal of the franking privilege, a great and notorious abuse. For some reason or other he now advocates the restoration of the franking privilege, and confesses to the House that he was a coward in voting some three or four years ago for its repeal. Now, I have no such confession as that to make before this committee. I expressed my candid opinion upon this subject. My colleague would have you believe that this tariff is in the interest of the laboring classes of my district, in which my colleague at large [Mr. ALBRIGHT] happens to reside. I believed myself years ago that such was the operation of a tariff law. But I have since learned that the laboring men have only been made a pack-horse in Congress for the purpose of getting through protective tariffs for the benefit of a few manufacturers. My observation of the results of tariff legislation in Pennsylvania has been that it makes a few men rich at the expense of the laboring people. Go to those regions of Pennsylvania where the iron and coal interests flourish best, and you find a few men living in palaces; and at the same time thousands of laboring men are living in shanties and are starving.

It is a notorious fact that the iron manufacturers of Pennsylvania control to a great extent the coal interests of that State. They employ men during the summer season, but the moment cold weather sets in the iron manufacturers and the coal dealers, who entirely control these interests of Pennsylvania, combine to put down wages.



The result is that these men have their wages cut down to starvation point; they must either starve or strike. There are thirty thousand people to-day in the anthracite-coal regions of Pennsylvania out of employment and are suffering from hunger and cold, while these lordly manufacturers who have been benefited by high tariffs are living in luxury and faring sumptuously every day.

If I believed we could enact a tariff law the benefit of which would be shared by the laboring men, I would go as far as he who goes farthest and swiftest to help enact such a law. But it is a notorious fact that the laboring men have never reaped one dollar of benefit from a protective tariff. Our tariff laws have been passed only for the purpose of enriching a few men. That has been the entire result. There are thousands of men out of employment to-day, denied work by these coal and iron companies while they have coal piled up at the port of Elizabeth mountain high in order that they may advance the price of the same two dollars a ton. They first compel their men to strike as winter sets in, then raise the price of coal, and then have the meanness to throw the blame on the laboring man. To-day, when men ought to be employed—when these companies could afford to employ them—they are turned out in midwinter to starve. Yet those wealthy coal and iron men come here to-day and say they want a higher tariff passed for the benefit of laboring men! The laboring man never gets one dollar of benefit from these laws!

Mr. ALBRIGHT. The men that work in the coal mines get the highest rate of wages that the business justifies; and they refuse to work because they do not want employment at these rates, while many of the men at the factories, foundries, furnaces, rolling-mills, ore-beds, and so on, are idle, although they would be glad for employment at reduced wages.

Mr. STORM. It is a well known fact that the coal and iron companies always reduce wages just as cold weather sets in, putting them down to starvation point, and thus force the men to strike or work for nothing.

Mr. HARRIS, of Virginia. I move to amend by adding to the last section the following:

*Provided, That it shall be shown, by testimony under oath, to the satisfaction of the Secretary of the Treasury that such goods, wares, and merchandise were by contract sold to be delivered in future, at a fixed price, which contract was in writing prior to the 10th day of February, 1875.*

Mr. Chairman, my object in offering this amendment is to carry out the views expressed by my friend from Illinois, [Mr. FORT,] who has but declared the conviction which I previously entertained, and in accordance with which I had already prepared an amendment. The design of the amendment is to make this section harmonious with the proviso in regard to whisky and tobacco. The bill as reported from the committee taxed all tobacco and whisky on hand. But when the committee saw the injustice which would thus be inflicted upon a very large class of persons who had made contracts for the future delivery of whisky or tobacco, they adopted a proviso in each case that the tax should not apply where by contract the tobacco or whisky was sold to be delivered in the future, the contract being made in writing at a specified price.

Now, why should not a provision of that kind be attached to this section, which exempts from the increased duty all goods on shipboard?

Mr. FORT. Not only that, but it covers all goods in warehouses; they may be all over Europe; no one can tell how many goods may be stored away there.

Mr. HARRIS, of Virginia. Under the operation of this section, unless some such proviso as that which I offer be adopted, the country will be flooded with goods that will escape this increased duty. My amendment is for the purpose of meeting such a case.

Mr. DAWES. As to those "warehouses all over Europe," I will let my friend from Illinois [Mr. FORT] take care of them. Now, I will say that there never was a tariff bill passed that did not contain a provision similar to that of this section. It generally has applied to all goods on shipboard at the time of the passage of the act; so that between the reporting of the bill and its passage there was an interval of which merchants availed themselves to hurry in goods for the purpose of escaping the increased duty. Hence the committee thought it best to limit the provision in this bill to all goods on shipboard when the bill was reported.

Mr. HARRIS, of Virginia. Why do you want to protect men who have bought goods in Europe and have them on shipboard, unless they have contracted to resell them at a certain price? Why should they not pay the increased tariff just as much as men having tobacco and whisky on hand should pay the increased tax? What is the reason for especially protecting them?

Mr. DAWES. Take the case of a man who bought his stock of whisky or his stock of tobacco before the tax is put on, to be delivered to some purchaser hereafter under a contract. Here is a man who buys in a foreign market and puts the ocean between him and the man he bought of, so he cannot take it back; and it does not apply to the man who sold it to be delivered in the future. He has got to take care of himself, and do the best he can with regard to changes in the tariff as all have to do in regard to the contingencies that happen to every one. But as regards the man who buys in a foreign market before ever you suggest an alteration in the duty, under the existing duty, and gets his goods on shipboard bound to the United States, or has brought them to the United States and put

them into a warehouse in the United States and given a bond to pay the duty which the law then required, if you alter the law and make him pay more when he cannot restore his goods, you do him an injustice which we have provided against in the case of whisky and of tobacco; because we have provided that the man who has purchased to deliver in the future may deliver by paying the tax that was the law when he sold, but that the man who buys of him shall pay the additional tax.

Mr. BANNING. Do not you alter the law and make the distiller pay more for the whisky that is in the bonded warehouse than the bond called for?

Mr. DAWES. So far as whisky on hand is concerned, we do. There can be no question about it.

Mr. BANNING. And why should the importer be treated any better than the distiller?

[Here the hammer fell.]

Mr. WARD, of Illinois. I move to amend by striking out the last word.

Mr. KASSON. Are not two amendments now pending?

The CHAIRMAN. There is an amendment pending to strike out the section. And there is a motion to perfect the section which it is proposed to strike out. The amendment of the gentleman from Illinois [Mr. WARD] is in order.

Mr. WARD, of Illinois. I have but a word to say in relation to this peculiar legislation, and I wish I could make every republican, at least on this side of the House, understand what I say and appreciate some of these things as I see them. It is not because I am sectional or desire to make a personal attack on anybody.

Mr. SPEER. I ask the Chair to restore order, that we on this side of the House may hear what the gentleman is saying.

Mr. WARD, of Illinois. I want the republicans to hear what I am saying without the democrats hearing it, because I do not want them to know what this bill does.

Mr. BANNING. We want information over here.

Mr. WARD, of Illinois. And I do not want you to have it.

The CHAIRMAN. The committee will come to order before the gentleman from Illinois proceeds.

Mr. WARD, of Illinois. It is to be expected that every industry to be taxed will of course resist the taxation. I do not propose to discuss the principles of this bill further than I have already discussed them. If it were proposed to tax the codfish of Massachusetts, the clams of Connecticut, or the oysters of Baltimore, there would be an outcry against it in those sections. But it would be just as easy for me to say, when you resist that, that a tax of that kind would be paid by the consumers in the West as for gentlemen representing New England to say that all the taxes on high-wines manufactured in the West are paid in the East.

Now I say, as I have said before, that the principle on which you base taxation should be general, universal, and just. And I say here, and to the republicans I especially appeal, you are preparing a tax bill which creates a discrimination against the West, and I characterize it as an injustice and an outrage. I do not care how much tax you put on, but I insist that it shall operate fairly. Now, the republicans on this side of the House are well aware that they have a law in many of the Western States, as the result of that sort of fanaticism which some people carry into legislation on the subject of whisky. This is a re-enactment by the Congress of the United States of a declaration that men who are engaged in this enterprise are outlaws and not entitled to be put on the same footing as others who are engaged in other pursuits.

Take the article of tobacco; it is an article of less use than the manufactured article of alcohol. It enters into no useful art. It is a nuisance everywhere, although I use it more myself than I do whisky, as do many others. But I insist that when you come to apply taxation you shall apply it equitably, so that the men who are engaged in this great industry shall not be declared outlaws and placed beyond the pale of reasonable legislation. By this bill you do that, and I for one protest against it; not because I desire to protect one industry against another; not because I desire to put one tax on or to take another tax off; but because I insist that this great industry to which this bill is so unjust shall be treated as an industry in the country entitled to just recognition at the hands of those who make the laws.

And let me say in conclusion that this article on which you discriminate 50 per cent. is manufactured in the West, enters into all the useful arts, is used in paints, in oils, in drug-stores, everywhere, while tobacco enters into no useful art; and I again protest against your treating those engaged in this industry as though they were outlaws and entitled to no consideration.

Mr. KASSON. Mr. Chairman, I ask the attention of the committee only to a single observation, not upon the principles involved in this bill, for of them I have nothing more to say. I have no desire to discuss further the general policy of the bill. This proposition of the gentleman from Illinois applies, as it is claimed, the same principle to these importations as that applied to whisky and tobacco. I ask the attention of the committee in all candor to an error in this proposition. It is not the same as that applied to the tax on tobacco. That is to be applied only to future manufactures. We tax nothing that is now manufactured. Additional taxes are to be paid only upon the articles subsequently manufactured. So, too, in regard to



distilled spirits. We do not levy the whole increase of the duty or tax on that which is on hand. On the contrary, you will remember that there is interest and insurance which increases the cost of the whisky on hand until it can find a market. In view of that fact the committee only put the duty on spirits on hand to half the amount of the increased tax, in order that a market might be had by the holders of whisky on hand before a new manufacture could be put in the market at the same price without the loss of interest and insurance; otherwise it would force a dead loss upon the holders of existing stocks.

Now, then, as to these articles to be imported the case is entirely different. There is an immense amount of these importations on hand and in transit to meet the coming spring trade. We therefore said that it was due to them so far as orders have been issued prior to the notice of the increase of duty that they should come in upon the basis of the existing law. Without this the ordered goods would be put in warehouse until present stock was exhausted, while home prices would be largely increased without this competition. To put the entire increase of duties upon those importations would violate every equitable provision of law as applied to whisky and tobacco, and would be extreme injustice to those who are engaged in the foreign trade and who must meet liabilities by prompt sales.

Mr. DAWES. At this hour it was arranged that other duties should occupy the attention of the House, and therefore I move that the committee do now rise.

Mr. GARFIELD. I hope the committee will not rise.

Mr. DAWES. I insist on my motion.

Mr. COBURN. Is the motion debatable?

The CHAIRMAN. No; it is not.

Mr. LOUGHRIDGE. I would like to ask the Chair, if we rise now, when this bill will come up again?

The CHAIRMAN. The bill would come up again whenever the House goes into Committee of the Whole on the state of the Union at the same stage in which it is now left.

The motion of Mr. DAWES was agreed to; there being on a division—ayes 87, noes 60.

The committee accordingly rose; and, the Speaker having resumed the chair, Mr. HALE, of Maine, reported that the Committee of the Whole on the state of the Union had, pursuant to the order of the House, had under consideration a bill (H. R. No. 4680) to further protect the sinking fund and provide for the exigencies of the Government, and had come to no resolution thereon.

#### GEORGE F. BROTT.

Mr. SHELDON, by unanimous consent, introduced a joint resolution (H. R. No. 158) for the relief of George F. Brott; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### BRIDGE ACROSS THE RIO GRANDE.

Mr. GIDDINGS, by unanimous consent, introduced a bill (H. R. No. 4819) to authorize the construction of a bridge across the Rio Grande River at or near Brownsville, Texas; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### PRINTING OF A REPORT.

Mr. LOWE, by unanimous consent, from the Committee on Indian Affairs, reported back a letter from the Secretary of the Interior to the Commissioner of Indian Affairs, in relation to Indian matters; which was recommitted to the Committee on Indian Affairs, and ordered to be printed.

#### TEXAS PACIFIC RAILROAD.

Mr. CRUTCHFIELD, by unanimous consent, presented a memorial from the National Grange, asking Congress to pass a bill in aid of the Texas Pacific Railroad Company to construct its road; which was referred to the Committee on the Pacific Railroad, and ordered to be printed.

#### INDIAN APPROPRIATIONS.

On motion of Mr. LOWE, by unanimous consent, the Committee on Indian Affairs was discharged from the further consideration of Executive Document No. 91, being the recommendation of the Secretary of the Interior for appropriations of \$50,000 for the subsistence of the Cheyennes, Arapahoes, Apaches, Kiowas, Comanches, and Wicahitaw Indians, in the Indian Territory; and the same was referred to the Committee on Appropriations.

#### TEXAS PACIFIC RAILROAD.

Mr. RAINEY, by unanimous consent, presented joint resolutions of the Legislature of the State of South Carolina, in regard to the Texas Pacific Railroad; which were referred to the Committee on the Pacific Railroad, and ordered to be printed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced that the House had passed without amendment the joint resolution (H. R. No. 51) in relation to civil-service examinations.

The message also announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

An act (S. No. 1222) to authorize the trustees of the Free Young

Men's Benevolent Association to sell and convey square numbered 272, in the city of Washington.

The message further announced that the Senate had insisted upon its disagreement to the amendments of the House to the bill (H. R. No. 376) to provide for the incorporation and regulation of railroad companies in the Territories of the United States, and granting to railroads the right of way through the public lands, had agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed as conferees on the part of the Senate Mr. STEWART, Mr. HOWE, and Mr. HAGER.

#### ADVERSE REPORTS.

Mr. WILLIAMS, of Wisconsin, by unanimous consent, from the Committee on Foreign Affairs, reported adversely upon the following; which were laid on the table, and the reports accompanying the same ordered to be printed:

A bill (H. R. No. 543) to reimburse Charles Daugherty for his expenses to the consulate of Londonderry; and

The petition of Mrs. Melinda Leipsker, of the city of New York, widow of Joseph Leipsker, for redress for the wrongs sustained at the hands of the authorities of Peru, and claiming the restoration of her late husband's property, &c.

#### MARCUS RADICH.

Mr. WILLIAMS, of Wisconsin. I am also instructed by the Committee on Foreign Affairs to report a joint resolution referring the claim of Marcus Radich to the Court of Claims.

The SPEAKER. The joint resolution will be read, after which objections will be in order.

The preamble to the resolution states that Marcus Radich, a subject of Turkey, claims to have been domiciled in the State of Texas in 1865 and to have been the owner of one hundred and sixty reams of writing paper, which he alleges was taken from him during that year by the civil and military authorities of the United States in the State of Texas.

The joint resolution gives the said Marcus Radich leave to file his claim in the Court of Claims, and vests that court with jurisdiction to hear and determine the validity of the said claim and to render judgment thereon for such amount as may be found to be due; provided that said Radich shall have the right to appeal from the Court of Claims to the Supreme Court of the United States.

Mr. RANDALL. Does the gentleman say that this has been considered by the Committee on Foreign Affairs.

Mr. WILLIAMS, of Wisconsin. It has been, and I have been instructed to report it.

Mr. LAWRENCE. Both parties should have the right to appeal to the Supreme Court of the United States.

Mr. WILLARD, of Vermont. I suggest to the gentleman to change it so that either party can appeal.

Mr. WILLIAMS, of Wisconsin. Certainly; I modify the joint resolution accordingly.

There being no objection, the joint resolution (H. R. No. 159) was received, read three times, and passed.

Mr. WILLIAMS, of Wisconsin, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### MAJOR J. W. NICHOLS.

Mr. PARKER, of Missouri. Some time since the Committee on Military Affairs reported favorably Senate bill No 769, for the relief of Major J. W. Nichols, paymaster of the United States Army, and which was referred to the Committee of the Whole and placed on the Private Calendar. I now ask that the Committee of the Whole be discharged from its further consideration, and that the bill be passed.

The SPEAKER. The bill will be read.

The bill provides that there shall be paid to Major J. W. Nichols, paymaster of the United States Army, the sum of \$4,500 erroneously charged to and paid by him in the settlement of his accounts.

No objection was made, and the Committee of the Whole was discharged from the further consideration of the bill, and it was read a third time, and passed.

Mr. PARKER, of Missouri, 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.

#### ADVERSE REPORTS.

Mr. LAWRENCE, from the Committee on War Claims, by unanimous consent, submitted adverse reports in the following cases; and they were laid on the table, and ordered to be printed:

A bill (H. R. No. 2492) for the relief of Thomas Plant;

A bill (H. R. No. 3954) for the relief of Messrs. J. W. and C. Rowland, of Norfolk, Virginia;

A bill (H. R. No. 4376) for the relief of Jacob Kaufmann, of Hardin County, Kentucky, for goods taken and destroyed during the late war by Federal soldiers;

A bill (H. R. No. 3953) for the relief of George C. Wedderburn, of Richmond, Virginia; and

The petition of Harper P. Hunt, of Vicksburg, Mississippi, for payment of rent of house in Vicksburg.

Mr. WILLARD, of Vermont, from the Committee on Foreign Affairs, submitted adverse reports in the following cases; which were laid on the table, and ordered to be printed:

A bill (H. R. No. 4146) providing for the exclusion of Chinese from the benefits of the naturalization laws of the United States;

A bill (H. R. No. 4512) for the relief of Henry P. Ryder, late consul at Chemnitz; and

The petition of Mary Louise Perrin and Trautmann Perrin, for compensation for destruction of their property by the bombardment of Greytown, Central America.

#### WISCONSIN CENTRAL RAILROAD COMPANY.

Mr. ORR, by unanimous consent, from the Committee on Public Lands, reported as a substitute for House bill 4716 a bill (H. R. No. 4820) authorizing the Wisconsin Central Railroad Company to straighten the line of their road; which was read a first and second time, ordered to be printed, and recommended to the Committee on Public Lands, not to be brought back on a motion to reconsider.

#### DEATH OF HON. JOHN B. RICE.

The SPEAKER. The hour of three o'clock having arrived, the gentleman from Illinois [Mr. WARD] is entitled to the floor.

Mr. WARD, of Illinois. Mr. Speaker, I arise to pay a last tribute of respect to the memory of my late colleague, Hon. JOHN B. RICE. He died at the house of his daughter, in Norfolk, Virginia, on the 17th day of December, 1874. He left at the close of the last session with his health somewhat impaired. During the recess of Congress he sought rest at resorts, and at times he improved so that he and his friends hoped and believed he would soon be fully restored. But this was not to be so, and he did not take his seat at the commencement of the present session, and gradually failing, died as I have stated.

But recently he whom we now mourn was among us in robust health, giving promise of many years of usefulness. His great heart has ceased to beat, and he sleeps the sleep that knows no waking.

We stand above his honored grave and recall the graces and grand qualities of his life.

A good man has gone to rest and the world is poorer for his loss, though richer and better because he once lived.

To those who knew him as he was known here, no word of mine can add anything to the incense which envelops his memory or increase the respect which in life his high character challenged from all who came in contact with him.

Without pretension, he was industrious, earnest, and able; without obstinacy, he was firm; without self-righteousness, he was scrupulously honest and conscientious in all things; faithful to his friends, yet just to his opponents; true to his convictions, yet ever ready to receive suggestions and advice. Scorning deceit, he diligently sought for truth; fearless in action and in the expression of his own opinions, yet attentive and respectful to those with whom he differed; public spirited as a citizen, charitable to the needy, sympathetic with the suffering. A gentle, loving, and indulgent father, genial as an associate, he was a man to be honored and loved as he was in life, and sincerely mourned as he is in death.

His early life was not spent under the most auspicious circumstances, and his eminence in his profession, in the social world, and in politics was achieved by his own strong will and sturdy efforts.

JOHN BLAKE RICE was born in the village of Easton, Talbot County, Maryland, in 1809. His father was a shoemaker, and he learned that trade. It is not known how long he worked at this humble calling, nor is it certain that he might not have continued at it many years longer and the whole current of his life have run in a different channel but for an accidental circumstance something in this wise: The manager of a Baltimore theater, while strolling along one of the streets of the Maryland metropolis one day, overheard a rich musical voice troling out a song inside a shop. He stopped and listened for a moment and then passed on, but the voice impressed him as unusually fine, and he made it convenient soon after to drop in at that shop and find out the possessor of the fine baritone. After a brief negotiation, the young mechanic was engaged as a chorister in Clemens's Theater, and it was there the stage life of JOHN B. RICE began. This was in 1833. The following year found him a member of the company of the Walnut Street Theater, Philadelphia, where he was engaged for "singing parts," and occasionally was on for a song between acts. While in Philadelphia he married Miss Mary Ann Warren, daughter of the old manager and actor, William Warren, long since deceased. Miss Warren was then playing *soubrette* parts at the Walnut Street Theater. Mr. RICE subsequently went to Albany, New York, where he opened the National Amphitheater. That undertaking, however, proved a failure, and he became associated with the proprietor of the Albany Museum. He remained there four or five years as manager, and thence went to Buffalo, where he joined the company of the Eagle Street Theater. He became manager. It was at the Eagle Street Theater in Buffalo, and under Mr. RICE's management, that Dan Marble made his first great hit as a comedian; and it was also here that Charlotte Cushman, then a young lady of twenty-one or twenty-two, played one of her very first star engagements. The Eagle street enterprise succeeded but moderately in a financial way, and the manager concluded to give it up and go west.

Early in 1847 he went to Milwaukee and there managed a theater for a time. He ascertained that a canal convention—that was an age of canals—was to be held at Chicago in July of that year, 1847. It occurred to Manager RICE to seize the occasion and turn it to account, and with such capital and credit as he could command he went to Chicago and put up a wooden theater on Randolph street, between Dearborn and State streets. He had calculated rightly; the canal convention brought a large number of strangers to the city, and the theater made money rapidly until it burned down.

The first "star" introduced to the Chicago public under his management was Edwin Forrest, who appeared as Jack Cade, June 15, 1847.

Two months after the destruction of the wooden theater on Randolph street Mr. RICE purchased a lot on Dearborn street, the present site of Rice's Block, and in the month following (September 16) the foundation for a new theater was laid. It was opened February 3, 1851. This theater was prosperous, and in the subsequent years "stars" of the first magnitude played within its walls. Charlotte Cushman was the most prominent.

In February, 1857, Mr. RICE, having accumulated considerable wealth, decided to retire from the business. His management practically ended November 27, 1857, when the season closed. He determined to utilize his property by turning it into business places. This was done, and was occupied as stores and offices until 1871, when it was destroyed in the great fire. A substantial structure was erected on the site the following year, and is known as "Rice's Block," a monument of his enterprise and faith in the future of his loved city.

After abandoning the theater Mr. RICE devoted himself to the improvement of his real estate, of which he had acquired considerable. During all the time he managed a stage there was never allowed anything which would tinge the cheek of the most refined with a blush.

Although a prominent and active citizen almost from the day of his arrival in Chicago, and a warm republican from the day of the organization of that party, Mr. RICE took no great part in political life until 1865, when he was nominated as the candidate of the "Union party" for mayor, and elected by a large majority. In 1867 he was renominated by acclamation, and again elected by a large majority. When his term of office expired in the fall of 1869, he refused to be a candidate for re-election. His two administrations were singularly fortunate. There were no jobs in the council and no complaints of indifference on the part of the mayor. As presiding officer of the council he was in all respects the best that body has ever had. He took an active part in every detail of the city affairs and was thoroughly conversant with all its necessities.

From 1869 to 1872 he took no active part in politics; but in the fall of the latter year, when the republicans of the new first congressional district wanted a candidate, he was unanimously selected as the representative of his party. He was chosen by an immense majority, swollen by his own personal strength, and went to Washington to discharge his new duties, bearing with him the same conscientious determination to fulfill the high functions of his office that he had displayed in other and less important positions. His record in Congress is well known. A new member, busied in learning details, he had few opportunities of displaying the real ability which was in him; but when he spoke and acted, it was always wisely and well. By his associates he was loved and respected.

By his death, which occurred in almost the prime of his life, the first congressional district has lost its first Representative, the city and county one of its best citizens, and his family a kind and affectionate father.

Mr. RICE's family consisted of one son and five daughters. His son enlisted early in the war, and was killed at Chickamauga, Tennessee, September 19, 1863, while in command of Company A of the Eighty-ninth Illinois Volunteers. His daughters all are living; and they, and his wife, who also survives him, mourn him as only such can mourn for such a husband and father.

In the city where he lived, and over which he had so long, so acceptably, and so justly ruled, and where he was so well and widely known, he was most appreciated and loved. The announcement of his death carried sorrow to every household there; few men ever had or ever will win as he had won the hearts of all—the high and low, the rich and poor alike of that city. And we shall be fortunate indeed if when our work is done it has been as good and our lives as pure as that of him of whom we take the last good-by to-day.

I submit the following resolutions:

*Resolved*, That this House has heard with deep regret of the death of Hon. JOHN B. RICE, a member of this House from the State of Illinois.

*Resolved*, That, as a testimony of respect to his memory, the officers and members of this House will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

Mr. CORWIN. Mr. Speaker, after listening to the eloquent remarks of my colleague [Mr. WARD] I do not rise to pronounce a formal eulogy upon the late JOHN B. RICE, but simply to add my tribute of respect to the memory of one who was my esteemed friend.

Although I had on one or two occasions prior to the assembling of this Congress met Hon. JOHN B. RICE, my acquaintance with him only commenced when we met in this Hall in December, 1873. In the selection of seats at the commencement of this Congress it so



happened that we were placed at adjoining desks, and continued to occupy contiguous seats during the long, protracted session of seven months. Sitting side by side and representing districts almost adjoining in the same State very naturally led to frequent conversations and an interchange of opinions upon the various questions that came before the House. As our acquaintance improved this interchange of thought and opinion became more and more frank and unreserved, until, long before the close of the session, our conversations were characterized by the fullest confidence and all the freedom of warm friendship. It was in this unreserved intercourse, in the expression of his matured opinions as well as in his impromptu suggestions, I had the amplest opportunities to discover the more striking characteristics of the deceased, and learned to respect his many noble qualities both of mind and heart.

As we have been informed by the gentleman who preceded me, Mr. RICE, with but limited advantages for the acquisition of an education and contending with the embarrassments of poverty, commenced the stern battle of life, but with his vigorous intellect, his strong will, his unswerving honesty and integrity and his generous heart, he fought the battle bravely and successfully. And while he secured a competency as to fortune, he also secured that which was of far more value, the esteem and confidence of all with whom he was brought in contact; and on many occasions he received the strongest evidence of the high estimation in which he was held by his fellow-citizens, by being intrusted by their suffrages with high and important public duties.

As a man, Mr. RICE was distinguished for a strong, comprehensive, and vigorous intellect, quickened and trained by a long and active participation in the stirring scenes of active business, in which he acquired a large fund of practical and varied information. In manners he was affable, social, courteous, and dignified; in conversation, entertaining and instructive; and in all the relations of life, generous and magnanimous.

As a Representative in this Hall, where you all knew him, I need say but little of my late colleague. In the discharge of his public duties, the first and paramount question with him was, what is right? and when he had settled that question, he firmly adhered to his convictions, permitting no considerations of policy or expediency to swerve him from the right. He was unremitting in his attention to the business and wants of his constituents, prompt in his attendance upon and indefatigable in the performance of his duties in committee, regular and constant in his attendance upon the sessions of the House, and ever devoted himself industriously and conscientiously to the discharge of his whole duty to his constituents and to the country. He did discharge his duties nobly, faithfully, and well, and filled to the full the Jeffersonian standard of qualifications for public service. He was immovably honest, he was thoroughly capable, and he was diligently faithful. In a word, I repeat, Mr. Speaker, what I have said, that in his private as well as in his public life he was eminently distinguished for his immovable, unyielding, unflinching honesty and integrity. He earned and was justly entitled to that highest reward of the faithful public officer, "Well done, good and faithful servant." "Peace to his ashes."

Mr. FORT. Mr. Speaker, it was painful duty on a former occasion to announce to this House that death had been among the delegation from Illinois and had stricken down Hon. JOHN B. RICE, Representative from the first district; and it is with tender sadness that I break silence here to-day to record my humble tribute of respect to the memory of my departed colleague.

I had known him before, but had formed no intimate acquaintance with him until our service began here together at the opening of this Congress. Our acquaintance soon became very agreeable to me. I soon discovered in him noble qualities and boundless generosity; I soon found that he was not only approachable but genial. It seemed to me that his manner and his bearing were not merely acquired, but that they sprang from native politeness and were founded upon broad benevolence and good-will toward all mankind. About him I never discovered anything low or vulgar; but to me his conversation always appeared elevating and his purposes honorable. To him I was indebted for information to me valuable, and which I still cherish with his memory.

The influence of his society was refining, and his companionship profitable. He desired that all mankind should be free and happy. He would always rather please than affront. Nature as well as culture had endowed and formed and fitted him to entertain his fellows. His service here was not all his public life. With other theaters he was more familiar where he merited and received the popular favor. He was a loved and cherished companion, and a dear and indulgent father. He blessed his home and his fireside. The blow that removed him thence crushed and stunned the family circle.

When first we met here he seemed the most robust of all the delegation from our State. His sturdy and rugged form appeared able to wrestle with the labors and exposures of life for many years to come, and little did we think that he would be the first of us from Illinois to fall.

In his service here he worked hard and incessantly, and it is more than probable that his close application to his public duties during the long session, and his deep anxiety that all matters with which

his country was concerned should go well, so wore upon him and sapped away his strength as to cause his premature end.

He loved his country more than he loved himself. He was true to the party with which he acted. All his political action was governed by principle, born of sincere conviction of what to him seemed right. For his political adversary he had no words of abuse. To his opponents he accorded the same freedom of opinion he claimed for himself, and to them he was always temperate and respectful. Like his great political leader, of whom he was a devoted follower, he had "charity for all and malice toward none."

But, Mr. Speaker, it is with no vain hope that I could fitly pronounce his eulogy that I do speak. I can at best but recognize the solemnity of the hour.

Death has been busy with us here on this floor. To his dread call no dilatory motions avail. There is no postponement to another day. The hammer falls and the victim is down forever. One after another our fellows fall around us and we inquire one of another, who will be the next? But this no one can tell. One by one our comrades are called; and they depart at once for that other country, and we seem to hear their spirits say, "Be ye also ready."

It is fitting, Mr. Speaker, that we should thus pause and hush the hum of our busy sessions and recognize the presence of death, that stalks unseen among us and treads unheard upon this floor. Unbidden and unwelcome have been its visits.

We shall never see the portly, manly form of my colleague stride up and down these aisles again; we shall hear the silvery tones of his commanding voice no more. When he fell some of us were appointed to attend his remains to the tomb. We followed them to his home in Chicago, of which city he had long been a resident and had been its chief magistrate. There the citizens, both prominent and humble, and there his friends and neighbors gathered sorrowfully around his bier to pay their last tribute—there to gaze for the last time upon that form once so full of life and action; but it was cold and motionless. His once familiar voice, which had so often swayed them and moved them to applause, was silenced forever; his eye that had so often beamed upon them was rayless and closed. And as they gazed there started many a tear from eyes unused to weep. Sadly we bore his remains to the grave in Rose Hill Cemetery, near his resident city, and silently and softly we laid them down to sleep until the morning of the resurrection, and peace be to his ashes was our prayer.

Our colleague has gone, gone on to that other city over on that beautiful shore.

Hail, brother; hail and farewell.

The resolutions offered by Mr. WARD, of Illinois, were then adopted unanimously.

#### DEATH OF HON. ALVAH CROCKER.

Mr. DAWES. Mr. Speaker, I desire to interrupt the ordinary current of business in this House that the attention of its members may be directed for a few moments to an event full of admonition and one which awaits us all. It becomes my painful duty to announce to the House the death of one of its members, Hon. ALVAH CROCKER, a Representative from the tenth congressional district of Massachusetts, who died at his home in Fitchburgh, in that State, after a brief illness, on Saturday, the 26th day of December last. He separated from his colleagues and associates here at the commencement of the holiday recess in unusual health and spirits, speaking frequently of a vigor and freedom from illness not enjoyed for many years. His journey northward to his home in the rigor of December brought upon him a severe cold and afterward congestion of the lungs, which confined him to his house on Friday and terminated fatally on Saturday evening. He sank rapidly in the last few hours of his illness, and passed quietly away at eleven o'clock in the hope of a glorious immortality.

Mr. CROCKER was born in Leominster, in our State, on the 14th day of October, 1801, and had therefore at the time of his death just entered the seventy-fourth year of his age. His parents were poor, and without the means of rendering him any assistance in preparation for after life, and hardly more than a maintenance from his earliest years, and he became a factory operative when only eight years of age. The first and almost the only fifty dollars expended on his education was earned by him in night work in the factory at four cents an hour, and while it lasted he was a pupil at Groton Academy. Whatever he could earn in this way was devoted by him to fitting himself for a broad and practical usefulness in after life. In fact, almost his entire education was acquired in that broader field of practical life where necessity is the teacher and experience the guide.

In his early manhood he entered as a partner with others into a responsible business connection as a manufacturer of paper, in which pursuit he continued with marked and unbroken success till his death. Though largely and devotedly engaged in this the special calling of his life, he found time to undertake and carry out to successful results other enterprises, some of them of vast public concern, and all of them of great usefulness and influence in promoting the healthy and permanent growth of the community in which he lived, bringing to himself at the same time large returns and ultimately great wealth.

Embarking with characteristic zeal and energy in the earliest railroad enterprise in Northern Massachusetts, if not himself its pro-



jector, at a time when railroads were as yet an untested experiment, he lived to see that line traverse the entire State and connect its tide-waters with the Hudson and the western lakes by one of the most marvelous works of internal improvements in modern times, and all pushed to completion by an energy and forecast inspired by him more than by any other. Under the same influences his own town has grown from an unimportant village of a few hundred inhabitants to a flourishing and prosperous city of large and increasing wealth and importance in the Commonwealth. It to-day mourns the loss of a citizen constantly contributing by a ceaseless activity singularly well directed to its improvement and prosperity, to the comfort and character and growth of its people.

Nor were these characteristics of Mr. CROCKER's life confined in their results to the city of his residence, but were felt in stimulating the development of a great variety of industrial interests and the consequent increase of prosperity and wealth in other parts of the State. A beautiful manufacturing town has sprung up within a few years on the banks of the Connecticut, increasing rapidly in population and wealth, and destined soon to rank among our cities, which owes its very existence to the indomitable energy and tireless efforts of Mr. CROCKER.

The implicit confidence of his fellow-citizens in his spotless integrity as well as sound judgment and unusual forecast called him most frequently to positions of very delicate trust and of great responsibility, which he held from his earliest manhood to the day of his death. His decease has made vacant positions in the board of direction of institutions and associations for purposes of business and public and private trusts as well as for objects of benevolent and religious work greater in number and importance than would be caused by the death of almost any other citizen of the Commonwealth.

Mr. CROCKER was three times a member of the house and twice a senator in the Massachusetts Legislature. On the 2d day of January, 1872, he was elected to the Forty-second Congress to fill a vacancy caused by the resignation of Governor Washburn. His election took place while he was absent from the country with Mrs. Crocker, whose failing health had taken him abroad many months previous to the existence of the vacancy. He had no knowledge of either nomination or election till his return after both had occurred. Mrs. Crocker's protracted sickness and death detained him for some time from his seat. He was re-elected to the Forty-third Congress by a large majority, but declined a re-election to the Forty-fourth.

Mr. CROCKER was in politics a whig, and after that party a republican. Bringing to the discharge of every political duty growing out of those relations the same enthusiastic zeal which characterized his every undertaking, he was nevertheless no partisan, and always followed his convictions rather than his party. He came into Congress late in life, and was not permitted to remain long enough in his work here to leave that personal and permanent impression upon the administrative policy or legislation of the country which experience often brings to the share of others. But he was not idle here. Indeed, he could not be idle anywhere. In the committee-room, as well as upon the floor of the House, and always in consultation, his practical knowledge and wise counsel were invaluable, while his genial disposition and flow of conversation made him a general favorite. It was truthfully said of him that "he went directly at a thing in Congress as he would in his own business affairs, and in an earnest, homely way they were little accustomed to witness."

Mr. CROCKER was a remarkable man in all the variety of pursuits in life into which his tireless spirit and iron will led him to embark. A larger measure of success and a more wide-spread influence and abiding impression were attendant upon his career in life than mark the path of most of his contemporaries. The tendency of his whole life work was for good. He was a generous giver and especially delighted in aiding young men of limited means. The needy never turned empty from his door. No portion of that vast concourse of people who crowded the funeral procession testified their bereavement more sincerely than the humble and dependent who had been recipients of his bounty. He was a religious man, and died in the faith of the Protestant Episcopal Church, of which he was an officer at the time of his death.

Mr. CROCKER had been married three times, and left two children and a widow stricken by this bereavement, yet sustained by that faith which assures them that their loss is his gain.

Mr. Speaker, the shafts are falling thick and fast among us. Massachusetts is called upon by this dispensation, for the third time during this Congress, to mourn the loss of one from the number of those she has commissioned for the public service in these Halls. And even now, before these ceremonies are concluded, a fourth is added to the list of her dead. The funeral procession has but just borne another of her delegation from the scenes of his labor here. Our Commonwealth is most sensible of how great is that loss. She bows her head in submission and testifies her grief at the tomb of her faithful public servants.

I offer the following resolutions:

*Resolved*, That this House has heard with deep regret the death of Hon. ALVAH CROCKER, late a member of this House from the State of Massachusetts.

*Resolved*, That as a testimony of respect to the memory of the deceased the officers and members of this House will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

Mr. BUTLER, of Massachusetts. Mr. Speaker, the most gracious boon conferred by a merciful Providence upon any man is that he may not know the hour or manner of his death. When it comes to him in the full vigor of activity, especially after long, long years of a well-spent life, as a relief from all sorrow and care, with a humble Christian hope of a future and better life to come, such a departure calls neither for tears nor mourning in his behalf whose life has been so blessed by its ending. Yet it is well to pause amid the contests of life, its struggles and business, to give thought to the conduct and example of the departed, to contemplate all that is beautiful and good in his character, and to pay some tribute to his virtues, and thus aid to keep green his memory.

By the death of ALVAH CROCKER, a member from Massachusetts in this House of Representatives, our Commonwealth has been called a second time to mourn for one of her chosen men; and while he had not, from long services in the councils of the nation, high attributes of eloquence and learning, attained that exalted place in the affection and reverence of his countrymen that was held by the great statesman of our State whose death has within a twelvemonth called for our deepest sorrow, yet in another and perhaps no less useful sphere Mr. CROCKER has so well performed his part in life, and has left for the contemplation and imitation of the youth of the country a career no less honorable, and in its results to mankind quite as practical and beneficent.

From humble life, without the advantages of that early training and cultivation which the universities may give, brought up by the rugged hand of poverty, he early distinguished himself as a thorough man of affairs, whose foresight in planning, whose skill and energy in executing many most important undertakings for the welfare of his fellow-citizens and the prosperity of his State early gave him an enviable reputation in a community where all the faculties of mind were taxed to the utmost in the most active and complicated duties of life.

Mr. CROCKER's character and success in life were indeed the very outgrowth of the industrial pursuits of the people of Massachusetts. At an almost infantile age an operative in a manufacturing establishment, thence steadily rising step by step, overseer, superintendent, owner, acquitting himself so well in all that each step was but the round of the ladder by which he climbed from honorable penury to competence and the like honorable wealth. Among the very first of the far-seeing men of his State, with business sagacity that never faltered, he foresaw the effect which the then young system of railroading must have upon the prosperity of his native State, and allied himself very early in one of the most considerable railroad enterprises by which Boston was ultimately to be connected with the western part of New England, the provinces, the Canadas, and the great lakes. His sagacity and business qualities were at once recognized by his associates in the enterprise, so that he was early made president of the Fitchburgh Railroad, planned in the beginning to connect his native town and the town of his adoption with Boston, but afterward to be extended so as to become a portion of the railroad system that connects the tide-waters of Boston Harbor with the great lakes and the granaries of the West.

Mr. CROCKER early saw, almost as by intuition, what came to others only by slow teachings of experience, the impossibility of profitably and effectively carrying on very extensive mercantile traffic over railroads encumbered by curves and heavy gradients, and therefore nearly a quarter of a century ago became the ardent advocate and untiring promoter of the most splendid engineering achievement of the age, the opening of a railroad track through Hoosac Mountain by a tunnel sufficient for a double-track road of quite five miles in extent, of which work the State gave him charge as its commissioner, and which he lived only long enough to see completed.

While possessing qualities of the most positive character, yet his nature was so kindly, his disposition so courteous, his mind so fair, and his conscience so just, that he had fewer collisions in the many and diverse kinds of business in which he took most active part than fall to the lot of the most favored few. With such attributes, sustained by the most sturdy and vigorous physical health, which enabled him to carry forward with the greatest vigor all that he undertook, it was not singular that he early commanded the attention of his fellow-citizens as one well fitted for public service, and was by them chosen to represent their interests in public affairs; so that nearly forty years ago he was elected the representative of what is now the city of Fitchburgh to the Legislature of Massachusetts, which he filled during several terms, and was afterward later in life elected to the senate of the State for two successive periods; in all which service he gained an enviable distinction and influence, never failing to command the suffrages of his fellow-citizens where he was offered as a candidate for their votes; so that he was elected twice to his seat in this House in the Forty-second and Forty-third Congresses, in which last we now turn aside from public affairs to mourn his loss as a fellow-member but yesterday acting with us in the business of the hour.

An ardent, patriotic friend of the Union, on the breaking out of the war Mr. CROCKER took the most active and intense interest in all measures for the suppression of the rebellion. Too far advanced in years to take part in arms, he exerted himself to send forward troops, and while the war was raging he made a voyage to England and spent very considerable time in impressing upon the manufacturers



of England the condition of our country and the necessity that there should be a community of interest and thought and mutual fellowship between those classes in both countries that represent the industries of the people. When the war was over, not unmindful of those who had gone forth at his solicitation to battle for the country and laid down their lives in its service on the battle-field, he exerted himself with his accustomed power and vigor, contributing thereto largely of his own means to provide that the fallen heroes of his city should have one of the most elaborate and costly of the many monuments erected to the memory of those who fell in battle in that war, and fortunately lived long enough to see it completed, having made the address at its dedication but a few months before his decease.

ALVAH CROCKER died at the age of upward of seventy-three years, but was possessed of such a strong and powerful frame and constitution of body, that it seemed probable but for the accidental contracting of the disease from which he died, he might have seen many more years of useful service to his country and his kind.

Such is the faint outline of the record of a life not so brilliant indeed as some that flash their light across the age in which they live, but so useful, so practical, so devoted to everything that could aid, prosper, and foster all the best interests of the community in which he lived, that it is more than doubted whether any better model of a life well spent and duty well done can be held up for the closest imitation of those who may come after him.

The resolutions submitted by Mr. DAWES were then unanimously adopted.

#### DEATH OF HON. SAMUEL F. HERSEY.

Mr. HALE, of Maine. Mr. Speaker, we are but five in all in this House from the State of Maine when all are present, and one of our number has been taken away by death. HON. SAMUEL FREEMAN HERSEY, who represented the fourth district of Maine in this Congress, died at his home in Bangor on the 3d day of this month. The fatal disease that at last ended in death fastened upon him many months ago and broke down the physical strength which had been marked in his previous life. It interfered seriously with his duties in the last session of this Congress, driving him from the Capitol in the late winter months after he had resolutely fought its approaches, turned his home during the summer and fall into a house of sickness, and inexorably forbade any attempt to share in the labors and duties of the present session. The resolute will of my late colleague and friend was so noticeable a feature in his character that I shall be well borne out by those who knew him best in saying that nothing less than the painful disease under which he suffered could have kept him away from the post to which a trusting people had called him. As I remember him and recall an acquaintance of many years, there arises before me no instance when he shrank from a duty laid upon him.

General HERSEY was born in Sumner, in the county of Oxford, and State of Maine, on the 22d of April, 1812. He came from revolutionary stock, his maternal grandfather having been an officer in the war for Independence; and he was reared in that best school for early boyhood which the New England fireside, hillside, and school-house furnish. When at the age of twenty-one he entered upon mercantile business for himself; he had secured the good education that the district school and the county academy afforded, and was well fitted to enter into the conflict of active life. In business he almost always prospered, increasing his ventures and his gains from year to year, and latterly extending his operations into Minnesota, Wisconsin, and other northwestern States. He was prompt and energetic in affairs; honest and conscientious in his dealings; and as his fortune increased gave liberally of his store.

He was always trusted by the people among whom he lived, representing the town of Milford in the lower house of the Maine Legislature in 1842; the city of Bangor, to which he afterward removed, in one branch or the other of the State Legislature in 1857, 1865, 1867, and 1869; besides serving for some years as a member of the executive council. After filling other important State offices, he was first elected to this House in September, 1872, and was re-elected in 1874. From participation in what promised to be the stirring scenes of the Forty-fourth Congress, he has been cut off. Had he lived, his position must always have been clearly defined. His was never a halting or doubtful course. His religious and political beliefs were a part of his life; and he accepted the consequences of those beliefs boldly.

This positiveness of character led him not to fear antagonism; but his kindness of heart raised up friends and prevented life-long enmities.

Mr. Speaker, our deceased colleague will be greatly missed in our own State, where he has been for years a prominent citizen; to his neighbors and friends the loss will come nearer; to his family it can never be repaired. On this floor those who knew him during the brief weeks that he was in attendance know that this House has lost an honest, useful member.

But awful as is the coming of death, and sobering as must be its contemplation, the way along which a human life is sometimes led to it is so beset with suffering and agony that to our limited vision the final summons must then seem more like a relief than a doom.

General HERSEY's disease was severe and protracted. It never broke down his mind or his spirit, but it wasted his body and racked him with pain such as few men fortunately are ever called to en-

sure. It was incurable; and at last he sank under it. But he died in his own house, with his wife and children about him, and loving hands smoothed his winter shroud. Thinking of how vexed had been his last days and how peaceful was his death, who will not ask with Spenser—

Is not short pain well borne that brings long ease  
And lays the soul to rest in quiet grave?  
Sleep after toil, port after stormy seas,  
Peace after war, death after life doth sometimes greatly please.

Mr. Speaker, I move the following resolutions:

*Resolved*, That this House has heard with deep regret the death of HON. SAMUEL F. HERSEY, a member of this House from the State of Maine.

*Resolved*, That as a testimonial of respect to the memory of the deceased the officers and members of this House will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

Mr. FRYE. The ordinary labors of this legislative Hall are suspended, its confusion hushed, and a new spirit holds supremacy here now. A remarkable event induces silence and solemnity, admonishing us that—

Art is long and time is fleeting,  
And our hearts, though stout and brave,  
Still like muffled drums are beating  
Funeral marches to the grave—

admonishes us that life is uncertain and death certain; admonishes us that what we have to do we ought to do quickly and well.

Sir, death is making a terrible havoc in our ranks. Within less than one year six members of the New England delegation in Congress have died, each one of whom in his chosen business or walk in life was a pre-eminently successful man. Statesmanship, law, commerce, and manufactures have made monumental contributions to the city of the dead. To-day the death of three of them has been announced on this floor; two, men full of years and full of honors, each of whom had reached nearly if not quite that allotment to man's life of three-score years and ten; each of them like a ripe shock of corn gathered to his fathers, leaving a legacy behind him of a well-rounded and perfect life.

Our colleague, General HERSEY, was cut down in the very prime and vigor of life. To the casual observer his work, though well done, was only half done; his life a partial failure, his battle not fought out, and the broken shaft would be a fitting monument to his memory, the emblem of life incomplete. But to us who knew him well and for years have known him well he had finished his fight and won the victory, he had run the race and reached the goal. Were we to build his monument, its base would be broad, strong, deep laid, where no frost could heave and no tempest move; and its shaft should be beautiful, white, perfect.

To his business career General HERSEY brought earnestness of purpose, strict integrity, economy, habits of industry, and an indomitable will. His hope was so bright and buoyant that no defeat ever made him despondent; his courage was so strong and sure that no lion in his path ever turned him aside; his integrity so strict and steadfast that no shadow of suspicion ever darkened his fair name. I remember, when he with others was surety on a defaulting State treasurer's bonds, he interposed no legal technicality, not even an equitable defense, but promptly paid every dollar not only that the law could demand, but all a quickened and sensitive conscience could suggest. Such was his sagacity that his plans never miscarried.

The city he lived in and his State poured wealth into his coffers; and, as my colleague has well said, the States of the great West, too, were compelled to contribute, until when he died he was one of the wealthiest, if not the wealthiest, man in Maine. Then, sir, as a business man stainless, owing no man, neither defrauding nor dealing hardly with any man; indulging in no rash and reckless speculations; prosperous, successful in every endeavor; rich beyond his most ardent hopes—do I not say well, his life was complete?

But, sir, could I say nothing more than this it would seem to me but the cold praise exacted by strict justice. My heart would give no response. My affection pay no tribute. A man's life lived for self alone is a failure. General HERSEY lived another, a higher, a purer, a nobler life than this of amassing wealth. The stream which turns the wheel of the mill and drives the spindle and the loom does its duty; but never this alone. All along its course, from its source to its mouth, it continually makes green the grass, waters the flowers, gives life to the tree. So General HERSEY all through his long, active, business career never for one moment when overtaking and passing by his less fortunate fellow-man forgot him, but stretched out to him a helping hand, gave him words of good cheer. And I know of many a man to-day in my own State and some here, living now in comfort, who owe all that they have to his kind words and liberal deeds.

For his bounty  
There was no winter in't; an autumn 'twas,  
That grew the more by reaping.

In social life General HERSEY was the gayest among the gay, his presence always joyfully received, and his absence always felt with grief. To the poor, the feeble, and the dependent his face always brought with it healing, strength, and hope. His hearty, cheerful manner was like the sunbeam breaking through the prison bars, making for the whiles the gloom of the cell brightness.



The cause of education lost one of its best and most beneficent friends when he died. Institutions of learning in my own State and in others to-day mourn for the loss of a liberal, bountiful benefactor. In politics he was always welcome to the party whose policy he espoused, for he was one of the most zealous, earnest men I ever saw, giving new strength and courage to his party.

His people loved him; and there never was an office in their gift he could not command; yet his modesty led him to accept but few. The devotion of his constituents was well illustrated in the fact, as my colleague has stated, that here in this House for this term of Congress he has been nearly the whole time unable to perform any of the ordinary duties of a member, yet before the last election, though most understood or feared at least that he was upon his dying bed, he was renominated by acclamation and re-elected by an increased majority.

It may be and it may seem to many gentlemen a little thing, but I cannot help mentioning it in filling out this life of my colleague, that if you walked with him through the streets of his native city you would see little children greeting him and he them all along your way.

Sir, I tell you the man who loves children and whom children love is not and cannot be a bad man. The children of his Sunday-school, to whom he had again and again given words of wisdom and counsel, met the other day in his native city and passed resolutions indicative of sorrows at their irreparable loss.

The Church mourns General HERSEY as one of its pillars broken. His memory will be fresh and green always. He was no sectarian; he was no bigot; but he loved with his whole heart the church of his choice. I remember Webster once said "religion is a necessary and indispensable element in any great human character." My late colleague was a religious man. His religion can be summed up in two commandments, "To love God and to love one's neighbor." We who knew him knew that he could pray; for—

He prayeth best who loveth best  
All things both great and small;  
For the dear God who loveth us  
He made and loveth all.

Sir, did I not say well, then, that his life was well rounded and perfect too?

Our sympathies, sir, go out to his bereaved family. They have suffered a loss for which now they can see no compensation whatever. To the widow and to the fatherless children we can only say, "Death is the crown of such a life."

Mr. DUNNELL. Mr. Speaker: In the winter of 1854, at Augusta, the capital of Maine, I formed the acquaintance of the late SAMUEL F. HERSEY. He was at that time in the full strength of middle life, and was among the foremost of the leading business men of Eastern Maine. That rank he held till continued ill-health, commencing soon after his election to this Congress, compelled his retirement.

Mr. HERSEY had his birth at Sumner, in the county of Oxford, in 1812. At his majority, or soon after, he sought his home and theater of labor in the city of Bangor, the then central point of the large lumbering interests of Maine. At this period in the history of the State, his adopted home was especially noted for the enterprise and ability of its professional and business men. Its prosperity and promise had drawn to it from the neighboring counties, and indeed from the neighboring States, not a few men who since then have honored the State in every department of life. This comparatively new city at that time welcomed every bold comer. Mr. HERSEY, at the very start of his business life, was as bold in purpose as in form were the hills of his native county. He entered the race to reach the goal. Success in honorable business was the end he sought. That end he attained by wise foresight, just means, unflagging endeavor, and unimpeachable character.

His large acquisitions, the manner, time, and place of his investments, attest a superior order of judgment. The steady increase in the rewards to his industry indicate the possession of a mind which could and did grasp all the conditions of success. His eminent prosperity was not a result of chance. He had it because he deserved it; because his plans and courses of action by an inevitable law gave it to him.

As time passed and his means increased, his operations were largely diversified. He was a merchant, banker, and lumberman. He invested in timber lands, both East and West, in mining, insurance, banking, and railroads. Maine has not alone witnessed his achievements. In 1854 he commenced the purchase of timber lands in Minnesota and Wisconsin, and with others erected a mill for the manufacture of lumber at Stillwater, in the State of Minnesota. Since that time he has had large interests at that point and elsewhere in the State. His money has aided in the construction of at least two of the railroads in our State. He owned at the time of his death not less than seventy-five thousand acres of timber lands in Minnesota and Wisconsin, and no inconsiderable amount in Michigan and Maine.

Minnesota, therefore, Mr. Speaker, unites with Maine in expressions of profound sorrow at the death of a citizen so eminently deserving the honors conferred upon him in his native State and the respect paid him wherever known. As sincere mourners dwell on the banks of the Saint Croix and the Mississippi as of the Penobscot. So large were his investments in the State and so early did he participate in

her development that we almost deemed him an addition to our own delegation to this House. While he had his home in the East, he was deeply in love with the West. He appreciated the extent and character of her needs and her capacities. He fully realized her immense possibilities, and was ready to favor measures which, to the more conservative, seemed little less than visionary.

Mr. HERSEY was thrice married. Four sons were the fruit of the second marriage. Two of these sons are residents of Maine and two of Minnesota.

Prior to 1854 the deceased was a member of the democratic party. Up to that year he followed the fortunes of this party with the same enthusiasm and devotion with which he afterward, and till his death, sustained those of the republican. He was five times a member of the Maine house of representatives and twice a member of the executive council. In addition to other honors, he was elected to this and the Forty-fourth Congress. In politics, he was sincere and earnest. His convictions found expression in bold and straight-forward action. His position on pending questions was never left to conjecture. He was sufficiently radical to be secure against the temptations of a timid and therefore dangerous conservatism. His patriotism was too ardent to lend its ear to the voice of mere policy. He was a most valuable member of the republican party, for he was in it from conviction and was unswerving and unceasing in labor and counsel to keep alive that aggressive spirit which leads to party achievement. He did not falter, though others fell behind.

Among innumerable false, unmoved,  
Unshaken, unswerving, unterrified,  
His loyalty he kept, his love, his zeal;  
Nor number, or example with him wrought,  
To swerve from truth or change his constant mind,  
Though single.

Mr. HERSEY was not well known to the members of this House. He came here a sick man and therefore was not himself. His sickness affected his mind and spirit as well as body. When in health his mind was intensely active and his spirits always buoyant. He was happy in every place and amid all labors; he was free and genial; his manners made him friends, and his open kindness gave him influence.

His donations to institutions of learning and to churches were very considerable. Many a locality will long cherish his memory. His accumulations of wealth did not make him deaf to the calls of the poor or forgetful of the teachings of religion. Our friend died at home. Death approached him in slow, yet certain steps. He saw the enemy at a distance and watched his advance. He had months in which to review life's work and bring to his lips, "Thy will be done." His faith in the world's Redeemer took away every fear of the grave. He had wrought life's work with a fervent heart; his duties had been well performed and his days well spent.

O, what a glory doth this world put on  
For him who, with fervent heart, goes forth  
Under the bright and glorious sky, and looks  
On duties well performed, and days well spent!  
For him the wind, ay, and the yellow leaves,  
Shall have a voice and give him eloquent teachings.  
He shall so hear the solemn hymn, that Death  
Has lifted up for all, that he shall go  
To his long resting-place without a tear.

The question was taken on the resolutions, and they were unanimously agreed to.

#### DEATH OF HON. SAMUEL HOOPER.

Mr. E. R. HOAR. In the death of SAMUEL HOOPER, the last of our associates who has been summoned from the scenes of his earthly labors, we have been called to part with a member of this body one of the oldest of our number, one of the longest in continuous service, and one of the most generally esteemed and respected.

He was born in Marblehead, on the 3d of February, 1808. His father and grandfather were merchants, and he came of that sturdy race of men who for two centuries have peopled the shores of Massachusetts Bay, making it the nursery of seamen, the home of ship-masters, and the birthplace of so large a proportion of those whose enterprise and sagacity have whitened every sea with the sails of American commerce; the men of courage, endurance, clear heads, and large hearts, who have gathered wealth in every field of commercial adventure to pour it out freely in response to any call of patriotism, of public spirit, of religion, education, learning, or public or private charity.

His father was the president of the old Marblehead Bank, one of the solid moneyed institutions of an elder generation. He was thus by birth and training fitted for the employment to which most of his life was devoted, that of a merchant and financier, in which he achieved such eminent distinction and success. In his early life he went as supercargo in his father's vessels to Cuba and Russia and Spain. He married a daughter of William Sturgis, and thereupon became a partner in the house of Bryant & Sturgis, and engaged in the trade with China and the northwest coast. On the dissolution of that firm he became a partner of William Appleton, his predecessor in Congress, continuing the large and varied business of the house, after the death of Mr. Appleton, under the name of Samuel Hooper & Co. By inheritance and marriage he had a considerable property, which he increased to the dimensions of a large fortune.



His wife, two daughters, and several grandchildren survive him, but he had borne the heavy sorrow of the loss of his only son.

His public life consisted of three years' service in the Massachusetts house of representatives, a single term in the State senate, and the fourteen years in which he has represented one of the Boston districts in Congress.

Mr. HOOPER first attracted notice in connection with public affairs by the vigor with which, when a member of the whig party, he addressed himself to the defense of the doctrine of hard money and the stringent regulation of whatever substitute therefor might be devised, which brought him for a time somewhat in affiliation with the democrats. He became early a member of the republican party, and during his whole term of service in Congress represented that party upon this floor.

To most of those of us who are members of Congress for the first time Mr. HOOPER's position and strength in this House are very much matters of tradition. But with his large experience, with his native shrewdness, with his clearness of mind and uprightness of purpose, he brought to the public service here when he first entered upon it qualities of conspicuous value. As a member of the Committee on Ways and Means and as a member and chairman of the Committee on Banking and Currency he has exerted a most important influence upon the legislation of the country.

He was the trusted adviser and friend of Chase and Fessenden and BOUTWELL. He was a friend and confidant of Stanton and Sumner and Lincoln. And, Mr. Speaker, I may say that his friendships and his valuable influence extended far beyond the region of his party associations. He was a friendly man; he was a thoughtful and considerate man.

He could clearly perceive and could clearly express what he thought. He had none of the graces of oratory, but in the time of his strength he was combative, forcible, energetic in the maintenance of the views which he believed sound.

But, Mr. Speaker, it is as we remember him so recently among us rather than as the man of business or the politician that I desire to speak of him to-day. His modest and simple nature would have shrunk from anything like public eulogy; but his affectionate heart would have rejoiced in everything that spoke of kind and friendly remembrance. I think that we all of us have felt as we have looked upon that silvered head that whoever else might bear the title by courtesy, Mr. HOOPER after all must be considered as the father of this House.

Possessed of large wealth which enabled him to gratify his friendly tastes, he was the most hospitable of men; hospitable not only in the sense in which many who are men of wealth may exhibit that quality, by costly and frequent entertainments, but by a hospitality and flowing courtesy toward all men. He attracted to his house and to his society men among the ablest and the best which our country furnishes, and with them men of less note and even sometimes men whom it would require a large charity to reckon of that number.

He had firm convictions; he adhered to his own opinions. But he had no animosity, and his willingness to receive and treat with fairness the differing opinions of others had nothing in it of the condescension of toleration. He recognized human differences, and he had a large catholic spirit which could embrace relations with men of all classes of opinion. Men of fame, men distinguished in science and in letters, have been his friends and associates. And he extended to the poor and the lowly a free and generous liberality which should bring a benediction upon his memory.

When the ear heard him, then it blessed him; and when the eye saw him, it gave witness to him because he delivered the poor that cried, and the fatherless, and him that had none to help him.

His private charities were limited only by his knowledge of the wants of those about him. And in addition to those which he bestowed, and so quietly that except by comparison of the knowledge accidentally obtained, one person with another, few could have any idea of their extent, he employed an almoner to seek out cases of want, whose distribution to the poor of this city has reached to thousands of dollars. He was liberal to public objects, and founded a school of mines in Harvard College with an ample endowment.

I think, Mr. Speaker, he has left in this House no enemies; all of us who knew him were his friends. He has gone from us; and we turn to our public duties more sadly because we miss him from among us.

It has been touching to note during the present session what a change gradually came over him, with his failing strength and increasing years. Formerly taking his full part in social intercourse, exhibiting a ready and genial humor, a promptness to argue any proposition, I noticed that during this session he became gradually more silent, his conversation partaking more and more of reminiscences, and that he became what in the clamor for a hearing so often prevailing in this assembly we have all learned to value, a good listener. He will be long affectionately remembered by those of us who have known him; and he deserves to be honorably remembered for his great public service. His family—wife, children, grandchildren—were all in a foreign land at the time of his death. But there were affectionate and tender friends and relatives about his dying bed; and those who followed him to the grave felt that their presence recognized not only a public loss, but a deep and general private sorrow.

Mr. Speaker, I submit the following resolutions:

*Resolved*, That this House has heard with deep regret the announcement of the death of SAMUEL HOOPER, late a member of this House from the State of Massachusetts.

*Resolved*, That as a testimony of respect for the memory of the deceased, the members and officers of the House wear the usual badge of mourning for thirty days.

*Resolved*, That a copy of these resolutions be transmitted by the Clerk to the family of the deceased.

*Resolved*, As a further mark of respect, that the House do now adjourn.

Mr. PIERCE. Mr. Speaker, I rise to second the resolutions which have just been offered, and to add a few words to what has been said so well by my distinguished colleague [Mr. E. R. HOAR] who preceded me.

Representing in part upon this floor the city of Boston, I regard it to be my duty, as it is my desire, to give expression to the sense of the loss which she has sustained by the death of Mr. HOOPER, who for fourteen years was her faithful and trusted Representative. A son of Massachusetts, Boston had been his home for nearly fifty years, and he was thoroughly identified with her people and her interests. He contributed his full share toward the development of her resources and the promotion of her prosperity and growth. As her Representative in Congress he sought and succeeded in winning for her the good opinion of his associates from other parts of the country, and did much, I think, to dissipate the prejudices which unhappily too often prevail among our people and color their action.

Few men in public life can point to a longer or more honorable service than fell to the lot of Mr. HOOPER.

In the State Legislature he was distinguished for his independence and for the progressive measures he espoused, which were much in advance of the sentiment of the party to which he belonged. His seven terms in Congress covered the most eventful period of our history as a nation. During that time a social and political revolution was accomplished, all the powers conferred upon Congress by the Constitution were brought into exercise, and measures affecting the most precious rights of individuals and States were daily pressed for action. In the determination of these questions Mr. HOOPER acted worthily and ably. The possession of wealth enabled him to extend to others a generous hospitality, and he could count among his friends the most distinguished citizens of our own and foreign countries. From this wide and liberal association he derived a store of varied knowledge of affairs that became of inestimable value in the discharge of his duties in this House, upon which his associates could always depend and from which they freely drew. His judgment had been strengthened and enlightened by long attention to important questions affecting the State and free intercourse with those who made them a study. We can all join, sir, in recalling his familiarity with questions of finance and commerce, and the readiness with which he imparted information concerning them.

Mr. HOOPER closed his career as a legislator in the ripeness of age. Declining to engage anew in the cares and labors of congressional life, he passed away when those cares and labors were for him shading unto their end. The records of this House attest his usefulness, but by none but those who personally knew him can his generosity and kindness be properly appreciated.

Mr. NIBLACK. Mr. Speaker, there is no time when it is so difficult to find language to express the real emotions of the heart as on an occasion like this. This is due in part doubtless to the confused and stricken condition of the mind which naturally follows the death of one whom we have been accustomed to honor and esteem. The sad reflections which overshadow us are not relieved by the utterance of any words, however fitly chosen. Reverential silence seems to be more appropriate.

I cannot speak of Mr. HOOPER as those who have preceded me; it was not my fortune to know him so long and so intimately as they knew him. My acquaintance with him commenced with the assembling of the Thirty-ninth Congress, in December, 1865. Before I had the honor of meeting him here I had learned to regard him as one of the most esteemed and trusted members of this House, who had entered Congress during the eventful period of the war, and whose opinions had deservedly great weight with those who were charged with the administration of the Government. A brief acquaintance with him served to confirm those very favorable impressions which I had already received as to his great worth as a man and his fidelity as a public officer.

Two years later, on the organization of this House in the Fortieth Congress, I became a member of the Committee on Ways and Means, of which Mr. HOOPER was then, as he had previously been, one of the leading members. That brought me into more intimate relationship with him than I had previously enjoyed. My two years' service with him on that committee gave me many opportunities to witness something of his daily life and to judge of the ability and fidelity which he brought with him to the discharge of his public duties.

It was not to be expected that I would always agree with him in measures of public policy. We approached questions here very frequently from different stand-points, and represented constituencies often not in accord in their theories of government. I trust, however, I am none the less able on this account to do ample justice to his character.



While faithful to what he considered the peculiar interests of those he represented, I never found him apparently governed by any narrow or sectional views. Impressing me from the first as a just, discreet, and fair-minded man of broad and liberal sentiments, I came soon to regard him as a model representative of that class of solid and progressive men to which he pre-eminently belonged. So I have continued to regard him.

Kind, genial, benevolent, faithful, industrious, and vigilant, he pursued the right as it was given him to see it with unfaltering steps and unruffled temper. The petty storms which occasionally sweep over this House burst harmlessly over his head without disturbing that quiet dignity of deportment which always attended him as a member of this body.

While true to his friendships and earnest in his convictions he carried with him that conciliatory disposition which disarmed all personal antagonism, and if he had a personal enemy among all the members of this House I am quite unaware of it.

It was my good fortune, Mr. Speaker, to have received at the hands of Mr. HOOPER many attentions and courtesies, which have made a lasting impression upon me and which I shall always kindly remember. Indeed, such were the kindly personal relations existing between us for several years past, that I have been accustomed to regard myself as one of his personal friends, and as such I have reason to believe he regarded me. I unite therefore with affectionate earnestness in doing every suitable honor to his memory.

Mr. BUTLER, of Massachusetts. Mr. Speaker, all that the usage or custom of the House of Representatives requires upon such a solemn occasion as this has been done, and well done; and perhaps it were best that here these funeral ceremonies should close. But to me this occasion is not one of mere ceremony. Almost a quarter of a century ago I was drawn into the closest relations with Mr. HOOPER in the representative assembly of our Commonwealth; and from that hour he has been to me a friend so faithful, so just, so wise, and so true that I cannot let this last hour of mournful farewell to pass without bearing testimony to those great, noble, and generous qualities of mind and heart which distinguished him quite beyond any man I ever knew. I need not—indeed, I cannot—add a word of eulogium. It is not my purpose to eulogize my deceased friend and fellow-member, with whom I have served here for eight years in closest harmony and closest friendship. I pray your pardon, Mr. Speaker, and that of the House, in thus possibly contrary to usage giving my heartfelt testimony to the kindest heart and the noblest mind in all the relations of life, that filled with all the best attributes of social intercourse, and which overflowed with charity to all men and the truest loyalty to friendship.

The resolutions submitted by Mr. E. R. HOAR were then adopted unanimously; and in accordance therewith (at five 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 stated:

By Mr. BUNDY: The petition of 320 workmen of Ironton, Ohio, for the repeal of the 10 per cent. reduction of duties made in 1872 and against a duty on tea and coffee and revival of internal taxes, to the Committee on Ways and Means.

By Mr. COBB, of Kansas: Resolutions of the Legislature of Kansas, asking Congress to create and establish a United States district court for the Indian Territory, to the Committee on the Judiciary.

Also, resolutions of the Legislature of Kansas, in relation to the appraisement of the Cherokee lands, to the Committee on the Public Lands.

Also, resolutions of the Legislature of Kansas, in favor of deepening the mouth of the Mississippi River, to the Committee on Commerce.

By Mr. COMINGO: Resolutions of the General Assembly of the State of Missouri, memorializing Congress for the improvement of the navigation of the White River, to the same committee.

By Mr. DANFORD: The petition of Robert S. Lacey, for relief, to the Committee on Appropriations.

By Mr. EAMES: The petition of Thomas W. Phillips and others, of Rhode Island, for the passage of the bill to aid the completion of the Northern Pacific Railroad, to the Committee on the Pacific Railroad.

By Mr. GARFIELD: The petition of 65 members of the Woman's National Temperance Union, for restrictive legislation in relation to intoxicating liquors in the District of Columbia and the Territories, to the Committee on the Judiciary.

By Mr. HARRIS, of Virginia: The petition of Watson McGill & Co., of Petersburg, Virginia, to be compensated for tobacco seized by the United States, to the Committee on War Claims.

Also, the petition of Virginia Taylor, executrix of Joseph Taylor, to be compensated for tobacco seized by the United States, to the same committee.

Also, the petition of David B. Tennant, to be compensated for tobacco seized by the United States, to the same committee.

By Mr. KELLEY: The petition of citizens and corporations of Philadelphia, artisans, manufacturers, and workers in iron and coal, representing several millions of capital, praying extension of the

national credit to the completion of a great southern railroad line to the Pacific, to the Committee on the Pacific Railroad.

By Mr. MACDOUGALL: Papers relating to the application of Captain W. M. Maynadier to be restored to the service, to the Committee on Military Affairs.

By Mr. MAGEE: The petition of citizens of Perry County, Pennsylvania, for Government aid to the Northern Pacific Railroad, to the same committee.

By Mr. MYERS: Petitions of workmen in Baeder, Adamson & Co.'s glue factory, Philadelphia, and of employers and employees of Henry Diston & Son's saw-works, Philadelphia, for the repeal of the 10 per cent. reduction of duties on foreign goods and against the restoration of duties on tea and coffee, to the Committee on Ways and Means.

By Mr. PHILLIPS: Resolutions of the Legislature of Kansas asking Congress to create and establish a United States district court for the Indian Territory, to the Committee on the Judiciary.

Also, resolutions of the Legislature of Kansas, in favor of deepening the mouth of the Mississippi River, to the Committee on Commerce.

By Mr. ELLIS H. ROBERTS: The petition of citizens of Utica, New York, for Government aid to the Northern Pacific Railroad, to the Committee on the Pacific Railroad.

By Mr. SCUDDER, of New Jersey: Papers to accompany House bill No. 2266, to the Committee on the Judiciary.

By Mr. STANARD: Memorial of members of the Woman's Christian Temperance Union in Missouri, for restrictive legislation in regard to alcoholic liquors, to the same committee.

By Mr. STONE: Resolutions of the General Assembly of the State of Missouri, memorializing Congress for the improvement of the navigation of White River, to the Committee on Commerce.

By Mr. STRAWBRIDGE: The petition of citizens of Danville, Montour County, Pennsylvania, for Government aid to the Texas and Pacific Railroad, to the Committee on the Pacific Railroad.

Also, two other petitions of citizens of Danville, Pennsylvania, of similar import, to the same committee.

By Mr. VANCE: Resolutions of citizens of Macon County, North Carolina, in favor of a survey of the Tennessee River, to the Committee on Commerce.

By Mr. WARD, of Illinois: The petition of John A. Fitch, of Cook County, Illinois, for relief, to the Committee on Claims.

Also, the petition of Margaret Pattison, for a pension, to the Committee on Invalid Pensions.

Also, the petition of members of the Chicago bar, asking increased compensation for the judge of the northern district of Illinois, to the Committee on the Judiciary.

Also, resolutions of workmen of Chicago, Illinois, against changing the law making eight hours a legal day's work, to the same committee.

Also, the petition of Arthur Thompson and others, of Washington, District of Columbia, in support of the bill to reduce the number of hours of labor for street-car conductors, to the same committee.

By Mr. WELLS: Resolutions of the General Assembly of the State of Missouri, memorializing Congress for the improvement of the navigation of White River, to the Committee on Commerce.

By Mr. WHITHORNE: The petition of Dr. Paul F. Eve, of Nashville, Tennessee, for the restoration of property confiscated under act of July 17, 1862, to the Committee on the Judiciary.

By Mr. WILSON, of Indiana: The petition of members of the Woman's National Temperance Union, for restrictive legislation in relation to intoxicating liquors in the District of Columbia and the Territories, to the same committee.

By Mr. YOUNG, of Georgia: Resolutions of the Legislature of Georgia, relative to the recent interference by the Federal Government in the affairs of the State of Louisiana, to the select committee on that portion of the President's message relating to the condition of the South.

#### IN SENATE.

MONDAY, February 22, 1875.

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

The Journal of the proceedings of Saturday last was read and approved.

#### HOUSE BILL REFERRED.

The bill (H. R. No. 4817) to authorize the construction of a bridge across the Missouri River at or near Sioux City, Iowa, was read twice by its title, and referred to the Committee on Commerce.

#### REPORT ON FISH AND FISHERIES.

The VICE-PRESIDENT laid before the Senate a letter of the Commissioner of Fish and Fisheries, transmitting, in compliance with law, his report for 1874-75, embracing, first, the result of inquiries into the causes of the decrease of the food-fishes of the sea-coast and lakes of the United States; and, secondly, the history of the measures taken for the propagation of food-fishes by stocking the rivers and lakes with shad, salmon, and other valuable species; which was ordered to lie on the table.