

Briggs, and others, of Penn Yan, New York, favoring the granting of the petition of Howland Hemphill for payment of damages suffered by him in consequence of the acts of agents of the United States Government—to the Committee of Claims.

By Mr. MANNING: The petition of Nancy P. Garrison, of Benton County, Mississippi, for compensation for quartermaster stores, subsistence, and supplies taken by the United States Army—to the Committee on War Claims.

By Mr. MCCOOK: The petition of George C. Jenks, for an extension of letters-patent upon an improvement in drop-letter boxes—to the Committee on Patents.

By Mr. O'NEILL: The petition of Margaret Dickson, widow of James Dickson, late a private in Company B, Sixty-ninth Regiment Pennsylvania Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. RICE, of Ohio: The petition of Edward J. Russell, late a private in Company F, Nineteenth Indiana Volunteers, for an increase of pension—to the same committee.

By Mr. WILLITS: The petition of William Shade, for a pension—to the same committee.

By Mr. YOUNG: The petition of George W. Beasley, of La Grange, Fayette County, Tennessee, for compensation for property taken by the United States Army during the late war—to the Committee of Claims.

Also, the petition of Rosanna H. Black, of Hardeman County, Tennessee, of similar import—to the same committee.

Also, the petition of Mrs. Martha C. Cole, of Germantown, Shelby County, Tennessee, of similar import—to the same committee.

Also, the petition of William R. Kearney, of Bolivar, Hardeman County, Tennessee, of similar import—to the same committee.

Also, the petition of John H. McClellan, of Memphis, Tennessee, of similar import—to the same committee.

Also, the petition of Lewallen Rhodes, of Germantown, Shelby County, Tennessee, of similar import—to the same committee.

Also, the petition of John H. Wooley, of La Grange, Tennessee, of similar import—to the same committee.

IN SENATE.

TUESDAY, December 3, 1878.

JOHN B. GORDON, a Senator from the State of Georgia; AUGUSTUS S. MERRIMON, a Senator from the State of North Carolina; PRESTON B. PLUMB, a Senator from the State of Kansas; and WILLIAM PINKNEY WHYTE, a Senator from the State of Maryland, appeared in their seats to-day.

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

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

COMMITTEES OF THE SENATE.

Mr. ANTHONY. Mr. President, I move that the Senate proceed to the election of the standing and select committees of the Senate for the present session.

The motion was agreed to.

Mr. ANTHONY. I ask that the rule which requires the committees to be selected by ballot be dispensed with.

The VICE-PRESIDENT. Is there objection to the suggestion of the Senator from Rhode Island? The Chair hears none, and the rule is dispensed with.

Mr. ANTHONY. Understanding it to be agreeable to our friends on the other side, I offer the following resolution:

Resolved, That the standing and other committees of the Senate existing at the close of the last session, be, and the same are hereby, revived and continued, with the same powers, until the further order of the Senate.

The resolution was considered by unanimous consent, and agreed to. The committees as thus constituted are as follows:

STANDING COMMITTEES.

On Privileges and Elections—Messrs. Wadleigh, (chairman,) Mitchell, Cameron of Wisconsin, McMillan, Hoar, Ingalls, Saulsbury, Merrimon, and Hill.

On Foreign Relations—Messrs. Hamlin, (chairman,) Howe, Conkling, Matthews, Kirkwood, McCreery, Eaton, Johnston, and Wallace.

On Finance—Messrs. Morrill, (chairman,) Dawes, Ferry, Jones of Nevada, Allison, Bayard, Kernan, Wallace, and Voorhees.

On Appropriations—Messrs. Windom, (chairman,) Sargent, Allison, Dorsey, Blaine, Davis of West Virginia, Withers, Eaton, and Beck.

On Commerce—Messrs. Conkling, (chairman,) Spencer, McMillan, Patterson, Jones of Nevada, Gordon, Dennis, Ransom, and Randolph.

On Manufactures—Messrs. Rollins, (chairman,) Burnside, Cameron of Pennsylvania, Johnston, and McPherson.

On Agriculture—Messrs. Paddock, (chairman,) Sharon, Hoar, Davis of West Virginia, and Gordon.

On Military Affairs—Messrs. Spencer, (chairman,) Burnside, Wadleigh, Plumb, Cameron of Pennsylvania, Randolph, Cockrell, Maxey, and Butler.

On Naval Affairs—Messrs. Sargent, (chairman,) Anthony, Conover, Blaine, Whyte, McPherson, and Jones of Florida.

On the Judiciary—Messrs. Edmunds, (chairman,) Conkling, Howe, Christiancy, Davis of Illinois, Thurman, and McDonald.

On Post-Offices and Post-Roads—Messrs. Ferry, (chairman,) Hamlin, Paddock, Conover, Kirkwood, Burnside, Saulsbury, Maxey, and Bailey.

On Public Lands—Messrs. Oglesby, (chairman,) Paddock, Booth, Chaffee, Plumb, McDonald, Jones of Florida, Grover, and Garland.

On Private Land Claims—Messrs. Thurman, (chairman,) Bayard, Edmunds, Christiancy, and Grover.

On Indian Affairs—Messrs. Allison, (chairman,) Oglesby, Ingalls, Saunders, McCreery, Coke, and Eustis.

On Pensions—Messrs. Ingalls, (chairman,) Bruce, Kirkwood, Kellogg, Withers, Bailey, and Voorhees.

On Revolutionary Claims—Messrs. Johnston, (chairman,) Jones of Florida, Hill, Dawes, and McMillan.

On Claims—Messrs. McMillan, (chairman,) Mitchell, Cameron of Wisconsin, Teller, Hoar, Cockrell, Hereford, Harris, and Morgan.

On the District of Columbia—Messrs. Dorsey, (chairman,) Spencer, Ingalls, Rollins, Merrimon, Barnum, and Harris.

On Patents—Messrs. Booth, (chairman,) Wadleigh, Hoar, Kernan, and Morgan.

On Public Buildings and Grounds—Messrs. Dawes, (chairman,) Morrill, Cameron of Pennsylvania, Saulsbury, and Eustis.

On Territories—Messrs. Patterson, (chairman,) Chaffee, Saunders, Kellogg, Garland, Grover, and Hereford.

On Railroads—Messrs. Mitchell, (chairman,) Dawes, Dorsey, Teller, Saunders, Windom, Matthews, Ransom, Barnum, Lamar, and Armstrong.

On Mines and Mining—Messrs. Sharon, (chairman,) Chaffee, Booth, Plumb, Hereford, Coke, and Hill.

On the Revision of the Laws—Messrs. Christiancy, (chairman,) Matthews, Davis of Illinois, Wallace, and Kernan.

On Education and Labor—Messrs. Burnside, (chairman,) Patterson, Morrill, Bruce, Sharon, Gordon, Maxey, Bailey, and Lamar.

On Civil Service and Retrenchment—Messrs. Teller, (chairman,) Oglesby, Patterson, Booth, McCreery, Whyte, and Beck.

To Audit and Control the Contingent Expenses of the Senate—Messrs. Jones of Nevada, (chairman,) Rollins, and Dennis.

On Printing—Messrs. Anthony, (chairman,) Sargent, and Whyte.

On the Library—Messrs. Howe, (chairman,) Edmunds, and Ransom.

On Rules—Messrs. Blaine, (chairman,) Ferry, and Merrimon.

On Engrossed Bills—Messrs. Bayard, (chairman,) Withers, and Anthony.

On Enrolled Bills—Messrs. Conover, (chairman,) Paddock, and Armstrong.

SELECT COMMITTEES.

On the Levees of the Mississippi River—Messrs. Bruce, (chairman,) Blaine, Kellogg, Cockrell, Harris, Cameron of Wisconsin, and Eustis.

On Transportation Routes to the Seaboard—Messrs. Cameron of Wisconsin, (chairman,) Windom, Conover, Cameron of Pennsylvania, Davis of West Virginia, Lamar, Coke, and Butler.

To Examine the Several Branches of the Civil Service—Messrs. Chaffee, (chairman,) Windom, Hamlin, Merrimon, and Eaton.

To take into consideration the state of the law respecting the ascertaining and declaration of the result of the elections of President and Vice-President of the United States—Messrs. Edmunds, (chairman,) Conkling, Howe, McMillan, Teller, Davis of Illinois, Bayard, Thurman, and Morgan.

To investigate the finance reports, books, and accounts of the Treasury Department—Messrs. Davis of West Virginia, (chairman,) Beck, Allison, Ingalls, and Cameron of Pennsylvania.

On the condition of affairs between the United States and Mexico—Messrs. Conkling, (chairman,) Hamlin, Howe, Jones of Nevada, Cameron of Pennsylvania, Eaton, and Maxey.

To make provision for taking the Tenth Census—Messrs. Morrill, (chairman,) Sargent, Cameron of Wisconsin, Matthews, Davis of Illinois, Kernan, and Morgan.

To inquire into certain matters touching the late presidential election in Louisiana—Messrs. Edmunds, (chairman,) Allison, Ingalls, Hoar, Davis of Illinois, Whyte, and Jones of Florida.

PETITIONS AND MEMORIALS.

Mr. EDMUNDS presented the petition of Horace S. Spear, late a private of Company I, Fifth Regiment Vermont Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. EDMUNDS. I present four petitions of like character, printed on similar paper in the same way, from sundry pensioners, asking for arrears of pension. These are of the same character that have been presented from time to time and referred to the Committee on Pensions.

Mr. INGALLS. Let them lie on the table, as that subject has been reported upon.

The VICE-PRESIDENT. The petitions will lie upon the table.

Mr. ANTHONY presented the petition of John S. Cunningham, a pay director in the United States Navy, praying to be reimbursed for moneys of which the Government was defrauded by his clerk, the loss of which was assumed by him; which was referred to the Committee on Naval Affairs.

Mr. MITCHELL presented a petition of numerous ship-owners, masters, and merchants of Oregon, praying an appropriation for a harbor of refuge at Port Orford, Oregon; which was referred to the Committee on Commerce.

Mr. BOOTH presented a petition of night inspectors of the customs for the district of San Francisco, praying that their compensation be increased from \$2.50 per diem to what it was formerly, \$3 per diem; which was referred to the Committee on Commerce.

Mr. JOHNSTON presented the petition of Mrs. P. L. Ward, widow and executrix of William Ward, deceased, praying compensation for stores alleged to have been furnished and delivered to the Navy Department and the Quartermaster's Department of the Army by her late husband in the years 1860 and 1863; which was referred to the Committee on Claims.

Mr. ARMSTRONG presented the petition of Samuel C. Reid, in behalf of the heirs of the claimants of the late United States private armed brig General Armstrong, praying for compensation for the loss of the brig, which was destroyed by the British fleet in the port of Fayal, one of the Azores Islands, in the war of 1812; which was referred to the Committee on Claims.

BILLS INTRODUCED.

Mr. JOHNSTON asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1420) for the relief of Mrs. P. L. Ward; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORRILL asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1421) to authorize the issue of certificates of deposit; which was read the first time by its title.

Mr. MORRILL. Let the bill be read in full.

The VICE-PRESIDENT. It will be reported at length.

The bill was read the second time at length, and referred to the Committee on Finance, as follows:

The Secretary of the Treasury is hereby authorized to issue, in exchange for United States notes or coin, certificates of deposit of the denomination of \$10, or any multiple thereof not exceeding \$100, bearing interest at the rate of 3.65 per cent. per annum, and convertible at any time within one year into the 4 per cent. bonds described in the refunding act; and the money so received shall be applied to the payment of the 5.20 bonds in the mode prescribed by said act; and he is authorized to prescribe suitable rules and regulations in conformity with this act.

Mr. ARMSTRONG asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1422) to amend an act entitled "An act making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes," approved March 3, A. D. 1875; which was read twice by its title, and referred to the Select Committee on Transportation Routes to the Seaboard.

Mr. BECK asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1423) for the relief of William R. Boice; which was read twice by its title, and referred to the Committee on Claims.

Mr. BAYARD asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1424) to amend the law with respect to wills, to regulate the transaction of probate business in the supreme court of the District of Columbia, and for other purposes; which was read twice by its title.

Mr. BAYARD. I introduce this bill at the request of the Bar Association of the District, and move its reference to the Committee on the Judiciary.

The motion was agreed to.

Mr. DORSEY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1425) to incorporate the Mount Pleasant and Potomac Side Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

CUSTOM-HOUSE LOT IN PROVIDENCE.

Mr. BURNSIDE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Public Buildings and Grounds be instructed to inquire into the expediency of directing the Secretary of the Treasury to purchase, by condemnation or otherwise, all that portion of the block of land (with buildings thereon) upon which stands the old custom-house, in the city of Providence, which does not now belong to the United States, provided the sum to be paid for the same shall not exceed \$120,000.

SILVER COIN FOR DUTIES.

Mr. BECK submitted the following resolution:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate what amount of silver coin has been received in payment of customs dues since the beginning of the current fiscal year, and whether or not he has applied the silver coin so received, in whole or in part, to the payment of the interest on the bonds or notes of the United States; if it has not been so applied, to state the reason why; if it has been applied to that purpose in part only, to state what portion has been so used and on what character of obligation. He is directed to inform the Senate the amount of interest he has paid on the bonds and notes of the United States since the current fiscal year began, and the amount of such interest which he has paid in gold and silver coin respectively.

The VICE-PRESIDENT. Is there objection to the consideration of the resolution?

Mr. EDMUNDS. I should like to have the resolution so amended as to require the Secretary to specify the kind of silver coin, so as to see whether the coin dollar has been received, or some of the subsidiary coinage as well.

Mr. BECK. I supposed that the standard silver dollar was the only silver coin that could possibly be received for duties; but I have no objection to the resolution being amended in the way suggested.

Mr. EDMUNDS. The payment of small sums of duties might have been made in half dollars or quarters. I am sure the Senator can have no objection to asking how much and what kind of coin has been received, wherever the proper place in the resolution is.

Mr. BECK. Not at all. Let the resolution be amended by inserting the words "and denomination" after "inform the Senate what amount."

The VICE-PRESIDENT. The resolution will be so amended, if there be no objection.

The resolution, as amended, was agreed to.

THE TRADE-DOLLAR.

Mr. PADDOCK submitted the following resolution:

Resolved, That the Committee on Finance be, and is hereby, instructed to inquire into the expediency of making the trade-dollar authorized by section 15 of the act of Congress approved February 12, 1873, a legal tender for all debts, public and private, providing for the suspension of the coinage of the standard dollar of 412½ grains, the recoinage of the same into the trade-dollar of 420 grains, and for such additional coinage of the trade-dollar as the needs of the country may demand.

Mr. EDMUNDS. I think the resolution had better be printed and go over.

The VICE-PRESIDENT. It will be printed; and it goes over under the rule.

PROPOSED TRANSFER OF INDIAN BUREAU.

Mr. SAUNDERS. I move to take from the table the resolution which I submitted yesterday on the subject of printing the testi-

mony taken by the joint committee to consider the feasibility of transferring the Indian Bureau to the War Department.

The VICE-PRESIDENT. The Chair remembers that the resolution was referred to the Committee on Printing.

Mr. SAUNDERS. The suggestion of the Senator from West Virginia [Mr. DAVIS] was that it take the regular course, which he thought would require it to go to the Committee on Printing. There is necessity for this printing to be done now. Under the rules, I think it would not be necessary for the resolution to go to the Committee on Printing, and it need not go there unless the Senate should so decide by a majority vote. There is great necessity for expediting this work.

The VICE-PRESIDENT. The Chair and the Secretary both understood the Senator from West Virginia to move the reference of the resolution to the Committee on Printing, and the motion is so recorded upon the Journal.

Mr. DAVIS, of West Virginia. I think the Chair is correct; but upon information received since my suggestion of yesterday I have no objection to any disposition of the matter that the Senator from Nebraska desires to make.

The VICE-PRESIDENT. The Chair did not suppose at the time that the resolution under the rule would go to the Committee on Printing, but upon the motion of the Senator from West Virginia it did go there. Is there objection that the order by which the resolution submitted by the Senator from Nebraska was referred to the Committee on Printing be reconsidered? The Chair hears none, and the motion to reconsider is agreed to. The resolution is before the Senate and will be read.

The resolution was read, as follows:

Resolved, That the Public Printer is hereby authorized and directed to print the testimony taken and to be taken, the reports of the committee, and the accompanying documents, of the joint committee to consider the feasibility of transferring the Indian Bureau to the War Department.

Mr. THURMAN. I wish to make one inquiry. This is a very important subject, we all know, and I desire to know of the Senator from Nebraska whether he proposes to have the usual number of copies of the testimony printed for the use of the Senate, or simply to have copies printed for the use of the committee?

Mr. SAUNDERS. For the use of the committee only at present.

Mr. THURMAN. I think that is a mistake. I think if the testimony is to be printed, the usual number for the use of the Senate should be printed.

Mr. SAUNDERS. I have no objection to printing the usual number.

Mr. THURMAN. Every Senator will want to see that testimony.

Mr. SAUNDERS. I will state to the Senator from Ohio that the object of hurrying up the printing is because three members of the committee were not present at the taking of the testimony. They are very anxious to see what has been done, and the only way is to get the slips so as to see what the testimony is. I have no objection to printing the usual number.

Mr. THURMAN. If that is not done now, there may be two prints of the same document, at double the cost to the Government.

Mr. SAUNDERS. No, sir; it is arranged and understood by the members of the committee on the part of the House that they would not present it in the House, but that it should only be presented here. That is fully understood.

The VICE-PRESIDENT. Upon the suggestion of the Senator from Ohio, and by consent of the Senator from Nebraska, the resolution will be amended so as to print the usual number for the use of the Senate, and as thus amended the question is on agreeing to the resolution.

The resolution, as amended, was agreed to.

TEXAS PACIFIC RAILROAD.

Mr. MATTHEWS. As there appears not to be any more business germane to the morning hour, I now move to take up for consideration Senate bill No. 942, being the bill known as the Texas Pacific Railroad bill, in order to discuss it. I desire to address the Senate upon it, and to have it taken up for the purpose of having it considered.

Mr. WITHERS. Do I understand the Senator to say that his wish is merely to address the Senate upon the subject?

Mr. MATTHEWS. I do.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 942) amendatory of and supplementary to the act entitled "An act to incorporate the Texas Pacific Railroad Company, and to aid in the construction of its road, and for other purposes," approved March 3, 1871, and the several acts amendatory thereof and supplementary thereto.

Mr. MATTHEWS. Mr. President, at the proper time in the progress of this bill toward its final disposition, I shall desire to submit certain amendments to it for the purpose of making it conform precisely to a similar bill pending now in the House of Representatives. They do not, however, affect the substance of the bill; and the remarks which I have prepared upon it are on the bill as I propose that it shall be amended.

Mr. President, Congress has already determined, by deliberate and considered acts of legislation, that national interests require the construction of an additional transcontinental railway, connecting the

valley of the Mississippi with the Pacific coast, on or near the thirty-second parallel of latitude. It has not only conferred the requisite authority for the execution of the enterprise, but has made a large and valuable grant of public lands in its aid. By the act of March 3, 1871, the Texas Pacific Railroad Company was incorporated, with authority and power to construct its railroad from Marshall, in the State of Texas, thence by the best line, near the thirty-second parallel of latitude, to El Paso; thence through New Mexico and Arizona to the Colorado River, near the southeastern boundary of California; thence by the most direct and eligible route to ship-channel in the bay of San Diego.

The capital stock of the company was fixed at \$50,000,000, and it was empowered to consolidate with any railroad company theretofore chartered under national, State, or territorial laws, authorized to build a railroad on the prescribed route, with one significant exception, as follows:

But no such consolidation shall be with any competing through line of railroads to the Pacific Ocean.

The act also required uniformity of dealing with all connecting roads, and that the rates charged upon the trunk line should not exceed those that might be fixed by Congress over the Union Pacific and Central Pacific Railroads. It was declared to be a military and post road, with the right on the part of the Government to the preference in its use, at fair and reasonable rates of compensation, not to exceed the price paid by private parties for the same kind of service.

The company was required to prosecute the construction of its road so as to secure its completion within ten years from the passage of the act, and "upon failure to so complete it," the act declares, "Congress may adopt such measures as it may deem necessary and proper to secure its speedy completion."

For the purpose of connecting the main line with the city of San Francisco, the Southern Pacific Railroad Company of California was by the same act authorized, subject to the laws of California, to construct a line of railroad from a point at or near Tehachaf Pass, by way of Los Angeles, to the Texas Pacific Railroad at or near the Colorado River, upon the terms prescribed by the act of Congress July 27, 1866.

The name of the corporation was changed by the amendatory act of May 2, 1872, to that of the "Texas and Pacific Railroad Company," and the period for its completion extended to ten years from that date.

This corporation became the successor by consolidation to the Southern Pacific Railroad Company of Texas, the Memphis, El Paso and Pacific Railroad Company, and the Southern Transcontinental Railway Company, corporations created by the State of Texas, and secured to itself valuable franchises and land grants in aid of its object, derived from the liberal legislation of that State. This legislation, in the act of May 24, 1871, recites that "the speedy construction of said railway through the State of Texas would greatly enhance the value of the public lands, develop the mineral resources of the State, and give protection and security to the frontier by expelling therefrom the bands of hostile Indians by whom the western settlements are now continually scourged," and declares the grants to be made "in order to secure and promote the speedy construction of a railway through the State of Texas to the Pacific Ocean and thereby secure the incidental advantages of cheap transportation for immigrants to the western and unsettled portions of the State, facility of communication between the eastern and western boundaries, the settlement and enhancement in value of the now unoccupied public domain, and the development of the great mineral, agricultural, and stock-raising resources of the State."

Under the authority and encouragement of this legislation, State and national, the Texas and Pacific Railway Company has acquired and constructed a railway extending from Shreveport in Louisiana to Fort Worth, and from Marshall to Texarkana, and Texarkana to Sherman, making a total length of main track of 444 miles. The construction and equipment of this road, including, however, all the expenditures for survey and location of 1,457 miles of line west from Fort Worth, and for construction work and material on line in California and between Sherman and Fort Worth, represent a cost of \$26,540,239.61, of which \$7,018,500 is in capital stock and the remainder in mortgage bonds. The gross earnings of this portion of the line for the past year, ending May 31, 1878, is officially reported at \$2,331,310.35, from which was derived a net revenue of \$729,691.59, sufficient to pay all interest charges except upon land-grant bonds, and leave a surplus of \$50,088.88. The sources of income, of course, are purely local.

Under the provisions of the pending bill, the Texas and Pacific Railway Company is required to construct and put in operation at least one hundred miles of its line from its present terminus at Fort Worth westwardly, and commencing at San Diego within six months build and equip at least fifty miles eastwardly within two years after its acceptance of the act, and not less than two hundred miles every two years thereafter, and to complete a continuous railway between Fort Worth and San Diego within six years from the same date.

The bill further provides that the rates for the carriage of through freight and passengers, agreed upon from time to time, between this company and connecting companies, shall be fair and reasonable, and not at any time to exceed the rates charged by competing lines for similar business; and it is expressly stipulated that—

Congress shall at all times have the right to regulate rates for the transportation of such freight and passengers and for postal and telegraphic service over the

entire lines of the Texas and Pacific Railway Company and over the entire lines of connecting companies claiming privileges under the provisions of this act, and may exercise a general supervision and control, so far as it shall be necessary so to do, in the interest of the Government of the United States, to secure prompt transportation for its own wants and for the public, and to protect the actual capital invested, and all liabilities of the Government for guarantee of interest made under this act.

It is also prescribed in the second section of the bill that all the lines of railway connecting, or which may hereafter connect, with the Texas and Pacific Railway, shall be put on an equality as to all consigned through business passing either way; and no unjust discrimination in charges for freight or passengers shall be made by or against either, but no higher charges per mile for passengers and per ton per mile for freight shall be made for the haul to and from the junction of such lines than shall be charged on similar business from such junction on its own line; and all freight and passengers shall be forwarded in either direction as consigned; and except as to the ownership and general management of such connecting roads and the division of earnings, said roads shall be operated so as practically to form one line and secure to each railroad company and to the public the accommodation and advantages of a through line at all points of junction; and to make this principle effective, the right is secured to each line forming such a connection to contract currently, at the existing and established rates, for the transportation of freights and passengers to and from the road of either, and to that end to issue through bills of lading and passenger tickets, and to maintain agencies on the line or at the termini of either road for such purposes, thus affording privileges and facilities for transacting such business at such points equal to those enjoyed by the company owning the road, with further provisions authorizing the specific execution of these stipulations when violated, by judicial process.

These provisions apply to the entire road of the Texas and Pacific Railway Company, as well that portion already constructed and now in operation as that which it is proposed to construct under the authority and with the aid of the present bill.

The eastern terminus of the road is fixed by the bill upon the east bank of the Mississippi River, authority being given to cross that stream by a bridge, the actual terminus to be established by five commissioners, three of whom are required to be engineer officers of the Army, and all to be without interest in the location, whose duty it shall be to examine the various proposed routes between the Mississippi River and the present constructed road of the Texas and Pacific Railway Company; and after considering all questions of distance, cost, and transportation routes, in view of foreign as well as domestic trade and commerce, and also in view of an eligible connection with the Atlantic seaboard, to report their judgment as to the most suitable point of connection with the Mississippi River, but not to be farther north than the city of Memphis; which report, if approved by the President of the United States, shall be final and conclusive.

This extension of the present constructed road is then to be built, without delay, at the rate of fifty miles per annum, without any aid from the Government; and in case its own bonds are issued to raise the means for that purpose, secured by mortgage, it is provided that it shall not be a lien upon any property, franchise, or security pledged as an indemnity to the Government for the guarantee of interest on the bonds issued to construct any portion of the line between Fort Worth and San Diego. It is also declared, that a failure to provide for this eastern extension shall work an absolute forfeiture of all right to the guarantee of the Government on the interest of the bonds to be issued for so much of the line as may remain unconstructed at the time of such default.

The length of the unconstructed portion of the road, between Fort Worth and San Diego, as located, is stated to be 1,400 miles, of which 1,150 miles are through the plain or open country and 250 miles through rough or mountainous country.

To raise the capital necessary to build this part of the road the company is authorized to execute two series of bonds, one to be denominated Issue A to the extent of \$20,000 per mile for 1,150 miles of road through the plain country, and to the extent of \$35,000 per mile for 250 miles through the mountainous country, not to exceed in the aggregate \$31,750,000; the other to be denominated Issue B to the extent of \$5,000 per mile for the whole distance of 1,400 miles, not exceeding in the aggregate \$7,000,000, or \$38,750,000 of both series. These bonds are to be made payable in coin fifty years after date with interest at the rate of 5 per cent. per annum payable semi-annually. They are to be secured by a mortgage upon the road to be constructed with their proceeds, which shall be a first lien, and additionally by the following provisions:

1. The land grant under the act of March 3, 1871, of lands in the Territories of New Mexico and Arizona and the State of California, is relinquished to the United States in trust that the reservation may be opened to immediate settlement, the lands sold by the Government and the proceeds of the sales of the lands embraced in the grant applied to the payment, first, of accruing interest upon the bonds, and second, to the accumulation of a sinking fund for their purchase and redemption.

2. All the earnings of the company over this portion of the road, derived from transportation of troops and supplies and other Government transportation, and for its postal and telegraphic service, and which would otherwise be payable by the Government, shall be retained by it and applied to the payment of current interest and the sinking fund.

3. Any deficiency then remaining, either in the interest fund or in the sinking fund, commencing with the year 1888, of 1 per cent. per annum in coin on the whole amount of bonds issued and outstanding shall be made good out of the general net earnings of the portion of the road mortgaged to secure these bonds.

To the extent to which it may be necessary to issue them for the purposes expressed in the bill, but not in excess of the maximum already mentioned, it is provided that there shall be indorsed on each bond so issued by the Secretary of the Treasury for and in the name of the United States a guarantee to the holder of the prompt payment at maturity by the United States of the interest coupons attached, being at the rate of 5 per cent. in coin, on the 1st day of April and October of each year, as the same shall mature, until the maturity of the bond, but no longer.

The guarantee does not extend to interest accruing after the maturity of the bond, nor to any portion of the principal; and the Government liability for such guarantee of interest cannot exceed \$1,937,500 yearly, during the currency of the bonds.

The whole amount of both series of bonds, when executed, are to be deposited with the Secretary of the Treasury, to be issued only by him.

Whenever ten or more consecutive miles of any portion of its lines of railroad and telegraph between Fort Worth and San Diego Bay have been constructed and are ready for service with equipment, sidings, buildings, and other appurtenances necessary for the business, according to the Government standard, as required from the Union Pacific and Central Pacific Railroad Companies, the actual cost thereof, as ascertained by commissioners under oath, appointed by the President, shall be reported, and thereupon the Secretary of the Treasury shall deliver to the company for road so constructed and equipped in the plain or open country, bonds of Issue A, guaranteed as prescribed by the bill, at the rate of not exceeding an average of \$20,000 per mile for 1,150 miles, and for the other portions of the road constructed and equipped in the rough or mountainous country for 250 miles such bonds at the rate not exceeding an average of \$35,000 per mile; but it is provided that if it be found, from time to time, that a less number of bonds than those stipulated to be indorsed for delivery to construct and equip the whole line will provide sufficient money to meet such expenditures, then the number of bonds to be delivered shall be correspondingly reduced and all bonds not actually required to pay for the actual cost of construction as thus ascertained shall be retained in the Treasury of the United States, not to be issued, except as subsequently provided.

The bonds denominated Issue B, amounting to \$5,000 per mile, it is provided shall be retained in the Treasury, and in case the net proceeds of sales of lands, with the Government transportation, telegraph and postal service, and the earnings of the road, as previously provided, shall not equal the amount to be deposited for interest by the company, the Secretary of the Treasury is authorized to sell a sufficient number of such retained guaranteed bonds of Issue B and to use the proceeds of such sales to make up any such deficiency; a provision inserted to supply a possible temporary want of revenue to meet accruing interest during the period of construction, and effectually to guard against the necessity of any advance by the Government on account of its guarantee.

When the earnings and revenues of the company from all sources, after the completion of the whole line, shall be sufficient to pay all interest guaranteed by the Government, the bonds so retained and not sold shall be issued only for the purpose of additional construction and permanent improvement, upon proof by the certificates of the commissioners that such expenditures are required by the increasing business of the company, all such additional property becoming a part of the mortgaged premises.

The scheme for public aid to this national highway is unique, and certainly reduces the possible liability of the Government to the minimum. It differs altogether, both in kind and degree, from that granted toward the construction of the Union Pacific and Central Pacific line. A comparison of the two is in reality a contrast, and the contrast is greatly in favor of the present proposition, when estimated, in view of the liability of loss to the Government in virtue of its engagements. In the case of the Union Pacific and Central Pacific line the Government made a direct advance of its own bonds to an amount double that now proposed, without any provision for payments on account of current interest, except to the extent of one-half the earnings of the roads from Government transportation and 5 per cent. of the net earnings, without provision for a sinking fund, without security for ultimate payment of the principal and accrued interest, except a second mortgage, subject to a prior lien for an equal amount, without reference to the actual cost of construction, and without reservation of power over the rates of transportation, until it appears that the net earnings of the road and telegraph, including the amount allowed for services rendered for the United States, after deducting all expenditures, including repairs and the furnishing, running, and managing the road, shall exceed 10 per cent. upon its cost, exclusive of the 5 per cent. to be paid to the United States.

Under these provisions the Government has contracted an unconditional liability for a principal sum of \$64,623,512, on which it pays an annual interest of \$3,877,000, the accumulations of which, added to the principal sum, already amount to near \$100,000,000.

Under the pending bill, the Government issues no bonds of its own,

and becomes bound to pay none issued by others. It simply guarantees the payment of the annual interest to an amount less than \$2,000,000 per annum during the currency of the bonds, and holds as indemnity the whole capital of the road, represented in the value of its construction, with all its revenue and income, secured by the lien of a mortgage, which legislation cannot displace without the consent of every individual bondholder; a road in the construction of which the Government has taken ample pains to assure itself that not a dollar has been made by way of speculation.

As the mortgage to be given by the company specifically and expressly secures the payment to the United States of the interest as it matures, it is manifest from this statement that the indemnity to the Government against ultimate loss is perfect. Its lien under the mortgage has priority over that given to the holder of the bonds for the principal sum, and ultimate loss by the Government is rendered impossible, unless it can be supposed that the road itself, when built, will not be worth the amount of the accruing interest on its cost after sinking the whole amount of the capital. Such a supposition certainly is not admissible.

The demonstration, however, on this point can be made still more complete and satisfactory. It is not, perhaps, sufficient to show that the ultimate security to the Government for reimbursement is ample. The point to be established is, that in addition to this there is no rational probability that the Government will be called upon to make any advances out of its own Treasury on account of its liability on the proposed guarantee. The utmost extent, as has already been stated, of this liability is the annual sum of \$1,937,500, and that is upon the supposition that all the bonds authorized shall have been actually issued; and the question is, whether the whole of the net earnings of 1,400 miles of road from Fort Worth to San Diego, after completion, including the whole gross earnings on account of Government transportation, military and civil, with the proceeds of the sales of lands included in the land grant, will be sufficient for that purpose. To do so, laying out of the question all consideration of land sales, will require annual net earnings from this part of the line of but \$1,312 per mile. The average net earnings per mile of road already completed and operated by the company for three years ending May 31, 1878, according to the official reports were \$1,908, an excess over the required amount of \$596 per mile; and that, without the benefit of anything but local business, earned by a mere fraction of the road not connected with either of its proposed termini, and without any business naturally belonging to it as a new transcontinental line. The fact that during the past year the Union and Central Pacific Railroad Companies earned an average of more than \$12,500 per mile is, after making every allowance, an absolute assurance of safety; for, indeed, there is no reason to believe that the earnings of a new route to the Pacific on the thirty-second parallel will not, after completion, both presently and prospectively, by progressive development approximate equality with those of other lines with which it will compete for through business. As to a division of the through traffic and travel, there can be no doubt whatever. It is a matter of competition and settled upon the adjustment of rates. In regard to the development of local business, the experience of the existing lines takes away the opportunity for surprise, as there is nothing in the region traversed by the southern line that will furnish reason for any difference in this respect. And there are two circumstances characteristic of and peculiar to the proposed line that at least may be counted on to counterbalance any supposed disadvantages.

The first of these is that its construction is a completion, on the line of its own latitude, of a complete system of railroads in the States east of the Mississippi River, connecting with Atlantic and Gulf ports and intermediate points and sections, which must naturally find it to be their interest to become feeders to the Texas and Pacific Railway and all whose influence will be exerted in its favor. On the other hand, the cities of the northern Atlantic seaboard, Boston, New York, Philadelphia, and Baltimore, now receiving and sending their transcontinental traffic by other because the only existing lines, will find it to their own interest to compete with rival cities by dividing their own patronage with the southern line. The balance of advantage from this source will plainly be with the new line of transportation.

The second and more important of these circumstances is that the Texas and Pacific Railroad, skirting as it does the southern boundary of the United States, in proximity with rich mineral and agricultural provinces of old Mexico, will form a base line, from and to which lateral lines of trade and travel will speedily radiate, penetrating across the border and attracting a new and most profitable trade. The States of Chihuahua, Sonora, Coahuila, Sinaloa, and Durango will almost immediately be tributary to it; and it cannot be long before a market will be found, by means of this transit, for the productions of the United States in every portion of our sister republic. The natural entrance to its capital and center is southwardly from El Paso, via Chihuahua, Durango, Zacatecas, Lagos, and Guanajuato, to the City of Mexico, toward which, by a gradual ascent, the topography of the country invites approach and access. The key to this whole region and its entire trade, present and future, is El Paso, on the line of a railroad connecting it with both oceans and the civilization, capital, and commerce of every section of the United States. Nor can it reasonably be objected that this prospect is remote. The adjacent states of Mexico are inhabited

by a population which, if rude and uncultivated, yet nevertheless are not savage, and have established some of the habits and industries of civilized life, and are ready, as soon as the projected railroad can be built, to bring to it from considerable distances, over natural roads, the products of their labor to exchange for the manufactures of this country.

The general influence exerted by the existence and operations of such a line of trade and travel upon our international relations with Mexico would necessarily be powerful and of the most beneficial character, though the present occasion does not seem suitable for enlarging upon it. As a defense in time of war it would be equal to an army or a line of forts, but far more valuable in the preservation of peace by cultivating its arts and removing the temptations and occasions of hostility. And that it would open, by legitimate and acceptable modes, the northern states of Mexico to industrial colonies, emigrating from our own more populous districts, will not be questioned by those who have faith in the manifest destiny of the Anglo-American people to occupy and rule this continent, nor that such a settlement and the consequent development of the resources and riches of that region would be fruitful in good and peaceful results to all the inhabitants of the land.

But the present question is much narrower and more definite. It is simply this: whether this road, when constructed, will be able, by means of its entire net revenue, to pay the guaranteed interest on the cost of its construction, so as to insure the Government against any advance on account of its liability. It is a mere question of dollars and cents, and in the light of our own experience, in the history of Pacific railway enterprises, a matter of simple calculation. And the conclusion is incontrovertible, that the single items of revenue derivable from the Government itself, on account of military, Indian, postal, and telegraphic service, together with the sums now expended on those accounts, which will be saved by the economy of transportation, will be more than sufficient to meet the Government guarantee. Of course, no estimate exactly accurate can now be made of the necessary future expenditures and savings of the Government on these accounts; but we can approximate the result, within sure limits, by a comparison of known facts. We can compare the actual allowances and payments made by the Government to the Union Pacific and Central Pacific Companies for similar services, and the expenditures now made for such as are required in other ways to be performed, but of like character, on the proposed line of the Texas and Pacific Railroad, and which, on its completion, would be rendered by it.

On this point the committee of the present House of Representatives, in their report on the subject, say:

As a simple measure of economy, the Government, in the management of its military, Indian, and postal affairs, could well afford to expend more in the construction of the line proposed by this bill than it is asked to guarantee. The rates of transportation charged on the present Pacific connection are admitted on all sides to be high. Yet the reports of the Quartermaster-General show that the saving to the Government on that line, in railroad, over the former mode of transportation by wagons, has been 75 per cent., and that for the two years preceding June 30, 1874, this saving amounted to about \$2,000,000 per annum. Now, when this fact is taken into account, that between thirty and forty military posts and eleven regiments of United States soldiers, nearly half the entire Army, would draw their supplies from the Texas Pacific Railway; and the further fact that during the years 1865, 1866, and 1867, the Government actually paid \$16,637,922.47, or more than five and a half millions annually, for maintaining a military force in Arizona and New Mexico, not including the expense of Indian agencies, supplies, or transportation of mails and stores, the conclusion is irresistible and unanswerable, that the Government would save more than the maximum liability to be assumed under the provisions of this bill.

It appears by a report made to the Senate by its Committee on Pacific Railroads, at the third session of the Fortieth Congress, on February 19, 1869, that the amount of Government transportation performed on the Kansas Pacific line from the time it commenced doing business, October 16, 1866, to January 1, 1869, during which the Government's use of the line averaged less than two hundred and twenty miles, was exactly \$1,033,569.94.

The report of the House committee, from which an extract has been read, probably estimates too largely the number of military posts that would be supplied by the Texas and Pacific Railroad when completed. Moderating that estimate by reducing it to eighteen posts, embracing only about three thousand men and officers, or one-eighth of the Army, and it is calculated that upon the single item of transporting supplies, leaving out of the calculation the movement of the troops themselves, there would be an annual saving of \$130,000. Adding to this the cost of transporting the troops when their movement is necessary, the reduction of expense by the increased efficiency of the troops, by dispatch of movement, dispensing with a large proportion of their numbers, and the cost of Government transportation on account of the Indian service and postal and telegraphic service, and it will hardly be denied that the aggregate will not fall below the maximum amount of the Government guarantee.

The following statement and tables, furnished from the Interior Department by the Auditor of Railroad Accounts, show the amounts paid each year from the opening of the roads by the Government to the Union Pacific, the Kansas Pacific, and Central Pacific Railroads for Government service:

DEPARTMENT OF THE INTERIOR,
OFFICE OF AUDITOR OF RAILROAD ACCOUNTS,
Washington, D. C., December 2, 1878.

SIR: In response to your request on Friday last, I have the honor to transmit herewith statements showing the transportation services performed for the United

States by the Union Pacific Railroad Company, the Central Pacific Railroad Company, and the Kansas Pacific Railway Company, down to June 30, 1878, as near as can be ascertained at the present time.

The Central Pacific Railroad Company, not reporting as requested by this office, their printed reports not containing a division of the service performed, their previous reports to this Department having been entirely in gross, and no department of the Government having made it a business to bring together these accounts in the past, the figures have been given in gross and are approximate.

Very respectfully,

THOMAS FRENCH, Auditor.

Hon. STANLEY MATTHEWS,

United States Senate, Washington, D. C.

Union Pacific Railroad.

	Freight.	Troops.	Mails.	Total.
July 1, '66, to Dec. 31, '68	\$317,766 56	\$1,004,673 06	\$186,098 40	\$1,508,538 02
Year ending Dec. 31, '69	203,428 54	279,947 36	268,300 70	751,676 60
Year ending Dec. 31, '70	237,913 39	287,486 12	274,513 56	799,913 07
Year ending Dec. 31, '71	213,585 15	227,903 70	283,748 00	725,236 85
Year ending Dec. 31, '72	170,158 06	303,154 12	283,855 00	757,167 18
Year ending Dec. 31, '73	219,939 65	248,117 88	283,855 00	751,912 53
Year ending Dec. 31, '74	316,840 21	250,702 76	345,758 00	913,300 97
Year ending Dec. 31, '75	234,596 13	176,243 65	325,143 00	735,982 78
Year ending Dec. 31, '76	374,387 65	223,614 78	574,139 00	1,172,141 43
Year ending Dec. 31, '77	362,208 21	223,251 25	596,775 00	1,182,234 46
Six months ending June 30, 1878.....	133,798 69	94,551 82	298,387 50	526,738 01
Twelve years ending June 30, 1878.....	2,784,622 21	3,389,646 50	*3,720,573 16	9,894,841 90

*A charge of \$22,636 per month for the period from February, 1876, to June 30, 1878, inclusive, additional to the amount allowed by the Post-Office Department, is included in this statement.

Kansas Pacific Railway.

	Freight.	Troops.	Mails.	Total.
Up to Dec. 31, 1866.....			\$10,237 50	\$10,237 50
Year ending Dec. 31, '67	\$368,310 02	\$108,757 10	34,841 12	511,908 24
Year ending Dec. 31, '68	333,808 73	95,196 25	58,915 20	487,920 18
Year ending Dec. 31, '69	227,358 06	85,313 42	65,550 00	378,221 48
Year ending Dec. 31, '70	148,867 49	95,220 32	73,476 32	317,564 13
Year ending Dec. 31, '71	155,101 10	73,938 35	63,163 80	292,203 25
Year ending Dec. 31, '72	97,149 90	72,426 82	82,935 84	252,512 56
Year ending Dec. 31, '73	54,107 65	52,502 85	98,655 00	205,265 50
Year ending Dec. 31, '74	30,215 60	33,661 95	137,242 50	201,320 05
Year ending Dec. 31, '75	66,324 94	47,802 30	124,380 00	238,507 24
Year ending Dec. 31, '76	67,547 29	56,835 16	118,161 00	242,543 45
Year ending Dec. 31, '77	30,013 80	34,154 70	111,942 00	176,110 50
Six months ending June 30, 1878.....	14,225 30	3,072 96	40,011 97	57,310 23
Total to June 30, 1878....	1,593,029 88	759,082 18	1,019,512 25	3,371,624 31

Central Pacific Railroad.

	Post-Office Department.	War Department.	Total.
From —, 1867, to June 30, 1878.....	\$2,212,449 57	\$1,323,515 21	\$3,540,964 78

They show that in a little less than twelve years the Government has paid to these roads, forming in fact but one line, on account of services rendered to it in the transportation of Government freight and troops and for the mails, the aggregate sum of \$13,807,430.99, or at the rate per annum of \$1,317,285.91.

In view of these considerations and the facts upon which they are based, I submit, Mr. President, that it is not fair or just to the present measure to dispose of it upon the summary objection that it proposes a subsidy. I am quite well aware that that word is supposed to be powerful as a spell—to be a name with which to conjure—that it conveys an odious imputation sufficient to frighten away all self-respecting support from any proposal to which it is applied; but, sir, it can hardly be regarded as the part of either wisdom or courage to shrink from the advocacy of any right cause lest it be confounded by ignorance or malice, or even through honest misconception, with something different that is wrong. Much less is there manliness in covering before an apparition which is created by our own imaginary apprehensions, or in fleeing from the pursuit of the phantoms of our own fears.

In the present instance the word is altogether misapplied. In its odious sense the proposition of the bill has no single feature of a subsidy. It involves nothing but what falls within the usual and legitimate scope and province of our limited constitutional Government. It is not a bounty to any private interest. It is the execution of a trust and function purely public, and solely upon grounds and motives of public interest. It is not more a subsidy than is a most necessary appropriation of public money to the improvement of a river or harbor. The agency of a corporate body is employed, not for its own sake and benefit, but simply because it is the best and most convenient instrument to perform the obligation of the Government. The National Government charters a system of national banks and endows them with franchises and enables them to

employ, to their own profit, the public credit, but it would be a misnomer to nickname this valuable privilege a subsidy because it is the chosen means to render an equivalent public service.

There are some, no doubt, who sincerely believe that it is beyond the province, not merely of the National Government under the Constitution, but of government itself, even when unlimited except by its essential nature and purposes, to extend its powers and means beyond the simplest protection of individual personal rights. But that is not my creed. I believe government is something larger and deeper than that; that its limits are not to be defined by right lines; that it is the wisdom and strength of all, for all the common purposes of social life which in their nature or by reason of special circumstances cannot be compassed by individual and several action; that our Constitution is the frame of a perpetual government, which interprets itself by its adaptation to the life and growth of a people whose destiny is greater than any of their existing institutions, and that it is to be construed strictly, indeed, as against public and private rights, but liberally for their promotion, in order that it may not fail of any of the benevolent purposes for which it was ordained.

The construction of this additional highway across the continent, in my judgment, is a great, distinctive, national work. There is not a cherished object for which we can imagine ourselves to exist as a nation to which it is not a valuable auxiliary. It is a measure of national defense, and better than an army, a navy, or fortifications. It is a measure of peace upon our border with a people with whom, although our nearest neighbors, we live in a condition of constant irritation, and yet with whom we ought to have the most intimate and mutually profitable relations of friendly commerce. It is a measure of civilization to the Indians in our Southern and Western States and Territories, not only by concentrating our power of forcible subjection, but bringing them within easy reach of the influences which must either change their habits to those of civilized life or hasten their extermination. It is a measure of domestic empire, binding together by multiplied ties the interests of our Atlantic and Pacific coasts. It is a measure of commerce between the States, furnishing new markets to regions not able fairly to share in the communications which have been heretofore established, and who have a fair right to demand a development, to national proportions, of their local resources, and to establish upon their own lines of latitude, the course of emigration and trade. It is a measure of commerce with foreign nations, opening a new highway, under national regulation, to the growing traffic with the world beyond our western seas, emancipated from the shackles of a monopoly and solving for the continent the great problem of cheap transportation, yielding to capital enough, but exacting from productions no more than, under the supervision and guardianship of the Government itself, shall, from time to time, be found adequate to a healthy equilibrium between the great forces of production and distribution.

It is this feature which makes the present proposition unique and gives to it its chief value and significance. The bill secures to Congress, in unequivocal terms, the right to regulate rates for the transportation of through freight and passengers and for postal and telegraphic service, not merely over that portion of the line constructed under the provisions of the bill, but over the entire lines of the Texas and Pacific Railway, including that portion now in operation, and over the entire lines of connecting companies claiming privileges under the provisions of the bill, and the right to exercise a general supervision and control, so far as it shall be necessary so to do in the interest of the Government of the United States, to secure prompt transportation for its own wants and for the public, and to protect the actual capital invested and all liabilities of the Government for guarantee of interest made under the act.

The guarantee of earnings sufficient to pay the interest on the cost of construction is the natural and necessary corollary from the reservation of the unlimited control over the prices of transportation. For it is manifest that without an equivalent guarantee private capital could not put itself at the mercy of arbitrary control in the hands of its customers with adverse interests. Certainly none can be found with private means to build such a road, giving up the right to a voice in determining whether its operations shall be conducted at a profit or a loss. But if the Government reserves the power to dictate rates, it has also created an interest in behalf of the public, which it represents by its own guarantee of net income sufficient to pay the interest on the capital invested in the actual cost of construction, to maintain rates so as to indemnify itself.

It is from overlooking the fact of this provision and underestimating its value that has led to a misapprehension of the attitude toward this project of the Southern Pacific Railroad Company of California, inducing a belief in some quarters that it proposed and stood ready to carry forward into complete execution this scheme of a new competing Pacific Railroad without aid from the Government. This is altogether a mistake. I know of no such offer. The Southern Pacific Railroad Company of California, in connection with the Central Pacific Railroad Company of that State, has built a railroad to Fort Yuma, has crossed the military reservation at that point and the Colorado River into Arizona, and is reported to be proceeding, without congressional authority certainly, but under laws of that Territory, to Maricopa Wells, in a direction apparently tending to El Paso, and professing the intention to construct to that point; whether for the purpose there of making a railroad connection, under a Texas charter,

to Galveston and New Orleans, or whether intending to diverge before reaching El Paso, so as to meet the Atchison, Topeka, and Santa Fé Railroad at Albuquerque or Casa Colorado, is the subject at present of conjecture merely.

But what that company has done, or is now doing and may hereafter do, is altogether immaterial, and for this reason: that, whatever it may do or intend, it does not mean to construct or to aid in the construction of a transcontinental railway which shall compete for business or in rates with the existing line from San Francisco to Omaha. More than this seems to be the intent, and that is, that whatever it is engaged in doing has at least for one of its purposes that of defeating and preventing the construction and operation of the Texas and Pacific Railroad as a free and open highway competing for the through trade and travel between the oceans, subject to the unlimited regulation of Congress and at rates to be from time to time established by it in the sole interest of the Government and people of the United States. And the sacrifices the Southern and Central Pacific Railroad Companies show themselves willing to make to that end in the construction of lines which they shall continue to control in the interest of their present monopoly is the measure of what they fear from the establishment of an open competition by means of the Texas and Pacific Railroad. The evil they fear to their own interests is precisely equal to the public good which it means and measures. If those who plan and labor for public interests alone were a match in clear-sightedness and zeal for those who plan and labor for their private and personal ends, the enthusiasm in behalf of the pending bill would be at least equal to the energy and determination displayed by its rivals to defeat it.

I impute to the great corporations now in possession and control of the sole highway to the Pacific, and to their able and powerful managers, no motives and designs with any vice not inherent in human nature itself, nor charge them with deliberately and consciously seeking a private benefit at the expense of a manifest public good. It is quite likely that they believe the interests of the whole nation can be best subserved by measures which they devise for the promotion of their own, for no mistake is more easily fallen into than to substitute our own for the public good.

But what I believe and affirm is, that these companies and their managers are determined, if possible, to preoccupy the ground and forestall the action of Congress, in order that, by defeating as unnecessary the pending proposition, they may be left in the undisturbed possession and enjoyment of the right to tax, according to the demands of their own interests, the vast volume of transcontinental trade and traffic which enriches their treasury and enables them to build up breastworks against competition.

Let those who are unwilling to emancipate this enormous public interest from the burden of this ever-growing mortgage by the construction of a line which shall be the servant and not the master of this trade, for fear of the popular condemnation of subsidies, reflect upon the ten-fold greater subsidy which they vote to the existing lines by perpetuating their monopoly and securing to them permanently the right and power of dictating the terms upon which they will perform the public duty for which they were created. It is a strange and incongruous spectacle that a popular jealousy against subsidies and corporate privileges should be invoked against a measure the very object of which is, and whose effect must certainly be, to curb and restrain monopoly built upon subsidy, and in behalf of corporate power more potent and exacting than any ever before known in our history.

Some idea of its capacity to prey upon the commerce it was intended to foster and facilitate may be gathered from the fact that the joint management of the present Pacific roads is able to exact \$2,400 a car load of ten tons of what it is pleased to style *double first-class freight* from every shipper who is unwilling to agree to give to its line, as against the ocean route by steamship or sailing vessel, the whole of his freight in all seasons. It would be better, as a matter of pecuniary profit to the people, that the Government should at once release these roads from the obligation to repay their indebtedness to it, in consideration of a concession of the right to regulate their tariff of charges. The excess that might reasonably be thus reduced would be cheaply capitalized at the amount of the debt, large as it is. It would be better still to establish a competition by the construction of a new road, subject to the regulation of the Government, which, in its turn, upon the principle of competition, would be the regulator of all its rivals. At the worst, it is but the transfer of an investment now employed as a means of injury and oppression to the trade of the whole country into an instrument for its emancipation.

How effective an instrument for that purpose the Texas and Pacific Railroad might and would be is made manifest by a comparison between the cost of its construction with that of the existing lines; for it is evident that the reasonable cost of transportation will be lessened by whatever lessens the cost of the indispensable means of effecting it. If the existing roads could be replaced by others at much less than their original and present cost, of course the new substitutes could afford, making equal profits upon the investment, to perform the same service at a proportionably less charge; and if a competing road can be built at a less cost than that of existing lines, it is evident that the new and cheaper road, can dictate the rates for its rivals.

A comparison between the existing lines from the Mississippi River at Rock Island, to San Francisco, by Omaha, and the proposed line of the Texas and Pacific Railroad, as to the cost of construction and operation, will show the following results:

The length of the Texas and Pacific Railroad, constructed and to be constructed, according to the provisions of this bill, from the Mississippi River to San Diego, is 1,867 miles at the longest distance; that of the line on the forty-first parallel, from Rock Island to San Francisco, is 2,227 miles; a difference of 360 miles in favor of that now proposed.

The difference in the cost of construction is much more marked. On the northern line it is for 2,277 miles \$251,613,924, which is an average of \$112,983 per mile. On the Texas and Pacific line, estimating for the cost of the longest extension to the Mississippi River, it will be \$64,172,000, or an average of but \$36,316 per mile. This is less than one-third the average cost of the present line and is an aggregate saving for the whole line of \$186,441,924, or \$76,667 per mile of road.

This average of \$36,316 is nearly \$10,000 per mile in excess of the estimated cost of the new road to be constructed, because it includes the higher average of the constructed portion east of Fort Worth, built during the period of high prices and under great disadvantages for the transportation of material, and also the whole amount of the \$7,000,000 of bonds to be retained by the United States, a part only of which it is believed will be actually issued. And to complete the transit from San Diego to San Francisco a steamship plant of five or six first-class steamers could be created at a cost not exceeding \$3,000,000, which, in addition to the Arizona, New Mexican, and transcontinental traffic, would accommodate all the coast business between San Diego and San Francisco.

But adding the cost of the Southern Pacific Railroad of California as a branch of the Texas and Pacific Railroad from Fort Yuma, to make an all-rail connection with San Francisco, which is for 720 miles \$67,299,120, and we have the aggregate cost of the entire line \$131,471,120, which is still \$120,142,804 less than the cost of the present line via Omaha.

That the cost of operating the Texas and Pacific line will be less than that of the Union Pacific and Central Pacific is manifest from various considerations. The distance, as we have seen, is 360 miles in favor of the former. In addition, the difference in the character of the roads, as to curves and grades, is still more in its favor. By the Texas and Pacific line the divide of the continent is crossed at an elevation of 4,893 feet on very light grades, not exceeding 66 feet to the mile, while on the entire line the total length of grades between 80 and 105 feet will not exceed 45 miles, and between 66 and 80 feet, 72 miles. The maximum gradient, except at a few points, is not more than 66 feet to the mile. The extreme elevation upon the line is 5,027 feet, against 8,235 feet upon the Union Pacific and 6,983 feet upon the Central Pacific road; the total ascent and descent being 38,245 feet, against 54,812 feet on the other line. This difference of altitude of itself constitutes a difference of climate, with the natural result of a line which is free from obstruction by snow at all seasons of the year, forming the natural highway across the continent, as well as the shortest that can be constructed within United States territory between the two oceans.

What verge and room there is for a reduction in the tolls levied by way of transportation charges upon the commerce carried across the continent is to be seen most conspicuously by a review of the progressive increase of rates for the past three years as established by the present line.

The tariff of these companies in force previous to March 4, 1875, shows that their through freight rates between New York and San Francisco were on first-class goods \$3.25 per one hundred pounds; on second-class goods, \$2 per one hundred pounds; on third-class goods, \$1.90 per one hundred pounds; on fourth-class goods, \$1.80 per one hundred pounds, with special rates as against sailing-vessels around Cape Horn for low-grade freights running from \$1.40 to \$1.70 per one hundred pounds.

In that month, immediately after the adjournment of Congress, a bill to secure the completion of the Texas and Pacific Railway having failed, and the Pacific mail steamship subsidy act having been repealed, a new tariff of freight rates between New York and San Francisco was issued, by which first-class freights were raised to \$5 per one hundred pounds; and on the 29th of the same month the rates were increased to \$6 for first class, \$5 for second class, \$4 for third class, and \$3 for fourth class.

These rates nominally have continued in force until the present time; but by a circular issued by the companies, a copy of which I have examined, dated July 29, 1878, and issued since the adjournment of Congress at its last session, notice is given of very important changes in the classification of merchandise, affecting the rates of freight in a very remarkable degree. The following are examples:

Blankets, which, in the regular published freight tariff of February 28, 1878, are rated as second class, under the circular of July 29 are declared to be double first class, and when shipped in bales, under written release, at one-and-a-half times first-class rates.

Organs, melodeons, and pianos, boxed, are changed from first class to one-and-a-half times first class.

Ribbons, &c., changed from first class to double first class.

So canvas, clothing, comfortables, cotton bags and bagging, and

many other articles are changed from first and second class to double first class. By that change, first-class goods, instead of paying on a ten-ton car load at \$6 per one hundred pounds, amounting to \$1,320, would pay \$2,640, and even that double rate is to be doubled upon any excess of twenty-two hundred pounds loaded in any car by the shipper.

No exhibit other than this is needed to account for the fact that, while during the past years of business depression all other railroads in the country have shared the losses of the community, many having struggled in vain to earn the interest on their indebtedness and but few able to pay dividends to their stockholders, the net earnings and profits of these companies have enabled them, even on a decreased volume of business, for the year ending June 30, 1878, to declare and pay as dividends—the Union Pacific, \$2,204,700; the Central Pacific, \$1,342,040; as appears by the official report of the Secretary of the Interior, just laid on our table.

Mr. President, I do not envy these companies their wealth and power. I do not refer to these facts to excite hostility to their prosperity. I do not accuse them of any illegality. I do not invoke against them any legislation to deprive them of any of their just rights. I do not even think it would be legitimate for Congress to exert its acknowledged power to take from them the fruit of any reasonable expectation. But a mere description of these privileges and opportunities includes the conviction of an inevitable abuse of their powers. Irresponsible authority lodged in a corporate body organized for the profit of its members never has failed and never will fail of being abused. It ought to be counteracted and checked, and that can best be done by setting in healthful activity the wholesome and corrective principle of competition, by the operation of which the keen rivalry and sharp struggle of opposing private interests co-operate for the public good. That sole ground is the sufficient justification for the passage of the pending bill.

Thus far, Mr. President, I have considered the merits of this measure upon grounds of public interest, equally affecting the whole country without any distinction of locality. In respect to the topic first considered, if the construction and operation of this road should have, as it must have, the effect to lighten the present tax upon the transcontinental commerce, that advantage would accrue equally to every part and section of the country. There is not an industry in the land that would not in some degree share in the benefit. Every commercial city and center would feel its influence in quickened productions and a livelier trade; and Boston, New York, and Philadelphia would reap their share of the profit, even though not one of them should ever in fact receive by means of it an additional customer or a single pound of merchandise to their markets. And so also every expected service from which I have derived an argument is one to be rendered to the general good, and not specially to that of any part of the country.

But I should do injustice to my own convictions if I altogether omitted one consideration which I confess has materially contributed to the formation of my favorable opinion of the project.

The Constitution of the United States, while it conferred upon Congress general power "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes," has nevertheless deemed it important also to declare that "no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another." And this is but one expression and illustration of that spirit of impartiality which pervades the whole frame of the Government. The Constitution knows no section, makes no discrimination between States, and the rule of its administration is equal and exact justice among all its citizens. The Government owes protection to and demands obedience alike from all without distinction of color, creed, or condition, and every power is a trust for the whole and all its parts. Even the incidental advantages arising unavoidably in the exercise of its functions ought to be distributed so as not to excite suspicion of partiality.

The circumstances that led to the location and construction of the present railroad line to the Pacific are well known. The occasion was a national necessity that admitted of no delay and was permitted no choice. There is nothing to regret in the legislation of that day except the want of faith which could not foresee the wonderful success of the enterprise as an investment of capital and which therefore conceded to corporate privilege more than was needed for the public service or advantageous to the public interests.

But it is undeniable that, in point of fact, it has not only caused an unexampled development and growth of the territory the improvement has traversed, but has greatly enriched the lines of transportation and the commercial cities and centers with which it was directly connected. And while it has been of incalculable benefit to the general interests of the country at large, it has also, and quite as conspicuously, conferred special and immensely valuable advantages upon particular localities. It has been the natural and most profitable extension and development of the east and west lines of railroad north of the Ohio River, and contributed to the wealth which a new and rich commerce has brought to the cities, both inland and on the sea-coast, in the line of that trade. That commerce is in its infancy; its growth is certain; its ultimate magnitude beyond all present conception.

The States and Territories on the South Atlantic, the Gulf of Mexico, the Lower Mississippi, and Texas, shall they not participate in its

profits? They have their productions, some peculiar to their region, that are wanted in the more distant markets of our continental empire, and in the still more distant markets of the world beyond the seas. They have their own east and west lines of railroad communication connecting the ports and cities of the South Atlantic and the Gulf of Mexico with the valley of the Mississippi, and stretching beyond toward the western frontiers of Texas. The undeveloped territories, farther west and in the same latitude, are expecting, with untold treasures of precious ores, the opportunity of settlement and development. Southern California, with her magnificent harbor at San Diego, presents her claim to consideration. As a mere question of commerce, internal and external, and of national internal improvement, the consideration of that justice which consists in the impartial administration and application of the powers and resources of the Government among the material interests of the different parts of the country is conclusive in behalf of the present measure. It is indeed by comparison less than justice, if the rule of justice is equality, and tardy too; indeed the very least that ought to be tendered in satisfaction of its rightful claims.

Mr. President, my interest in this question existed before I had any expectation of ever occupying a seat in this body. In November, 1875, I was one of many delegates representing the commercial bodies of the city of Cincinnati, in a convention called to consider the subject which assembled in the city of Saint Louis. I was unexpectedly to myself called to preside over that large and most respectable body, and as such it was made my duty to prepare an address to the people of the United States expressing the sense of the convention upon the merits of this measure. In doing so, upon the particular topic which I have just presented, I used language which I am willing now and here to adopt. It is as follows:

The line of said road in behalf of which the present appeal is made is intended to connect the entire southern system of railroads—terminating at the Mississippi River and reaching through the interior to the Atlantic—with the Pacific coast. That its construction and completion would put them on an equal footing with the parallel lines to the north, for the transcontinental trade, is quite evident, and that they have a right to expect that equality follows from the character of our Government, as equal and impartial in its administration, discriminating neither for nor against any. That it would rapidly develop the sparsely settled country in the Southwest, and people the Territories between Texas and the Pacific with a tide of emigrants flowing along their accustomed lines of latitude, is equally evident to all who have observed the conditions according to which our borders have advanced toward the west. That it would give new life to the railroad system of the South, by furnishing it its natural and legitimate extension, those most interested will bear unquestionable testimony, a result that of itself would be the sign and consequence of an active and revived industry wherever their lines penetrate. The South would live again, and find a new and better life than ever before in the busy and diversified industry of a contented, because prospering, population. Does not this consideration weigh heavily in the argument for the public aid to this enterprise? We have been waiting long years for the people of the South to forget the calamities of our civil war. Nothing will tend so greatly and so certainly to bury the remembrance of them forever as the rising of that tide of prosperity which is sure to come in upon them, and upon us all, like a flood, when the Government shall stretch out its hands to them to help and not to hurt, and to lend to them for a time, without cost or loss to itself, that public credit which would be so much strengthened and increased by the general prosperity which it will be used to promote. Such a measure would be the great healing act of Federal legislation, giving its assurance that the people of the Union and their common representatives, in the exercise of the public power and the employment of the common wealth, know no sections in the country, no divisions among the people, but are zealous and anxious to exert all their functions, so as equally to promote the growth and prosperity of every part and member.

Mr. President, if considerations of local interest are or ought to have any weight in the determination of this question, there is one which I may be excused for adverting to as naturally having an influence upon my own course as one of the Senators from Ohio. The principal city of that State, the city of Cincinnati, with which my own personal history and interests are identified, is now about completing a railroad to Chattanooga in Tennessee, a distance of a little over three hundred miles. It has already authorized in its construction the expenditure of \$18,000,000. The investment, including its equipment, will ultimately represent a capital of over \$20,000,000. The work was begun and has been prosecuted by the city in its municipal character and as its sole proprietor. It has been executed under laws of the State, the constitution of which expressly declares that—

The General Assembly shall never authorize any county, city, town, or township, by vote of its citizens or otherwise, to become a stockholder in any joint stock company, corporation, or association whatever; or to raise money for or loan its credit to or in aid of any such company, corporation, or association;

the supreme court of the State deciding that the prohibition did not extend to the construction of a railroad by the city itself, that being a public work within the legitimate purposes of municipal organization, even although it is built outside the State itself. The object of the city in this large outlay of money is to secure to itself trade from the railroad system of the South. At Chattanooga it connects immediately with the Memphis and Charleston Railroad, and through it and others with the whole system of railroads which covers with its network the area between the South Atlantic and Gulf coasts and the Mississippi River and west through Texas, as far as it may be extended. Whether the city of Cincinnati shall reap the benefit it has expected from the construction of its own southern road, in which it has so large an interest, direct and indirect, depends upon the prosperous development of the business of that entire southern system of which it has thus become a part. And it is a matter of special and peculiar interest whether it shall, by means of that connection, be permitted to share in the transcontinental and Pacific commerce.

The construction of the Texas and Pacific Railroad will form a line in which its own road will constitute an important link. The value to its manufactures and trade of such a connection, while it would not of itself justify, in my own eyes, my advocacy of the measure, yet, as it coincides with the great and general interests of the whole country that are involved with it, enables me to satisfy my own convictions of duty and at the same time assist in promoting the local interest of those who constitute at least a part of my constituency. It is my strong conviction that, if the present bill becomes a law, as I trust it will, when the great work it proposes to aid shall be constructed and in successful operation, its beneficent influence upon the various and extensive interests, not of the South alone, nor of any particular locality, but of the whole country and of all its parts, will be as universally acknowledged as it will be widely, deeply, and permanently felt, and will amply justify and vindicate those who to-day advocate and support it.

The VICE-PRESIDENT. The bill called up by the Senator from Ohio will now resume and retain its place upon the Calendar.

OMISSION IN ENROLLMENT.

Mr. CONOVER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee of three Senators, to be appointed by the Chair, be directed to investigate and report to the Senate how or in what manner a section in the bill (H. R. No. 5130) known as the sundry civil bill, relating to the Hot Springs of Arkansas, passed at the last session of Congress, was omitted in the bill as enrolled; whether Senator CONOVER had any connection therewith; whether any officer of the Government, and who, pretended, after the adjournment of the last session of Congress, to investigate the matter; what investigation was made, and what testimony, if any, was taken in that investigation; as well as the testimony to be taken by the said committee; and that said committee have power to send for persons and papers.

HOUSE BILL REFERRED.

The VICE-PRESIDENT laid before the Senate the bill (H. R. No. 4225) to promote the education of the blind; and it was read twice by its title, and referred to the Committee on Education and Labor.

DISTRICT SEWERAGE.

Mr. ROLLINS, from the Committee on the District of Columbia, presented a plan for the improvement of the system of sewerage in the District of Columbia, submitted at the invitation of that committee by Gustavus A. Karwiese; which was ordered to be printed, and referred to the Committee on the District of Columbia.

EXECUTIVE SESSION.

Several executive messages were received from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries.

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

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

HOUSE OF REPRESENTATIVES.

TUESDAY, December 3, 1878.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. W. P. HARRISON, D. D.

The Journal of yesterday was read and approved.

MORNING HOUR.

Mr. HALE. As there was no morning hour yesterday for the reference of bills and as many gentlemen desire to introduce them for reference, I suggest by unanimous consent a morning hour be allowed to-day for that purpose.

The SPEAKER. Or so much as may be necessary.

Mr. KELLEY. Let it be for the introduction and reference of bills and resolutions.

Mr. HALE. Precisely as the ordinary morning hour, for introduction and reference.

The SPEAKER. The Chair will state the proposition to the House.

Mr. REAGAN. I understand the bill reported from the Committee on Commerce in relation to interstate commerce is the unfinished business before the House, but I will interpose no objection if the morning hour will not interfere with that bill.

The SPEAKER. The Chair will see that bill does not lose any of its rights. It is affected, however, by Rule 136 of the House and by Joint Rule 21, both rules providing that the unfinished business of a preceding session shall not be taken up until after six days of the succeeding session. The Chair of course will recognize the gentleman from Texas at the expiration of that time on the unfinished business to which he refers.

The gentleman from Maine proposes by unanimous consent there shall be allowed a morning hour, as if on Monday, for the purpose of introducing bills and resolutions for reference. Is there objection?

There was no objection, and it was ordered accordingly.

Mr. BANNING. Is the call to continue until all the States are gone through with?

The SPEAKER. The Chair so understands.

PRINTING PRESIDENT'S MESSAGE.

Mr. GARFIELD. I ask to introduce the usual joint resolution touching the printing of the President's message.
The Clerk read as follows:

Resolved, That 20,000 copies of the President's message with reports of the Departments proper, and without the accompanying documents, be printed for the use of the House of Representatives.

The SPEAKER. That resolution, under the law, will be referred to the Committee on Printing.

PERSONAL EXPLANATION.

Mr. PATTERSON, of New York. I rise, Mr. Speaker, to what I deem to be a question of privilege. On the 21st day of June last a gentleman introduced a resolution in relation to war claims. It was put on its passage, and had in the affirmative 24 and in the negative 123 votes; and I was reported on that occasion as being absent or dodging. I was not absent, nor did I withhold my vote, but voted in the negative on that question. I desire the record shall show, if possible, that I was not out of my seat, but was here on that occasion and voted in the negative.

The SPEAKER. The Chair is unable to see how the Journal of the last session of Congress can be corrected, but the object the gentleman has in view is reached by the statement he has just made, as it will go into the RECORD. The Chair desires to say in addition that he knows of no member of the House who during the last session of Congress was more constant in his attendance upon the sessions of the House than the gentleman from New York.

PROCEEDINGS IN MANDAMUS.

Mr. HALE (by request) introduced a bill (H. R. No. 5232) to regulate proceedings in mandamus; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

DENNIS SULLIVAN.

Mr. JONES, of New Hampshire, introduced a bill (H. R. No. 5233) granting an increase of pension to Dennis Sullivan; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PROPERTY IN CUSTODY OF POSTMASTERS.

Mr. HENDEE introduced a bill (H. R. No. 5234) authorizing the Sixth Auditor of the Treasury Department to examine and allow claims against the United States for property lost or destroyed while in the custody of postmasters; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REMONETIZATION OF SILVER.

Mr. HENDEE also presented joint resolution of the Legislature of the State of Vermont, relative to the remonetization of silver; which was referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

DAVID WARD.

Mr. JOYCE introduced a bill (H. R. No. 5235) for the relief of David Ward, of Middlesex, Washington County, Vermont; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

INCREASE OF CERTAIN PENSIONS.

Mr. HARRIS, of Massachusetts, introduced a bill (H. R. No. 5236) to increase the pensions of certain pensioned soldiers and sailors who are utterly helpless from injuries received or disease contracted while in the United States service; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REDEMPTION OF TRADE-DOLLARS.

Mr. PHELPS introduced a bill (H. R. No. 5237) to provide for the redemption and recoinage of trade-dollars and their reissue in standard dollars of 412½ grains; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

CERTIFICATES OF DEPOSIT.

Mr. WOOD introduced a bill (H. R. No. 5238) to authorize the issue of certificates of deposit; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

WILLIAM NEPHEW KING.

Mr. WOOD also introduced a bill (H. R. No. 5239) for the relief of William Nephew King; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

AMENDMENT OF SUNDRY CIVIL ACT.

Mr. WILLIS, of New York, introduced a bill (H. R. No. 5240) to amend a certain section of an act approved June 20, 1878, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1879, and for other purposes,"

which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

TREATY WITH THE NORTH GERMAN CONFEDERATION.

Mr. COX, of New York, introduced a joint resolution (H. R. No. 202) as to giving notice to the North German Confederation to terminate the treaty of February 22, 1868; which was read a first and second time.

Mr. BLACKBURN. I ask that the joint resolution may be read at length.

The joint resolution was read *in extenso*, and was referred to the Committee on Foreign Affairs, and ordered to be printed.

ANN M. PAULDING.

Mr. CHITTENDEN introduced a bill (H. R. No. 5241) granting a pension to Ann M. Paulding, widow of Rear-Admiral Hiram Paulding; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PHEBE BARNES.

Mr. PATTERSON, of New York, introduced a bill (H. R. No. 5242) for the relief of Phebe Barnes, widow of Dexter Barnes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CHAPTER 10 OF REVISED STATUTES.

Mr. HARDENBERGH introduced a bill (H. R. No. 5243) to repeal chapter 10 of the Revised Statutes, entitled "Legacies and Successions," and to repeal all reservations of said taxes in former repealing statutes; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

DRY-DOCK AT LEAGUE ISLAND.

Mr. FREEMAN introduced a bill (H. R. No. 5244) appropriating \$400,000 for the erection of a dry-dock at League Island naval station; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

DUTY ON MATCHES.

Mr. WARD introduced a bill (H. R. No. 5245) abolishing all stamp duty and taxes on friction matches and lucifer matches; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

JAMES B. FURMAN.

Mr. OVERTON introduced a bill (H. R. No. 5246) for the relief of James B. Furman of Austinville, Bradford County, Pennsylvania; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FRANCIS O'CLEARY.

Mr. OVERTON also introduced a bill (H. R. No. 5247) granting a pension to Francis O'Cleary, late a private in the Eighty-ninth Regiment New York Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES N. WARNER.

Mr. OVERTON also introduced a bill (H. R. No. 5248) for the relief of Charles N. Warner, late first lieutenant of the Fourth Artillery of the Army of the United States; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LEWIS W. DETRICH.

Mr. STENGER introduced a bill (H. R. No. 5249) to increase the pension of Lewis W. Detrich; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOUNTY LAND.

Mr. HARRIS, of Virginia, introduced a joint resolution (H. R. No. 203) repealing so much of joint resolution No. 46, approved March 2, 1867, as requires proof of loyalty before soldiers of the war of 1812 or their widows can obtain bounty land under the act of March 3, 1855; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CONGRESSIONAL ELECTIONS.

Mr. RAINEY introduced a bill (H. R. No. 5250) to further regulate the manner of holding elections for Representatives in Congress and to punish fraud at such elections; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

RESUMPTION OF SPECIE PAYMENTS.

Mr. BELL introduced a bill (H. R. No. 5251) to repeal an act entitled "An act to provide for the resumption of specie payments;" which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

INTERNAL-REVENUE OFFICERS.

Mr. BELL also introduced a bill (H. R. No. 5252) to abolish certain internal-revenue officers; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

INTERNAL-REVENUE LAWS.

Mr. BELL also introduced a bill (H. R. No. 5253) to amend the internal-revenue laws; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

TAX ON TOBACCO.

Mr. BELL also introduced a bill (H. R. No. 5254) to authorize the producers of tobacco to dispose of the same without the payment of any tax thereon; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

PUBLIC PRINTING.

Mr. SINGLETON introduced a bill (H. R. No. 5255) to reduce the expenses of the public printing and binding, and for other purposes; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

DELLA BENNER.

Mr. CHALMERS introduced a bill (H. R. No. 5256) granting a pension to Mrs. Della Benner, widow of the late Lieutenant Hiram H. Benner; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

FEDERAL ELECTIONS.

Mr. CHALMERS also introduced a bill (H. R. No. 5257) to prevent corruption in elections; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

YELLOW-FEVER EPIDEMIC.

Mr. HOOKER submitted a concurrent resolution relating to the recent yellow-fever epidemic; which was read, and referred to the Committee on Rules.

MISSISSIPPI LEVEES.

Mr. GIBSON introduced a bill (H. R. No. 5258) for the improvement of the Mississippi River from the head of the passes near its mouth to its headwaters; which was read a first and second time, referred to the Committee on the Mississippi Levees and the Improvement of the Mississippi River, and ordered to be printed.

YELLOW FEVER.

Mr. GIBSON also submitted a concurrent resolution for the appointment of a commission to inquire into the history of yellow fever and the means of its prevention and arrest; which was read, and referred to the Committee on Rules.

RIVER AND HARBOR IMPROVEMENTS.

Mr. GIBSON also introduced a bill (H. R. No. 5259) to amend an act entitled "An act making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes, approved March 3, A. D. 1875;" which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

YELLOW FEVER.

Mr. ACKLEN submitted a concurrent resolution for the appointment of a committee to investigate the causes of the late yellow-fever epidemic, and report if legislation by Congress is necessary to prevent a recurrence thereof; which was read, and referred to the Committee on Rules.

JOHN K. DIXON.

Mr. BANNING introduced a bill (H. R. No. 5260) honorably mustering out of the service John K. Dixon, late private Company K, Eleventh Regiment Ohio Volunteer Infantry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

I. D. CLARK.

Mr. RICE, of Ohio, introduced a bill (H. R. No. 5261) granting a pension to I. D. Clark, late major Fifty-second Regiment Ohio Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES DOUGHERTY.

Mr. McMAHON introduced a bill (H. R. No. 5262) granting a pension to Charles Dougherty, late private in Company B, Seventh Regiment West Virginia Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FREEMAN JOHNSON.

Mr. McMAHON also introduced a bill (H. R. No. 5263) granting a pension to Freeman Johnson, late private in Company F, One hundred and forty-fourth Regiment Ohio Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EDWARD WELSH.

Mr. McMAHON also introduced a bill (H. R. No. 5264) granting a pension to Edward Welsh, late a private in Company F, Twenty-sixth Regiment Ohio Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PATRICK HARDIMAN.

Mr. McMAHON also introduced a bill (H. R. No. 5265) granting a

pension to Patrick Hardiman, late private in Company D, Sixth Regiment Kentucky Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DANIEL MEENAN.

Mr. McMAHON also introduced a bill (H. R. No. 5266) granting a pension to Daniel Meenan, late a private in Company G, Ninety-third Regiment Pennsylvania Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM BUCKLEY.

Mr. McMAHON also introduced a bill (H. R. No. 5267) granting a pension to William Buckley, late a private in Company C, Fiftieth Regiment Ohio Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TRADE-DOLLAR.

Mr. DURHAM introduced a bill (H. R. No. 5268) making the trade-dollar a legal tender; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

WILLIAM H. H. McPHERSON.

Mr. DURHAM also introduced a bill (H. R. No. 5269) granting a pension to William H. H. McPherson, Company G, Twenty-Second Indiana Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EPIDEMICS.

Mr. YOUNG presented a concurrent resolution for the appointment of a select committee by the Senate and House of Representatives on the subject of epidemics; which was referred to the Committee on Rules.

Mr. YOUNG. I ask that the resolution be read and printed in the RECORD.

The SPEAKER. That cannot be done at this time and under this call. At the conclusion of the morning hour it will be in order to submit that request to the House.

SILVER COINS.

Mr. DIBRELL introduced a bill (H. R. No. 5270) making the trade-dollar and other silver coins a legal tender; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

RICHARD STEVENSON.

Mr. ROBINSON, of Indiana, introduced a bill (H. R. No. 5271) for the relief of the heirs and legal representatives of Richard Stevenson, late assistant quartermaster of volunteers, and his bondsmen; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

WILLIAM KNIGHT.

Mr. ROBINSON, of Indiana, also introduced a bill (H. R. No. 5272) granting a pension to William Knight, late a private in the Nineteenth Indiana Battery; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TRADE-DOLLAR.

Mr. HUNTER introduced a bill (H. R. No. 5273) to require the Secretary of the Treasury of the United States to cause the trade-dollar to be received and exchanged for the legal silver dollar of the United States; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

JAMES H. WOODARD.

Mr. EVANS, of Indiana, introduced a bill (H. R. No. 5274) granting a pension to James H. Woodard; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

He also introduced a bill (H. R. No. 5275) for the relief of James H. Woodard; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JOHN N. BRADY.

Mr. BAKER, of Indiana, introduced a bill (H. R. No. 5276) granting a pension to John N. Brady, late a private in Company G, Forty-eighth Regiment Indiana Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TRADE-DOLLARS.

Mr. FORT introduced a bill (H. R. No. 5277) to provide for the exchange of trade-dollars for legal-tender silver dollars, and for other purposes; which was read a first and second time.

Mr. FORT. I move that this bill be referred to the Committee on Banking and Currency, and ordered to be printed.

Mr. STEPHENS, of Georgia. Does not this bill belong to the Committee on Coinage, Weights, and Measures? I ask that it be read.

The bill was read at length.
Mr. STEPHENS, of Georgia. Three or four bills upon this subject have already been introduced this morning and referred to the Committee on Coinage, Weights, and Measures, and I think this bill should take the same course.

Mr. FORT. I conceive that this bill relates to the currency quality of the silver dollar and in no degree to the question of coinage, which is entirely mechanical. I think the bill should go to the Committee on Banking and Currency, as it relates to the currency of the country.

The SPEAKER. That is a question for the House to determine. The gentleman from Illinois [Mr. FORT] moves that the bill introduced by him be referred to the Committee on Banking and Currency. The gentleman from Georgia [Mr. STEPHENS] moves to amend so as to refer the bill to the Committee on Coinage, Weights, and Measures. The question will be first upon the amendment.

The question was taken upon the motion of Mr. STEPHENS, of Georgia; and upon a division—ayes 106, noes 40—it was agreed to.

So the bill was referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

JAMES D. R. BROWN.

Mr. TOWNSHEND, of Illinois, introduced a bill (H. R. No. 5278) granting an increase of pension to James D. R. Brown, late private Company H, Sixty-sixth Regiment of Indiana Infantry Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DANIEL Z. WARD.

Mr. CANNON, of Illinois, introduced a bill (H. R. No. 5279) granting a pension to Daniel Z. Ward, late a private in Company I, One hundred and seventeenth Regiment of Infantry, Indiana Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WYATT BOTTS.

Mr. CANNON, of Illinois, also introduced a bill (H. R. No. 5280) granting a pension to Wyatt Botts, late a private in Company B, Eighty-eighth Regiment of Infantry, Ohio Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GEORGE A. WILSON.

Mr. BOYD introduced a bill (H. R. No. 5281) for the relief of George A. Wilson, of Peoria, Illinois; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

INTERNAL IMPROVEMENTS IN MISSOURI.

Mr. BUCKNER introduced a bill (H. R. No. 5282) for the improvement of the navigation of the Cuivre River, in the State of Missouri; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

Mr. BUCKNER also introduced a bill (H. R. No. 5283) to improve the landing and harbor at Saint Charles, Missouri, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

JOSEPH H. M'GEE.

Mr. POLLARD introduced a bill (H. R. No. 5284) granting a pension to Joseph H. McGee; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. SLEMONS introduced a bill (H. R. No. 5285) to repeal section 3412, chapter 8, second edition, Revised Statutes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

JUDICIAL RECORDS OF WESTERN DISTRICT OF TEXAS.

Mr. REAGAN introduced a bill (H. R. No. 5286) to restore the records and files in the district and circuit courts of the United States for the western district of Texas, lately destroyed by fire; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TRADE-DOLLAR.

Mr. PRICE introduced a bill (H. R. No. 5287) making the trade-dollar a legal tender; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

COLONEL G. W. LAPOINTE.

Mr. HUMPHREY introduced a bill (H. R. No. 5288) granting a pension to Colonel G. W. Lapointe; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PRIVATE LAND CLAIMS.

Mr. PAGE (by request) introduced a bill (H. R. No. 5289) to provide for ascertaining and settling private land claims in certain States and Territories; which was read a first and second time.

Mr. PAGE. I ask that this bill be referred to the Committee on Public Lands, and ordered to be printed.

The SPEAKER. By the title of the bill, the more appropriate reference would appear to be the Committee on Private Land Claims.

Mr. PAGE. I think the bill ought to go to the Committee on Public Lands.

The SPEAKER. Does it relate to private land claims? If it does, it ought to go to the Committee on Private Land Claims.

Mr. PAGE. Very well; let it go there. If that is not the right reference it can be changed.

The SPEAKER. The Chair will give the gentleman every opportunity to correct the reference if it should be erroneous.

The bill was referred to the Committee on Private Land Claims, and ordered to be printed.

MARCELLUS WILSON.

Mr. LUTTRELL introduced a bill (H. R. No. 5290) to amend an act entitled "An act to restore the name of Marcellus Wilson, of the Regiment of Mounted Riflemen in the Mexican war, to the pension roll;" which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RILEY, HARDIN & TAYLOR.

Mr. LUTTRELL also introduced a bill (H. R. No. 5291) for the relief of Riley, Hardin & Taylor; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

JURISDICTION OF COURT OF CLAIMS.

Mr. LUTTRELL also introduced a bill (H. R. No. 5292) to confer upon the United States Court of Claims jurisdiction in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SACRAMENTO RIVER.

Mr. LUTTRELL also introduced a bill (H. R. No. 5293) to appropriate money to improve the navigation of the Sacramento River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

FEATHER RIVER.

Mr. LUTTRELL also introduced a bill (H. R. No. 5294) to appropriate money to improve the navigation of Feather River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

KLAMATH INDIAN RESERVATION, OREGON.

Mr. LUTTRELL (by request) also introduced a bill (H. R. No. 5295) to adjust the claims of the owners of lands within the limits of the Klamath Indian reservation in the State of Oregon; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

SETTLERS ON LANDS IN MINNESOTA.

Mr. STEWART introduced a bill (H. R. No. 5296) for the relief of settlers on lands in Minnesota; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

COIN AND BULLION RESERVES, TREASURY UNITED STATES.

Mr. PHILLIPS introduced a bill (H. R. No. 5297) to maintain and limit the coin and bullion reserves in the Treasury of the United States; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SIOUX CITY AND PEBBINA RAILROAD.

Mr. KIDDER introduced a bill (H. R. No. 5298) granting the right of way and depot grounds to the Sioux City and Pebbina Railroad Company through the public lands of the United States from Beloit, in the State of Iowa, to the Missouri River, in the Territory of Dakota, at or near the mouth of White River; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

EXPULSION OF JULIUS BAUMER.

Mr. BRENTANO, by unanimous consent, submitted the following resolution; which was referred to the Committee on Foreign Affairs:

Resolved, That the President of the United States be requested to transmit to this House, if not incompatible with the public interest, all the papers and correspondence between this Government and the government of the German Empire in reference to the expulsion from the whole territory of the German Empire of Julius Baumer, a naturalized citizen of the United States, and a resident of the city of Chicago, in the State of Illinois, while on a visit to his aged parents at Münster, Westphalia, in the Kingdom of Prussia, by the Prussian government, in violation of the treaty of May 1, 1838.

PURCHASE OF FOREIGN-BUILT SHIPS.

Mr. HARRISON introduced a bill (H. R. No. 5299) to amend the Revised Statutes of the United States so as to allow the purchase and register of foreign-built ships by citizens of the United States; which was read a first and second time.

Mr. HARRISON. I move that bill be referred to the Committee on Commerce and ordered to be printed.

Mr. KELLEY. The proper reference would be to the Committee of Ways and Means, and I make that motion.

Mr. HARRISON. Let the bill be read.

The bill was read, as follows:

A bill to amend title 48 of the Revised Statutes of the United States so as to authorize the purchase of foreign-built ships by citizens of the United States.

Be it enacted by the Senate and House of Representatives, &c., That so many of the various provisions of title 48 of the Revised Statutes, entitled "Regulations of Commerce and Navigation," embraced in chapters 1 to 9 in said title, and from section

4131 to section 4305, both inclusive, as prohibit or restrict citizens of the United States from purchasing ships built in other countries, to be used in the carrying trade of the United States, or which impose taxes, burdens, or restrictions on such ships, where owned by American citizens, which are not imposed on ships built in the United States, be, and hereby are, repealed; and it shall be lawful hereafter for all citizens of the United States to buy ships built in whole or in part in any foreign country and have them registered as ships of the United States; and when so purchased and registered, such ships shall be entitled to all the rights and subject only to the same regulations as are now provided by law for the government and management of ships built wholly within the United States and owned and controlled by citizens thereof.

Mr. REAGAN. Mr. Speaker, that subject-matter has been before the Committee on Commerce, and in my judgment it is not appropriate to the Committee of Ways and Means.

Mr. KELLEY. I desire to say that it is a proposition seriously affecting the revenues, as well as the whole tariff system. It proposes to admit, when manufactured into a ship, an infinite number of dutiable articles; and as questions of revenue belong to the Committee of Ways and Means, it seems to me the bill should go to that committee. It would work a complete revolution in many departments of our customs revenue, and no subject could be more appropriate for the consideration of the committee charged with that subject than the one here involved.

Mr. WOOD. I concur entirely with the gentleman from Pennsylvania, and for the additional reason that the subject has been already referred by the House to the Committee of Ways and Means. That committee had it under consideration during the last session, and came to a conclusion upon it. As it does involve, as my friend has said, questions of revenue and tariff, it certainly should go to the committee having exclusive jurisdiction of those subjects.

The SPEAKER. The Chair begs to remind the House debate on this must be very brief.

Mr. HARRISON. One word. My impression is, both the gentlemen of the Committee of Ways and Means are widely mistaken in their construction of this proposition. There is now no duty on ships. This is simply a question whether a ship built in foreign ship-yards may be introduced into the United States or not.

Mr. KELLEY. It is made up of dutiable articles.

Mr. HARRISON. If you please, it is not whether duty shall be taken off, but shall foreign-built ships be allowed to be brought here and registered? May they be brought into this country? I moved to refer it to the Committee on Commerce as the committee eminently fitted and properly constructed to examine into that question. It relates to commerce, which is of more importance to the country than anything else. It is wholly a question of commerce, and not of revenue.

Mr. REAGAN. The question of revenue does not enter into this matter, but, as indicated in the bill, it is a question of policy. The policy of the bill is the main subject, and that is whether foreign-built ships, which are now prohibited from being purchased and put under commission in the United States, may be hereafter brought in. That does not affect the revenues directly, because foreign-built ships are now prohibited and no duty or revenue is collected from them. It is not a question primarily of revenue at all. That is but the incident to the question which is presented to the House, which is one relating to the commercial interests of the country.

The SPEAKER. The gentleman from Illinois, who introduces the bill, moves to refer it to the Committee on Commerce. The gentleman from Pennsylvania [Mr. KELLEY] moves to amend that motion so that the bill shall be referred to the Committee of Ways and Means. The question is first on the amendment.

The House divided; and there were—ayes 83, noes 85.

Mr. KELLY and Mr. LUTTRELL called for tellers.

Tellers were ordered; and Mr. HARRISON and Mr. KELLEY were appointed.

The House again divided; and the tellers reported—ayes 66, noes 91.

So the amendment was not agreed to.

The motion was agreed to; and the bill was accordingly referred to the Committee on Commerce, and ordered to be printed.

TERMS OF COURT IN KANSAS.

Mr. HASKELL, by unanimous consent, introduced a bill (H. R. No. 5300) to provide for the holding of terms of the district and circuit courts of the United States at Fort Scott, Kansas; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JOSEPH POTTS.

Mr. CRITTENDEN, by unanimous consent, introduced a bill (H. R. No. 5301) to place the name of Joseph Potts, of Johnson County, Missouri, on the pension-list; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TRADE-DOLLARS.

Mr. BAKER, of Indiana, by unanimous consent, introduced a bill (H. R. No. 5302) making the trade-dollars convertible into the legal-tender silver dollars at par, at the option of the holders, and to regulate and restrict the coinage of trade-dollars; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

HELEN M. SCHOLEFIELD.

Mr. BACON, by unanimous consent, introduced a bill (H. R. No.

5303) for the relief of Helen M. Scholefield, administratrix of the estate of Major C. M. Scholefield, deceased, late an additional paymaster of the Army; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

TRADE-DOLLARS.

Mr. CUTLER, by unanimous consent, introduced a bill (H. R. No. 5304) to provide for retiring the trade-dollar and for its recoinage into the standard silver dollar; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

NATURALIZATION TREATY WITH PRUSSIA.

Mr. SPRINGER, by unanimous consent, introduced a joint resolution (H. R. No. 204) providing for the termination of the naturalization treaty between the United States and Prussia; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. DURHAM. I move that the House resolve itself into the Committee of the Whole on the state of the Union for the purpose of proceeding to the consideration of the Military Academy appropriation bill, and pending that motion I move that all general debate on the bill be limited to five minutes.

The motion to limit debate was agreed to.

The motion that the House resolve itself into the Committee of the Whole on the state of the Union was agreed to.

The House accordingly resolved itself into the Committee of the Whole on the state of the Union, Mr. BLACKBURN in the chair.

The CHAIRMAN. Under the order of the House the committee takes up for consideration at this time the bill (H. R. No. 5230) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1880, and for other purposes. The House has ordered that general debate be limited to five minutes.

Mr. CONGER. I wish to inquire of the gentleman reporting the bill if it has been printed.

Mr. DURHAM. Yes, sir; the bill is in print. The printer's number is 5889. I ask that by unanimous consent the first reading of the bill be dispensed with.

There was no objection.

The clerk proceeded to read the bill by paragraphs for amendment, and read the following paragraph:

For repairs and improvements, timber, plank, boards, joists, wall-strips, laths, shingles, slate, tin, sheet-lead, zinc, nails, screws, locks, hinges, glass, paint, turpentine, oils, bricks, varnish, stone, lime, cement, plaster, hair, sewer and drain pipe, blasting-powder, fuse, iron, steel, tools, mantels, and other similar materials, and for pay of citizen mechanics and labor employed upon repairs that cannot be done by enlisted men, \$11,000.

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

The Clerk read as follows:

Amend by adding after line 50 as follows:

For furnishing an increased and permanent supply of water, \$50,000.

Mr. BEEBE. Mr. Chairman, after a somewhat careful personal examination into this matter, I have become thoroughly convinced that it is absolute inhumanity on the part of the Government of the United States to maintain that post at West Point in the condition it is in at present. The Department, the officers in command, and all interested there, have year after year asked Congress to make an appropriation that will provide an increased supply of water. They need it for personal use; they need it in order to render available the drainage facilities of the Academy. That post is now in such a condition that the sanitary interests of those who are compelled to remain there absolutely demand this appropriation. The Board of Visitors have repeatedly recommended it, and all the officers stationed at the post.

All that is asked to secure a wholesome supply of water for the use of the academy is a small appropriation of \$50,000. The stream which has supplied fresh water to that post for years has been decreasing in its volume because of the removal of timber and for other reasons, and now this additional source of supply is absolutely required, and I trust the committee will recommend the adoption of the amendment I have suggested. In respect to the matter of supply the Board of Visitors adopted the following resolution:

Resolved, That this board, after careful examination, is satisfied that the present water supply of the post is wholly inadequate to the sanitary requirements of the cadets, officers, and men here stationed, or to furnish proper facilities for the protection of the public buildings and property in case of fire.

Those extensive and expensive buildings are almost wholly at the mercy of the flames at certain seasons of the year. When the water supply is diminished, should fire break out in those buildings it would be absolutely impossible to save them. Every consideration of economy, as well as of humanity, demands that this appropriation be made, and I earnestly hope that this committee will second me in my effort to secure it.

Mr. DURHAM. This is not the first time that a proposition has been made here for the purpose of purchasing what is called "Round Pond." But the recommendation of my friend from New York makes a difference of \$10,000. The Book of Estimates only asks for \$40,000, but my friend goes \$10,000 further; he wants \$50,000.

Now, at the last session the commandant of the post recommended the purchase of what is called "Round Pond," a small lake about four

miles from this little town. Now, it is true the Board of Visitors recommended the purchase of this pond, but they do not place it upon as high ground as the gentleman from New York. My friend argues very strongly that this matter is absolutely necessary.

There is nothing in the Book of Estimates or in the recommendation of the Board of Visitors that this thing is absolutely necessary, and the committee have not come to the conclusion that it is absolutely necessary. It may be very proper, it may be very expedient under certain circumstances to have that pond. I will venture the assertion that they do not need "absolutely" this supply of water.

It is like what is called the "hospital." The hospital foundation was laid there for a splendid superstructure, and after years shows that it is scarcely needed at all. What I mean by that is that it is a sort of luxury that can be used, and hence it is that the committee of visitors recommend the \$40,000 and not \$50,000. Still it is not necessary that it should be purchased; they can do very well without it; a conclusion the committee came to after mature deliberation.

Why, Mr. Chairman, if I have but a moment further—

Mr. BEEBE. If the gentleman will allow me I must be permitted to say that they have not done "very well without it."

Mr. DURHAM. Why! there is not a healthier place scarcely anywhere than West Point. In regard to the hospital, I understand the record shows that there have not been a half dozen students sick at any one time.

Mr. FOSTER. Inasmuch as the Board of Visitors has been referred to, I will send up to the Clerk's desk to be read their report on this subject.

The Clerk read as follows:

In respect to the matter of water supply, the board adopted the following resolution:

Resolved, That this board, after careful examination, is satisfied that the present water supply of the post is wholly inadequate to the sanitary requirements of the cadets, officers, and men here stationed, or to furnish proper facilities for the protection of the public buildings and property in case of fire.

From a letter addressed to the board, at their request, by Captain C. H. Ernst, of the Corps of Engineers, (and which will be found in full in the appendix to this report, marked B.) and from other sources of information, it appears that during the dry seasons the ordinary supply of water for the post not unfrequently fails entirely, while the quality is at all times indifferent.

During the summer of 1876, for several weeks the use of bath-rooms and water-closets was prohibited, the water backs of all ranges were removed at considerable cost for plumbing, and at the front gate of each house was to be seen a barrel, which was filled daily from a cart. During this time there were no means of checking a fire had one broken out, the health of the inhabitants was in danger from the poisonous gases from sewers and waste-pipes, and much labor needed for other things was absorbed in providing the daily supply such as it was.

In 1877 the regular supply of water was again exhausted and water had to be pumped into the main from a spring near the level of the Hudson River, which is about one hundred and fifty feet below the level of the principal buildings.

This expedient presented the necessity of removing the water backs and of hauling, but it furnished no protection against fire and would not have answered the other purposes for any considerable length of time.

A good and adequate supply of water for all the academical buildings and grounds can, however, be readily obtained from a small mountain lake or pond situated about four miles from the post and at an elevation above the post of about seven hundred and fifteen feet. And this lake and the necessary lands adjoining can now be purchased by the Government, and all the expenditures for conducting a supply of four hundred thousand gallons daily to the post be defrayed at a cost which will not be in excess of \$40,000.

Mr. FOSTER. The report of the Board of Visitors establishes three things: first, that at all times the quality of the water is indifferent; secondly, that in dry seasons they have no supply at all, and the cadets are prohibited from using the closets; lastly, that there is no protection against fire.

Now, these are the three things that this House should consider: first, that at all times the quality of the water is indifferent, and during the last three seasons they have been compelled to haul water for their supply, and there is no protection against fire.

Mr. BEEBE. The gentleman from Kentucky—

Mr. FOSTER. Just a word, Mr. Chairman. I suggest to my friend from New York that he reduce the amount.

Mr. BEEBE. That is what I propose to do. Feeling as I do the necessity for prompt action in this matter, I introduced the resolution for the sum of \$50,000.

As to the play that my friend from Kentucky, the distinguished logician, makes upon the term absolutely, I suppose this bill is not absolutely necessary, and I suppose the Government of the United States could continue its existence without it. I suppose the country could be continued without any West Point whatever. We might resolve ourselves into a community of Quakers, and when smitten upon one cheek turn the other also. The information that I have obtained is by personal inspection upon the ground. I went to West Point prejudiced against this proposition. I make no proposition for the purchase of Round Lake or any other pond. I merely submit that there shall be some interest taken by the Government of the United States in the matter of the protection of the property from fire.

I ask that the appropriation be reduced, as I have suggested, from \$50,000 to \$40,000.

Mr. BANNING. I wish merely to say in addition to the statement which has been read here from the report of the Board of Visitors for this year, that the Board of Visitors to West Point for the year previous, after having carefully examined this question, unanimously came to the conclusion that the water supply for the post should be increased, and reported unanimously in favor of an appropriation for that purpose.

Mr. DURHAM. I would ask my distinguished friend whether they recommended the purchase of Round Pond, as it is called here?

Mr. BANNING. I do not recollect whether we recommended the purchase of Round Pond or not. But after a careful examination of the question we found that the water supply was not sufficient, and that at times the quality of the water was not good. I think the question of Round Pond was brought up, but it was not fully considered. My recollection is that I was in favor of purchasing Round Pond. General Schofield and other distinguished officers favored that purchase because it afforded the best and most lasting supply of water.

I am quite willing to trust these men, the managers of the West Point post, in this matter, and to appropriate a sum sufficient to procure good fresh water for the institution. I hope the amendment will prevail.

Mr. DURHAM. I am certainly as good a friend of that institution as any gentleman upon this floor, and I want these students to be healthy; I want the professors to be healthy. It is something a little remarkable that gentlemen cannot point out any case of disease that has occurred at West Point because of this impure water of which they are complaining. No such statement is made in the report anywhere. There is simply in the Book of Estimates a recommendation to purchase the pond, perhaps not in as strong terms as the Board of Visitors would make it. Now I suggest that if a supply of water be necessary there, \$10,000 will be sufficient to pay for putting in plenty of good cisterns, which will be of more use than all the round ponds in the country. [Mr. BEEBE shook his head.] The gentleman may shake his head. I do not know whether this is in his district or not.

Mr. BANNING. Will the gentleman allow me—

Mr. DURHAM. I have yielded to the gentleman once.

Mr. BANNING. And I yielded to you.

Mr. DURHAM. Very well, I will yield.

Mr. BANNING. The cisterns would be merely temporary, while the plan proposed will be permanent. We had better make permanent improvements than resort to temporary expedients.

Mr. DURHAM. Why, sir, they had a pond, and they say it has gone dry. You can fill the cisterns every winter. This pond may go dry, too.

Mr. FRYE. Will the gentleman allow me a question?

Mr. DURHAM. Certainly, if I am allowed time.

Mr. FRYE. The gentleman says that sufficient and proper cisterns can be made for \$10,000. Could not good pine-wood water-tanks be made cheaper?

Mr. DURHAM. How is that? I did not hear the gentleman distinctly.

Mr. FRYE. Would not some good pine-wood water-tanks, costing about \$50 each, be much cheaper?

Mr. DURHAM. I do not know. I do not live in a pine country; the gentleman does. I do not know anything about pine. If the gentleman will talk about oak, then I can tell him something about that.

Mr. BEEBE. Perhaps the gentleman from Kentucky [Mr. DURHAM] is prejudiced against water. [Laughter.]

Mr. DURHAM. Ah! "prejudiced against water." I might say that the gentleman himself might not need it when there was so much of a mixture up there.

Mr. BANNING. The pond that went dry was an artificial pond, such as the gentleman proposes to make. This is a natural lake giving a large and sufficient supply of water.

Mr. SPARKS. Will it not go dry, too?

Mr. BANNING. Not until the Lord makes all things dry.

Mr. DURHAM. This is an expensive luxury which is proposed. I insist that this institution has got along with their present supply of water without any inconvenience whatever. I insist that one-fourth of this proposed appropriation will supply a system of cisterns that will be better a great deal than this Round Pond.

Permit me to say that only two years ago the estimate was that with \$13,000 we could obtain as good a supply of water for this institution as was needed. But Round Pond was not discovered then. It has been discovered within the last two years, and consequently it is proposed to increase the appropriation from \$13,000 to \$40,000. That is the whole state of the case.

Mr. FORT. I was one of the Board of Visitors who it is said made the report which has been referred to here. Now, in regard to that report, allow me to say that I never saw it or heard of it until it was read here to-day. I will further state that as one of the members of that board I did try to investigate this subject of a supply of water for that post. My colleague, General MANXING, of Mississippi, and myself made a visit to this famous Round Pond that has been referred to.

Mr. WHITE, of Pennsylvania. Call it lake.

Mr. FORT. Well, call it a lake. If it is a lake it is a very small lake; and it is not a very large pond, either. [Laughter.]

I will say for one that I would be entirely willing to vote for \$50,000, or even more, to supply that post permanently with water; but I must say that when I came to see this pond or lake I was very much disappointed. I fear that if we should appropriate \$50,000 to provide for carrying the waters of this pond to supply this post, in a very short number of years we should have to hunt for some other pond from which to get water. That is the only thing which would make me hesitate to vote for this appropriation. If the gentleman from New York [Mr. BEEBE] can assure the House that this pond

will give a sufficient supply of water I shall be inclined to vote for his amendment.

Mr. BEEBE. If the gentleman will allow me just a moment, I merely desire to say that I object to the disposition evinced here to prejudice this proposition by connecting it with Round Pond or any other pond. I merely want the West Point Academy supplied with a sufficient quantity of pure, wholesome water.

Mr. FORT. That is just what I wish.

Mr. BEEBE. There is nothing in the amendment I propose that has any reference at all to Round Pond. I do not care how the appropriation is limited, or how carefully it is guarded, but I do contend that some measure of this sort should be adopted.

Mr. FORT. The Board of Visitors was informed that a survey had been made for the purpose of laying down pipes to Round Pond, and also an estimate of the cost. In that estimate the price of the pond was put, I think, at \$3,000, while the right of way to the pond made up in our judgment, or at least in my judgment, an enormous part of the appropriation.

I fear that on tapping the pond it may be found that its supply of water will be inadequate, because a very small water-shed drains into the pond—perhaps not more than twenty or thirty acres; and whether the pond has any subterranean supply is not clear, to me at least. If it should be found that this pond will furnish a sufficient supply of water, I think it our duty to tap it for the benefit of this Military Academy; but I, for one, am not satisfied that such is the case.

Mr. FINLEY. Mr. Chairman, as I understand, the amendment of the gentleman from New York does not provide for the purchase of Round Pond. I do not understand how gentlemen reach the conclusion that this is a proposition to purchase Round Pond. I hold the amendment in my hand, and it provides for an appropriation of \$40,000 for furnishing a permanent supply of water. I observe that in the Book of Estimates authority of law is asked for the purchase of Round Pond; and I doubt very much whether the Secretary of War, without specific legislation, would have power to make a purchase of that kind. I certainly understand that the amendment of the gentleman from New York does not confer such power, but simply gives the superintendent of the academy authority to increase the supply of water.

As I understand from the gentleman from Ohio [Mr. BANNING] and others that the Board of Visitors recommends this appropriation and deems it necessary on the ground that the present supply of water is inadequate, I am prepared to vote for it. I think we should not be peevish in a matter of this kind. I believe we should make a sufficiently liberal appropriation. While I would object, without further consideration and further information on the subject, to the purchase of Round Pond, I am, nevertheless, willing to vote for this appropriation for an additional supply of water.

Mr. BLOUNT. Mr. Chairman, the arguments presented in this discussion in relation to the quantity of water required at West Point remind me of a similar discussion which sprang up here in reference to a hospital at the same place. If you will take the reports of the Surgeon-General's Office for many, many years, you will find them to contain highly complimentary language as to the facilities provided at West Point for hospital purposes. Yet suddenly, during the first session of the last Congress, we were informed that the hospital facilities there were inadequate, and a very great outcry was raised on that point; but when we came to inquire into the matter more particularly we found connected with the idea of increased hospital facilities a very earnest desire on the part of certain officers at West Point for increased accommodations for their families. The idea was to get a new hospital and use the present one as quarters for officers' families. The two ideas grew up together, side by side. The idea of procuring additional accommodations for the families of officers was the underlying consideration of the proposition to provide increased facilities for meeting the wants of the sick. Until the former object was conceived there had been no suggestion in reference to the latter.

So, likewise, in regard to this proposed appropriation for increasing the water facilities. The gentleman from Ohio has read from the report of the Board of Visitors for 1876 and 1877. It was then that this agitation of an increased water supply commenced. Prior to that time there had been no trouble. Gentlemen do not cite the reports of previous Boards of Visitors. Suddenly an idea was conceived that the water supply was short; and that idea has been hammered at ever since. It is impressed upon the Board of Visitors whenever they go there. It has been urged in this way for the last two years.

Sir, no proposition comes to this House that is not covered all over with reasons, reasons which as a general rule disappear on investigation. In nothing do we see more fertility than in finding expedients and reasons for getting appropriations through this House. I trust that at least in this short session we shall not countenance any proposition of this kind.

Mr. BRIDGES. Mr. Chairman, I am opposed to this appropriation, both on principle and from experience. I look upon it as the forerunner of another appropriation which this House will be called upon to make in a very short time. If we now appropriate this sum of \$40,000, it will not be long before we shall be informed that the amount has been expended, and we shall be urged to make another appropriation. I have not learned from the discussion thus far whether there has been any survey by an experienced engineer of the

ground from the pond to the point where it is proposed to introduce the water. We have no estimate of the cost, no data upon which we can safely rely in making the appropriation now asked for.

Sir, I am reminded of an occasion during the Thirty-third Congress when this House was called upon to appropriate money for the purpose of introducing water from the Upper Potomac into the city of Washington for the purpose, as was alleged, of protecting the public buildings. I opposed that measure. I said then that if the introduction of water for the purpose of protecting the public buildings was the only object, we could obtain water from the Potomac near by, and force it up into a reservoir here upon Capitol Hill, (just as has been done at Fairmount, in Philadelphia,) to be distributed thence to every public building in the city for its protection. But there was an undercurrent in connection with that proposition. That was not the only reason given for introducing water in that manner. Almost every inhabitant of the city of Washington would button-hole members of Congress and say it was necessary to have water. But, sir, it was for their own domestic purposes more than for the protection of the public buildings. I said then, "appropriate money for the introduction of water from the Upper Potomac as it has been introduced and it will cost this Government millions and millions of money." My prediction has proven to be true, for that aqueduct has cost this Government many millions of money to introduce the water as it is introduced now.

I therefore say this appropriation will be only the forerunner of another appropriation, and it will not be long before we will be called upon to grant more money for the purpose of introducing water from perhaps another round pond.

Besides, we have yet to learn whether there is any outflow of water from this pond, and if so, what the quantity of that outflow is. Now we should know that before we make this large appropriation of money for any such purpose.

Mr. HEWITT, of New York. I move, Mr. Chairman, the following amendment to the amendment of my colleague.

The Clerk read as follows:

Provided, That not more than \$5,000 shall be expended for the purchase of the necessary land and water rights and the right of way: *And provided further*, That no portion of the sum hereby appropriated shall be expended until the Secretary of War shall decide that the sum hereby appropriated is sufficient to secure an adequate supply of pure water.

Mr. HEWITT, of New York. Mr. Chairman, from the statements which have been submitted to the committee it is quite evident this House is not in possession of such information as will enable it to legislate intelligently on this important matter. It is not clear that even \$40,000 will secure the property necessary to give an adequate supply of water. There is an estimate in the report of the Board of Visitors by which \$5,000 is allowed for that purpose, but I also observe that the quantity of water as there estimated for is limited to the period which covers the dry season, and that is supposed to be sufficient for some time to come—several years to come.

I think it is admitted by everybody this post ought to be supplied with good water, but I think we should proceed with some caution in the matter. The Secretary of War undoubtedly, if the amendment is put in the form which I suggest, will be very careful to permit no expenditure unless he is satisfied there will be a permanent adequate supply of pure water. I trust with that amendment the motion of my friend from New York will be adopted.

Mr. BEEBE. I understand my colleague from New York to state that amount of \$5,000 is what the estimate specifies for the purpose. With that view and with that understanding, I think the committee is ready to accept that amendment.

Mr. WHITE, of Pennsylvania. Mr. Chairman, I am not willing to vote for this amendment after the remark made by my friend from Illinois, [Mr. FORT,] who said that he was one of the visitors last year to West Point, and that so far as this report is concerned he never saw it and did not join in it. He told us, furthermore, that he had visited this Round Lake or Round Pond, and from the examination that he was able to make he is satisfied it is not sufficient for the purpose in contemplation.

Now, I find in an appendix to this report of the Board of Visitors to West Point an itemized statement of the amount necessary to purchase this lake and to make the necessary connection for supplying water to this post. If the information of the gentleman from Illinois is correct, then this appropriation is practically little more than a waste of the public money, for it will not accomplish the purpose desired. The estimate of the amount necessary to purchase this lake or pond and eleven acres of ground in the aggregate is \$5,000. Pass the amendment of the gentleman from New York and it will commit this House and the Government to the purchase of property which the gentleman from Illinois has told us will not accomplish the purpose.

Mr. BEEBE. It does not commit the Government at all.

Mr. HEWITT, of New York. Let me say that in the amendment I offer it is limited and dependent upon the decision of the Secretary of War that this money will accomplish the purpose.

Mr. WHITE, of Pennsylvania. If the gentleman will allow me, I fancy the head of the Department will be regulated by the report of the engineers, whose statement, made here, is in favor of this purchase of Round Lake, which the Board of Visitors, according to the statement of the gentleman from Illinois, do not approve of.

Mr. HEWITT, of New York. Some one must decide all these questions.

Mr. WHITE, of Pennsylvania. I am aware of that, but it is for the House to decide now whether it will make this appropriation of money or not.

Mr. DURHAM. I wish to say one single word, and that is simply this: In reference to the statement made by the gentleman from Illinois, the House will bear in mind these reports are all gotten up without the sanction of the whole Board of Visitors. Some, perhaps, may never see the report. The gentleman from Illinois said he never saw it, and I venture the statement that my friend from Mississippi never saw it until it came to the House. As has been remarked by my friend from Georgia, this is the way in which these matters are gotten up at these institutions.

Mr. BLOUNT. The gentleman from Mississippi said that he never did see it.

Mr. DURHAM. He told me so a moment ago.

Mr. FORT. I do not wish to impeach this report in any way. I only wish to say that I never saw it myself until to-day.

Mr. DURHAM. I wish to say to the gentlemen of this committee, if they come to serve on the Committee on Appropriations they will find that they will have to be very careful about all these estimates. The gentleman from New York [Mr. BEEBE] says he has made an investigation about this matter. So have I. I have not been upon the ground so as to make a personal examination. I have, however, made use of all the means in my power, and I say this committee ought to be cautious about committing themselves to this forty-thousand-dollar proposition. I ask for a vote.

Mr. FORT. I desire to say a word. This report speaks of the purchase of eleven acres. It ought to be understood that these eleven acres are not all covered with water; they include all the ground that drains into this pond. The pond itself is a very small affair; eleven acres are what drains into it; and if the Government purchases eleven acres, it will purchase all the land that drains into this lake. For my part, I am in favor, as I said before, of supplying that post with water, but I was not quite sure that this small pond would be adequate for the purpose.

Mr. HEWITT, of New York. I would like to ask my friend from Illinois whether he does not think the amendment I have offered guards that sufficiently: that no portion of the money shall be expended until the Secretary of War shall be satisfied and decides it is sufficient.

Mr. FORT. I think that ought to guard it.

Mr. MANNING. I desire to correct an impression which perhaps exists in the mind of my friend from Kentucky, [Mr. DURHAM.] I never saw the report submitted by Mr. Wells, the president of the Board of Visitors, until yesterday. But I do not mean here and now to condemn this report. After a somewhat hasty reading of it, so far as I am aware, I concur in the suggestions which the report contains. I took the trip which was referred to by my friend from Illinois [Mr. FORT] to see this mountain pond. Indeed, I introduced the resolution before the Board of Visitors that we should examine that pond and take the engineer with us so as to see what the probable cost would be. Of course our examination was a hasty one, and we relied largely upon the engineer who accompanied us upon that trip.

I felt quite sure when at West Point, and I have learned nothing since to change that opinion, that the supply of water was inadequate. And I desire to say to my friend from Georgia [Mr. BLOUNT] that I do not agree with him that in 1876, for the first time, a cry was raised that there was not a sufficient supply of water at West Point. I heard there, and I see that Mr. Wells has made the statement here, that

From other sources of information—

Speaking of the question whether they had sufficient water or not—and I may say that I heard it from many persons; General Schofield was perhaps my first informant, the engineer, Captain Ernst, was another, I think, with whom I conversed—

From other sources of information, it appears that during the dry season—

Not in 1876 merely, but for years—

the ordinary supply of water for the post not unfrequently fails entirely, while the quality is at all times indifferent.

I heard from several gentlemen that barrels of water were placed at the gates of the persons who resided there—the persons belonging to the Academy, students and professors. I heard that the baths had to be abandoned; I heard that the closets had to be abandoned, and that two millions of property were exposed there, during the dry seasons, to fire.

I am not prepared to say at this moment, for I do not know, whether \$40,000 is too much. I had to rely then, and I do so now, very largely upon the estimate made by Captain Ernst. I did not catch the precise effect of the amendment of the gentleman from New York [Mr. HEWITT] to the amendment of his colleague, [Mr. BEEBE.] Before the vote is taken I would ask that that amendment be again read.

The amendment to the amendment was again read.

Mr. BEEBE. Is it competent for me to accept the amendment of my colleague?

The CHAIRMAN. It is competent for the gentleman to accept it unless there be objection. [After a pause.] There being no objection, the gentleman from New York [Mr. BEEBE] is permitted to accept the amendment offered by his colleague.

Mr. DURHAM. I ask for a vote on the amendment.

The question being taken on the adoption of the amendment as modified by the addition of the proviso offered by Mr. HEWITT, of New York, there were—ayes 86, noes 49.

So the amendment was agreed to.

Mr. DURHAM. I shall demand a vote in the House on that proposition.

The Clerk resumed the reading of the bill, and read the following paragraph:

For continuing and furnishing for use the main building and one wing for the new hospital for cadets, \$12,000.

Mr. FOSTER. I move to amend by striking out "\$12,000" and inserting "\$30,000."

Mr. Chairman, it is the policy of the gentlemen having charge of the appropriations to build this hospital wing for cadets at West Point. I differ from them in this regard. It will take about \$36,000 to complete the wing. They propose to appropriate \$12,000 a year to do it. I think that unwise, and that it would be better, cheaper, and more economical to appropriate the entire sum at once. I think there is no disagreement in the committee as to the ultimate completion of the wing; but instead of making the appropriation by installments, as the sum is small, it strikes me that the wise course is to appropriate enough at once for the completion of the wing.

Mr. HEWITT, of New York. I suggest to my friend from Ohio to make the amendment so as to cover two years.

Mr. FOSTER. Make it, then, \$24,000.

Mr. DURHAM. There was a fight over this matter at the last session, and this was rather a subject of compromise than otherwise on the part of the committee of conference at that time. It was a matter of compromise in the committee of conference that the appropriation should run in accordance with that agreement as stated by Mr. SMITH, of Pennsylvania, and myself. We put \$12,000 this year, and I trust the House will stand by it. This is the cause of it. I admit very frankly that the work will be completed some time, but I hope the amendment will be voted down for the reason I have stated.

The question was taken on the amendment of Mr. FOSTER; and on a division there were—ayes 57, noes 61.

So the amendment was not agreed to.

Mr. DURHAM. I now move that the committee rise and report the bill to the House.

The question was taken, and the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BLACKBURN reported that the Committee of the Whole on the state of the Union had had under consideration the state of the Union generally and particularly the bill (H. R. No. 5230) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1880, and for other purposes, and had instructed him to report the same back to the House with an amendment, with a recommendation that the amendment be agreed to and that the bill be passed.

Mr. DURHAM. I move the previous question upon the bill and the amendment.

The previous question was seconded and the main question ordered.

The amendment reported by the Committee of the Whole on the state of the Union was read, as follows:

Amend by adding, after line 50, as follows:

For furnishing an increased and permanent supply of water, \$40,000: *Provided*, That not more than \$5,000 shall be expended for the purchase of the necessary land and water rights and the right of way: *And provided further*, That no portion of the sum hereby appropriated shall be expended until the Secretary of War shall decide the sum hereby appropriated is sufficient to secure an adequate supply of pure water.

The first question was upon agreeing to the amendment reported from the Committee of the Whole on the state of the Union.

Mr. DURHAM. On that amendment I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 140, nays 73, not voting 78; as follows:

YEAS—140.

Acklen,	Clafin,	Harmer,	McCook,
Aldrich,	Clark, Rush,	Harris, Benj. W.	McGowan,
Bacon,	Cole,	Hart,	McKinley,
Bagley,	Conger,	Haskell,	McMahon,
Bailey,	Cox, Jacob D.	Hayes,	Metcalfe,
Baker, John H.	Cummings,	Hewitt, Abram S.	Mitchell,
Baker, William H.	Cutler,	Hooker,	Monroe,
Ballou,	Danford,	Hubbell,	Morse,
Banning,	Davis, Horace,	Hunter,	Muller,
Bayne,	Davis, Joseph J.	Huntton,	Norcross,
Beche,	Deering,	Humphrey,	Oliver,
Bicknell,	Denison,	Hungerford,	O'Neill,
Blair,	Dwight,	Itner,	Overton,
Bliss,	Eames,	James,	Page,
Boyd,	Eickhoff,	Jones, John S.	Patterson, G. W.
Brentano,	Ellis,	Joyce,	Phillips,
Brewer,	Errett,	Keifer,	Pollard,
Briggs,	Evans, I. Newton,	Keightley,	Potter,
Brown,	Evans, James L.	Ketcham,	Pound,
Bundy,	Finley,	Killing,	Pritch,
Burchard,	Fort,	Lapham,	Pugh,
Calkins,	Foster,	Lathrop,	Rainey,
Campbell,	Franklin,	Lindsey,	Randolph,
Cannon,	Freeman,	Majors,	Reed,
Caswell,	Frye,	Manning,	Reilly,
Chalmers,	Gardner,	Marsh,	Rice, Americus V.
Chittenden,	Hardenbergh,	Mayham,	Robinson, G. D.

Robinson, M. S.	Stenger,	Townsend, M. I.	Williams, Andrew
Ryan,	Stone, John W.	Van Vorhes,	Williams, C. G.
Sampson,	Stone, Joseph C.	Veeder,	Williams, James
Sapp,	Strait,	Wait,	Williams, Richard
Shallenberger,	Thompson,	Ward,	Willis, Benj. A.
Smalls,	Thornburgh,	Watson,	Willits,
Smith, A. Herr	Tipton,	White, Michael D.	Wood,
Starin,	Townsend, Amos	Williams, A. S.	Wren.

NAYS—73.

Aiken,	Dibrell,	Jones, Frank	Siemons,
Bell,	Dickey,	Kenna,	Sparks,
Blackburn,	Durham,	Kimmel,	Springer,
Blount,	Eden,	Knott,	Steele,
Boone,	Elam,	Landers,	Throckmorton,
Bridges,	Evins, John H.	Ligon,	Townshend, R. W.
Bright,	Felton,	Maish,	Tucker,
Buckner,	Forney,	Martin,	Turner,
Cabell,	Garth,	McKenzie,	Vance,
Caldwell, J. W.	Giddings,	Mills,	White, Harry
Clark, Alvah A.	Goode,	Muldrow,	Whitthorne,
Clark of Missouri,	Gunter,	Phelps,	Wigington,
Clymer,	Hamilton,	Rea,	Williams, Jere N.
Cobb,	Harris, Henry R.	Reagan,	Willis, Albert S.
Collins,	Harris, John T.	Robbins,	Wilson,
Cook,	Harrison,	Robertson,	Wright.
Covert,	Herbert,	Ross,	
Cravens,	Hewitt, G. W.	Scales,	
Crittenden,	House,	Singleton,	

NOT VOTING—78.

Atkins,	Dean,	Hiscock,	Roberts,
Banks,	Douglas,	Jones, James T.	Saylor,
Benedict,	Dunnell,	Jorgensen,	Schleicher,
Bisbee,	Ellsworth,	Kelley,	Sexton,
Bland,	Ewing,	Knapp,	Shelley,
Bouck,	Fuller,	Lockwood,	Sinnickson,
Bragg,	Garfield,	Loring,	Smith, William E.
Brogden,	Gause,	Luttrell,	Southard,
Burdick,	Gibson,	Lynde,	Stephens,
Butler,	Glover,	Mackey,	Stewart,
Cain,	Hale,	Money,	Swann,
Caldwell, W. P.	Hanna,	Morgan,	Turney,
Camp,	Hartridge,	Morrison,	Waddell,
Candler,	Hartzell,	Neal,	Walker,
Carlisle,	Hatcher,	Patterson, T. M.	Walsh,
Clarke of Kentucky,	Hazelton,	Peddie,	Warner,
Cox, Samuel S.	Hendee,	Powers,	Yeates,
Crapo,	Henderson,	Pridmore,	Young.
Culbertson,	Henkle,	Rice, William W.	
Davidson,	Henry,	Riddle,	

So the amendment was agreed to.

During the roll-call the following announcements were made:

Mr. STEWART. I am paired with Mr. DAVIDSON, of Florida. If he were present, I would vote "ay."

Mr. DEERING. Mr. BANKS, of Massachusetts, is paired upon all political questions with Mr. BLAND, of Missouri.

Mr. HARRIS, of Massachusetts. My colleague, Mr. CRAPO, is confined to his room by sickness.

Mr. STRAIT. My colleague, Mr. DUNNELL, is absent on account of sickness. If he were present, he would vote "ay."

Mr. CLARK, of Missouri. My colleague, Mr. BLAND, is detained from the House by indisposition.

The result of the vote was then announced as above recorded.

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

Mr. DURHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

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

Mr. BAKER, of Indiana. I ask the gentleman from New York [Mr. WOOD] to withdraw that motion for a few minutes.

Mr. WOOD. For what purpose?

The SPEAKER. The Chair wishes to state that the gentleman from Indiana [Mr. BAKER] desires to ask the House to proceed now to the consideration of the fortification appropriation bill.

Mr. WOOD. How long will it take?

Mr. BAKER, of Indiana. The bill which I desire to have considered at this time is identically the same bill that was passed last year without objection by both Houses. I do not think its consideration will take more than five minutes.

Mr. WOOD. I will withdraw the motion to adjourn.

FORTIFICATION APPROPRIATION BILL.

Mr. BAKER, of Indiana. I move that the rules be suspended and the House now resolve itself into Committee of the Whole for the consideration of the fortification appropriation bill. And pending that motion I move that all general debate on the bill be limited to one minute.

The motion to limit debate was agreed to.

The motion of Mr. BAKER, of Indiana, was then agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. POTTER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of considering the bill (H. R. No. 5231) making appropriations for fortifications and other works of defense, and for the

armament thereof, for the fiscal year ending June 30, 1880, and for other purposes.

Mr. BAKER, of Indiana. I ask unanimous consent that the first and formal reading of the bill be dispensed with, and that the bill be now read by paragraphs for amendment.

There was no objection, and it was so ordered.

The Clerk then read the bill.

No amendment was offered.

Mr. BAKER, of Indiana. I move that the committee now rise and report the bill to the House without amendment, and with a recommendation that the same do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. POTTER reported that the Committee of the Whole on the state of the Union, pursuant to the order of the House, had had under consideration the bill (H. R. No. 5231) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1880, and for other purposes, and had directed him to report the same back to the House without amendment, and with the recommendation that the same do pass.

Mr. BAKER, of Indiana. I call the previous question.

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

Mr. BAKER, of Indiana, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. WOOD. I now renew the motion that the House adjourn.

YELLOW-FEVER EPIDEMIC.

The SPEAKER. The gentleman from Tennessee [Mr. YOUNG] asked this morning during the morning hour that a concurrent resolution offered by him to provide for a joint committee to investigate the subject of the yellow-fever epidemic be printed in the RECORD. It was not in order for the Chair to submit that request to the House at that time. The gentleman from Mississippi [Mr. HOOKER] made a similar request. The Chair would suggest that all the propositions upon the subject of the yellow-fever epidemic—there were but four or five of them—be printed in the RECORD.

There was no objection, and it was so ordered.

The concurrent resolutions are as follows:

By Mr. ACKLEN:

Resolved by the House of Representatives, (the Senate concurring,) That a committee of four members of the Senate and five members of the House of Representatives be appointed respectively by the President of the Senate and the Speaker of the House of Representatives to investigate the origin and causes of the late yellow-fever epidemic, to employ such experts, clerks, and stenographers as are needed, to send for persons and papers, to send said experts or visit by subcommittee the lately infected and other places, and to report at any time by bill or otherwise what legislation, if any, shall be enacted by Congress to prevent a recurrence of like epidemics.

By Mr. GIBSON:

Resolved by the House of Representatives, (the Senate concurring,) That a commission is hereby authorized and constituted, to consist of five (5) Senators, to be appointed by the Senate; five (5) members of the House of Representatives, to be appointed by the Speaker; and experts not exceeding seven (7) in number, to be selected by and associated with them, with authority to determine the time and place of meeting, to employ a stenographer and clerk, to take testimony, and whose duty it shall be to inquire into the recent history and the means of prevention and arrest of yellow fever, and to report the facts and their opinions and recommendations at any time.

By Mr. HOOKER:

Resolved by the House of Representatives, (the Senate concurring,) That a joint committee of seven on the part of the House and — on the part of the Senate be appointed by the presiding officers of the Senate and House, to be styled the Sanitary Committee, whose duty it shall be—

First. To inquire into the nature and cause of the recent yellow-fever epidemic.

Second. To inquire as to the safest and best mode of preventing its return by establishment of a national quarantine or otherwise.

Third. To confer with the legislative committee appointed by the national health convention at its recent session in the city of Richmond, Virginia.

Fourth. Said committee shall have power to send for persons and papers and to administer oaths to witnesses, and are empowered to report by bill or otherwise.

By Mr. YOUNG:

Whereas the epidemic which has recently prevailed in large districts of several of the States of the Union has been so destructive to human life and the interests and prosperity of the whole country as to make it a subject of gravest public concern, and its prevention in future an important duty, to the end that its return may be prevented so far as prompt and decided action can prevent,

Be it resolved by the House of Representatives, (the Senate concurring,) That a joint select committee of four Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker of the House, be appointed to investigate and report the best means of preventing the introduction and spread of epidemic diseases, especially yellow fever and cholera, within the limits of the United States. That said committee be allowed a clerk, and, if in the course of its investigations it is found necessary, a stenographer. And that said committee have power to send for persons and papers, to employ experts and scientists, not to exceed seven in number, and send them to, and by subcommittee visit, recently infected localities and other places for the purpose of obtaining the fullest and most accurate information; and that said committee may report at any time during the present session of Congress, by bill or otherwise.

ENROLLED BILLS SIGNED.

Mr. RAINEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (coming over from

the last session) of the following title; when the Speaker signed the same:

An act (H. R. No. 1625) granting a pension to Abram V. Miller, late a lieutenant in Company E of the One hundred and eighty-fourth Regiment of Pennsylvania Volunteers.

LEAVE OF ABSENCE.

Leave of absence was granted by unanimous consent as follows:

To Mr. MACKEY, for four days; and

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

ISABEL L. EVANS.

Mr. BELL, by unanimous consent, introduced a bill (H. R. No. 5305) granting an increase of pension to Isabel L. Evans; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOSEPH W. SEELEY.

Mr. BREWER, by unanimous consent, introduced a bill (H. R. No. 5306) to increase the pension of Joseph W. Seeley, late a private in Company H, Seventh Michigan Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COMPENSATION OF POSTMASTERS.

The SPEAKER, by unanimous consent, laid before the House a letter from the Postmaster-General, transmitting a communication from the Sixth Auditor in relation to the compensation of certain postmasters; which was referred to the Committee on Appropriations.

REPORT OF THE COMPTROLLER OF CURRENCY.

The SPEAKER also laid before the House a letter from the Comptroller of the Currency, transmitting his annual report; which was referred to the Committee on Banking and Currency.

CONDITION OF THE FINANCES.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, submitting his annual report on the condition of the finances for the year 1878; which was referred to the Committee of Ways and Means.

DOORKEEPER OF THE HOUSE.

The SPEAKER also laid before the House a letter from the Doorkeeper of the House of Representatives, transmitting an inventory of the public property in his possession at the commencement of the third session of the Forty-fifth Congress; which was referred to the Committee of Accounts, and ordered to be printed.

JUDGMENTS OF THE COURT OF CLAIMS.

The SPEAKER also laid before the House a letter from the chief clerk of the Court of Claims, transmitting, in pursuance of section 1057 of the Revised Statutes, a statement of the judgments rendered by said court for the year ending December 2, 1878; which was referred to the Committee on Appropriations.

SURVEYS OF THE TERRITORIES.

The SPEAKER also laid before the House a letter from the acting president of the National Academy of Sciences, transmitting a report from the National Academy of Sciences on the subject of the surveys of the Territories; which was referred to the Committee on Appropriations, and ordered to be printed.

The SPEAKER. This report is accompanied by additional documents. The Committee on Appropriations ought to be authorized to have printed such of the documents as to them may seem desirable. The Chair will ask that consent be given for that purpose.

There was no objection, and it was so ordered.

SITE OF CONGRESSIONAL LIBRARY.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, relative to the value of lands proposed to be purchased for the site of the Congressional Library; which was referred to the Committee on Appropriations.

LAWS OF MONTANA TERRITORY.

The SPEAKER also laid before the House a letter from the secretary of the Territory of Montana, transmitting laws, memorials, and resolutions of that Territory passed at the tenth regular session of the Legislative Assembly thereof, beginning January 8, 1877, and ending February 16, 1877; which was referred to the Committee on the Territories.

ORDER OF BUSINESS.

Mr. HEWITT, of Alabama. I desire to give notice that to-morrow, after the morning hour, I shall move to go into the Committee of the Whole for the purpose of considering further the bill (H. R. No. 257) granting pensions to certain soldiers and sailors in the Mexican and other wars therein named.

The motion of Mr. WOOD that the House adjourn was agreed to; and accordingly (at three o'clock p. m.) the House adjourned.

PETITIONS, ETC.

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

By Mr. ATKINS: Papers relating to the claim of James A. Henry

for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. BACON: The petition of Anson Dart, for compensation for services rendered the United States as Indian superintendent on the Pacific coast, northwest—to the Committee on Indian Affairs.

By Mr. BELL: The petition of Isabel L. Evans, for an increase of pension—to the Committee on Invalid Pensions.

Also, a paper relating to the establishment of post-routes from Hiwassee, Georgia, to Shooting Creek, North Carolina; from Jefferson to Jug Tavern; from Toccoa City, via Talula Falls, to Clayton; from Head of Tennessee to Burton; from Sulphur Springs to Sulphur Springs Station; from Gainesville, via Jug Tavern, to Monroe; from Belton to Cleveland; and from Maysville to Homer, all in the State of Georgia—to the Committee on the Post-Office and Post-Roads.

By Mr. BREWER: The petition of Joseph W. Seeley, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. BROGDEN: Papers relating to the claim of Benjamin F. Parrott for compensation for supplies taken by the United States Army—to the Committee on War Claims.

By Mr. BUCKNER: The petition of John George Hertwig, of Saint Louis, Missouri, for reimbursement of expenses in attending a competitive examination for a clerkship in the Interior Department—to the Committee of Claims.

By Mr. COLE: Memorial of Sam C. Reid, for himself and the heirs of the claimants of the late United States private armed brig General Armstrong, asking compensation for said brig destroyed by the British fleet on the 27th of September, 1814, in the port of Fayal, Azores Islands—to the same committee.

By Mr. CORLETT: A paper relating to the claim of T. E. Warren for supplies furnished the officers in charge of the penitentiary of Wyoming Territory in 1875—to the same committee.

By Mr. CRAVENS: Papers relating to the claim of James M. Barker for compensation for property taken by the United States Army—to the Committee on War Claims.

Also, papers relating to the claim of Mrs. Ann Edmondson, of similar import—to the same committee.

Also, papers relating to the claim of Mary A. Wilson, of similar import—to the same committee.

By Mr. DAVIS, of California: The petition of Charles White, for compensation for property lost on board the Martha, captured by the Shenandoah—to the Committee on the Judiciary.

Also, memorial of merchants of San Francisco, California, relative to the distribution of the Geneva award—to the same committee.

By Mr. FORNEY: Papers relating to the claim of William H. Huff for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. GARTH: Papers relating to the claim of Sarah Townsley, administratrix of Stephen Townsley, deceased, of similar import—to the same committee.

Also, papers relating to the claim of Hamilton F. Arthur, of similar import—to the same committee.

By Mr. HARRIS, of Georgia: A paper relating to the establishment of post-routes from Oakland to Rocky Mount; from Campbellton, via Harrisville and Watkins, to Whitesburg; and from Atlanta, via Ben Hill and Sandtown, to Chapel Hill, Georgia—to the Committee on the Post-Office and Post-Roads.

By Mr. HEWITT, of Alabama: Papers relating to the claim of William T. Hamner for compensation for property taken by the United States Army—to the Committee on War Claims.

Also, papers relating to the claim of John Belcher, of similar import—to the same committee.

By Mr. HOOKER: Papers relating to the claim of A. H. Gardner, of similar import—to the same committee.

By Mr. HUNTON: Papers relating to the claim of Duncan James, of similar import—to the same committee.

Also, papers relating to the claim of James H. Shumate, of similar import—to the same committee.

Also, papers relating to the claim of Arthur Ashton, of similar import—to the same committee.

By Mr. ITTNER: The petition of Adolph Bower, of Saint Louis, Missouri, to be refunded the amount collected from him by United States officials as tax on rope and bagging—to the Committee of Claims.

By Mr. JOYCE: Papers relating to the claim of David Ward for reimbursement of amount of a Treasury note destroyed by fire—to the same committee.

By Mr. LUTTRELL: The petition of Riley, Hardin & Taylor, for compensation for loss and injury sustained by raids of Indians of the Bannack and Piute tribes—to the same committee.

Also, resolutions of the Chamber of Commerce of San Francisco, California, opposing any reduction of the duties on foreign wines and spirituous liquors—to the Committee of Ways and Means.

Also, memorial of S. W. Rosenstock & Co., and 30 other mercantile firms of San Francisco, California, relative to the Geneva award—to the Committee on the Judiciary.

Also, the petition of Marcellus Wilson, for arrears of pension—to the Committee on Invalid Pensions.

By Mr. MANNING: Papers relating to the claim of Thomas B. Smith, administrator of the estate of Thomas S. Hardaway, deceased, for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. McMAHON: The petition of James Blair, late a private in Company E, First Regiment United States Cavalry, Mexican war, for a pension—to the Committee on Invalid Pensions.

Also, the petition of Adam Miller, of similar import—to the same committee.

Also, the petition of Thomas Russell, of similar import—to the same committee.

Also, the petition of Henry S. Woodward, of similar import—to the same committee.

Also, the petition of Jacob Yeager, late a private in Company E, Seventy-ninth Regiment Indiana Volunteers and Veteran Reserve Corps, of similar import—to the same committee.

Also, the petition of Joseph Schultz, for arrears of pension—to the same committee.

Also, the petition of Michael Cable, for the removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. MORSE: The petition of the Boston Society of the Medical Sciences, that the metric system of weights and measures shall be exclusively used in all the business of the United States Government after some fixed date—to the Committee on Coinage, Weights, and Measures.

Also, the petition of the Boston Society for Medical Observation, of similar import—to the same committee.

By Mr. OVERTON: The petition of Charles N. Warner, late an officer in the United States Army, that he be restored to his former relative rank and position therein—to the Committee on Military Affairs.

Also, the petition of Francis O'Cleary, for a pension—to the Committee on Invalid Pensions.

By Mr. PAGE: Memorial of citizens of San Francisco, relative to the Geneva award—to the Committee on the Judiciary.

By Mr. PATTERSON, of New York: The petition of Florian W. Ames, of Dunkirk, New York, to have refunded to him \$300 paid by him as commutation money during the late war—to the Committee of Claims.

By Mr. PRICE: The petition of soldiers of Iowa, for the equalization of bounties to all soldiers of the Union Army—to the Committee on Invalid Pensions.

By Mr. RANDOLPH: Papers relating to the claim of Greenbury B. Mitchell for compensation for property taken by the United States Army—to the Committee on War Claims.

Also, papers relating to the claim of Greenbury B. Vineyard, of similar import—to the same committee.

By Mr. RICE, of Ohio: The petition of Elizabeth Middleton, for restoration to the pension-roll—to the Committee on Invalid Pensions.

By Mr. SAMPSON: A paper relating to the petition of Simeon M. Preston, for relief for the loss suffered by him by the act of the President of the United States in pardoning D. C. Kearns, convicted of embezzlement—to the Committee of Claims.

By Mr. VANCE: Papers relating to the claim of William D. Whitted for compensation for supplies taken by the United States Army—to the Committee on War Claims.

By Mr. WATSON: The petition of P. T. Campbell, late a private in Company F, Fifty-eighth Pennsylvania Veteran Volunteers, for "veteran bounty"—to the Committee on Military Affairs.

By Mr. WOOD: The petition of druggists and doctors of South Carolina, for the abolition of the druggist's liquor-license tax—to the Committee of Ways and Means.

By Mr. YOUNG: Papers relating to the claim of Reuben B. Bass, for compensation for property taken by the United States Army—to the Committee on War Claims.

IN SENATE.

WEDNESDAY, December 4, 1878.

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

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

JOHN J. PATTERSON, a Senator from the State of South Carolina, appeared in his seat to-day.

OMISSION IN ENROLLMENT.

The VICE-PRESIDENT appointed Mr. FERRY, Mr. DAVIS of Illinois, and Mr. RANDOLPH as the committee provided for by the resolution adopted by the Senate yesterday, relative to an omission in the enrollment of the sundry civil appropriation bill at the last session of Congress.

EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a letter from the Postmaster-General, transmitting a communication from the Auditor of the Treasury for the Post-Office Department, in regard to the compensation of certain postmasters upon whose nominations the Senate failed to act during the special session of Congress which met October 15, 1877; which was referred to the Committee on Post Offices and Post Roads, and ordered to be printed.

BACHELDER'S SKETCH OF THE BATTLE OF GETTYSBURGH.

The VICE-PRESIDENT laid before the Senate the following communication; which was read, referred to the Committee on Military Affairs, and ordered to be printed:

SOCIETY OF THE ARMY OF THE POTOMAC,
OFFICE OF RECORDING SECRETARY,
27 Park Place, New York, December 3, 1878.

SIR: In pursuance of the instructions of the Society of the Army of the Potomac, I have the honor to forward the annexed resolution of the Society of the Army of the Potomac, passed at their last annual meeting, June 5, 1878.

Very respectfully, your obedient servant,

HORATIO C. KING,
Recording Secretary.

Hon. WILLIAM A. WHEELER,

Vice-President of the United States.

The speeches being concluded, the following resolution was offered by General Barnum, and approved by the society:

Whereas the battle of Gettysburgh was, and always will be, considered one of the great historic events of the nation; and

Whereas Mr. John B. Bachelder, of Boston, at the commencement of the late war, foreseeing the value of a thorough detailed knowledge of the great culminating battles between the States sure to ensue, and realizing the importance of collecting such data while all the details were fresh in the minds of the participants and while the men lived who could furnish the facts or refute the errors, did abandon his business and attach himself to the Army as early as 1862, that he might be in position to do the work promptly and thoroughly wherever such an event took place, following its marches, sketching and noting the details of battles; and

Whereas at Gettysburgh he reached the field immediately after the battle was fought, while the wounded from every regiment of both armies remained to tell the story, and while the havoc of battle marked the limits of the field; that he sketched its vast proportions, the accuracy of which we recognize, and the citizens of Gettysburgh indorse; that he remained there for months, going over the field with wounded men of both armies, carefully noting their descriptions of the battle, and indicating the positions of their commands on his sketch; that he visited the Army at the front, submitting his notes to the assembled officers of the different regiments, verifying the data obtained at Gettysburgh, and fully establishing the position of every command, noting its movements and incidents in battle; that on his invitation many of us visited the battle-field for the purpose of contributing our knowledge to its history, where in council we verified our positions and explained our movements; that many of our comrades in battle who furnished him material and personal reminiscences when at the front fell in the subsequent battles before Richmond, and many others who went with us to Gettysburgh are now dead, and Mr. Bachelder holds the only notes of their experience from which a connected narrative can be written; and, in a word, that throughout the past sixteen years he has given his time and the best efforts of his life to perpetuate the history of the battle of Gettysburgh; that his efforts in collecting material have been crowned with wonderful success; that his verity and impartiality have won alike the encomiums of distinguished officers of both armies; that his knowledge and authority on matters pertaining to that battle have been recognized by the War Department, in employing him to locate the positions of troops on the Government maps of that battle; that we, members of the Society of the Army of the Potomac, officers who led that army at that battle, fully realizing the value which the material collected by Mr. Bachelder must possess for all time, and knowing that if lost it can never be replaced, and that unless it is compiled by him who collected it and knows its value, it will be lost at his death, and to a great extent die with him: Therefore,

Be it resolved, That Congress be respectfully urged to give the subject its early attention, and that the recommendation of the Chief of Engineers and Secretary of War, (printed in Senate Document No. 42,) asking that an adequate appropriation be made to continue, compile, and complete this great work in the same careful, painstaking, liberal manner as has heretofore characterized the enterprise, and our secretary be instructed to forward copies of this resolution to the President of the Senate and the Speaker of the House of Representatives of the United States Congress.

PETITIONS AND MEMORIALS.

Mr. BECK presented the petition of Samuel Castleman, of Louisville, Kentucky, praying compensation for services as clerk in the assistant, adjutant-general's office at Louisville, Kentucky; which was referred to the Committee on Military Affairs.

Mr. KIRKWOOD presented a petition of citizens of Indianola, Iowa, praying Congress to increase the pension of A. W. Richards, late of Company G, Third Iowa Infantry Volunteers; which was referred to the Committee on Pensions.

BILLS INTRODUCED.

Mr. BECK asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1426) for the relief of Samuel Castleman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GARLAND asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1427) to amend the judiciary act as to suits against certain corporations; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SAULSBURY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1428) relating to the redemption of United States legal-tender notes; which was read the first time by its title.

Mr. BAILEY. I ask that that bill be read at length.

The VICE-PRESIDENT. It will be reported at length.

The bill was read the second time at length, and referred to the Committee on Finance, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, directed, in redeeming United States legal-tender notes as required by the act of Congress approved January 14, 1875, to pay to each and every person, bank, corporation, or association of persons presenting said notes for redemption, 75 per cent. of the amount of said notes so presented in gold coin, and 25 per cent. in legal-tender silver dollars.

Mr. WALLACE asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1429) granting a pension to Elizabeth F. Long; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KIRKWOOD (by request) asked, and by unanimous consent