

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Arkansas?

Mr. MATTHEWS. Certainly.

Mr. DORSEY. Mr. President, it is evident that the Senate is now worn out by a long session of something like fourteen hours, and I have a proposition to make, which I hope the Senator in charge of the bill will accept, and the gentleman from Ohio also. I propose that the Senate now adjourn with the unanimous understanding that at two o'clock to-morrow we shall vote upon the bill and all of the amendments, without further debate.

Mr. FERRY. I suggest that we adjourn until twelve o'clock to-morrow.

Mr. SARGENT. How much further time does the Senator from Ohio desire to occupy?

Mr. MATTHEWS. I want certainly to have some opportunity of speaking, but then I can limit myself to a very few minutes.

Mr. THURMAN. That would give an hour and a half for debate.

Mr. ALLISON. I think the Senator from Arkansas had better make it three o'clock. We shall have a morning hour in any event.

Mr. DORSEY. We can dispense with the morning hour.

Mr. SPENCER. That will give time enough.

Mr. DAVIS, of West Virginia. This has to be done by unanimous consent.

Mr. PADDOCK. Let us fix two o'clock and dispense with the morning hour.

Mr. DAVIS, of West Virginia. We cannot do that.

Mr. DORSEY. I suggest three o'clock to-morrow as meeting the views of the larger portion of the Senate, and I hope to that proposition there will be no objection.

Mr. WITHERS. My understanding of the proposition of the Senator from Arkansas is that we shall proceed at three o'clock to-morrow to vote upon the bill and pending amendments, and that the debate shall close at that hour. ["Agreed."]

The PRESIDING OFFICER. The proposition of the Senator from Arkansas, as repeated by the Senator from Virginia, is before the Senate. Is there objection to it? The Chair hears none.

Mr. DAVIS, of West Virginia. I move that the Senate now adjourn until twelve o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Ohio [Mr. MATTHEWS] is entitled to the floor and yields for the purpose of a motion to adjourn. The Senator from West Virginia moves that the Senate adjourn until to-morrow at twelve o'clock.

The motion was agreed to; and (at one o'clock and twenty-two minutes a. m. Tuesday, February 18) the Senate adjourned until twelve o'clock m. Tuesday, February 18.

HOUSE OF REPRESENTATIVES.

MONDAY, February 17, 1879.

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

The Journal of Saturday last was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed, with an amendment in which the concurrence of the House was requested, a bill of the House of the following title:

A bill (H. R. No. 2423) to restrict the immigration of Chinese to the United States.

ORDER OF BUSINESS.

The SPEAKER. The morning hour begins at seven minutes past eleven o'clock. This being Monday, the first business in order is the call of States and Territories for the introduction of bills and joint resolutions for reference to their appropriate committees. Under this call memorials and resolutions of State and Territorial Legislatures are in order for reference and printing.

SAYBROOK BAR, CONNECTICUT.

Mr. PHELPS introduced a bill (H. R. No. 6438) making an appropriation for the establishment of a beacon-light on one of the jetty walls of Saybrook Bar, in the State of Connecticut; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MANUFACTURE OF CIGARS, ETC.

Mr. PHELPS (by request) introduced a bill (H. R. No. 6439) to amend section 3399 of the Revised Statutes; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

IMPROVEMENT OF HARLEM RIVER.

Mr. BLISS introduced a bill (H. R. No. 6440) to provide for the completion of the improvements of the Harlem River and a canal therefrom to the Hudson River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDINGS.

Mr. EVANS, of Pennsylvania, presented a concurrent resolution of the Legislature of Pennsylvania in reference to the erection of public buildings; which was referred to the Committee on Public Buildings and Grounds.

MEDALS TO PENNSYLVANIA TROOPS.

Mr. FREEMAN presented a concurrent resolution of the Legislature of Pennsylvania, asking the passage of a bill now pending before Congress to grant a medal to each of the survivors of the five companies of Pennsylvania troops that entered Washington April 18, 1861, being the first to arrive in obedience to the proclamation of President Lincoln of April 15, 1861, calling for seventy-five thousand volunteers to maintain the authority of the Government; which was referred to the Committee on Military Affairs.

Mr. FREEMAN. I ask consent that this concurrent resolution be printed in the RECORD.

The SPEAKER. It is not in order to make that request during the morning hour. The Chair will recognize the gentleman after the morning hour.

Some time subsequently,

Unanimous consent was granted for printing in the RECORD the concurrent resolution, which is as follows:

HOUSE OF REPRESENTATIVES.

Harrisburgh, February 3, 1879.

Whereas, on the 15th day of April, A. D. 1861, Abraham Lincoln, President of the United States, issued his proclamation calling for seventy-five thousand troops to maintain the authority of the Government and the indivisibility of the Republic; and three days later, on the 18th day of April, five companies, numbering five hundred and thirty men, from the counties of Berks, Lancaster, Mifflin, Schuylkill, and Lehigh, entered Washington, they being the first of all to arrive in obedience to the President's call; and

Whereas on the 22d day of July, 1861, the Thirty-seventh Congress passed the following resolution:

"Resolved, That the thanks of this House are due and are hereby tendered to the five hundred and thirty soldiers from Pennsylvania who passed through the mob of Baltimore and reached Washington on the 18th day of April last, for the defense of the National Capital.

"GALUSHA A. GROW,

"Speaker of the House of Representatives."

And whereas a bill is now pending before Congress granting a medal to each of the survivors of the said five companies from Pennsylvania; and

Whereas the granting of the medals would be both a just acknowledgement of the courage and self-sacrifice of those patriotic men and an ever memorable honor to Pennsylvania: Therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That our Representatives in Congress be requested to use both their influence and vote to secure the passage of said bill.

Extract from the Journal of the House of Representatives.

WM. C. SHURLOCK,

Chief Clerk House of Representatives.

The foregoing resolution concurred in February 4, 1879.

THOS. B. COCHRAN,

Chief Clerk Senate.

Approved on the 8th day of February, A. D. 1879.

HENRY M. HOYT.

SUFFRAGE.

Mr. ACKLEN presented a concurrent resolution of the Legislature of Louisiana relative to congressional legislation touching the right of suffrage in the States; which was referred to the Committee on the Judiciary, and (by unanimous consent subsequently obtained) ordered to be printed in the RECORD. It is as follows:

Whereas the Constitution of the United States has not conferred the right of suffrage upon any one, and the United States have no voice of their own creation in the States, but the matter of suffrage is left entirely with the States themselves, with the reservation of the provisions of the fifteenth amendment, which has invested the citizens of the United States with a new constitutional right, to wit: the exemption from discrimination in the exercise of the elective franchise on account of race, or color, or previous condition of servitude;

Whereas the functions of Congress under this constitutional amendment are limited to prevent, by proper legislation, the denial or abridgement by a State of the right of a citizen to vote when the denial or abridgement is on account of race, or color, or previous condition of servitude of the voter;

Be it resolved by the senate of the State of Louisiana, (the house of representatives concurring,) That sections 5506, 5507, 5508, and 5509 of the Revised Statutes of the United States are in derogation of the Constitution of the United States, and of the amendment thereof in this, that the Federal Government by these sections assumed plenary jurisdiction of the matter of suffrage without reference to the action of the States, as such, and without interference on their part to deny or abridge the right of suffrage, as indicated in the said constitutional amendment.

Be it further resolved, &c., That the proceedings in the United States circuit court at New Orleans against citizens of various parts of the State of Louisiana, and the subjecting of numerous citizens thereof to hardships of arrest from distant homes and their removal to New Orleans, to be there tried for alleged offenses against the above stated sections of the Revised Statutes, are pregnant with the gravest consequences, and the people of this State cannot but protest energetically against such harsh and unwarrantable prosecutions.

Be it further resolved, &c., That this protest of the State of Louisiana, which by her laws and in her courts does make no discrimination between her citizens on account of race, or color, or previous condition of servitude, be respectfully laid before the President of these United States and the Senate and House of Representatives of the United States,

JOHN C. MONCURE,

Speaker of the House of Representatives.

LOUIS A. WILTZ,

Lieutenant-Governor and President of the Senate.

Approved February 7, 1879.

FRANCIS T. NICHOLLS,

Governor of the State of Louisiana.

A true copy.
[SEAL OF THE STATE.]

WILL. A. STRONG,

Secretary of State.

LOUISIANA INTERNAL IMPROVEMENTS.

Mr. ACKLEN also presented a joint resolution of the Legislature of the State of Louisiana, relative to the improvement of the navigation of Lake Bisteneau and its tributaries; which was referred to the Committee on Commerce.

Mr. ACKLEN also presented a joint resolution of the Legislature of the State of Louisiana, relative to the improvement of the Sabine River; which was referred to the Committee on Commerce.

GOVERNMENT PROPERTY IN CINCINNATI, OHIO.

Mr. BANNING introduced a joint resolution (H. R. No. 237) to authorize the Secretary of the Treasury to dispose of certain property belonging to the United States situate in the city of Cincinnati, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ROBERT BELL.

Mr. BANNING also introduced a bill (H. R. No. 6441) for the relief of Robert Bell; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

Mr. BANNING also introduced a bill (H. R. No. 6442) granting a pension to Robert Bell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANDREW DUNN.

Mr. BANNING also introduced a bill (H. R. No. 6443) for the relief of Andrew Dunn; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

GEORGE S. GREER.

Mr. RICE, of Ohio, introduced a bill (H. R. No. 6444) granting a pension to George S. Greer; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POTTAWATOMIE INDIANS IN MICHIGAN AND INDIANA.

Mr. RICE, of Ohio, also introduced a bill (H. R. No. 6445) to authorize the Secretary of the Interior to adjust the accounts of certain bands of Pottawatomie Indians in the States of Michigan and Indiana and pay any arrears of annuities due to them under treaties of the United States; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

VAN DEVENTER IMPROVED EXCAVATORS.

Mr. YOUNG, of Tennessee, introduced a bill (H. R. No. 6446) for the extension of the patent known as the Van Deventer improvement in excavators for water-courses having currents; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

INFECTIOUS AND CONTAGIOUS DISEASES.

Mr. YOUNG, of Tennessee, also introduced a bill (H. R. No. 6447) to prevent the introduction of infectious or contagious diseases into the United States and to establish a board of health; which was read a first and second time, referred to the select committee on epidemic diseases, and ordered to be printed.

He also introduced a joint resolution (H. R. No. 238) requesting Surgeon-General Woodworth to complete the reports of the yellow-fever commission organized by him to investigate the yellow-fever epidemic of 1878, and to present the same, together with the completed reports of the board of experts, for the use of Congress; which was read a first and second time, referred to the select committee on epidemic diseases, and ordered to be printed.

PENSIONS TO SOLDIERS OF BLACK HAWK AND MEXICAN WARS.

Mr. HAYES presented a joint resolution of the Legislature of the State of Illinois, in favor of pensioning the soldiers of the Black Hawk and Mexican wars; which was referred to the Committee on Invalid Pensions.

HON. L. C. GAUSE.

Mr. SLEMONS introduced a joint resolution (H. R. No. 239) for the relief of L. C. Gause; which was read a first and second time, referred to the Committee on Elections, and ordered to be printed.

GEORGE W. LANE.

Mr. WILLITS introduced a bill (H. R. No. 6448) granting a pension to George W. Lane; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HARVEY PARISH.

Mr. BREWER introduced a bill (H. R. No. 6449) granting a pension to Harvey Parish, of Pontiac, Michigan; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GEORGE WETMORE.

Mr. ELLSWORTH introduced a bill (H. R. No. 6450) granting a pension to George Wetmore; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BOUNDARY-LINE BETWEEN MISSOURI AND KANSAS.

Mr. RYAN presented a concurrent resolution of the Legislature of the State of Kansas, asking for an appropriation for a resurvey of the

boundary-line between Missouri and Kansas from its intersection with the Missouri River south; which was referred to the Committee on Appropriations, and (by unanimous consent subsequently obtained) ordered to be printed in the RECORD. It is as follows:

Senate concurrent resolution No. 9, asking Congress to make an appropriation to resurvey the line between the States of Missouri and Kansas from its intersection with the Missouri River south.

Whereas by an act of Congress of the United States, approved March 9, A. D. 1820, entitled "An act to authorize the people of the Territory of Missouri to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories," it was provided that the said State should consist of all the territory included within the following boundaries, to wit: Beginning in the middle of the Mississippi River on the parallel of thirty-six degrees of north latitude; thence west along that parallel of latitude to the Saint Francis River; thence up and following the course of that river in the middle of the main channel thereof to the parallel of latitude of thirty-six degrees and thirty-six minutes; thence west along the same to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas River where the same empties into the Missouri River; and

Whereas the north and south line herein last mentioned is yet, and has been since the passage of said act, a portion of the western boundary of said State of Missouri; and

Whereas, further, the eastern boundary of the State of Kansas is fixed by what was the western boundary-line of Missouri, as fixed by said act in 1820; and

Whereas it is well known that the mouth of the Kansas River as a fixed point is very uncertain, and it is now claimed by many old settlers that in 1820 the center of the mouth of the Kansas River, where it emptied into the Missouri River, was some two miles east of what is known at this time as the western line of the State of Missouri: Therefore,

Be it resolved by the senate, (the house of representatives concurring therein,) That the Senators be instructed and our Representatives of Congress from this State be requested to ask of Congress an appropriation for the resurvey of the line between the States of Missouri and Kansas, from the point where the same intersects the Missouri River to the south boundary-line of the State of Kansas.

Resolved, That the secretary of state forward a copy of this resolution to the President of the United States Senate and to each of the Senators and Representatives from Kansas in Congress.

I, James Smith, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original resolutions on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed the great seal of State. Done at Topeka, this 11th day of February, A. D. 1879.

[SEAL.]

JAMES SMITH,
Secretary of State.

JOSEPH R. SHANNON.

Mr. MARTIN introduced a bill (H. R. No. 6451) to ascertain the amount of the claim of Joseph R. Shannon, of Louisiana; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MEXICAN LAND-GRANT SETTLERS.

Mr. PATTERSON, of Colorado, presented joint memorial from the Legislature of Colorado, praying Congress to protect the rights of settlers on certain Mexican land grants in said State; which was referred to the Committee on Public Lands.

Subsequently, by unanimous consent, the memorial was ordered to be printed in the RECORD. It is as follows:

House joint memorial relative to the confirming of the equitable rights of settlers upon the Maxwell land grant in Colorado.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Whereas a large number of persons have during the last twenty years settled in good faith upon those portions of the Spanish grant known as the Beaubun Miranda grant, and more popularly called the Maxwell land grant, which are located within the limits of the State of Colorado, believing the same to be a part of the public domain subject to settlement, and have erected valuable improvements thereon;

Whereas such settlers are about to be dispossessed by the owners of said grant under a recent decision of the Supreme Court of the United States affirming the validity of said grant, and will lose the benefits of their improvements:

Therefore your memorialists do respectfully pray your honorable bodies to enact such laws whereby the equitable rights of the settlers upon the Maxwell grant within the State of Colorado may be secured, and your memorialists will ever pray.

Resolved, That the Secretary of State be instructed to forward this joint memorial to the presiding officer of each House of Congress and to each of our Senators and Representatives in Congress.

Approved this 11th day of February, A. D. 1879.

FREDERICK N. PITKIN,
Governor of the State of Colorado.

[Certificate.]

STATE OF COLORADO,
Secretary's Office, ss:

I, N. H. Meldrum, secretary of state of the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of House joint memorial relative to the confirming of the equitable rights of settlers upon the Maxwell land grant in Colorado.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the city of Denver, this 12th day of February, A. D. 1879.

[L. S.]

N. H. MELDRUM,
Secretary of State.

MILITARY POST REPUBLICAN RIVER.

Mr. PATTERSON, of Colorado, also presented a joint memorial from the Legislature of Colorado, praying for an appropriation for the construction of a military post on the Republican River, in said State; which was referred to the Committee on Appropriations.

Subsequently, by unanimous consent, the memorial was ordered to be printed in the RECORD. It is as follows:

House joint resolution relative to the establishment of a military post on the Republican River in Eastern Colorado.

Whereas during the months of September and October last a hostile band of Cheyenne Indians did travel through the eastern portion of Colorado and the

western portion of Kansas and Nebraska, killing the settlers and stealing their property; and

Whereas there is constant danger of a repetition of such raid; and
Whereas there is a vast extent of country lying between the Kansas Pacific and Union Pacific railroads which has no adequate protection; Therefore,

Be it resolved by the General Assembly of the State of Colorado, That our Senators in Congress be instructed and our Representatives in Congress be requested to exert their influence to obtain an appropriation from Congress sufficient to defray the expenses of building a military post at the place which may be deemed the best suited for the protection of the settlers and stockraisers on the Republican River in Eastern Colorado.

RIENZI STREETER,
Speaker of the House of Representatives.
JAMES P. MAXWELL,
President of the Senate pro tempore.

FREDERICK W. PITKIN,
Governor of Colorado.

Approved February 11, A. D. 1879.

[Certificate.]

STATE OF COLORADO,
Secretary's Office, ss:

I, N. H. Meldrum, secretary of state of the State of Colorado, do hereby certify that the above and foregoing is a true and correct copy of house joint resolution relative to the establishment of a military post on the Republican River in Eastern Colorado.

In testimony whereof I have hereunto set my hand, and affixed the great seal of the State, at the city of Denver, this 12th day of February, A. D. 1879.
[L. S.] N. H. MELDRUM,
Secretary of State.

IMPROVEMENT OF LAKE BISTINEAU.

Mr. ELAM presented a concurrent resolution of the State Legislature of Louisiana, relative to the improvement of the navigation of Lake Bistineau and its tributaries; which was referred to the Committee on Commerce.

IMPROVEMENT OF SABINE RIVER.

Mr. ELAM also presented a joint resolution of the State of Louisiana, asking for an appropriation of Congress for the purpose of removing obstructions at the mouth of Sabine River and improving the navigation of said river from its mouth to the railroad crossing in the parish of La Fayette, Louisiana; which was referred to the Committee on Commerce.

SUGAR TARIFF BILL.

Mr. ELAM also presented a joint resolution of the State of Louisiana, in relation to the sugar tariff; which was referred to the Committee of Ways and Means.

RAILWAY DRAW-BRIDGE OVER YAZOO RIVER, MISSISSIPPI.

Mr. CHALMERS introduced a bill (H. R. No. 6452) granting to the Memphis and Vicksburg Railroad Company authority to erect a railway draw-bridge over Yazoo River, in Mississippi, and for other purposes; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

WACCAMAW RIVER.

Mr. WADDELL presented resolutions of the Legislature of North Carolina asking an appropriation to open Waccamaw River; which were referred to the Committee on Commerce.

MRS. MARY B. DALLAS.

Mr. MACKEY introduced a bill (H. R. No. 6453) granting an increase of pension to Mrs. Mary B. Dallas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LAND DISTRICT, GRAND FORKS, DAKOTA.

Mr. KIDDER introduced a bill (H. R. No. 6454) to establish a land district at Grand Forks, in the Territory of Dakota; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

INTERNATIONAL RAILROAD, DAKOTA.

Mr. KIDDER also introduced a bill (H. R. No. 6455) granting the right to construct a railroad and telegraph line from Lake Kampeska, in the Territory of Dakota, to the international boundary-line on the north of said Territory; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

JUDICIARY.

Mr. TOWNSEND, of Ohio, introduced a bill (H. R. No. 6456) to amend section 612, chapter 6, title 13, of the Revised Statutes, entitled The Judiciary; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PATENTS.

Mr. POLLARD introduced a bill (H. R. No. 6457) to amend section 4944 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

DISTRICT COURT, CONNECTICUT.

Mr. WAIT introduced a bill (H. R. No. 6458) changing the time of holding the district court in Connecticut; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SWEARING IN OF A MEMBER.

Mr. COOK. Mr. Speaker, the member-elect from the first congressional district of the State of Georgia to fill the vacancy occasioned

by the death of my late colleague, Julian Hartridge, is present. I present his credentials and ask that he be sworn in.

The credentials are as follows:

State of Georgia.

By His Excellency Alfred H. Colquitt, governor of said State, to the Hon. W. B. Fleming, greeting:

Whereas, by the returns made agreeably to law of the special election held on the 10th day of February, 1879, for a Representative from the first congressional district of this State in the Forty-fifth Congress of the United States, to fill the vacancy in said office occasioned by the death of Hon. Julian Hartridge, you, the said W. B. Fleming, received a majority of the votes cast at said election, and were thus duly elected a Representative to the said Forty-fifth Congress in and by the first congressional district of said State:

These are, therefore, to commission you, the said W. B. Fleming, to take session in the House of Representatives of the United States until the 4th day of March, 1879, and to use and exercise all and every the privileges and powers which of right you may or can do, in and by virtue of the Constitution of the United States, in behalf of this State.

Given under my hand and the great seal of the State at the capitol in Atlanta, this 14th day of February, in the year of our Lord one thousand eight hundred and seventy-nine, and of the Independence of the United States of America the one hundred and third.

[SEAL.]

By the Governor:

ALFRED H. COLQUITT, Governor.

N. C. BARNETT,
Secretary of State.

Mr. FLEMING presented himself at the Speaker's desk, and was duly qualified by taking the modified oath.

F. LINNES AND W. WIEGAND.

Mr. ITTNER introduced a bill (H. R. No. 6459) for the relief of Frederick Linnes and William Wiegand, of Saint Louis, Missouri; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HERMAN BIGGS.

Mr. BUTLER introduced a bill (H. R. No. 6460) granting a pension to Herman Biggs, late brevet brigadier-general United States Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EXECUTORS IN THE DISTRICT.

Mr. BUTLER also introduced a bill (H. R. No. 6461) to restore a repealed law relating to executors and administrators in the District of Columbia; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LIQUOR TRAFFIC.

Mr. FRYE. I ask unanimous consent that the resolutions and accompanying communication which I send to the desk may be read and referred to the Committee on the Judiciary.

There was no objection, and the communication and resolutions were read, and referred to the Committee on the Judiciary.

They are as follows:

GRAND LODGE OF MAINE,
INDEPENDENT ORDER OF GOOD TEMPLARS,
East Diamond, February 12, 1879.

DEAR SIR: The inclosed resolution explains itself. The convention referred to was the mass temperance convention held at Augusta—a largely attended and enthusiastic meeting. As secretary of that body and of the permanent organization then formed it becomes my pleasant duty to transmit the resolution in the belief that you will give it the attention to which, coming from such a source as well as the importance of the subject itself, it is entitled, knowing as you do that it is backed by so large a portion of the people of the noble State you represent.

I am, very respectfully,

Hon. W. P. FRYE.

L. W. STARBIRD.

Resolved, That in view of the woes, losses, and terrible sufferings inflicted on our people by that "gigantic crime of crimes," the liquor traffic, we hereby earnestly request Congress to appoint a commission of inquiry upon the subject, and by legislation and constitutional amendment to forever prohibit the importation, manufacture, and sale of alcoholic drinks throughout this country.

Resolved, That this resolution be signed by the president of this convention and a copy sent to each of our delegates in Congress, requesting them to exert their power and influence in its behalf.

ALONZO GARCELON,
President of Convention.

JOHN C. LANDREAU.

Mr. WILSON introduced a joint resolution (H. R. No. 240) for the relief of John C. Landreau; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

ORDER OF BUSINESS.

Mr. BANKS. I ask unanimous consent to take from the Speaker's table the bill (S. No. 1660) for the relief of Edward Rice, that I may move its reference to the Committee of Ways and Means, not to come back on a motion to reconsider.

Mr. EWING. I object.

Mr. HALE. I demand the regular order.

Mr. EDEN. I ask unanimous consent that the residue of the morning hour be dispensed with and the House proceed to the regular order of business.

Mr. BANKS. I object.

The SPEAKER. The Chair will cause Rule 130 to be read.

The Clerk read as follows:

130. All the States and Territories shall be called for bills on leave and resolutions every Monday during each session of Congress; and, if necessary to secure the object on said days, all resolutions which shall give rise to debate shall lie over for discussion, under the rules of the House already established; and the whole

of said days shall be appropriated to bills on leave and resolutions, until all the States and Territories are called through.—February 6, 1833. And the Speaker shall first call the States and Territories for bills on leave; and all bills so introduced during the first hour after the Journal is read shall be referred, without debate, to their appropriate committees: *Provided, however*, That a bill so introduced and referred, and all bills at any time introduced by unanimous consent and referred, shall not be brought back into the House upon a motion to reconsider.—March 16, 1860, and January 11, 1872. And on said call, joint resolutions of State and territorial Legislatures for printing and reference may be introduced.—January 11, 1867.

The SPEAKER. Under this rule the regular order is now the second call of States for resolutions for introduction. The call rests with the State of Maine.

WAR CLAIMS.

Mr. HALE. Under that call I offer the preamble and resolution which I send to the desk.

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

Mr. HALE. Let the gentleman wait till he hears my resolution read. I think he will not object to it.

Mr. BANKS. Does it require unanimous consent?

The SPEAKER. It does not. This resolution is admitted under the operation of the rule.

The Clerk proceeded to read the preamble and resolution, as follows:

Resolution to protect the Treasury of the United States.

Whereas a great number of claims for property alleged to have been used, consumed, damaged, or destroyed in the States which participated in the late rebellion in the years 1861, 1862, 1863, 1864, and 1865, by the armies of the United States, which were engaged in suppressing said rebellion, are now before this House and are persistently urged, both upon the floor and before the several committees of the House—

Mr. EDEN. I believe I must insist on my motion that the House do now adjourn.

Mr. MILLS. Is that resolution introduced for reference?

Mr. HALE. It was agreed that it should be read for information.

The SPEAKER. The gentleman from Illinois revokes the agreement.

Mr. HALE. I take it he cannot do that, when the resolution has been partially read. I am sure if he will listen to it the gentleman will vote for it.

The Clerk resumed and concluded the reading of the preamble and resolution, as follows:

And whereas legislation is constantly sought in the interest of such claims, by which all impediments to their passage may be removed and all distinction as to the loyalty of persons representing such claims may be abolished; and

Whereas, on the 12th day of November, 1877, a joint resolution proposing an amendment to the Constitution of the United States, prohibiting the payment of claims growing out of the late rebellion was duly introduced by Hon. M. C. HUNTER, of Indiana, and properly referred, under the rules of the House, to the Judiciary Committee of this House, which said joint resolution provided as follows:

ARTICLE XVI.

No claim shall ever hereafter be allowed or paid by the United States, in the shape of damages or otherwise, for any kind of property, real or personal, used, consumed, injured, or destroyed by United States troops, or by or through any officers, civil or military, acting under or by authority of the United States, or from any other cause whatever, during the suppression of the late rebellion, in any of the States that were in rebellion against the Government of the United States, or for any property used, consumed, injured, or destroyed during such rebellion outside of said States that were in rebellion, and which belonged to persons residing within such States that were in rebellion, unless the persons owning the property so used, consumed, injured, or destroyed were, during all the time of such rebellion, loyal to the Government of the United States, and gave neither aid nor encouragement to the enemy. Nor shall any such claim be allowed or paid unless made by the person owning the property at the time it was so used, consumed, injured, or destroyed, or by his widow, child, or children; but in all cases the loyalty of the claimant or claimants shall be clearly shown; and

Whereas said committee has neglected to act upon or report to the House upon said joint resolution; and

Whereas the provisions of the fourteenth article of the amendment to the Constitution, which prohibit payment for the loss of emancipated slaves or for debts and obligations incurred in aid of insurrection or rebellion against the United States, do not embrace the class of claims now being urged for payment:

Now, therefore, to the end that the presentation of such claims may be stopped, and the agitation thereon be put to rest, and that the Treasury of the United States may be protected from demands, which, if ever paid, will increase the burdens of the tax-payers to the extent of hundreds of millions of dollars,

Be it resolved, That none of such claims for property alleged to have been used, consumed, damaged, or destroyed by the armies of the United States while engaged in the suppression of the rebellion in the States participating therein shall ever be paid unless it shall be affirmatively proved that the persons owning such property or prosecuting the claims for payment for the same were during all the time of said rebellion loyal to the Government of the United States; and the Committee on the Judiciary is hereby instructed to immediately report to this House for its action the joint resolution providing for an amendment to the Constitution of the United States as aforesaid.

Mr. HALE. I call the previous question on the preamble and resolution.

Mr. EDEN. I insist on my motion, unless the gentleman will allow the resolution to be amended in such a way as to protect the Treasury. All of these claims to which the resolution refers are from loyal persons; and this will not protect the Treasury.

Mr. MILLS. I make the point of order that the resolution is not before the House.

The SPEAKER. It is before the House under the second call for resolutions. The gentleman from Illinois moves that the House do now adjourn.

Mr. HALE. I hope the gentleman will not filibuster.

Mr. EDEN. The gentleman from Maine is evidently not very anxious to proceed with the public business.

Mr. COX, of New York. Let us have the yeas and nays on the motion to adjourn.

The question being taken on ordering the yeas and nays, there were—yeas 63.

The SPEAKER. The yeas and nays are ordered.

Mr. HALE. We do not want this resolution to be destroyed by filibustering. I ask the Chair to count the other side.

The SPEAKER. More than one-fifth of the whole House has voted in the affirmative.

Mr. HALE. Let the other side be counted. It will give gentlemen a chance to reconsider. I think a great many gentlemen on the other side will on reflection set themselves against this filibustering.

The SPEAKER. The affirmative is more than one-fifth of the whole House; and the Chair therefore, under the provision of the Constitution, has ordered the yeas and nays. The Clerk will call the roll.

The question was taken; and there were—yeas 0, nays 235, not voting 55; as follows:

YEAS—0.

NAYS—235.

Acklen,	Cummings,	Hubbell,	Rea,
Aiken,	Cutler,	Humphrey,	Reagan,
Aldrich,	Danford,	Hunter,	Reilly,
Atkins,	Davidson,	Ittner,	Rice, Americus V.
Bacon,	Davis, Joseph J.	James,	Robbins,
Bagley,	Deering,	Jones, Frank	Roberts,
Baker, John H.	Denison,	Jones, James T.	Robinson, G. D.
Banks,	Dibrell,	Jones, John S.	Ross,
Banning,	Dickey,	Joyce,	Ryan,
Bayne,	Dunnell,	Keifer,	Sampson,
Beale,	Durham,	Keightley,	Sapp,
Bell,	Dwight,	Kelley,	Scales,
Benedict,	Eames,	Kenna,	Shallenberger,
Bicknell,	Eden,	Ketcham,	Shelley,
Bisbee,	Eickhoff,	Killinger,	Singleton,
Blackburn,	Elam,	Kimmel,	Sinnickson,
Blair,	Ellsworth,	Knapp,	Slemmons,
Bliss,	Errett,	Landers,	Smith, William E.
Blount,	Evans, I. Newton	Lapham,	Southard,
Boone,	Evans, James L.	Lathrop,	Sparks,
Bouck,	Evins, John H.	Ligon,	Starr,
Boyd,	Ewing,	Lockwood,	Steele,
Bragg,	Felton,	Loring,	Stephens,
Brentano,	Finley,	Luttrell,	Stewart,
Brewer,	Forney,	Lynde,	Stone, John W.
Bridges,	Fort,	Mackey,	Stone, Joseph C.
Briggs,	Foster,	Maish,	Strait,
Brogden,	Franklin,	Majors,	Swann,
Buckner,	Freeman,	Manning,	Thompson,
Bundy,	Frye,	Marsh,	Throckmorton,
Burchard,	Fuller,	Martin,	Tipton,
Burdick,	Gardner,	McCook,	Townsend, Amos
Butler,	Garfield,	McGowan,	Townsend, R. W.
Cabell,	Garth,	McKenzie,	Turner,
Caldwell, J. W.	Gause,	McKinley,	Turney,
Caldwell, W. P.	Giddings,	Metcalfe,	Vance,
Camp,	Glover,	Mills,	Van Vorhes,
Campbell,	Goode,	Mitchell,	Waddell,
Candler,	Gunter,	Money,	Wait,
Cannon,	Hale,	Monroe,	Walker,
Carlisle,	Hamilton,	Morgan,	Ward,
Caswell,	Hanna,	Morrison,	Warner,
Chalmers,	Hardenbergh,	Morse,	Watson,
Chittenden,	Harris, Benj. W.	Norcross,	Whitthorne,
Clafin,	Harris, Henry R.	Oliver,	Wigington,
Clark, Alvah A.	Harris, John T.	O'Neill,	Williams, C. G.
Clarke of Kentucky,	Hartzell,	Overton,	Williams, James
Clark of Missouri,	Haskell,	Page,	Williams, Jere N.
Clark, Rush	Hatcher,	Patterson, G. W.	Williams, Richard
Clymer,	Hayes,	Patterson, T. M.	Willis, Albert S.
Cobb,	Hendee,	Phelps,	Willis, Benj. A.
Cole,	Henderson,	Phillips,	Willits,
Collins,	Henkle,	Pollard,	Wilson,
Conger,	Henry,	Pound,	Wood,
Cook,	Herbert,	Price,	Wren,
Covert,	Hewitt, Abram S.	Pridmore,	Yeates,
Cox, Samuel S.	Hewitt, G. W.	Pugh,	Young, Casey
Cravens,	Hooker,	Ramey,	Young, John S.
Crittenden,	House,	Randolph,	

NOT VOTING—55.

Bailey,	Ellis,	McMahon,	Smalls,
Baker, William H.	Fleming,	Muldrow,	Smith, A. Herr
Ballou,	Gibson,	Muller,	Springer,
Beebe,	Harmer,	Neal,	Stenger,
Bland,	Harrison,	Peddie,	Thornburgh,
Bright,	Hart,	Potter,	Townsend, M. I.
Browne,	Hazelton,	Powers,	Tucker,
Cain,	Hiscock,	Reed,	Veeder,
Calkins,	Hunton,	Rice, William W.	Walsh,
Cox, Jacob D.	Hungerford,	Riddle,	White, Harry
Crapo,	Jorgensen,	Robertson,	White, Michael D.
Culbertson,	Knott,	Robinson, M. S.	Williams, Andrew
Davis, Horace	Lindsey,	Saylor,	Wright.
Dean,	Mayham,	Sexton,	

So the House refused to adjourn.

During the roll-call the following proceedings took place:

Mr. HALE. I hope the reading of the names will be dispensed with, so that we can get a vote upon my motion.

Mr. EDEN. I object.

Mr. SPARKS. I am paired with the gentleman from Pennsylvania, Mr. SMITH, who is absent. I am assured however that if he were present he would vote "no;" I therefore vote "no."

Mr. FRYE. The gentleman from Kentucky, Mr. KNOTT is detained

at his room by sickness. I am paired with him to-day, but as this is a question of no political importance, I vote "no."

The roll-call having been completed,

Mr. HALE said: I will again ask that the reading of the names be dispensed with, so we can get a vote upon my resolution.

Mr. EDEN. I object to the suspension of the reading of the names. The result of the vote was announced as above recorded.

PAYMENT OF ARREARS OF PENSIONS.

Mr. SPARKS. I am instructed by the Committee on Appropriations to move to suspend the rules and pass a bill making appropriations for the payment of arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes.

The bill was read.

Mr. RICE, of Ohio. I desire by the consent of the gentleman to offer an amendment to the bill.

The SPEAKER. It is not in order, pending a motion to suspend the rules, to offer an amendment to the bill. The Chair will have it read.

Mr. SPARKS. I have no objection to the amendment.

Mr. RICE, of Ohio. The Committee on Appropriations approved of it.

The SPEAKER. Then the gentleman from Illinois [Mr. SPARKS] can modify his motion so as to include the amendment.

Mr. BUTLER. I desire to ask the gentleman from Illinois a question, and it is, why are not the naval pensions made payable out of the Navy pension fund as all other Navy pensions are?

Mr. SPARKS. They are, I presume.

Mr. BUTLER. They are not, as I understand the bill from hearing it read. All other Navy pensions are payable out of the Navy fund.

Mr. RICE, of Ohio. The Commissioner will pay all these pensions out of the Navy fund if it is provided for by law.

The SPEAKER. The Chair understands that the gentleman from Illinois [Mr. SPARKS] accepts this amendment as a part of the original bill. The amendment will be read.

The Clerk read as follows:

That section 1 of the act of January 25, 1879, granting arrears of pensions, shall be construed to extend to and include pensions granted by special act of Congress (unless the special act fixes the rate and duration of the pensions) and pensions on account of soldiers who were enlisted or drafted for the service of the war of the rebellion, but died or incurred disabilities from a cause originating after the cessation of hostilities.

Mr. REAGAN. Has the gentleman from Illinois [Mr. SPARKS] the right to accept that amendment without a vote of the House? Has he been authorized by the Committee on Appropriations to accept it?

Mr. FOSTER. He has not been authorized by the committee to accept it.

Mr. SPARKS. I will state to the Chair and for the benefit of gentlemen that I am instructed by the Committee on Appropriations to report this bill.

Mr. REAGAN. I am not objecting to the bill, but I ask an opportunity to have a separate vote on the amendment offered by the gentleman from Ohio, [Mr. RICE.]

The SPEAKER. If the gentleman from Illinois [Mr. SPARKS] accepts the amendment that will modify his original proposition.

Mr. RICE, of Ohio. Being accepted, it becomes a part of the bill.

Mr. SPARKS. In answer to inquiries of gentlemen I will state what I stated originally, that I am not instructed by the Committee on Appropriations to accept anything. I have no objection to the amendment, and the majority of the committee, whom I have seen, have no objection to it.

The SPEAKER. The question is a simple one. It is whether the gentleman from Illinois includes the amendment of the gentleman from Ohio as a part of his original proposition, on which he moves a suspension of the rules.

Mr. REAGAN. Can he do that without authority of the Committee on Appropriations? The committee have given him no such authority.

The SPEAKER. The gentleman can modify his motion so as to suspend the rules and consider the bill, and then it will be open to amendment.

Mr. RICE, of Ohio. There is certainly not a man in this House who will object to the amendment. It has the unanimous recommendation of the Committee on Pensions, every member of the Committee on Appropriations agrees to it, and the Commissioner of Pensions himself is in favor of it. Now, I ask if there is a man in the House who is opposed to the amendment? It is a simple act of justice.

Mr. SPARKS. I have stated that the majority of the Committee on Appropriations agree to the amendment, and I will accept it, so far as I am concerned.

Mr. ATKINS. If the House understood what the amendment was, there probably would be no objection to it.

Mr. COX, of New York. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. COX, of New York. We cannot understand what this House is doing.

The SPEAKER. And the Chair cannot hear what is being said.

Mr. ATKINS. Will the House listen to an explanation of the amendment?

Mr. REAGAN. The river and harbor bill depends upon coming into the House within the next two hours, and I must object to debate.

Mr. RICE, of Ohio. It will take but a moment.

The SPEAKER. The gentleman from Illinois [Mr. SPARKS] must make choice of what he will do.

Mr. SPARKS. I accept the amendment, so far as I am concerned.

The SPEAKER. Then the gentleman must present it on his own responsibility.

Mr. SPARKS. I present the bill now as modified upon my own responsibility, and I move to suspend the rules and pass the bill as modified.

Mr. EWING. Has the gentleman a right on his own responsibility to move a suspension of the rules?

The SPEAKER. The Chair understood the gentleman to state that he had the authority of the Committee on Appropriations; that the Committee on Pensions unanimously agreed to it, and that the Commissioner of Pensions was in favor of it. It is now a question for the gentleman himself to determine.

Mr. EWING. The gentleman now makes the motion on his own responsibility, not upon the responsibility of the Committee on Appropriations. I ask that the gentleman move to suspend the rules in order to consider the bill, and then it will be open to amendment and we can provide the means to pay these pensions.

Many MEMBERS. No, no; go on with the bill.

The SPEAKER. The bill will now be read as modified.

The bill was read, as follows:

A bill making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes.

Be it enacted, etc. That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the following sums: for the arrears of pensions due on claims in which the pensions were allowed prior to January 29, 1878, \$25,000,000, the amounts paid out, respectively, for Army and Navy pensions to be accounted for separately to the proper accounting officers of the Treasury Department.

For pensions for Army and Navy invalids, widows, minors, and dependent relatives for the fiscal year ending June 30, 1879, \$1,800,000, in addition to the amounts heretofore appropriated for this purpose, the amounts paid out on account of Army and Navy pensions, respectively, to be accounted for separately to the proper accounting officers of the Treasury Department.

For temporary clerks in the Pension Office and for furniture, rent of additional rooms, and other contingencies, \$52,200, in addition to the appropriations which have been or shall be made under other acts, the same to be available until June 30, 1880: *Provided*, That no more than \$3,500 shall be used for furniture, contingencies, and rents; that the rate at which the arrears of invalid pensions shall be allowed and computed in all cases which have been or shall hereafter be allowed shall be graded according to the degree of the pensioner's disability from time to time and the provisions of the pension laws in force from the period for which arrears shall be paid; that section 1 of the act of January 25, 1879, granting arrears of pensions shall be construed to extend to and include pensions granted by special act of Congress, unless the special act fixes the rate and duration of the pension, and pensions on account of soldiers who were enlisted or drafted for service in the war of the rebellion and died or incurred disability from a cause originating after the cessation of hostilities.

The question was taken upon the motion to suspend the rules and pass the bill as modified; and upon a division there were—ayes 150, noes 45.

Before the result of the vote was announced,

Mr. MCKENZIE, Mr. WHITE of Pennsylvania, and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 184, nays 67, not voting 39; as follows:

YEAS—184.

Acklen,	Cox, Samuel S.	Hendee,	Monroe,
Aldrich,	Crittenden,	Henderson,	Morgan,
Bacon,	Cummings,	Henkle,	Morse,
Bagley,	Cutler,	Henry,	Neal,
Bailey,	Danford,	Hewitt, Abram S.	Norcross,
Baker, John H.	Dean,	Hubbell,	Oliver,
Banks,	Deering,	Humphrey,	O'Neill,
Banning,	Denison,	Hungerford,	Overton,
Bayne,	Dickey,	Hunter,	Page,
Benedict,	Dannell,	Ittner,	Patterson, G. W.
Bicknell,	Dwight,	James,	Patterson, T. M.
Bisbee,	Eames,	Jones, Frank	Peddie,
Blair,	Eden,	Jones, John S.	Phelps,
Bliss,	Ellsworth,	Jorgensen,	Phillips,
Bouck,	Errett,	Joyce,	Pollard,
Boyd,	Evans, I. Newton	Keifer,	Pound,
Brentano,	Evans, James L.	Keightley,	Powers,
Brewer,	Ewing,	Kelley,	Price,
Bridges,	Finley,	Kenna,	Pugh,
Briggs,	Fort,	Ketcham,	Rainey,
Browne,	Foster,	Killinger,	Randolph,
Buckner,	Franklin,	Knapp,	Rea,
Bundy,	Freeman,	Landers,	Relly,
Burchard,	Fuller,	Lapham,	Rice, Americus V.
Burdick,	Gardner,	Lathrop,	Robinson, G. D.
Calkins,	Garfield,	Lindsey,	Ross,
Camp,	Gause,	Lockwood,	Ryan,
Campbell,	Glover,	Loring,	Sampson,
Cannon,	Hale,	Luttrell,	Sapp,
Caswell,	Hamilton,	Lynde,	Saylor,
Chittenden,	Hanna,	Mackey,	Sexton,
Clafin,	Hardenbergh,	Majors,	Shallenberger,
Clark, Alvah A.	Harmer,	Marsh,	Sinnickson,
Clark of Missouri,	Harris, Benj. W.	Martin,	Smalls,
Clark, Rush	Harrison,	McCook,	Southard,
Clymer,	Hart,	McGowan,	Sparks,
Cobb,	Hartzell,	McKinley,	Springer,
Cole,	Haskell,	McMahon,	Starin,
Collins,	Hatcher,	Metcalfe,	Stenger,
Conger,	Hayes,	Mitchell,	Stephens,

Stewart,
Stone, John W.
Stone, Joseph C.
Strait,
Swann,
Thompson,

Tipton,
Townsend, Amos
Townshend, R. W.
Turner,
Turney,
Van Vorhes,

Wait,
Ward,
Watson,
White, Harry
Williams, Andrew
Williams, C. G.

Williams, Richard
Willis, Benj. A.
Willits,
Wilson,
Wren,
Wright.

YAYS—67.

Aiken,
Atkins,
Beale,
Bell,
Blount,
Boone,
Bragg,
Bright,
Brogden,
Cabell,
Caldwell, John W.
Caldwell, W. P.
Candler,
Carlisle,
Chalmers,
Clarke of Kentucky,
Cook,

Covert,
Cravens,
Culbertson,
Davidson,
Davis, Joseph J.
Dibrell,
Durham,
Elam,
Ellis,
Evins, John H.
Felton,
Fleming,
Forney,
Garth,
Giddings,
Goode,
Gunter,

Harris, Henry R.
Harris, John T.
Hobert,
Hewitt, G. W.
Hooker,
House,
Jones, James T.
Ligon,
Manning,
McKenzie,
Money,
Muldrow,
Pridemore,
Reagan,
Robbins,
Robertson,
Scales,

Shelley,
Singleton,
Slemmons,
Smith, William E.
Steele,
Throckmorton,
Vance,
Waddell,
Warner,
Whitthorne,
Williams, James
Williams, Jere N.
Willis, Albert S.
Wood,
Yeates,
Young, John S.

NOT VOTING—39.

Baker, William H.
Ballou,
Beebe,
Blackburn,
Bland,
Butler,
Cain,
Cox, Jacob D.
Crapo,
Davis, Horace

Eickhoff,
Frye,
Gibson,
Hazelton,
Hiscock,
Huntton,
Kimmel,
Knott,
Maish,
Mayham,

Mills,
Morrison,
Muller,
Potter,
Reed,
Rice, William W.
Riddle,
Roberts,
Robinson, M. S.
Smith, A. Herr

Thornburgh,
Townsend, M. I.
Tucker,
Veeder,
Walzer,
Walsh,
White, Michael D.
Wigington,
Young, Casey.

So the rules were suspended and the bill (H. R. No. 6462) was passed.

During the roll-call the following announcements were made:

Mr. MILLS. I am paired with Mr. RICE, of Massachusetts. If he were here, he would vote "ay" and I would vote "no."

Mr. SPARKS. I am paired with Mr. SMITH, of Pennsylvania. If he were present, he would vote "ay," and, as I also vote in the affirmative, I ask my vote to be recorded.

Mr. COVERT. My colleague, Mr. BEEBE, is paired with my other colleague, Mr. BAKER.

Mr. WIGGINTON. I am paired with my colleague, Mr. DAVIS.

Mr. ATKINS. I cannot vote for this bill, and therefore vote "no."

Mr. CLARKE, of Kentucky. My colleague, Mr. BLACKBURN, who is unavoidably absent, is paired.

Mr. HUNTER. My colleague, Mr. ROBINSON, who is absent on important business, if present would vote in the affirmative.

Mr. PAGE. My colleague, Mr. DAVIS, who is paired with my other colleague, Mr. WIGGINTON, would, if present, vote in the affirmative.

Mr. EAMES. My colleague, Mr. BALLOU, who is absent by order of the House, is paired with Mr. RIDDLE. If present, he would vote in the affirmative.

Mr. FRYE. I am paired with Mr. KNOTT, who is confined to his room by sickness.

Mr. STEWART. I am paired with Mr. DAVIDSON.

The vote was then announced as above recorded.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. REAGAN. I offer the following substitute for the river and harbor bill (H. R. No. 6430) by instructions of the committee, and move to suspend the rules and pass the bill. I desire to state there is no change in the appropriations, but merely some verbal changes in the bill as originally reported from the Committee on Commerce.

The bill was read, as follows:

A bill making appropriations for the construction, repair, preservation, and completion of certain works on rivers and harbors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works hereinafter named:

For improving Penobscot River, Maine, \$2,000.
For improving harbor at Belfast, Maine, \$5,000.
For improving Richmond Island Harbor, Maine, \$3,000.
For improving Kennebec River, Maine, \$2,000.
For improving Merrimac River, Massachusetts, \$5,000.
For repair of harbor at Plymouth, Massachusetts, \$3,500.
For the maintenance and annual repairs of the harbor at Provincetown, Massachusetts, \$1,000.
For improving the harbor at Hyannis, Massachusetts, \$2,500; of which sum \$500, or so much thereof as may be necessary, shall be expended in the removal of the wreck at that point.
For improving Taunton River, Massachusetts, \$1,000.
For improving Providence River and Narragansett Bay, Rhode Island, \$30,000.
For improving Little Narragansett Bay, Rhode Island and Connecticut, \$5,000.
For improving Connecticut River below Hartford, Connecticut, including dredging between Hartford and Middletown, \$10,000.
For improving harbor at Stonington, Connecticut, \$22,500.
For improving Thames River, Connecticut, to secure a fourteen-foot channel, \$7,500.
For improving Housatonic River, Connecticut, \$2,000.
For improving harbor at Bridgeport, Connecticut, \$6,000.
For improving harbor at Norwalk, Connecticut, \$5,000; of which sum not exceeding \$1,500 shall be expended on the bar below the bridge.
For improving harbor at Port Jefferson, Long Island Sound, New York, \$5,000.
For improving harbor at New Haven, Connecticut, \$7,500.
For improving Hudson River, New York, \$30,000.

For removing obstructions in East River and Hell Gate, New York, \$250,000.
For improving Echo Harbor, New Rochelle, New York, \$3,000.
For improving harbor at Plattsburgh, New York, dredging, \$2,000.
For improving Raritan River, New Jersey, \$60,000.
For improving Superior Bay, Wisconsin, \$5,000.
For improving Duluth Harbor, \$30,000.
For improving Passaic River, New Jersey, \$2,000.
For improving East Chester Creek, New York, \$3,500.
For improving harbor at Burlington, Vermont, \$15,000.
For improving harbor at Swanton, Vermont, \$6,000.
For improving Otter Creek, Vermont, \$5,000.
For constructing pier in Delaware Bay, near Lewes, Delaware, \$10,500.
For piers of ice-harbor in New Castle, Delaware, \$5,500.
For improving harbor at Wilmington, Delaware, \$3,500.
For improving Schuylkill River, Pennsylvania, \$25,000.
For improving Delaware River below Bridesburgh, Pennsylvania, \$45,000.
For improving Delaware River between Trenton and White Hill, New Jersey, \$6,000.
For improving Cohansey Creek, New Jersey, \$4,500.
For improving harbor at Baltimore, Maryland, \$100,000.
For improving Wicomico River, Maryland, \$3,000.
For improving James River, Virginia, \$60,000.
For improving Appomattox River, Virginia, \$10,000.
For improving Great Kanawha River, West Virginia, \$150,000.
For improving Cape Fear River, North Carolina, \$25,000.
For improving Breton Bay, Leonardtown, Maryland, \$4,000.
For improving mouth of Nomoni Creek, Virginia, \$2,500.
For improving Rappahannock River, Virginia, \$10,000.
For improving harbor at Norfolk, Virginia, and its approaches, \$50,000.
For improving the harbors and channels at Washington and Georgetown, District of Columbia, \$50,000; of which sum \$20,000 shall be expended in dredging the channel of the Potomac River between the Long Bridge and the United States arsenal, and \$30,000 shall be expended in Georgetown harbor and channel; and the whole of said sum of \$50,000 is hereby directed to be so expended as to produce the greatest immediate benefit to navigation and commerce.
For improving Blackwater River, Virginia, \$2,500.
For improving Neuse River, North Carolina, \$15,000.
For improving Hampton River, Virginia, \$2,700.
For improving Chickahominy River, Virginia, \$1,000.
For improving French Broad River, North Carolina, \$5,000.
For improving Pamlico River, North Carolina, \$3,000.
For improving harbor at Edenton, North Carolina, \$1,000.
For improving Roanoke River, North Carolina, \$1,500.
For improving harbor at Charleston, South Carolina, \$100,000.
For improving harbor at Savannah, Georgia, \$100,000.
For improving inside passage between Fernandina and Saint John's, Florida, \$3,000.
For improving harbor at Cedar Keys, Florida, including removal of wrecks, \$15,000.
For improving Choctawhatchee River, Florida and Alabama, \$5,000.
For improving Alabama River, Alabama, \$30,000.
For improving Chattahoochee River, Georgia, \$15,000.
For improving Flint River, Georgia, \$7,000.
For improving Saint Augustine's Creek, Georgia, \$5,000.
For improving Warrior and Tombigbee Rivers, Alabama and Mississippi, \$30,000; of which sum \$10,000 shall be expended on the Tombigbee above Columbus, and \$20,000 on the Warrior and Tombigbee below Columbus.
For improving the Apalachicola River, Florida, including the slough connecting the Apalachicola with the Chipola River, \$5,000.
For improving New River, from Lead Mines in Wythe County, Virginia, to mouth of Greenbrier, \$12,000.
For improving harbor at New Orleans, Louisiana, \$60,000.
For deepening channel of Sabine Pass and at Blue Buck Bar, Texas, \$25,000.
For improving entrance to Galveston Harbor, Texas, \$100,000.
For improving narrows of Sabine River above Orange, Texas, \$6,000.
For improving mouth of Trinity River, Texas, \$2,500.
For improving mouth of Neches River, Texas, \$5,000.
For improving Passo Cavallo Inlet into Matagorda Bay, Texas, \$25,000.
For examinations and surveys of South Pass of the Mississippi River: To ascertain the depth of water and width of channel secured and maintained from time to time by James B. Eads at the South Pass of the Mississippi River, and to enable the Secretary of War to report during the construction of the work the payments made from time to time and the probable times of other payments, and to report during the construction of the work all important facts relating to the progress of the same, materials used, and the character and permanency with which the said jetties and auxiliary works are being constructed, as required by act approved March 3, 1875, and act approved June 19, 1878, which impose on the engineer officer the duty of certifying to the correctness of expenditures for labor, material, &c., amounting to \$500,000, to be paid Mr. Eads in monthly installments, \$24,000.
For removing raft in Red River and closing Tones Bayou, Louisiana, \$15,000.
For removing obstructions from Red River, Louisiana, \$23,500.
For improving Cypress Bayou, Texas and Louisiana, \$6,000.
For improving mouth of Red River, Louisiana, \$40,000.
For improving harbor and the Mississippi River at Memphis, Tennessee, \$37,000.
For improving Mississippi River at and near Vicksburg, and protection of harbor at Vicksburg, Mississippi, \$27,000.
For improving Ouachita River, Arkansas and Louisiana, \$10,000.
For improving Yazoo River, Mississippi, \$15,000.
For annual expense of gauging the waters of the Mississippi River and its tributaries: continuing observation of the rise and fall of the river and its chief tributaries, as required by joint resolution of February 21, 1871, \$5,000.
For improving Mississippi, Missouri, and Arkansas Rivers: removing snags, wrecks, and other obstructions, \$190,000; of which sum \$100,000 shall be expended on the Mississippi River, \$60,000 shall be expended on the Missouri River, and \$30,000 shall be expended on the Arkansas River.
For improving Mississippi River from Saint Paul to Des Moines Rapids, \$100,000: Provided, That not exceeding \$20,000 thereof shall be used by the War Department in making a practical test of the flume invented by M. J. Adams; said test to be made under the supervision and direction of said Adams, but without compensation to said Adams for his services.
For survey of Missouri River from its mouth to Sioux City, Iowa, \$25,000.
For improving Missouri River at or near Fort Leavenworth, \$10,000.
For improving Missouri River at Sioux City, Iowa, \$10,000; which sum shall be available on the passage of this act.
For improving Missouri River at Atchison, Kansas, \$30,000.
For improving Missouri River opposite Saint Joseph, \$9,000.
For improving Missouri River at Eastport, Iowa, and at Nebraska City, Nebraska, \$25,000.
For improving Missouri River at Council Bluffs, Iowa, and at Omaha, Nebraska, \$40,000.
For improving Missouri River above mouth of the Yellowstone River, \$25,000.
For improving the Mississippi River between the mouths of the Illinois and Ohio Rivers, \$300,000; of which sum \$15,000 shall be expended between the mouths

of the Illinois and Missouri Rivers, \$30,000 between the foot of Dickey's Island and the mouth of the Ohio River, and \$8,000 between Islands Nos. 14 and 15, near the town of Kaskaskia, Illinois.

For improving Upper Mississippi River: operating snagboat, \$20,000.
For improving Mississippi River from Des Moines Rapids to mouth of the Illinois River, \$40,000.

For improving White River at Buffalo Shoals, Arkansas, \$2,500.
For improving Rush Chute and the harbor of Burlington, Iowa, \$5,000.
For improving harbor at Fort Madison, Iowa, \$3,600.
For removing bar in Mississippi River opposite Dubuque, Iowa, \$4,000.
For improving Des Moines Rapids, \$25,000.
For operating the canal at Des Moines Rapids, \$40,000.
For improving Rock Island Rapids, Mississippi River, \$6,000.
For improving Galena River and harbor, Illinois, \$12,000.
For improving Saint Croix River, Wisconsin, \$6,000.
For improving Red River of the North, Minnesota, exclusively for dredging, \$20,000.

For improving Illinois River, \$40,000.
For improving Cumberland River below Nashville, Tennessee, \$25,000.
For improving Cumberland River above Nashville, Tennessee, \$39,000; of which sum \$18,000 shall be expended from Nashville to the Kentucky line, \$15,000 from the Kentucky line to Smith's Shoals, and \$6,000 at Smith's Shoals.

For improving Tennessee River above Chattanooga, \$11,500.
For improving Tennessee River below Chattanooga, including Muscle Shoals, and Duck River Shoal, and the shoal at Reynoldsburgh, \$210,000: *Provided*, That whenever, in the prosecution or maintenance of the work of improving Tennessee River between Decatur and Florence, in the State of Alabama, it may be necessary, in the judgment of the Secretary of War, to take possession of any lands for canals or cut-offs, and a reasonable price for the same can be agreed upon between the owner of said lands and the officer in charge of said work on the part of the United States, the Secretary of War may authorize the purchase of said lands: *Provided*, That in case the owners of said lands shall refuse to sell the same at a reasonable price, then the price to be paid shall be determined, and the title and jurisdiction procured, in the manner prescribed by the laws of the State of Alabama: *And provided*, That in either case the entire cost of such lands to the United States shall not exceed \$25,000.

In consideration of the proposition of the Buffalo Bayou Ship-Channel Company to turn over their work at Morgan's Point, and to surrender their charter granted by the Legislature of Texas, and the rights accruing thereunder, to the United States, which proposition is now on file in the War Department, and is hereby accepted, the Government hereby adopts the line surveyed from the cut in Red Fish Bar to the cut in Morgan's Point, and the sum of \$80,000 is hereby appropriated for the improvement of that line: *Provided*, That no part of said sum shall be expended until said Buffalo Bayou Ship-Channel Company shall file with the Secretary of War, in manner and form to be by him approved, their acceptance of this provision of this act.

For improving Coosa River, Georgia and Alabama, \$45,000.
For improving Hiawasse River, Tennessee, \$3,000.
For improving Oostanaula and Coosawatee Rivers, Georgia, \$3,000.
For improving Ocmulgee River, Georgia, \$7,000.
For improving Oconee River, Georgia, \$1,500.

For improving the Ohio River, \$200,000; of which sum no part shall be expended on the Davis Island Dam; and the sum of \$150,000, or so much thereof as remains unexpended, set apart by the Secretary of War out of the appropriation for the improvement of the Ohio River made by the act of June 18, 1878, for said Davis Island Dam, is hereby prohibited from being expended on said Davis Island Dam, and the same is made available and directed to be expended in the general improvement and deepening of the channel of said river and the removal of snags and obstructions therein. But of the sum hereby appropriated and made available for the improvement of the Ohio River, \$50,000, or so much thereof as may be necessary, shall be expended in the removal of obstructions at Grand Chain, and \$30,000 between Pittsburgh and the mouth of Beaver.

For improving Little Kanawha River, West Virginia, dredging and removing obstructions and for wing dams, if required, \$18,000.

For improving Guyandotte River, West Virginia, \$1,000.
For improving harbor at Ontonagon, Michigan, \$17,000; of which sum \$15,000 shall be expended in the construction of piers, and \$2,000 in dredging.

For improving Big Sandy River from Catlettsburgh, Kentucky, to head of navigation, \$12,000.

For improving Wabash River, Indiana, \$20,000.
For improving Eagle Harbor, Michigan, \$2,000.
For improving harbor at Marquette, Michigan, for repairs, \$1,500.
For improving harbor at Menominee, Wisconsin, \$10,000.
For improving harbor at Green Bay, Wisconsin, \$4,000.
For harbor of refuge at entrance of Sturgeon Bay Canal, Wisconsin, \$18,000.
For improving harbor at Ahnapee, Wisconsin, \$7,000.
For improving harbor at Two Rivers, Wisconsin, \$12,000.
For improving harbor at Manitowish, Wisconsin, \$6,500.
For improving harbor at Sheboygan, Wisconsin, repairs and dredging, \$39,000.
For improving harbor at Port Washington, Wisconsin, \$7,500.
For improving harbor at Milwaukee, Wisconsin, \$7,500.
For improving harbor at Racine, Wisconsin, \$6,000.
For improving harbor at Kenosha, Wisconsin, \$5,000.
For improving Fox River, Wisconsin, \$100,000.
For improving harbor at Chicago, Illinois, \$75,000.
For improving harbor at Calumet, Illinois, \$12,000.
For improving harbor at Michigan City, Indiana, \$20,000.
For improving harbor at Charlevoix, Michigan, \$9,000.
For improving harbor at Frankfort, Michigan, \$4,000.
For improving harbor at Manistee, Michigan, \$10,000.
For improving harbor at Ludington, Michigan, \$5,000.
For improving harbor at Pent Water, Michigan, \$6,000.
For improving harbor at White River, Michigan, \$7,500.

For improving Saint Mary's River and Saint Mary's Falls Canal, \$250,000; of which sum \$200,000 shall be expended on the canal, and \$50,000 shall be expended on the survey and improvement of the river toward obtaining a depth in present channel of sixteen feet.

For improving harbor at Grand Haven, Michigan, \$9,000.
For improving harbor at Black Lake, Michigan, \$6,000.
For improving harbor at Saugatuck, Michigan, \$3,000.
For improving harbor at South Haven, Michigan, \$7,500.
For improving river and harbor at Saint Joseph, Michigan, \$6,000.
For harbor of refuge at Lake Huron, Michigan, \$50,000.
For improving Detroit River, Michigan, \$50,000.
For improving Saint Clair Flats, Michigan, repairs of canal, \$3,000.
For improving harbor at Muskegon, Michigan, \$2,500.
For improving Saginaw River, Michigan, \$8,000.
For improving harbor at Cheboygan, Michigan, \$3,000.
For improving harbor at Monroe, Michigan, \$2,000.
For improving harbor at Toledo, Ohio, \$10,000.
For improving harbor at Port Clinton, Ohio, \$10,000.
For improving harbor at Sandusky City, Ohio, \$1,000.
For improving harbor at Cleveland, Ohio, \$100,000.

For improving harbor at Ashtabula, Ohio, \$9,000.
For improving harbor at Erie, Pennsylvania, \$25,000.
For improving harbor at Buffalo, New York, \$100,000.
For improving harbor at Oak Orchard, New York, \$1,000.
For improving harbor at Charlotte, New York, repair of piers, \$1,000.
For improving harbor at Pultneyville, New York, \$4,000.
For improving harbor at Great Sodus Bay, New York, \$2,000.
For improving Oakland Harbor, California, \$80,000; but this sum shall not be available until the right of the United States to the bed of the estuary and training-walls of this work is secured, free of expense, to the Government, in a manner satisfactory to the Secretary of War; and if said right shall not have been so secured by July 1, 1879, said sum shall be returned into the Treasury.

For improving harbor at Little Sodus Bay, New York, \$5,000.
For improving harbor at Oswego, New York, \$90,000.
For improving harbor at Wilmington, California, \$12,000.
For improving Sacramento and Feather Rivers, California, \$8,000.
For improving Lower Willamette and Columbia Rivers, from Portland, Oregon, to the sea, \$45,000.

For improving Upper Willamette River, \$12,000.
For improving Upper Columbia River, including Snake River, \$20,000.
For constructing canal around the Cascades of Columbia River, \$50,000.

For protection of river bank at Fort Brown, Texas, \$7,000.
For examinations and surveys for reservoir at sources of the Mississippi, Saint Croix, Chippewa, and Wisconsin Rivers, completing survey, \$12,000.

For improving Coos Bay, Oregon, \$40,000.
For improving Lower Clearwater River, Idaho, \$5,000.

For improving Elk River, West Virginia, the sum of \$5,000, appropriated by the act of June 18, 1878, is directed to be expended in the removal of obstructions to open navigation from Braxton Court House to the mouth of Big Sandy: *Provided*, however, That not exceeding \$500 thereof may be expended for the improvement of steamboat navigation at Jarrett's Ford, but in no way to obstruct navigation by boats and rafts.

For improving Scuppernon River, North Carolina, \$2,000.
For improving Mispillan Creek, Delaware, \$3,000.

For improving Delaware River at or near Cherry Island Flats, \$75,000.
For improving the Kentucky River from the mouth to Three Forks, according to estimate and report of Major William E. Merrill, January 14, 1879, \$100,000.

For improving Woodbridge Creek, New Jersey, \$4,000.
For improving Elizabeth River, New Jersey, to secure a seven-foot channel, \$7,500.

For improving Rahway River, New Jersey, deepening channel, and removing obstructions, \$10,000.

For improving Flushing Bay, New York, \$10,000.
For improving Yellowstone River at Buffalo Rapids, \$10,000.

For improving Mobile Harbor, to secure a seventeen-foot channel, \$100,000.
For improving and repairing San Diego Harbor, California, \$1,000.

For improving Big Sunflower River, Mississippi, \$20,000.
For improving Coldwater River, Mississippi, \$7,000.

For improving Tallahatchie River, Mississippi, \$6,000.
For improving Upper Red River from Fulton to the head of the raft, \$10,000.

For improving Urbana Creek, Virginia, \$5,000.
For improving Monongahela River, West Virginia and Pennsylvania, to be expended in completing lock and dam at Hoard's Rock, \$24,000.

For improving Boston Harbor, to be expended in the improvement of Anchorage Shoals, the channel at the lower, middle, and dredging the upper harbor, near the mouth of the Mystic River, \$25,000.

For improving Staunton River, Virginia, \$5,000.
For improving Missouri River at Cedar City, \$10,000.

For improving Missouri River at and near Glasgow, \$15,000.
For improving Bayou La Fourche, Louisiana, including removal of obstructions and deepening of channel, \$10,000.

For construction of breakwater at New Haven, Connecticut, \$30,000.
For improving entrance to Wood's Holl Harbor, Massachusetts, \$5,000, to secure a channel two hundred feet wide and ten feet deep.

For improving Manasquan River, New Jersey, \$12,000.
For improving harbor at Grand Marais, Minnesota, \$10,000.

For improving harbor at Muscatine, Iowa, \$7,500.
For improving White and Saint Francis Rivers, Arkansas, \$12,000.

For improving L'Angeuille River, Arkansas, \$3,000.
For ice-harbor at or near Cincinnati, Ohio, the sum of \$50,000, appropriated by act of June 18, 1878, is hereby declared available for the ensuing year.

For improving Cambridge Harbor and Pocomoke River, Maryland, \$2,500 each.
For improving harbor at Queenstown, Maryland, \$3,000.

For improving Southport Harbor, Connecticut, \$2,000.
For improving North Landing River, Virginia and North Carolina, \$25,000.

For improving Lubec Channel, Maine, \$10,000; and for the purpose of this improvement the unexpended balance of the appropriations made for the improvement of the Saint Croix River by the acts of March 2, 1867, March 3, 1873, and June 23, 1874, are hereby made available.

For harbor of refuge at Portage Lake, Lake Michigan, \$10,000.
For Onancock Harbor, Virginia, \$3,000.

For improving Trent River, North Carolina, \$7,000.
For improving Neuse River, North Carolina, from Smithfield to Goldsborough, \$6,000.

For improving Tar River, North Carolina, \$3,000.
For improving Aransas Pass and Bay up to Rockport and Corpus Christi, Texas, \$35,000; which sum shall be expended in deepening the channel across the outer bar of Aransas Pass and the protection of the head of Mustang Island: *Provided*, That if the expenditure of said sum in the manner indicated herein involve the improvement of any channel or way owned or controlled by any corporation or person with the right to levy tolls or otherwise to affect the navigation and commerce thereof, no part of said sum shall be expended until such right, ownership, and control shall have been surrendered and relinquished to the United States, free of cost, in manner and form to be approved by the Secretary of War.

For improving Brunswick Harbor, Georgia, \$10,000.
For improving Portsmouth Harbor, New Hampshire, \$10,000.

For improving Missouri River at or near Kansas City, \$30,000.
For improving Pascagoula River, Mississippi, \$14,000.

For improving Pearl River, Mississippi, from Jackson to Carthage, \$6,000.
For improving the Osage River, Kansas and Missouri, \$10,000.

For improving White River, Indiana, from the Wabash River to Portersville and to the Falls on West Fork, according to report of Chief of Engineers, without constructing locks and dams, \$25,000.

For sluice-way through public works at Saint Anthony's Falls, Minnesota, \$10,000: *Provided*, That no part of said sum shall be expended for right of way, and that said improvement can be made without expense to the United States further than the actual construction of said sluice-way.

For the protection of the high sand-banks on the Chippewa River, Wisconsin, to prevent their erosion and deposition in the Mississippi River, \$3,000: *Provided*, That nothing shall be done, nor shall any improvement be made, on the said Chippewa River, under or in pursuance of this act, or the appropriation hereby made, which shall, directly or indirectly, prevent, interfere with, or obstruct the free navigation of the said river, as heretofore, by steamboats or other water-craft, or the free use thereof, as heretofore, for the running, floating, guiding, or sheering of

loose logs or rafts of lumber or logs upon or down the same, or which shall, directly or indirectly, prevent, obstruct, or interfere with the use of any slough, arm, or branch of the said river, as heretofore, for the holding, assorting, or rafting of logs therein.

For improving Shrewsbury River, New Jersey, \$10,000.

For improving Savannah River above Augusta, Georgia, \$10,000.

For improving navigation of Mississippi River in front of Quincy, Illinois, \$10,000; but no part of this sum shall be expended on the harbor.

For improving Harlem River, New York, \$100,000; but this appropriation is made subject to the provisions and limitations contained in the act of June 18, 1878, relating to said Harlem River improvement and the right of way therefor.

For improving Delaware River at Schooner Ledge, \$50,000.

It shall be the duty of the Secretary of War to apply the money herein appropriated for improvements, other than surveys and estimates, in carrying on the various works by contract or by hired labor, at his discretion, and as in his judgment may be most advantageous to the Government; and, where said works are done by contract, such contracts shall be made after sufficient public advertisement for proposals in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders therefor, accompanied by such securities as the Secretary of War shall require.

SEC. 2. That the Secretary of War is hereby directed, at his discretion, to cause examinations or surveys, or both, and estimates of cost of improvements proper, to be made at the following points, namely:

The outlet of Lake Winnepesaukee, New Hampshire;
Nantucket Harbor, Massachusetts;
Broad Bay, Virginia;
Link Horn Bay, Virginia;
Lin Haven Bay, Virginia;
Chincoteague Inlet, Virginia;
Shenandoah River, Virginia and West Virginia;
Cathause, Maine;
The Delaware at Chester and Marcus Hook, Pennsylvania, to ascertain its adaptability for an ice-harbor;
New Town Creek, at mouth of East River, New York;
Nanticoke River, Delaware and Maryland;
Channel leading into Cabin Creek, Maryland;
Northeast River, Maryland;
Lockwood's Folly River, North Carolina;
Tread Haven Creek, Maryland, for a distance of three miles below Eastern Creek;
Slaughter Creek, Maryland;
Choptank River, Maryland, between Denton and Greensborough;
Secretary Creek, Maryland;
Canal connecting Galveston and Brazos River, Texas;
Bayou Vermillion, Louisiana;
Bayou Teche, Louisiana;
Bayou Courtableau, Louisiana;
Coosa River, from the bridge of Selma River, Rome and Dalton Railroad, to city of Wetumpka, Alabama;
Duck River, from its mouth to Centreville, Tennessee;
Yallahusha River, Mississippi;
Noxubee River, Mississippi;
Caivre River, Missouri;
Arkansas River, at Pine Bluff;
Ohio River and mouth of Little Kanawha River, West Virginia, to ascertain the adaptability of that locality for an ice-harbor, including a report on the cost and merit of that point compared with the mouth of the Muskingum at Marietta, Ohio, surveyed under the provisions of the act of June 18, 1878;
Waukegan Harbor, Illinois;
Breakwater at Mackinac, Michigan;
Harbor of refuge at entrance to Portage Lake and Lake Superior ship-canal;
Petaluma Creek, California;
Resurvey of Sabine River, Texas, from its mouth to East Hamilton;
Resurvey of Neches River, Texas, from the mouth of the Neches to Bevelport;
Resurvey of Trinity River, Texas, from its mouth to the bridge of the Great Northern Railroad;
Charlotte Harbor and Peace Creek, Florida;
Entrance to Cumberland Sound, Florida and Georgia;
Withlacooche River, Florida;
Black River, Arkansas;
Coney Fork, Cumberland River, Tennessee;
Saint Joseph River, from its mouth in Michigan to Elkhart, Indiana, including channel leading up to Benton Harbor;
Trinidad Harbor, California;
Tchula Lake, Mississippi;
Archer's Hope River, Virginia;
Susquehanna River, Pennsylvania;
Resurvey of Sebawing Harbor, Michigan;
Resurvey of Clinton River, Michigan;
Resurvey of bar at mouth of Bell River, Michigan;
Aroostook River, Maine, from boundary-line to Masardis;
Green River and its tributaries, Muddy and Barren Rivers, Kentucky;
Bayou Deglaize, Louisiana;
Mooseabec Bar, Jonesport, Maine;
South River, New Jersey, between Raritan River and old bridge;
Bayou Terre Bonne, Louisiana;
Bayou Courtableau, Louisiana;
Tchefuncte, Tichfaw, and Amite Rivers, Louisiana;
Cheesapeake Creek, New Jersey;
Allegheny River, from French Creek to Oleau, New York;
Dan River, Virginia, from Danville, Virginia, to Danbury, North Carolina, (continued);
The Mississippi, from Saint Paul to the Falls of Saint Anthony;
Oconto River, Wisconsin;
Wolf River, Wisconsin, (continued);
Superior Bay, to determine the best and most economical plan for harbor improvement for the head of Lake Superior;
Resurvey of Ogdensburg Harbor, New York;
Warrior from Tuscaloosa to Forks of Sipsey and Mulberry, Alabama;
Sipsey River, Alabama;
The Columbia River at The Dalles in Oregon, including plan and specifications for locks and canal around said point;
Ship-canal across Bergen Neck in Hudson County, New Jersey, Tuckahoe Creek, Maryland;
Chactowhatchie River, Alabama, from Geneva to Newton;
Pea River, Alabama, from Geneva to Elba;
Port Royal River, near Beaufort, South Carolina;
Survey and estimate for removal Bell's Rock, in York River, Virginia;
Pamunkey River, in Virginia;

SEC. 3. That for the examinations and surveys herein provided for, and for incidental repairs of harbors for which there is no special appropriation, the sum of \$150,000 is hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated.

This bill appropriates \$5,836,600.

Mr. LUTTRELL. I move the House adjourn.

Mr. COX, of New York. We should like to have time to examine this remarkable bill, and therefore I hope the House will adjourn.

Mr. LUTTRELL. Eleven States draw two-thirds of the appropriations under this bill, while twenty-seven States and the Territories get but one-third.

Mr. FRANKLIN. Some gentlemen oppose this bill because they think their districts do not get enough in the bill. That is what is the matter with them.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 74, not voting, 43; as follows:

YEAS—173.

Acklen,	Cummings,	Hunter,	Rea,
Aiken,	Cutler,	Humphrey,	Reagan,
Atkins,	Dayidson,	Ittner,	Robbins,
Bailey,	Deering,	Jones, Frank,	Roberts,
Banks,	Denison,	Jones, James T.	Robertson,
Banning,	Dibrell,	Jorgensen,	Ross,
Beale,	Dunnell,	Keightley,	Ryan,
Bell,	Durham,	Kelley,	Sampson,
Bicknell,	Eames,	Kenna,	Sapp,
Bisbee,	Elam,	Ketcham,	Sayler,
Blackburn,	Ellsworth,	Kimmel,	Shelley,
Bliss,	Evans, I. Newton,	Knapp,	Small,
Blount,	Evans, James L.	Landers,	Smith, William E.
Bouck,	Evins, John H.	Ligon,	Stephens,
Bragg,	Ewing,	Lockwood,	Stewart,
Brentano,	Felton,	Loring,	Stone, John W.
Brewer,	Fleming,	Lynde,	Strait,
Brogden,	Forney,	Majors,	Throckmorton,
Buckner,	Foster,	Manning,	Turner,
Bundy,	Franklin,	Marsh,	Vance,
Burdick,	Fuller,	Martin,	Van Vorhes,
Butler,	Garfield,	Mayham,	Waddell,
Cain,	Garth,	McGowan,	Walt,
Caldwell, John W.	Gause,	McKinley,	Walker,
Carlisle,	Giddings,	Metcalfe,	Ward,
Caswell,	Glover,	Mills,	Watson,
Chalmers,	Goode,	Monroe,	White, Harry
Claffin,	Hale,	Muldrow,	Williams, Andrew
Clark, Alvah A.	Hardenbergh,	Oliver,	Williams, C. G.
Clarke of Kentucky,	Harmer,	O'Neill,	Williams, Jere N.
Clark of Missouri,	Harris, Henry R.	Overton,	Williams, Richard
Clark, Rush,	Hart,	Page,	Willis, Albert S.
Cobb,	Hartzell,	Patterson, G. W.	Willis, Benj. A.
Cole,	Haskell,	Patterson, T. M.	Willits,
Conger,	Hatcher,	Peddie,	Wilson,
Cook,	Hazelton,	Phelps,	Wood,
Covert,	Hendee,	Phillips,	Wren,
Cox, Jacob D.	Henderson,	Pollard,	Wright,
Crapo,	Henry,	Potter,	Yeates,
Cravens,	Hewitt, G. W.	Pound,	Young, Casey
Crittenden,	Herbert,	Price,	Young, John S.
Culberson,	Hooker,	Pridemore,	
	House,	Pugh,	
	Hubbell,	Raney,	

NAYS—74.

Aldrich,	Davis, Joseph J.	Joyce,	Robinson, G. D.
Bacon,	Dickey,	Killinger,	Robinson, M. S.
Baker, John H.	Dwight,	Lapham,	Scales,
Bayne,	Eden,	Lathrop,	Sexton,
Benedict,	Errett,	Luttrell,	Shallenberger,
Blair,	Finley,	Mackey,	Siemons,
Boone,	Fort,	Maish,	Southard,
Boyd,	Freeman,	McCook,	Starin,
Bridges,	Gunter,	McMahon,	Steele,
Briggs,	Hamilton,	Mitchell,	Stenger,
Brown,	Hanna,	Money,	Thompson,
Caldwell, W. P.	Harris, Benj. W.	Morgan,	Tipton,
Campbell,	Harris, John T.	Morse,	Townsend, R. W.
Candler,	Hayes,	Neal,	Warner,
Cannon,	Hewitt, Abram S.	Norcross,	White, Michael D.
Chittenden,	Hunton,	Powers,	Whitthorne,
Clymer,	Hungerford,	Randolph,	Williams, James.
Collins,	James,	Reilly,	
Cox, Samuel S.	Jones, John S.	Rice, Americus V.	

NOT VOTING—43.

Bagley,	Eickhoff,	McKenzie,	Stone, Joseph C.
Baker, William H.	Ellis,	Morrison,	Swann,
Ballou,	Frye,	Muller,	Thornburgh,
Beebe,	Gardner,	Reed,	Townsend, Amos
Bland,	Gibson,	Rice, William W.	Townsend, M. I.
Bright,	Harrison,	Riddle,	Tucker,
Burchard,	Henkle,	Singleton,	Turney,
Cabell,	Hiscock,	Sinnickson,	Veeder,
Danford,	Keifer,	Smith, A. Herr	Walsh,
Davis, Horace	Knott,	Sparks,	Wigginton.
Dean,	Lindsey,	Springer,	

So (two-thirds voting in favor thereof) the rules were suspended, and the bill (H. R. No. 6463) making appropriations for the construction, repair, preservation, and completion of certain works on rivers and harbors, and for other purposes, was passed.

During the roll-call the following announcements were made:

Mr. ELLIS. I am paired with the gentleman from Maryland, Mr. WALSH. If he were present, I should vote "no."

Mr. WIGGINTON. I am paired with my colleague, Mr. DAVIS. If he were here, he would vote "no" and I should vote "ay."

Mr. COVERT. My colleagues, Mr. BEEBE and Mr. BAKER, are paired upon this question.

Mr. MCKENZIE. On this question I am paired with the gentleman from Missouri, Mr. BLAND. If he were present, he would vote "ay" and I should vote "no."

Mr. SPARKS. I am paired with the gentleman from Pennsylvania, Mr. SMITH. If he were present, I should vote "no;" I do not know how he would vote.

Mr. FRYE. I am paired with the gentleman from Kentucky, Mr. KNOTT.

Mr. BURCHARD. I am paired with the gentleman from Virginia, Mr. TUCKER, on this question.

Mr. DANFORD. I am paired with the gentleman from New York, Mr. TOWNSEND. If he were present, I should vote "no."

Mr. EAMES. My colleague, Mr. BALLOU, is absent by leave of the House.

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

Mr. WRIGHT. I ask unanimous consent of the House to correct a clerical error in the bill in regard to the improvement of the Susquehanna River by inserting after Pennsylvania, on page 31, line 62, of the bill, the following:

Between the Nanticoke Dam and New York State line.

Mr. REAGAN. I think there is no objection to that.

Mr. FORT. I object, unless the bill can be corrected in other respects. It needs a good deal of correction. [Cries of "Regular order!"]

ORDER OF BUSINESS.

Mr. BLACKBURN. I claim the floor for the business of the District of Columbia; but if it will not subject the committee to the loss of any rights I am willing to yield to the gentleman from Georgia, [Mr. BLOUNT,] who desires to introduce an appropriation bill.

The SPEAKER. The Committee for the District of Columbia will not lose any of its rights, for by the rules it is entitled to this day.

Mr. BLACKBURN. I desire to say that in yielding to this request of the gentleman from Georgia I am acting in accordance with the consent of all the members of the Committee for the District of Columbia.

DEFICIENCY APPROPRIATION BILL.

Mr. BLOUNT. I move that the rules be suspended and that the bill (H. R. No. 6436) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1879, and for prior years, and for those heretofore treated as permanent, and for other purposes, be passed.

Mr. HOOKER. I understand that to-day is devoted to motions to suspend the rules for the passage of bills and resolutions.

The SPEAKER. It was up to two o'clock.

Mr. HOOKER. I believe that I stand first on the list.

The SPEAKER. The gentleman stands there yet and has lost nothing by this motion.

Mr. HOOKER. I ask the Speaker if I shall be heard after the business of the District of Columbia has been disposed of.

The SPEAKER. The Chair will recognize the gentleman. The Chair has recognized these other gentlemen because they had bills to present in which the great body of the House were interested, and they were brought in under the authority of committees.

Mr. BLOUNT. I now present the bill and ask unanimous consent to dispense with its reading. I will state that it is the unanimous report of the committee.

Mr. COX, of New York. I think we ought not to do that, and I object.

Mr. THROCKMORTON. I object.

Mr. BLOUNT. I understand that there is no real objection.

Mr. COX, of New York. Yes, there is; it is not a good practice to pass bills which have not been read.

Mr. FORT. I object to passing any bill of this sort without reading.

Mr. BLOUNT. The bill was offered by me on an understanding with the Committee for the District of Columbia that it would not take a great deal of time. As there seems to be a determination to have the bill read I think good faith to that committee requires that I should withdraw it.

Mr. ATKINS. I suggest to the gentleman from Georgia that he ask unanimous consent that the reading of the bill be dispensed with. I think there will be no objection now.

The SPEAKER. Objection has been made.

Mr. ATKINS. I think the objection will probably be withdrawn if unanimous consent is again asked.

The SPEAKER. Is there objection to dispensing with the reading of the bill?

Mr. FORT. I understand that the bill is mainly to appropriate money for private claims.

Mr. BLOUNT. It is simply to pay claims which have been audited by the Departments in obedience to law.

Mr. FORT. There are bills on the Private Calendar which have been there more than a year which have not been reached. Well, I withdraw my objection.

The bill is as follows:

Be it enacted, &c., That the following sums be, and they are hereby, appropriated to supply deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1879, and for former years, and for other purposes, namely:

SOUTHERN CLAIMS COMMISSION.

For salaries of the commissioners, the clerk, reporter, and messenger, \$6,477.74.

UNDER THE COURT OF CLAIMS.

For payment of judgments of the United States Court of Claims, as follows:

To Frank O. Kihlberg, \$608.99; Andrew C. Bradley, to use of A. R. Shepherd,

to use of George Taylor and others, trustees, \$1,800; the International Steamship and Railway Supply Company, \$27,512.50; William C. Rawolle, \$197.76; Edward Hunter, \$73.04; F. H. E. Ebstein, \$150; George F. Foote, \$220.83; Frank K. Upham, \$88.58; Thomas T. Knox, \$308.33; William V. Richards, \$323.03; James Miller, \$145; Francis Moor, \$140.27; Richard I. Eskridge, \$147.77; George Searing, \$4,622.34; George W. Griffin, surviving partner of the firm of Griffin & Porch, \$2,679.12; David R. Godwin, dative tutor of the minor children of Henry S. Hall, deceased, \$1,591.62; James W. Goslee, \$208.86; Adolphus Erdman, \$246; William Crosby, \$491.78; E. M. Peterson, administrator of Samuel Ruth, deceased, \$1,477.21; James F. Buckner, \$177.76; Adolph and Samuel Woolner, copartners under the name of A. & S. Woolner, \$801; Kyran A. Murphy, \$262.68; Joseph S. Emery, \$40,554.95; John C. Grund & Co., \$47.50; in all, \$34,786.92.

DEPARTMENT OF STATE.

Foreign intercourse:
For salaries of second secretaries of legation to Great Britain, France, and Germany, at \$2,000 each, \$6,000.

TREASURY DEPARTMENT.

Territorial governments:

For certain amounts fully set forth in detail on pages 3, 4, 5, 6, and 7, of Executive Document No. 31, Forty-fifth Congress, third session, being letter of the Secretary of the Treasury transmitting estimates of appropriations required by the various Departments to complete the service of the fiscal year ending June 30, 1879, and prior years:

For the legislative and contingent expenses of the Territories, as follows:

For the Territory of Dakota, \$1,399.50, being for the fiscal year 1877.

For the Territory of Idaho, for 1877, \$1,727.14; for 1878, \$250; and for 1879, \$4,858; in all, \$6,835.14.

For the Territory of Montana, \$2,458.

For the Territory of Wyoming, for 1877, \$446.33; and for 1878, \$3,359.54; in all, \$3,805.87.

Miscellaneous:

Checks and certificates of deposit. Independent Treasury: For a new supply of checks to be used in the place of coin-checks now on hand and rendered useless under the operations of the resumption act, and for the increased number of checks now used in the redemption of United States bonds, and in the payment of interest under the different loans, \$2,000.

That upon the request of the head of any Department, the Secretary of War be, and he hereby is, authorized and directed to issue arms and ammunition whenever they may be required for the protection of the public money and property, and they may be delivered to any officer of the Department designated by the head of such Department, to be accounted for to the Secretary of War, and to be returned when the necessity for their use shall have expired. Arms and ammunition heretofore furnished to any Department by the War Department, for which the War Department has not been reimbursed, may be receipted for under the provisions of this act.

Salaries and expenses of collectors of internal revenue: For additional amount to be used in suppressing illicit distilling, being for the year 1879, \$25,000.

For salaries and expenses of supervisors and subordinate officers of internal revenue, for the fiscal year 1877, \$277.78.

For contingent expenses, Treasury Department, freight and telegrams, for the fiscal year 1877, \$2.64.

Life-Saving Service, contingent expenses: For fuel for life-saving and life-boat stations and houses of refuge; repairs and outfits for the same; supplies and provisions for houses of refuge and for shipwrecked persons succored at stations; traveling expenses of officers under orders from the Treasury Department; and contingent expenses, including freight, storage, repairs to apparatus, medals, labor, stationery, advertising, and miscellaneous expenses that cannot be included under any other head, of life-saving stations on the coasts of the United States, \$10,000.

For Thirty Mile Point light station, New York, for the fiscal year 1877, \$18.52.

For contingent expenses of the Treasury Department, as set forth in detail in Executive Document No. 31, third session of the Forty-fifth Congress, referred to above, \$2,052.13.

To refund to B. Maddocks, owner of the schooner Ocean King, of Gloucester, Massachusetts, the sum of \$45.

To adjust the settled account of James Crawford, superintendent of the mint at Carson, Nevada, on account of wages of workmen, involving no expenditure of money from the Treasury, \$1,332.92, being for the service of the fiscal year 1875.

To adjust the settled account of the Bureau of Engraving and Printing, Treasury Department, for printing commissions of revenue-marine officers, involving no expenditure of money from the Treasury, being for the service of the fiscal year 1877, \$63.80.

To adjust the settled account of the Bureau of Engraving and Printing, for engraving, printing, and similar necessary expenses, disbursing officers' transfer and interest checks, involving no expenditure of money from the Treasury, being for the year 1878, \$1,392.80.

The unexpended balance of the appropriation of \$250,000, made by act of June 14, 1878, for the repayment to importers of the excess of deposits for unascertained duties, or duties or other moneys paid under protest, including interest and costs in judgment cases, is hereby continued and made available for the payment of all claims to which the appropriation is applicable, which are not payable from the permanent annual appropriation provided for in section 3689 of the Revised Statutes: *Provided*, That the claims known as the "charges and commissions cases" shall not be paid without further legislation.

INTERIOR DEPARTMENT.

For salaries and expenses of the Office of Auditor of Railroad Accounts, \$2,400.

For stationery for the Department of the Interior and its several bureaus, \$5,000.

Indian Affairs:

For subsistence for the year 1879, of the Arapahoes, Cheyennes, Apaches, Kiowas, Comanches, and Wichitas, of the Indian Territory, \$25,000.

For the Bannocks and others at Fort Hall, Idaho Territory, \$10,000.

For the Assinaboines at Fort Belknap, Montana Territory, \$10,000.

For the Indians at Fort Peck agency, Montana Territory, \$25,000.

For telegraphing and for purchase of Indian supplies, inspection, and other expenses connected therewith, and for advertising, for the year 1879, \$5,000.

For incidental expenses of Indian service in central superintendency, for the fiscal year 1877, \$2.61.

For depredations on public timber, for the fiscal year 1877, \$299.35.

To pay J. A. Coffey & Co. for building sold the Government for the use of the Osage Indian agency, and for contingencies of the Indian department, \$884.50.

To pay D. R. Risley for expenses of Indian delegation visiting Washington in 1870, \$231.50.

To enable the Secretary of the Interior to pay the heirs of Henry Newton, deceased, for services on the commission to survey the Black Hills in Dakota Territory in the years 1875 and 1876, \$2,902.10.

To pay Joseph O-Jib-Way for services rendered the Indian department, for 1874 and prior years, \$300.

Pension Bureau:

For contingent expenses, for the year 1879, \$3,000.

DEPARTMENT OF JUSTICE.

For expenses of United States courts, for the year 1878, \$110,000.

For salaries of District marshals, for the fiscal year 1877, \$185.19.

That hereafter it shall not be lawful for the same person to hold at the same time the offices of clerk of the district and circuit court of the United States; and no such clerk or his deputy shall be appointed a receiver or master in chancery by any such courts.

Expenses of territorial courts in Utah: For defraying the contingent expenses of the courts, including compensation of the United States district attorney, and the fees, per diem, and traveling expenses of the United States marshal in the Territory of Utah, with expenses of summoning jurors, subpoenaing witnesses, of arresting, guarding, and transporting prisoners, of hiring and feeding guards, of supplying and caring for the penitentiary, arising under the act of June 23, 1874, in relation to courts and judicial officers in the Territory of Utah, for the fiscal year ending June 30, 1879, to be paid under the direction and order of the Department of Justice, upon accounts duly verified and certified, \$6,000.

NAVY DEPARTMENT.

To enable the Secretary of the Navy to pay certain contingent expenses of the Bureau of Provisions and Clothing for the years 1877 and 1878, namely: To Evans, Ball & Co., freight to Villefrance, France, \$2,171.52; to pay Bogart & Morgan, agents, freight to Brownsville, Texas, \$119.35; to pay Commercial Advertiser Association for advertising, \$214.40; in all, \$2,505.27.

To pay certain amounts due under quartermaster's department, Marine Corps: For pay of mechanics, \$1,375; for purchase of flags, drum-heads, and similar necessities, \$125; in all, \$1,500.

Under pay department of Marine Corps: For pay of clerks and messengers, \$5,714.47; for undrawn clothing, \$3,000; for additional pay for one first lieutenant, retired, \$225; in all, \$8,939.47.

To pay Leigh Brothers and Phelps, of Norfolk, Virginia, commissions on sale at public auction of the Macedonian and Saint Florence, United States ships, \$479.56.

WAR DEPARTMENT.

For pay and traveling and general expenses of the Army for the fiscal year 1879, \$700,000.

For incidental expenses of the Quartermaster's Department, for the fiscal year 1877, \$3,078.07.

For incidental expenses of the Quartermaster's Department, for the fiscal year 1878, \$3,102.05.

DISTRICT OF COLUMBIA.

That the sum of \$466,533.23 be, and the same is hereby, appropriated to supply a deficiency in the appropriations for the expenses of the District of Columbia for the fiscal year ending June 30, 1879, the same to be credited to the United States on its proportion of the expenses of the government of the District of Columbia, as established by the act approved June 11, 1878, the said amount taken in connection with the \$1,250,000 appropriated by the act of June 20, 1878, for the general expenses of the District of Columbia, being 50 per cent. of the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1879.

PUBLIC PRINTING.

For the public printing and binding, and for paper for the public printing, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving, the amounts following, namely:

For printing and binding for Congress, \$180,000; for the Treasury Department, \$50,000; for the War Department, \$20,000; for the Interior Department, \$40,000; for the Post-Office Department, \$30,000; for the Library of Congress, \$10,000; for the Supreme Court of the United States, \$20,000; in all, \$350,000.

MISCELLANEOUS.

To enable the Secretary of the Treasury to refund the duties paid by the trustees of St. Michael's church, of Charleston, South Carolina, on a chime of eight bells imported into the port of Charleston, \$1,568.65.

To pay the heirs of A. B. Brown, formerly light-keeper at Barnegat, New Jersey, for services from January 1 to March 1, 1866, \$38.31.

HOUSE OF REPRESENTATIVES.

To enable the Clerk of the House to reimburse N. G. Ordway, late Sergeant-at-Arms of the House, the amount of sundry bills paid by him for the House of Representatives, \$1,305.55: *Provided*, Said bills be approved by the Committee on Accounts.

To enable the Clerk of the House to pay certain accounts properly chargeable to the miscellaneous items of the contingent fund of the House for the fiscal years ending June 30, 1876, 1877, and 1878, respectively, \$1,500, or so much thereof as may be necessary.

To enable the Clerk of the House of Representatives to pay the following-named persons, for services rendered in the Doorkeeper's department during the Forty-fourth Congress, the amounts specified, to wit: To Robert Coates, the sum of \$210, for services rendered from August 15 to 1st day of December, 1876; to Charles Carter, J. Cook Nickens, James Hall, and Henry Hall, each the sum of \$180, for services from the 1st day of September to the 1st day of December, 1876; in all, \$930.

POST-OFFICE DEPARTMENT.

Under letter of Postmaster-General, January 23, 1879:
For compensation of postmasters for 1878, \$241,921.37; to be paid out of the postal revenues for said fiscal year.

For transportation of the mails by railroads for 1878 and previous years, \$166,392.27, or so much thereof as may be necessary.

That for the proper adjustment of the accounts of the Union Pacific, Central Pacific, Kansas Pacific, Western Pacific, and Sioux City and Pacific Railroad Companies, respectively, for services which have been or may be hereafter performed for the Government for transportation of the Army and transportation of the mails, the Secretary of the Treasury is hereby authorized to make such entries upon the books of the Department as will carry to the credit of said companies the amounts so earned or to be earned by them during each fiscal year, and withheld under the provisions of section 5260 of the Revised Statutes, and of the act of Congress approved May 7, 1878: *Provided*, That this shall not authorize the expenditure of any money from the Treasury, nor change the method now provided by law for the auditing of such claims against the Government.

For miscellaneous items, contingent expenses of the Post-Office Department for 1879, \$4,000, or so much thereof as may be necessary.

For telegraphing, contingent expenses for 1879, \$2,000, or so much thereof as may be necessary.

For ordinary postage-stamps, under article 8 of the universal postal convention for 1879, \$250, or so much thereof as may be necessary.

For railway postal clerks, \$17,000; for route agents, \$6,500; for local mail agents, \$1,500, being for the year 1879; in all, \$25,000, under Executive Document No. 77 third session of the Forty-fifth Congress.

SEC. 2. For the payment of claims certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1876, and prior years, as fully set forth in Executive Document No. 30, Forty-fifth Congress, third session, and for other items, as follows:

DEPARTMENT OF STATE.

Foreign intercourse:

To pay consular salaries, as follows: To W. W. Randall, \$105.14; J. F. Webb,

\$270.91; William Morey, \$473.84; R. Dawson, \$14.50; C. S. Mattoon, \$329.67; R. Dawson, \$178.50; F. Newman, \$373.51; J. Fisher, for relief and protection of American seamen, \$27.65; N. Creasey, for relief and protection of American seamen, \$27.65; M. Vidal, awards under convention between United States and Peru, \$1,025.06; John F. Delaplaine, salary as United States minister, \$1,186.12; in all, \$4,012.55.

TREASURY DEPARTMENT.

Internal revenue:

For redemption of internal-revenue stamps \$2,564.30.
For allowance on drawback, internal revenue, \$50.76.
For refunding taxes illegally collected, \$441.34.
For salaries and expenses of supervisors and subordinate officers of internal revenue, \$3,125.36.
For expenses of assessing and collecting internal revenue, \$15,003.61.

Treasury miscellaneous:

For suppressing counterfeiting and fraud, \$46.50.
To refund excess of duty paid on deposits by national banking associations, \$1,093.08.
For return of proceeds of captured and abandoned property, \$26,088.62.
For collecting revenue from customs, for this amount certified by the Commissioner of Customs under section 4, act of June 14, 1878, \$9,542.68.
For marine-hospital service, \$3.25.
For salaries of light-house keepers, \$86.54.
For supplies of light-houses, \$5.33.
For expenses of buoyage, \$8; repairs and preservation of public buildings, \$222.59; furniture and repairs of same for public buildings, \$178.63; heating apparatus for public buildings, \$28.50; in all, \$438.71; being certain amounts certified by the Second Auditor and Second Comptroller under section 4 of the act of June 14, 1878.

DEPARTMENT OF JUSTICE.

For salaries of district marshals, \$38.89.
For expenses of United States courts, \$1,505.19.
For contingent expenses, Department of Justice, \$22.

INTERIOR DEPARTMENT.

Civil:

For expenses of the eighth census, as follows: To pay Tipton B. Collins, \$146.71; David J. Reed, \$79.92; William D. King, \$201.02; T. F. Owen, \$456.54; Sylvanus Walker, \$189.67; in all, \$1,073.86.
For prevention of depredations on public timber, \$306.40.
For salaries and commissions of registers and receivers of the land offices, \$736.26.
For repayments for lands erroneously sold, \$2,621.00.

Indian affairs:

For pay of superintendents and agents, \$588.31.
For pay of interpreters, \$42.12.
For contingencies of the Indian department, \$277.43.
For fulfilling treaty with Gros Ventres, \$15.50.
For incidental expenses of Indian service in Arizona, \$164.85; in Montana, \$24.65; in New Mexico, \$72; and in Oregon and Washington, \$3; in all, \$264.50.
For support and civilization of Indians in central superintendency, \$4.86; of Teton Sioux, \$239.72; of Sioux at Fort Peck agency, \$150; in all, \$494.58.
For collecting and subsisting roving bands of Kickapoos and other Indians on the borders of Texas and New Mexico, \$565.66.

UNDER WAR DEPARTMENT.

For traveling expenses of California and Nevada volunteers, \$990.69.
For pay of two and three year volunteers, \$37,988.
For draft and substitute fund, \$24.72.
For collecting, drilling, and organizing volunteers, \$263.90.
For allowance for reduction of wages under the eight-hour law, \$224.21.
For bounty to volunteers, their widows and legal heirs, \$150,185.99.
For medical and hospital department, \$2,678.96.
For arsenals, \$195.20.
For contingencies of the Army, \$341.50.
For ordnance, ordnance stores, and supplies, \$311.30.
For ordnance service, \$230.
For expenses of recruiting, \$34.30.
For transportation of officers and their baggage, \$177.90.
For pay of the Army, \$15,123.40.
For Army transportation, supplies, and incidental expenses of the Army, the details of which are embraced in Executive Document No. 30, Forty-fifth Congress, third session, pages 26 to 43, both inclusive, except and excluding the claims numbered 35653, 44962, and 45859, and the claims of the Union Pacific, the Central Pacific, the Kansas Pacific, the Western Pacific, and the Sioux City and Pacific Railroad Companies, \$97,497.40.
For horses and other property lost in the military service, \$58,172.21, as fully set forth in the above executive document.
To pay William W. Ivory for one horse lost in the military service of the United States, \$175.

NAVY DEPARTMENT.

For indemnity to seamen for lost clothing, \$720.
For expenses of burial of officers and others of the United States steamer Huron, \$412.77.
For bounty gratuity and mileage to seamen, \$1,356.80 as fully set forth on page 52 of said Executive Document No. 30.

POST-OFFICE DEPARTMENT.

Transportation of the mails:

To pay certain amounts due for carrying the mails, certified by the Sixth Auditor under section 4 of the act of June 14, 1878, as more fully set forth in Executive Document No. 30, third session of the Forty-fifth Congress, pages 53, 54, and 55.

Railroads:

For carrying the mails between Saint Peter and New Ulm, Minnesota, 1874 and 1875, \$99.
For carrying the mails in 1872, 1873, and 1874, \$450.
For carrying the mails in 1872, 1873, and 1874, \$410.22.
For carrying the mails between Hannibal and Naples, Missouri, from January 1 to June 8, 1870, \$1,000.
For carrying the mails between Lehigh Railroad Company's depot and the post-office at Hazleton, Pennsylvania, from July 1, 1872, to June 30, 1875, \$540.
For increased pay, from July 1, 1874, to June 30, 1875, \$66.84.
Also, for increased pay, from January 15, 1873, to June 30, 1874, \$85.90.
For carrying the mails from May 15, 1874, to June 30, 1876, \$7,132.06.
For carrying the mails from April 15, 1873, to June 30, 1876, from Junction City to Clay Centre, \$6,522.63.
For carrying the mails from September 1, 1875, to June 30, 1876, \$1,236.81.
For service from November 1, 1875, to June 30, 1876, \$2,721.22.
For Sunday service from April 1, to April 22, 1876, \$1,510.99.

Star transportation:

For additional allowance for carrying the mails from April 5, to June 30, 1875, by reason of increased distance, \$4.29.
For carrying the mails between Greenville Court-House and Highland Grove, South Carolina, from January 6 to June 30, 1866, \$98.45.

For carrying the mails between Marshall and Kaufman from January 1 to June 30, 1866, \$560.

For carrying the mails between Selina and Forest Lawn, Texas, from October 26, 1868, to June 30, 1869, \$29.32.

For payment made to Elisha Willis for carrying the mails between Akron and New Buda, Missouri, from January 1 to March 31, 1873, \$18.70.

For one month's extra pay on curtailment of service on route numbered 8553, Texas, (order of the Postmaster-General numbered 3075, dated June 27, 1875,) \$11.66.

For amount accrued on account of fiscal year 1875, under order of the Postmaster-General numbered 5538, dated October 1, 1877, modifying order of May 21, 1874, curtailing route numbered 20182, Kentucky, and allowing one month's extra pay, \$197.77.

For additional allowance for carrying the mails on route numbered 26359, from October 1, 1875, to June 30, 1876, by reason of increase in distance, \$81.66.

For carrying the mails on route numbered 33392, from August 15, 1875, to June 30, 1876, \$26.35.

For carrying the mails between Rienzi and Jacinto and Iuka, Mississippi, route numbered 7502, Mississippi, from February 20 to June 30, 1866, \$290.07.

For carrying the mails between Tuskegee and Cheban, Alabama, route numbered 6806, Alabama, from July 1, 1866, to June 30, 1867, \$350.

For carrying the mails between Tuskegee and Cheban, Alabama, route numbered 7015, Alabama, from January 1 to June 30, 1866, \$110.

For carrying the mails five trips between Tullahoma and McMinnville, Tennessee, route numbered 10137, in July, 1873, \$25.

For one month's extra pay by reason of the annulment of contract, route numbered 23383, Illinois, (order of the Postmaster-General numbered 6699, dated August 21, 1868,) \$24.75.

Also, one month's extra pay by reason of the annulment of contracts on routes numbered 27259, 27198, and 27402, and the curtailment of route 27331, all in July, 1875, \$38.34.

For carrying the mails on routes numbered 15006 and 15008, Oregon, from January 1 to March 31, 1865, \$260.

For carrying the mails in Louisiana and Mississippi during the years 1873 and 1874, balance on account, \$1,257.33.

For carrying the mails on routes numbered 8568, 8570, 8571, 8572, and 8574, Texas, during the second quarter of 1868, \$661.19.

For carrying the mails on routes numbered 31176 and 31240, Texas, from April 1 to June 30, 1876, \$383.06.

For an allowance of one month's extra pay on discontinuance of service from July 1, 1875, route numbered 27200, Iowa, \$27.75.

For amount for one desk for the safe-keeping of letters, December 27, 1873, \$10.

Steamboat transportation:

For carrying the mails between Norfolk, Virginia, and New York, New York, from July 1, 1871, to June 30, 1872, route numbered 4725, Virginia, \$750.

Mail-messenger service:

For increase of mail-messenger service between the Baltimore and Ohio Railroad depot and the post-office, both at Chicago, Illinois, from December 28, 1874, to June 30, 1875, \$1,226.08.

For mail-messenger service from April 15 to June 30, and from July 1 to 15, 1872, \$282.50; this amount being required to reimburse the postmaster, he having paid for the authorized service.

Foreign-mail transportation:

For carrying the United States mails between San Francisco, New Zealand, Australia, Sandwich and Fiji Islands, from February 2 to September 30, 1874, being the amount of sea postages on mails conveyed, \$2,755.14.

Also, for carrying the mails between San Francisco and Australia, from October 12, 1874, to November 9, 1875, being the amount of sea postages on mails conveyed, \$5,002.73.

For carrying the United States mails between San Francisco, China, and Japan, from January 15 to September 17, 1874, being nine outward and seven inward trips, \$5,195.61.

Also, for same service from October 19 to December 22, 1874, being three round trips, \$2,904.23.

To adjust the account of F. A. Wilson, for carrying the mails on route numbered 19281 during the second quarter of the year 1866, a transfer to the amount of \$1,500 on the books of the Treasury is hereby authorized.

NOTE.—The total sum recommended by this bill is \$2,579,040.57.

The question was put upon Mr. BLOUNT's motion; and two-thirds voting in favor thereof, the rules were suspended, and the bill was passed.

LOUISE HOME, WASHINGTON, DISTRICT OF COLUMBIA.

Mr. BLACKBURN, from the Committee for the District of Columbia, reported back, as a substitute for House bill No. 6201, to exempt the Louise Home, in the city of Washington, from taxation, a bill (H. R. No. 6464 for the relief of the Louise Home, in the city of Washington, District of Columbia; which was read a first and second time.

The bill was read. It authorizes and requires the commissioners of the District of Columbia to release the property held by the trustees of the Louise Home under a deed of trust from William W. Corcoran to the said trustees, dated November 21, 1869, from all taxes levied upon it since the date said institution was opened for reception of inmates and now remaining unpaid.

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

Mr. BLACKBURN 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.

PENNY-LUNCH HOUSE, WASHINGTON, DISTRICT OF COLUMBIA.

Mr. TOWNSHEND, of Illinois, from the Committee for the District of Columbia, reported back, with an amendment, the joint resolution (H. R. No. 232) making an appropriation for the benefit of the penny-lunch house of Washington, District of Columbia.

The joint resolution was read, as follows:

Resolved, *et c.*, That the sum of \$1,500 be, and the same is hereby, appropriated for the benefit of the penny-lunch house in the city of Washington, out of any moneys in the Treasury not otherwise appropriated; and the Secretary of the Treasury is hereby authorized and directed to pay the said sum of money to George Riggs, of Washington City, District of Columbia, to be by him, the said Riggs, paid over to Mrs. Julia A. Roberts, of said city of Washington, in sums not exceeding \$100 in any one month, to be expended by her for the maintenance of said lunch house.

The amendment of the committee was as follows:

Add the following proviso:

Provided, That this appropriation shall not become available until the appropriation made by joint resolution approved May 30, 1878, shall be exhausted: *And provided*, That the same shall be credited to the United States as a part of its share of the expenses of the District of Columbia.

Mr. TOWNSHEND, of Illinois. There are about two and a quarter millions of dollars annually expended by Congress for public charity. These establishments have elaborate corps of officials, some of them salaried officers, treasurers and secretaries and superintendents that are paid for their services. It is not my purpose to say anything against these institutions either as to their worthiness or method of administration. Doubtless they accomplish much good in their way. I simply desire to call the attention of the House to the character of charity provided for in this resolution. I have been directed by the unanimous vote of the committee to present it for the consideration of the House. As has been seen from its reading, the sum of \$1,500 is appropriated and placed in the hands of a gentleman of this city who is as eminent for his integrity and worthiness as he is for his pecuniary responsibility, who is authorized to pay out in monthly installments to Mrs. Roberts, the person named in the resolution as the manager of what is known as the penny-lunch house, \$100 per month. It is perhaps useless for me here to explain the nature of the penny-lunch house. It is no doubt better known to the other members of this House than to myself.

I have but a limited personal knowledge of this institution and but a slight acquaintance with any one connected with it. I have, however, gathered enough of the opinions of the citizens of Washington to find that there is but one voice with regard to it. In what I shall now utter I shall seek only to echo the universal sentiment of the citizens of Washington.

It is to this effect, that this charity is one of the most meritorious and one of the most effective for the extremely poor and wretched that has ever been devised. In this institution there are no salaried officers. Every dollar voted by Congress goes directly to the objects of the charity. The sole purpose of it is to give food to the needy and the hungry who cannot otherwise obtain it. The applicants for this charity are not put through a civil-service reform examination. No inquiry is made in regard to their political or religious views. No inquiry is made in regard to their moral character or social standing. No discrimination as to color or nationality, but to whom are driven by necessity to ask, it is given with "a hand as open as day to melting charity." The only inquiry is as to whether the applicant is absolutely in need of food. When he confesses that he is not able even to pay the trifling sum of one penny nominally charged, he is given the bounty dispensed without any exaction.

This charity, it seems, originated in the energies and in the heart of a woman of this city, who, notwithstanding she is driven to the necessity of providing her own maintenance by the use of her pen, yet she has with unflagging zeal devoted a large portion of her precious time, in summer and winter, fall and spring, to the alleviation of the necessities of those who are in want of the food necessary to sustain life. I am satisfied from what I have heard of this charity that it has done great good among the destitute and distressed of the city of Washington.

A bill was introduced at the last session by my worthy friend from Kentucky, [Mr. BLACKBURN,] and, as I understand, it passed without one dissenting voice in this House or in the body at the other end of the Capitol. I have simply copied that bill for the purpose of continuing the charity.

In conclusion I desire to say that I trust that among the intelligent and distinguished gentlemen who form this body there will not be found one so forgetful of the claims of humanity as to withhold his consent from the passage of this resolution.

Mr. FOSTER. I move to strike out the words "George Riggs" and to insert in lieu thereof the words "the commissioners of the District of Columbia." I make that motion for the purpose of inquiring of the gentleman having this bill in charge why it is that the name of a private individual is inserted to take charge of this appropriation instead of the commissioners of the District of Columbia?

Mr. TOWNSHEND, of Illinois. In answer to the gentleman from Ohio [Mr. FOSTER] I will say that this joint resolution is drawn in the precise language—with the exception of the proviso—of the joint resolution which passed Congress at its last session. I apprehend that the reason for not placing this money in the hands of the District commissioners is that this is a private charity, supported mainly by the voluntary contributions of the men and women of the city of Washington. This lady has no salary and receives no compensation whatever, save that precious boon which the consciousness of having performed good deeds furnishes to every noble heart; she is only permitted to receive this money at the rate of \$100 a month from the hands of a gentleman of this city in whom all have confidence for his integrity and good judgment, and she is to account to him for his proper expenditure in the maintenance of the charity.

Mr. FOSTER. I make no attack at all upon the joint resolution and the worthiness of the charity. To all that I agree. But it does seem to me that it is a kind of reflection upon the commissioners of the District of Columbia to place this money in the hands of a private individual and not in their hands. It is no answer to me to say that it was so done last year. I have no doubt that Mr. Riggs is a very

excellent gentleman. But an appropriation of this kind should certainly go to the proper persons, and they are the commissioners of the District of Columbia.

Mr. TOWNSHEND, of Illinois. I suppose there will be no objection from any quarter to placing this money with the commissioners of the District of Columbia. It will make no difference, and therefore I consent to the amendment.

Mr. FOSTER. I think it clearly belongs to the District commissioners; and I therefore move to strike out the name of Mr. Riggs and insert the commissioners of the District of Columbia.

The amendment moved by Mr. FOSTER was agreed to.

The amendment reported from the Committee for the District of Columbia was agreed to, upon a division—ayes 73, noes not counted.

The joint resolution, as amended, was then ordered to be engrossed and read a third time, upon a division—ayes 79, noes not counted.

The joint resolution was accordingly read the third time, and passed.

Mr. TOWNSHEND, of Illinois, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

GOVERNMENT FOR THE DISTRICT OF COLUMBIA.

Mr. BLACKBURN, from the Committee for the District of Columbia, reported a bill (H. R. No. 6465) to amend an act entitled "An act to provide a permanent form of government for the District of Columbia," approved June 11, 1878; which was read a first and second time.

The question was upon ordering the bill to be engrossed and read a third time.

Mr. BLACKBURN. With the permission of the House I can save the time which would be required in reading this bill at length, as it is a long bill, by calling attention to the amendments which are proposed to be made in the act passed at the last session of this Congress establishing a permanent form of government for the District of Columbia.

Mr. EDEN. I reserve the right to make points of order on the bill.

The SPEAKER *pro tempore*. That right will be reserved.

Mr. BLACKBURN. This bill amends the existing law in two or three particulars, which, I am very sure, no gentleman in this House will fail to approve. I will state further that the bill is presented to the House by the unanimous action of the Committee for the District of Columbia, the necessity of these amendments having been urged upon them by the commissioners of the District.

Under the existing law every contract let out by the commissioners of the District must be secured by a bond in the full amount of the contract price. The commissioners say that it has been found extremely difficult; if not absolutely impossible, for contractors to comply with this requirement of a bond as large as the contract price. Hence the commissioners have recommended that a bond of one-third of the whole amount be required.

The law as it now stands (and this provision we do not propose to alter) requires that 10 per cent. of the whole contract price shall be retained in the hands of the commissioners as a guarantee for the permanence of the work, and shall remain unpaid for five years.

Again, it is found that under existing law the commissioners have no power to exclude from the bond of contractors persons who may be interested in the contract itself; and in some instances contractors have offered as bondsmen their partners or other beneficiaries in the contract. This is not deemed proper; and one of the amendments embraced in this bill proposes to exclude as sureties on bonds of contractors all persons who may have any interest in the contract. These are the only amendments which this bill proposes to make in the law.

Mr. THOMPSON. Upon what sum is the 10 per cent. retained, and when is the retention made?

Mr. BLACKBURN. Ten per cent. upon the whole contract price is under existing law reserved in the hands of the commissioners.

Mr. THOMPSON. But when is it reserved? As payments are made, or not until the whole contract has been completed?

Mr. BLACKBURN. It is reserved as payments are made; so that at all stages of all contracts the Government, through the commissioners, retains 10 per cent. of the amount earned under the contract.

Mr. THOMPSON. Suppose there is a contract amounting to \$1,000,000, payable in installments; when is the 10 per cent. retained?

Mr. BLACKBURN. As the payments are made, by installments.

Mr. THOMPSON. How much on each?

Mr. BLACKBURN. Ten per cent. on each installment.

Mr. ELLSWORTH. As I understand the statement of the gentleman from Kentucky, 10 per cent. of the contract price is retained for five years after the performance of the contract.

Mr. BLACKBURN. Yes, sir.

Mr. ELLSWORTH. It seems to me that must be unfair to the contractors.

Mr. BLACKBURN. I will say to the gentleman from Michigan that the object of the law in requiring the retention of this 10 per cent. by the commissioners is to afford a guarantee of the character of the work done and to make provision for repairs.

Mr. ELLSWORTH. But I think a period of five years is too long.

Mr. BLACKBURN. The contracts for paving streets embrace a re-

quirement to keep them in repairs for five years. Hence the District commissioners, under the law, retain 10 per cent. upon the contract price as a guarantee for the making of necessary repairs. The contractors do not complain of this requirement. The main difficulty, as it appears to the commissioners and to the committee, is the unnecessarily large amount of the bond required. There is much more difficulty arising from this source than from the retention of the 10 per cent. On the latter point the contractors make no complaint.

Mr. BUCKNER. Who receives the interest on the 10 per cent. retained.

Mr. BLACKBURN. The money is invested by the commissioners, and the interest, as long as there is no failure on the part of the contractor, goes to him. But the 10 per cent. remains for five years in the hands of the commissioners as a guarantee for the proper character of the work and for the repairs to be made under the contract.

The SPEAKER *pro tempore*. Is there any objection to dispensing with the reading of the bill? The Chair hears none.

The bill was ordered to be engrossed for a third reading, and was accordingly read the third time. The question being on the passage of the bill—

Mr. BANKS. Has this bill been read?

The SPEAKER *pro tempore*. It has not been.

Mr. BLACKBURN. I will say to the gentleman from Massachusetts [Mr. BANKS] that this is a very long bill, embracing the provisions of the law as they will stand with these amendments.

Mr. BANKS. It has been settled that the reading of a bill at least once is necessary before it can be voted on.

The SPEAKER *pro tempore*. If the gentleman from Massachusetts insists upon it the Chair will order the bill to be read.

Mr. BLACKBURN. I have no objection to that.

Mr. HARRIS, of Virginia. The reading of the bill was dispensed with by unanimous consent.

Mr. BLACKBURN. The effect of the bill is to insert in the existing law about half a dozen words, embracing the amendments to which I have called the attention of the House. The bill is very voluminous.

Mr. HARRIS, of Virginia. The parts constituting the amendments are embraced in a very few words.

Mr. BANKS. Then let the amendments to the existing law be read. The Clerk read as follows:

After the word "works," in section 5, insert "excepting ordinary repairs."

After the words "in a penal sum not less than," insert "one-third of."

After the word "commissioners" insert "Provided, that no person interested in said contract shall be received as such surety."

The question being taken on the passage of the bill, it was passed.

Mr. BLACKBURN 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.

UNION RAILROAD DEPOT IN WASHINGTON.

Mr. HENDEE, from the Committee for the District of Columbia, reported, as a substitute for House bill No. 4069, requiring the removal of the tracks of the Baltimore and Ohio Railroad from certain streets in the city of Washington, and for other purposes, a bill (H. R. No. 6466) to authorize the commissioners of the District of Columbia to designate a proper site for a union railroad depot in the city of Washington, and for other purposes; which was read a first and second time.

The bill, which was read, authorizes the commissioners of the District of Columbia to designate a suitable site for the union railroad depot for all the railroad companies whose tracks enter or terminate in said city at some central point, having just reference to the convenience of access by said companies to the people, sojourners, and visitors of said city, and to all the public interests involved, and report their doings in the premises to the next Congress on the first day of the first session thereof, with a bill containing such further provisions as they may deem best calculated to give effect to the requiring of said railroads to use said depot in common and vacate all other depots and remove all tracks not necessary for such use.

Mr. WILSON. I should like to ask the gentleman having charge of the bill whether the commissioners are ordered to make this change or simply to report to the next House?

Mr. HENDEE. The only provision is that the commissioners shall designate a place and report the facts to the next session of Congress. They have no further power.

Mr. WILSON. I am opposed to any definite action being taken now. The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HENDEE 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.

HEIRS OF EDWARD B. CLARK.

Mr. HENDEE, also from the same committee, reported back favorably the bill (H. R. No. 6008) for the relief the heirs of Edward B. Clark.

The bill, which was read, authorizes and directs the commissioners of the District of Columbia to remit the taxes, assessments, and charges, upon the property, with improvements thereon, of the late

Edward B. Clark, located in the city of Washington, and known as lot numbered 9, in square numbered 353, which accrued during the time said property was held by the Government under title of confiscation.

Mr. FORT. Is there any report accompanying that bill?

The SPEAKER *pro tempore*. There is not.

Mr. FORT. I should like to hear the facts of the case.

Mr. HENDEE. This small piece of property in this city belonged to one Edward B. Clark. He was a resident of Kentucky. When the war broke out it was supposed he was in sympathy with the rebellion. Hence, under the law of 1862, his property was taken and confiscated. The United States took possession and sold it. During that time certain taxes were assessed, which remained unpaid. It turned out the party was not in sympathy with the rebellion, and his heirs and children have recovered and taken possession of the property. This bill simply provides that while the United States owned and occupied it they should pay the taxes on it.

Mr. LATHROP. Has the Government paid any damages for the retention of this property?

Mr. HENDEE. It has not.

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

Mr. HENDEE 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.

ADDITIONAL ASSOCIATE JUSTICE, DISTRICT OF COLUMBIA.

Mr. HENDEE also, from the same committee, reported back favorably a bill (H. R. No. 6431) to expedite the administration of justice in the District of Columbia.

The bill was read.

Mr. BUTLER. I wish to say, Mr. Speaker, that the bill just read is almost exactly the same as the one passed by the Senate, and which is now in the Committee of the Whole on the state of the Union. I move, therefore, that by unanimous consent the Senate bill be taken up and acted on.

Mr. GARFIELD. Let the Senate bill be considered and this dropped and laid upon the table.

Mr. BUTLER. That is my motion. I move that the Committee of the Whole on the state of the Union be discharged from the further consideration of the bill (S. No. 36) to create an additional associate justice of the supreme court of the District of Columbia, and for the better administration of justice in said District, and that the same be taken up and considered at this time instead of the bill just reported from the Committee for the District of Columbia, which I suggest be laid upon the table.

The SPEAKER *pro tempore*. If there be no objection, the proposition of the gentleman from Massachusetts will be agreed to.

There was no objection, and it was ordered accordingly.

The SPEAKER *pro tempore*. The House bill, then, is laid upon the table, and the House proceeds to the consideration of the Senate bill.

The Senate bill was read, as follows:

A bill (S. No. 36) to create an additional associate justice of the supreme court of the District, and for the better administration of justice in said District.

Be it enacted, &c., That there shall be appointed by the President, by and with the advice and consent of the Senate, one additional associate justice of the supreme court of the District of Columbia. That the said additional associate justice shall have the same power, authority, and jurisdiction as now or hereafter may be exercised by any of the associate justices of the said supreme court, and shall be entitled to receive the same salary, payable in the same manner.

SEC. 2. Two of the justices, sitting at general term, shall constitute a quorum for the transaction of business; but when the two justices shall be divided in opinion, the same shall be noted upon the minutes of the court, and thereupon and within four days thereafter either party in such cause may file with the clerk of the court a motion in writing to have such cause reargued before three or more justices; but no justice shall sit in general term to hear an appeal from any judgment or decree or order which he may have rendered at the special term.

SEC. 3. The general term may order two terms of the circuit court to be held at the same time, whenever in their judgment the business therein shall require it; and they shall designate by an order of the court the time and places of holding the same and the justices by whom they shall, respectively, be held; and shall make all necessary orders for a division of the docket between the justices holding such terms; and petit juries shall be drawn therefor, in the same manner as is provided for in such circuit court, at least ten days before the commencement of any such sitting.

SEC. 4. The final judgment or decree of the supreme court of the District of Columbia in any case where the matter in dispute, exclusive of costs, exceeds the value of \$2,500, may be re-examined and reversed or affirmed in the Supreme Court of the United States, upon writ of error or appeal, in the same manner and under the same regulations as are provided in cases of writs of error on judgments or appeals from decrees rendered in a circuit court.

SEC. 5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. HUNTON. I desire to offer the following amendment:

In the sixth line of the fourth section, after the word "appeal," insert the words "hereafter sued out or taken;" so that it will read:

May be re-examined and reversed or affirmed in the Supreme Court of the United States upon writ of error or appeal hereafter sued out or taken in the same manner and under the same regulations as are provided in cases of writs of error on judgment or appeals from decrees rendered in a circuit court.

Mr. BUTLER. That is perfectly proper.

The amendment was adopted.

The bill, as amended, was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. HENDEE moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table. The latter motion was agreed to.

ESTATE OF LATE CHIEF-JUSTICE CHASE.

Mr. BANKS. Will the chairman of the Committee for the District of Columbia allow me to ask a question in relation to another bill in which many of the members are interested? I refer to the bill (S. No. 1012) authorizing the commissioners of the District of Columbia to rebate a certain tax claimed to have been erroneously assessed on the estate of the late Chief-Justice Chase of the Supreme Court of the United States. I wish to know if the bill has been considered in the committee, and, if so, whether a report will be made.

Mr. BLACKBURN. In answer to the gentleman from Massachusetts, I will say that the bill to which he refers has been considered by the Committee for the District of Columbia, and is in the hands now of the gentleman from Wisconsin, [Mr. BOUCK,] who has been directed by the committee to report adversely upon it.

Mr. BANKS. Will the chairman of the committee state whether it is probable that a report will be made?

Mr. BLACKBURN. I have just inquired of the gentleman who has charge of the bill, and he tells me he is ready to report it to the House to-day.

Mr. GARFIELD. I ask the gentleman if he will not let the bill be reported now, so that the House may act upon it.

Mr. BLACKBURN. I have no objection myself; but if I may be permitted, in justice to the committee, to reply to the honorable gentleman from Ohio I will say this: I was instructed by the committee this morning so to yield the floor to different members of the committee as to enable us to get through with that proposed legislation first which is calculated to engender no discussion. That is the only reason why the bill referred to by the gentleman from Massachusetts might not as well as any other have been reported first; but I have no doubt it will be reported to-day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed a concurrent resolution to print 5,000 additional copies of the report of William Governor Morris, special agent of the Treasury Department, on the resources and condition of affairs in Alaska; in which the concurrence of the House was requested.

The message also announced that the Senate had passed a concurrent resolution for printing 5,000 copies of the second report of the United States entomological commission; in which the concurrence of the House was requested.

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

A bill (S. No. 835) to provide for the construction of a bridge across the Missouri River at Decatur, Nebraska;

A bill (S. No. 1408) relative to the appointment of professors of mathematics in the Navy; and

A bill (S. No. 1792) authorizing the conversion of national gold banks.

DISTRICT JUSTICES OF THE PEACE.

Mr. HUNTON, from the Committee for the District of Columbia, reported back, with a favorable recommendation, the bill (H. R. No. 5704) extending the jurisdiction of justices of the peace in the District of Columbia.

The bill was read, as follows:

Be it enacted, &c., That the jurisdiction of the justices of the peace within and for the District of Columbia, appointed and assigned in the county of Washington by act of Congress approved June 7, 1878, be, and the same is hereby, extended within the city of Washington. Said justices of the peace are hereby authorized and empowered to try and determine all civil causes over which they have jurisdiction anywhere within the city of Washington, District of Columbia.

SEC. 2. That each of said justices of the peace be, and hereby is, required to keep an office at the most convenient point in the locality for which he is appointed: *Provided, however,* That nothing in this act shall be construed so as to prohibit any one of said justices of the peace from having an office in the city of Washington.

SEC. 3. That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

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

Mr. HUNTON 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.

SETTLEMENT OF TAX-LIEN CERTIFICATES, DISTRICT OF COLUMBIA.

Mr. HENKLE, from the Committee for the District of Columbia, reported back, with amendments, the bill (S. No. 1099) to provide for the settlement of tax-lien certificates erroneously issued by the late authorities of the District of Columbia.

The bill was read, as follows:

Be it enacted, &c., That in order to settle and pay to the holders of certain lien certificates purporting to have been issued pursuant to an act of the Legislative Assembly of the District of Columbia, approved June 25, 1873, which the commissioners of the District of Columbia may determine to have been erroneously issued by the late authorities of the said District against property exempt from taxation at the time the taxes were imposed, or property upon which the taxes purporting to be represented by said certificates had been paid, the commissioners of the District be, and they are hereby, authorized to receive the same in satisfaction of any special-improvement taxes and arrearages of all other taxes prior to July 1, 1877; and immediately upon the redemption of such erroneously issued certificates the

same shall be canceled, and a proper record of such payment and cancellation be made.

The amendments reported by the committee were read, as follows:

In line 9 strike out the words "special-improvement taxes."

In line 10 strike out the words "all other."

In line 10, after 1877, insert the following: "Except special-improvement taxes."

Mr. EDEN. I would like to hear some explanation of this bill.

Mr. HENKLE. It appears there have been tax-lien certificates to a moderate amount—not a large amount—issued in error; some on property which was exempt from taxation; some on property which had already paid the taxes for which these tax-lien certificates were issued or intended to be issued; and this is simply to authorize that those certificates may be received in payment of taxes.

Mr. EDEN. Has the gentleman any information as to the amount of certificates affected by the bill?

Mr. HENKLE. I have no positive information as to that. I understand the amount to be about \$15,000.

Mr. EDEN. I suppose these certificates have been purchased by third parties?

Mr. HENKLE. I think that is likely.

Mr. EDEN. And the object of this bill is to allow them to be issued in payment of taxes prior to 1877?

Mr. HENKLE. The amendment offered by the committee is to allow the certificates to be received in payment of taxes, except special-improvement taxes, in accordance with an act of the District which made that exception.

Mr. EDEN. But they are only to be received for taxes beginning with the year 1877?

Mr. HENKLE. Yes, sir.

The amendments were agreed to.

The bill, as amended, was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. HENKLE 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.

TAXES AND ASSESSMENTS IN WASHINGTON, DISTRICT OF COLUMBIA.

Mr. TOWNSHEND, of Illinois, from the Committee for the District of Columbia, reported back, with an amendment in the nature of a substitute, the bill (S. No. 979) in relation to the payment of taxes and assessments in the city of Washington, District of Columbia, and with an amendment to the substitute.

The SPEAKER *pro tempore*. The gentleman can only report one thing at a time; when the substitute is before the House the House can amend it.

Mr. TOWNSHEND, of Illinois. Let me state that the bill is a Senate bill. The Committee for the District of Columbia had the bill under consideration, and have determined to present a substitute for the Senate bill. In addition to the substitute they also propose amendments to that substitute. This is practically a new bill with amendments.

The SPEAKER *pro tempore*. Then why does not the gentleman present the whole thing as a substitute. He has the right to do so.

The Clerk read the Senate bill, as follows:

Be it enacted, &c., That at any time before the 1st day of October, A. D. 1879, any person owing arrearages of taxes, assessments, or water rates to the District of Columbia may pay to the collector of taxes, or to the person authorized to receive the same, the amount of tax, assessment, or water rate upon property belonging to such person heretofore laid or imposed and now remaining unpaid, together with interest at the rate of 6 per cent per annum, to be computed from the time such tax, assessment, or water rate was imposed to the time of such payment; and the officer or officers authorized to receive taxes, assessments, and water rates shall respectively make and deliver to the person so making such payment a receipt therefor, and shall forthwith cancel the record of any tax, assessment, or water rate.

SEC. 2. Upon such payment, such tax, assessment, or water rate shall cease to be a lien upon the property, and shall be deemed fully paid, satisfied, and discharged; and there shall be no further interest or penalty by reason of such tax, assessment, or water rate not having been paid within the time heretofore required by law, or by reason of any statute heretofore requiring the payment of any penalty or interest over the rate of 6 per cent per annum upon any unpaid tax, assessment, or water rate.

SEC. 3. It shall be the duty of the commissioners of the District of Columbia to proceed forthwith, on and after the 1st day of October, A. D. 1879, to collect all such arrearages of taxes, assessments, and water rates as may remain unpaid on that day, and all interest, penalties, and forfeitures incurred by any person on account of failure to pay such last-mentioned taxes, assessments, or water rates at the time the same became due and payable; and this act shall not be so construed as to release any property from existing liens on the same on account of such taxes, assessments, or water rates, or interest or penalties or forfeitures in that behalf, except in case of payment as provided in the first section of this act.

SEC. 4. This act shall take effect immediately.

SEC. 5. All laws contravening the meaning and purview of this act are hereby repealed.

The Clerk read the substitute, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That the rate of interest to be collected of any person owing arrearages of taxes, assessments, or water rates now due, or which may become due hereafter, for any arrearages of taxes, assessments, or water rates, and penalties, to the District of Columbia, shall be 10 per cent per annum, except where existing law provides for a lower rate of interest upon taxes or assessments now due: *Provided*, That nothing in this act contained shall be construed as exempting property sold under tax sales and bought in by any other party than the District of Columbia, or any property upon which third persons have acquired tax-lien certificates, from the penalties attached thereto by law. That in revising and correcting special assessments in the District of Columbia, as provided by said act of 19th June, 1878, the commissioners of the said District are hereby authorized and directed to cancel all assessments made against private property not specially benefited over and above

any damages that may have been done by the improvement for which said assessments were made. And that in all cases where damages were awarded by the late board of audit for injuries done to property by street or other improvements, such award shall be accepted by the commissioners as conclusive evidence that said property was not specially benefited by such improvement: *Provided*, The conclusion was arrived at by offsetting damages and improvements.

SEC. 2. That in all cases where assessments shall be found to be erroneous or excessive the amount of such error or excess shall be deducted from said assessment, and notice given to the owner of the property assessed of the amount ascertained to be due, which amount if not paid within thirty days after such notice shall be collected in accordance with existing laws, with interest from the date of such notice at the rate provided by law. And where such erroneous or excessive assessments have been paid, and where tax-lien certificates for any such assessments shall be held by third parties, the commissioners shall issue to the persons entitled to the same certificates for the amount of such excess, which certificates shall be receivable in payment for all special assessments for which no tax-lien certificates have been issued and which are not pledged for any existing obligations, and for all general taxes due before the 1st of July, 1877.

SEC. 3. That the commissioners of the District are hereby further authorized, in respect to all other matters not hereinbefore specially mentioned and provided for, to settle and adjust, on their distinct merits, all disputed assessments under said act of 19th of June, 1878, for the improvements of streets and avenues, or for other improvements, according to such rules and principles as they may think just and equitable in each particular case; and all suits now pending touching such special assessments may be prosecuted to final judgment, and the rights of parties thereto shall in no wise be impaired or affected by this act or by the act of which it is amendatory.

SEC. 4. That all acts and parts of acts inconsistent herewith are hereby repealed.

Mr. HENDEE. I would like to have the gentleman from Illinois [Mr. TOWNSHEND] explain this bill, if he can.

Mr. TOWNSHEND, of Illinois. What is it my friend desires?

Mr. HENDEE. I would like to have the gentleman from Illinois explain the provisions of the original Senate bill and also the provisions of the amendment which he offers as a substitute.

Mr. TOWNSHEND, of Illinois. In what respect?

Mr. HENDEE. As a whole.

Mr. TOWNSHEND, of Illinois. I am somewhat surprised that my friend from Vermont, who has been a member of the Committee for the District of Columbia for years as I understand, should ask me to explain the laws as they now stand in regard to these taxes and assessments, for I have been only a member of that committee for a very brief period.

I have been on the committee only a few weeks, and am not as familiar with this law in all its bearings as some other members of the committee. I am, however, well enough advised in regard to the present law to believe that justice to those who have been wrongfully treated in this regard requires that some relief should be given them. To some extent the Senate bill does furnish a measure of relief, but not to the extent which, in the opinion of the majority of the committee, it should have done. In order to meet the demands of justice in regard to these taxes and assessments a majority of the committee have agreed to report the substitute that has been read.

Mr. HENDEE. I did not ask the gentleman to explain what the law of this District is in regard to special assessments. I asked him to explain the provisions of the Senate bill and then to explain the provisions of the proposed substitute. I desire to say here that this substitute bill, which is of some length and is very important, was thrust before our committee this morning and was barely read through. It has never been printed at all, and I doubt very much whether the gentleman who reported the bill can fully explain the provisions of either section of it.

Mr. TOWNSHEND, of Illinois. I will say this in reply to the gentleman: the bill which the Senate passed was brought to the House last Friday. The papers of the District gave notice of the character of the bill. It was on last Friday referred to the Committee for the District of Columbia. That bill has been in the room of the committee ever since. My friend from Vermont [Mr. HENDEE] it seems to me has had ample opportunity to have read the bill and be able to fully understand it.

Mr. HENDEE. I know all about both bills, Senate and substitute; but this House knows nothing of either. It is to be presumed that the gentleman who reports the bill can tell what is in it. I want the House informed, not myself.

Mr. TOWNSHEND, of Illinois. If there are members of the House who do not understand the bill and substitute they can speak for themselves. Or if my friend from Vermont is anxious to explain the bill to the House I will yield to him for that purpose.

Mr. HENDEE. I think it is the duty of any member to seek to protect those who have not had an opportunity to examine this bill. Inasmuch as I was upon the minority when this bill was agreed upon in committee, I think I have a full right to demand an explanation of it from the gentleman who reports the bill to the House for the majority of the committee.

Mr. TOWNSHEND, of Illinois. I have only this to say in reply to the gentleman from Vermont. The committee this morning ordered that the bill and substitute should be reported to the House. Since we have come into the House my friend from Kentucky [Mr. BLACKBURN] placed the bill in my hand. I do not suppose that I understand the features of the Senate bill more fully than my friend from Vermont. The bill was not satisfactory to the gentleman from Vermont and others on the committee, and a substitute was offered for it. That substitute was amended by a majority in the manner it has been read to the House.

The object of the substitute is to remove the penalties and fines which have been assessed against those who have failed to pay their

taxes and special assessments in this District at the time they became due. It has been asserted and believed that grievous wrongs have been done by officers of the law where special assessments have been made against property by way of erroneous and fraudulent over-measurements, &c. Much complaint has been made in regard to these assessments, and those suffering from them have been seeking relief at our hands. In many instances they amount to more than the value of the property against which the assessments have been made, and enforcement of their collection would amount to practical confiscation of the property.

The Senate passed a bill which was intended to remove all the penalties and simply imposed the condition that all who should come forward by the 1st of October next and pay up arrearages of taxes against their property, with 6 per cent. interest from the date of assessment, should receive an acquittance from further liability in that regard.

The original substitute offered in the committee was for the purpose of raising the interest from 6 per cent. to 10 per cent. A further object was had in view, that is, to guard from the operations of the Senate bill certain tax-certificates which have fallen into the hands of third parties. I will not detain the House to detail all the transactions concerning these matters.

That substitute has been amended as in the paper last read. In some instances I believe the penalty for non-payment exacted was 2 per cent. per month from maturity of the tax, and there are other heavy penalties which I do not now remember. The substitute as now amended simply relieves these parties from the heavy burdens upon their property by paying all the taxes that are legally due from them, with interest at the rate named in the substitute.

There is one other feature of the substitute which I will mention. It is, that where it has been discovered upon investigation that taxes have been wrongfully or excessively assessed against property, the District commissioners shall have power to ascertain that fact, and issue certificates in the nature of rebates or drawbacks, which shall be available to these parties in paying special assessments.

I apprehend that there are other members of the committee who are better prepared to explain the nature of the bill than myself. The bill was placed in my hands since I came into the House this morning, and I am not perhaps as familiar with its scope as is the gentleman from Vermont [Mr. HENDEE] and others.

Mr. LATHROP. Are these certificates of rebate to be issued to those who have honestly paid their taxes?

Mr. TOWNSHEND, of Illinois. They are, to those who have overpaid their just share of taxes.

Mr. EDEN. If my colleague [Mr. TOWNSHEND] is through, I would like to ask the gentleman from Vermont [Mr. HENDEE] a question, as he seems to be somewhat familiar with this subject. I do not wish, however, to interfere with my colleague.

Mr. LATHROP. I wish to understand whether a part of the purpose of this bill is to pay back taxes that have already been paid.

Mr. TOWNSHEND, of Illinois. That is one of the features of the substitute.

Mr. LATHROP. And to forgive those who have not paid?

Mr. EDEN. I think the question of the gentleman from Vermont [Mr. HENDEE] is quite pertinent. The House ought to understand this bill better than it understood the bill to which it is an amendment. That bill I am very sure was not very well understood; and either my colleague [Mr. TOWNSHEND] or the gentleman from Vermont [Mr. HENDEE] or some one else who is familiar with this legislation ought to explain the bill and amendment, so that every gentleman who desires to understand this legislation may vote intelligently.

If I understand aright, the act of last session, to which this is an amendment, decided certain questions which were pending in the courts as to the legality of these assessments. The effect of that legislation was to take those questions out of the courts and to legalize assessments that were then being litigated.

Mr. HUNTON. I beg the gentleman's pardon.

Mr. EDEN. I so understood the decision of the Supreme Court. If I am wrong about that I shall be glad to be corrected. I understood that was an element in the decision.

Mr. HENDEE. For the information of the gentleman from Illinois [Mr. EDEN] and others who care for it, I wish to say that this substitute, which purports to be an amendment of the act of June 19, 1878, the act which the gentleman spoke of as having created a great deal of trouble, is a re-enactment of that same law with a great many additional provisions, which in my judgment are obnoxious to the taxpayers of this District. That part of the law of June 19, 1878, which the Supreme Court considered as legalizing the old assessments, was the provision authorizing, after revision, the collection under existing laws of taxes yet unpaid.

Mr. EDEN. Then I am correct in my understanding that the Supreme Court did decide the question upon that legislation.

Mr. HENDEE. Not upon that legislation alone. I will tell the honorable gentleman what the Supreme Court did decide. It decided that the prior legislation of the Legislature of the District, and the act of Congress of some four years ago, and the act of last year, taken together, were sufficient, in the judgment of the court, to show that Congress designed to have these taxes regarded as legal, and hence that their collection could be enforced.

Mr. EDEN. That is the reason I regard the question of the gentleman from Vermont as being pertinent. I think it was stated on this floor, when the act of last session was pending, that it would not at all interfere with questions which were being litigated in the courts.

Mr. HENDEE. It was stated by myself that the committee had taken all the pains in their power to prevent that legislation from having any effect upon pending litigation, and upon the question being carried to the law officers of this Government they took the same view. But the Supreme Court said substantially: "It is not to be conceived that Congress would authorize the collection of an illegal tax." Hence they considered that the District Legislature and Congress had legalized these taxes by subsequent acts.

Now let me say that this substitute re-enacts that legislation by providing that after thirty days' notice the commissioners of the District shall proceed to collect these taxes, using precisely the same words that were used in the act of June 19, 1878, of which so much complaint has been made. This substitute directly authorizes a deeper revision, going back farther and taking up a different class of cases from those that were designed to be embraced by the act of last year. When this further revision has been made, then the substitute authorizes the collection of these taxes according to existing laws, using precisely the same language that was used in the act of June 19, 1878.

Mr. EDEN. Is that the effect of the Senate bill?

Mr. HENDEE. No, sir; that is the effect of the substitute offered by the gentleman from Illinois [Mr. TOWNSHEND] on behalf of the majority of the committee. The Senate bill simply reduces the rate of interest on unpaid taxes from 10 per cent to 6 per cent.

Mr. EDEN. Does this proposed legislation affect any of the taxes except those that were in dispute at the time of the passage of the act of last session?

Mr. HENDEE. It does; and that is why I wanted the gentleman from Illinois [Mr. TOWNSHEND] to explain it fully.

As to the first section of this substitute there is no particular objection. I think perhaps the committee were agreed that the commissioners should cancel all assessments where it was found by them that the property against which the assessment had been made was not specially benefited by the improvement. That is a sound principle. But the second section of this substitute permits the commissioners to go back even to the first day when the government of the District of Columbia was started, and re-examine every claim that can possibly be brought forward for readjustment, arising out of special improvements or improvements of any kind.

Mr. TOWNSHEND, of Illinois. I wish to correct my friend. This substitute is specially limited to the assessments embraced in the act of June, 1878.

Mr. HENDEE. I know it is in one section so limited; and the act of June 19, 1878, refers to unpaid assessments up to that time. But in another clause of this substitute you provide that the commissioners may, in addition to the things specifically named, take up any and all questions of difference or dispute from the commencement of the Government to the present time, and adjust and settle them on such principles as the commissioners may deem fit in each particular case.

Mr. TOWNSHEND, of Illinois. The purpose of the committee, as I understood, (and I understood the gentleman from Vermont was satisfied in committee this morning that the substitute sufficiently accomplished and was limited to that purpose alone,) was to embrace only those taxes affected by the act of June 19, 1878.

Mr. HENDEE. But that is not the effect of the substitute as offered. It covers the whole period from the first existence of the Government to the present time, in this: that it permits a revision of all assessments that have been paid, no matter how long ago.

Mr. LATHROP. I move that the bill and pending amendments be recommitted.

Mr. TOWNSHEND, of Illinois. I hope this motion will not be agreed to. I am satisfied that the recommitment of this bill will be the end of it for this session, and if the substitute is not perfect it can now be amended so as to meet the will of the House.

The motion of Mr. LATHROP was agreed to; there being—ayes 100, noes 22.

Mr. HENDEE. I had designed to say before the gentleman took me off my feet so quickly, that I had an amendment in the way of a substitute which I intended and was authorized to offer, which would afford some relief to a large number of the citizens of the District and do no harm to those it did not specially benefit. But of course it is too late to offer it now as the bill and substitute is recommitted.

Mr. LATHROP. I move that the vote by which the bill and amendments were recommitted be reconsidered, and that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LICENSE TAX.

Mr. CLAFLIN, from the Committee for the District of Columbia, reported back the bill (H. R. No. 6437) imposing a license on trades, business, and professions practiced or carried on in the District of Columbia, and providing for the enforcement and collection of fines and penalties for carrying on business in the said District without licenses, and for other purposes, with sundry amendments.

The bill was read, as follows:

A bill imposing a license on trades, business, and professions practiced or carried on in the District of Columbia, and providing for the enforcement and collection of fines and penalties for carrying on business in the said District without licenses, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall be engaged in any trade, business, or profession hereinafter mentioned until he shall have obtained a license therefor, as hereinafter provided. And the commissioners of the District of Columbia are hereby authorized and instructed to close all places of business of parties violating the provisions of this section, and for that purpose may by an order in writing direct the police to do so.

SEC. 2. That every person engaged in, or who is about to engage in, any trade, business, occupation, or profession for which a license tax is imposed by the provisions of this act, shall, at the time prescribed for procuring the same, make application to the commissioners of the District of Columbia, and shall state, under oath or affirmation, such facts as may be applicable to licenses, as apothecaries, commercial agents, bankers, banks, bar-rooms, sample-rooms, and tipping-houses; billiard, bagatelle, pool, and Jenny Lind tables; bowling-alleys, brokers, dealers in merchandise; distilled and fermented liquors, wines, and cordials; hacks, carriages, cabs, omnibuses, and street cars; hotels, fire and life insurance companies; livery stables, manufacturers, peddlers, resident or otherwise. The commissioners shall then, upon the compliance with all the provisions of this act and upon the receipt of the amount of money required by law to be paid therefor, issue said license. Every license shall state the name of the person to whom granted and the number of the house and street where it is desired to carry on such business or occupation when such business or occupation has an established location, and the kind of business for which it is required, and shall be signed by the commissioners and impressed with the seal of their office. Licenses may be transferred to persons to continue the same business in the same house or to remove a place of business under the same regulations as the original license. All transfers shall be certified by the commissioners of the District of Columbia.

SEC. 3. That all licenses for produce-dealers, peddlers, and commercial agents shall date from the 1st of April of each year, and expire on the 31st of March following. All other licenses shall date from the 1st of July of each year and expire on the 30th of June following. And the license of every person liable for license tax after the 1st of April and July aforesaid shall date from the 1st of the month in which the liability began, and payment shall be made for a proportionate amount: *Provided*, That no license shall be granted for a less period than six months to any dealer embraced in this section, nor shall any license be granted to a commercial agent for less than one year.

SEC. 4. That every person who shall hereafter, under the provisions of this act, fail to pay the proper license before engaging in the business for which a license may be required, shall pay a fine or penalty equal to the amount of the license required to be imposed and collected as provided in this act.

SEC. 5. That in every case where more than one of the pursuits or occupations hereinafter described shall be pursued or carried on in the same place, by the same person, at the same time, except as hereinafter provided, the tax shall be paid for each according to the rates severally prescribed.

SEC. 6. That, except in the case of commercial agents, peddlers, book agents, insurance agents, and auctioneers, licenses granted by the District of Columbia shall only be good for the conducting of business at the location named therein.

SEC. 7. That any person or persons, except manufacturers, distillers, or rectifiers of distilled or fermented liquors, manufacturers of illuminating gas, or manufacturers of cigars or tobacco, may sell any goods, wares, merchandise, or other articles of his, her, or their own manufacture, if manufactured within the District of Columbia, free from any charge for a license.

SEC. 8. That if any person, resident or non-resident of the District of Columbia, who may have obtained license to sell merchandise, or license as an auctioneer, shall permit any dealer or commercial agent, without license as such, to sell under his license, or to occupy any portion of his premises for the purpose of offering for sale merchandise under his license, the person so offending shall be fined not less than \$100 for each offense, to be imposed and collected as other fines.

SEC. 9. That no license shall be required of any person bringing to the District of Columbia wood, lumber, building materials, or produce of any kind, to be sold by the car, cargo, or wagon-load.

SEC. 10. That the keeper of every livery-stable, wood, coal, or lumber-yard, soap factory, or slaughter-house shall, before engaging in such business, obtain the consent in writing of a majority of the persons owning real estate, and a majority of the residents keeping house on the square on which the stable, yard, soap factory, or slaughter-house is about to be built or kept, and also the consent of a majority of those owning real estate and a majority of the residents keeping house on the side of the square fronting opposite the principal entrance of said stable, yard, soap factory, or slaughter-house, for him to engage in such business; and without such consent being first obtained it shall be unlawful to grant such license: *Provided*, That in the case of soap factories and slaughter-houses the Commissioners of the District may refuse to grant a license to engage in either of said businesses within the limits of Washington or Georgetown.

SEC. 11. That every place where distilled or fermented liquors are sold in less quantity than one quart shall be known as a bar-room, sample-room, or tipping-house, as the case may be; and it shall be the duty of the proprietor of every such place to present, with his application for license, the written permission of a majority of the owners of real estate, and of a majority of the residents keeping house, on the same side of the square where it is desired to locate such business, and of the same side of the square fronting opposite the same: *Provided*, That the failure of any keeper of a hotel, eating-house, tavern, or restaurant to obtain license to sell distilled or fermented liquors in quantity less than one quart shall not otherwise affect said business of keeping a hotel, eating-house, tavern, or restaurant, he having a license for the same; but if said keeper of a hotel, eating-house, tavern, or restaurant shall be convicted of selling liquor without license, he shall forfeit his license to keep said hotel, eating-house, tavern, or restaurant.

SEC. 12. That any person selling distilled or fermented liquors or wines in mineral or soda water, or other like beverage, shall be liable for the same retail liquor license, and under the same restrictions, and subject to the same penalties as provided in the preceding sections.

SEC. 13. That nothing contained in this act shall authorize any person to keep his place of business open on Sunday for the sale of any merchandise whatever, except medicines in cases of necessity; and any one offending under this section shall be liable to a fine of not more than \$100 for each offense, to be imposed and collected as other fines.

SEC. 14. That no person whatsoever shall sell, or expose for sale, at auction, any property, real or personal, within the District of Columbia, without having first obtained a license as auctioneer. Every person who may offer to sell at auction any property or merchandise without license shall be fined not less than \$100 for each offense. Every licensed auctioneer shall give bond to the District of Columbia in the sum of \$3,000, with two good and sufficient sureties, to be approved by the Commissioners of the District of Columbia, for the honest and due performance of all duties required by law. Every auctioneer failing to comply with the provisions of this section or the laws of the District of Columbia governing such sales shall, on conviction, forfeit his license and be fined not less than \$100.

SEC. 15. That wherever in this act a license tax is levied on capital invested it shall be taken to mean the average capital invested in merchandise and cash

during the preceding year; or, if the business is just begun, the actual capital at the time.

SEC. 16. That all carts, wagons, and drays licensed by the District of Columbia shall, at the time of receiving the license, be furnished with a number of the same, legibly painted on tin or some other suitable material, with the letters D. C. and the year, which the owner or agent shall attach to said cart, wagon, or dray in some conspicuous place; and in like manner a number shall be furnished, painted on tin or some other material, in the form of a badge, which shall be worn conspicuously on the person of the driver of each hack, carriage, cab, or other licensed vehicle for the transportation of passengers for hire, except street-cars, when in service; and any person offending against this section shall be fined not less than \$10 for each offense.

SEC. 17. That it shall be the duty of the commissioners to keep, in books prepared for the purpose, a list of the names of all persons obtaining licenses for carts, wagons, and drays, and for hacks, carriages, and cabs, and other vehicles, for the transportation of passengers, numbered to correspond with the number of the license.

SEC. 18. That the commissioners of the District of Columbia be, and they hereby are, authorized and directed to adjust and fix such rates of charges and rules for hire of hackney carriages, cabs, and other vehicles used for the conveyance of passengers in the District of Columbia as they may deem just and advisable: *Provided*, That no increase of fares shall be made over those now established: *And provided further*, That any violation of the rates or rules as fixed by said commissioners shall be punished by a revocation of license and a fine of \$10 for each offense. All existing laws, ordinances, and rules in relation to hucksters, sales by dry measure, sale of bread, ice, charcoal, milk, lime, oysters, wheat, corn, and grain of all kinds, hay, straw, fodder, and coal, and sealer of weights and measures, gaugers and inspectors of spirituous liquors, inspectors of flour, salted provisions, and inspectors and measurers of wood and lumber, may be changed or modified by the commissioners of the District upon public notice thereof being given thirty days previous.

SEC. 19. That every agent for life or fire insurance companies whose principal office is beyond the limits of the District of Columbia shall obtain a separate license for each company he may be agent for: *Provided*, That licensed insurance agents may employ solicitors of insurance without the payment of an additional license.

SEC. 20. That a license tax shall be, and hereby is, imposed, and shall be annually levied and collected as follows; that is to say:

First. Apothecaries shall pay annually \$25, and \$5 on each \$1,000 or fractional part thereof of capital invested. Every person whose business it is to manufacture, compound, or dispense medicines shall be regarded as an apothecary.

Second. Auctioneers shall pay \$250 annually.

Third. Commercial agents shall pay \$200 annually. Every person whose business it is to offer for sale goods, wares, or merchandise by sample, catalogue, or otherwise, shall be regarded as a commercial agent.

Fourth. Banks and bankers shall pay annually \$100, and \$1 on each \$1,000 of capital invested. Every incorporated or other bank, and every person having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received for discount or for sale, shall be regarded as a bank or banker: *Provided*, That associations or companies known as provident institutions, savings-banks, savings-funds, or savings-institutions, having no capital stock, and doing no other business than receiving deposits to be loaned or invested for the sole benefit of the parties making such deposits, without profit to the association or company, shall pay annually \$100.

Fifth. Bill-posters shall pay \$10 annually. Every person whose business it is to post advertising bills or distribute circulars shall be regarded as a bill-poster: *Provided*, That no license shall be required of any person who may post or distribute advertisements of his own business.

Sixth. Every person engaged in the business of selling or offering for sale any spirituous or intoxicating liquors or mixed liquors or any malt, brewed, or fermented liquors by retail, or any mixture or compound which in whole or in part consists of spirituous or intoxicating liquors, shall pay the sum of \$200 annually.

Seventh. Every person engaged in the business of selling spirituous or intoxicating liquors or any malt, brewed, or fermented liquors at wholesale or at wholesale and retail shall pay the sum of \$300 annually.

Eighth. Every person engaged in the business of manufacturing brewed or malt liquors for sale, if the quantity manufactured be over five barrels and does not exceed fifteen hundred barrels, \$50; if over fifteen hundred barrels and not exceeding five thousand barrels, \$100; if five thousand barrels or over, the sum of \$200 annually.

Ninth. Every person engaged in the business of distilling, rectifying, or manufacturing for sale spirituous or intoxicating liquors, \$300 annually.

Tenth. No person paying a manufacturer's license under the above two provisions shall be required to pay a wholesale dealer's license for the sale of liquors manufactured by him.

Eleventh. Every person who sells or offers for sale any spirituous or intoxicating liquor or mixed liquor in quantities less than one quart, or malt, brewed, or fermented liquors in quantities less than one gallon, shall be considered a retail dealer; those selling the same in larger quantities shall be considered wholesale dealers.

Twelfth. Brokers shall pay annually \$50. Every person whose business it is to negotiate loans, or purchases or sales of real estate, stocks, bonds, exchange, bullion, coin money, bank-notes, promissory notes, or other securities, shall be regarded as a broker.

Thirteenth. Commission merchants shall pay \$50 annually. Every person, except commercial agents whose business it is, as agents for others, to negotiate sales, or purchases of goods, wares, or merchandise of any kind whatever, or to negotiate freights for owners of ships or vessels, or for the shipper or consignee or consignee of freight carried by ships or vessels, shall be regarded as a commission merchant: *Provided, however*, That license as commission merchant shall not be construed to grant the right to buy and sell goods as dealers, or to allow said merchant, his agent or employé, to buy and sell goods as dealers, or to allow said merchant, his agent or employé, to solicit orders or offer for sale merchandise of any kind whatever by sample or catalogue outside of the office or store of said commission merchant.

Fourteenth. Cattle-brokers shall pay \$50 annually. Every person whose business it is to buy and sell cattle, sheep, hogs, or horses, shall be regarded as a cattle-broker: *Provided*, That this shall not apply to keepers of livery stables who buy and sell horses for their own use.

Fifteenth. Pawnbrokers shall pay annually \$200. Every person whose business it is to take or receive, by way of pledge, pawn, or exchange, any merchandise, or any kind of personal property whatever, as security for the repayment of money lent thereon, shall be regarded as a pawnbroker.

Sixteenth. Butchers shall pay annually \$20 for each stall or place in which they do business. Every person whose business it is to sell meat from market-stalls, stands, wagons, or stores, shall be regarded as a butcher.

Seventeenth. Carts, wagons, and drays shall pay annually \$3: *Provided*, That no license shall be required for light wagons kept exclusively for pleasure, nor for carts and wagons used exclusively on a farm or garden, or for bringing farm or garden produce to market, or used exclusively for grocers' or merchants' delivery wagons, and not kept for hire.

Eighteenth. The managers of concerts, exhibitions, lectures, fairs, and balls, for

gain, not otherwise enumerated, or games of any kind, where an admission fee is charged, shall pay for each day \$5, or \$15 per week: *Provided*, That any lecturer giving a series of two or more lectures shall be entitled to a reduction of one-half from the above rates: *And provided*, That base-ball and cricket clubs shall pay \$2 for each game.

Nineteenth. Circuses shall pay \$200 for each week or part thereof. Every building, tent, space, area, where feats of horsemanship or acrobatic sports, or theatrical performances pertaining to or being a part thereof, are exhibited, shall be regarded as a circus. Exhibitors of wild animals shall pay \$25 per week: *Provided*, That proprietors of circuses having license as such shall not be taxed for license for exhibiting wild animals.

Twentieth. Dealers in merchandise of any kind whatever not otherwise provided for, who pay no personal tax, shall pay annually \$10, and \$5 on each \$1,000, or fractional part thereof, of capital invested: *Provided*, That all persons who under this section would be required to take out a license shall be exempted from the provisions thereof in case the capital they may have invested does not exceed \$500.

Twenty-first. Produce-dealers shall pay annually \$20. Every person whose business it is to buy and sell produce, fish, meats, or fruits, from wagons or carts, stalls, stores, or stands, shall be regarded as a produce-dealer: *Provided*, That any person selling produce of his own raising shall not be liable for license for selling the same. Persons selling fruit, cakes, sweetmeats, or other eatables, or notions from baskets or stands, whose average capital does not exceed \$30, shall not be liable for license tax.

Twenty-second. Dealers in tobacco, snuff, or cigars shall pay annually \$50. Twenty-third. The proprietors of hacks, cabs, omnibuses, and street-cars, and other vehicles for transporting passengers for hire, shall pay annually for each as follows: Hacks and carriages, \$10; one-horse cabs, \$6; omnibuses, \$10; street-cars drawn by one horse, \$3, and by two horses, \$6; or other vehicles capable of carrying ten passengers or more at one time, \$10; ice carts or wagons, \$10 each.

Twenty-fourth. The proprietors of hotels shall pay annually as follows: Hotels containing twenty rooms or less, suitable for the accommodation of guests, \$25; the same, containing more than twenty rooms, suitable for the accommodation of guests, \$1 for each room over twenty. Every place where food and lodging are provided for and furnished to travelers and sojourners for pay shall be regarded as a hotel: *Provided*, That a hotel license shall not authorize the sale of distilled or fermented liquors, wines, or cordials.

Twenty-fifth. Proprietors of intelligence offices, who charge for services, shall pay annually \$10.

Twenty-sixth. Fire insurance companies shall pay annually \$50, and \$1 on each \$1,000 of capital invested. Every company, firm, or corporation whose business it is to grant policies of insurance for buildings of any kind, boats, vessels, and ships, furniture or merchandise, against loss by fire, shall be regarded as a fire insurance company.

Twenty-seventh. Life insurance companies shall pay annually \$50, and \$1 on each \$1,000 of capital invested. Every company, firm, or corporation whose business it is to insure the life of any person, or who may agree to pay to the person insured any sum of money, in case of accident to said person, or who may agree, on conditions, to pay to the person insured an annuity, shall be regarded as a life insurance company.

Twenty-eighth. Insurance agents shall pay annually \$50, and in addition, semi-annually, a tax of 1 per cent. on the gross receipts of such agency, whether such receipts are in cash or notes for the payment of premium. Every person whose business it is to act as agent for any life or fire insurance company whose principal office is located beyond the District of Columbia shall be regarded as an insurance agent: *Provided*, That in cases where any person is agent for more than one company, the license tax of \$50 shall be paid for each company.

Twenty-ninth. The proprietors of junk-shops shall pay \$50 annually. Every person whose business it is to keep a store or office for buying and selling old iron, rags, paper, second-hand clothing, or like old material, shall be deemed the keeper of a junk-shop. Dealers in old barrels shall pay a license of \$10.

Thirtieth. The proprietors of livery stables shall pay as follows: Not exceeding ten stalls, \$25, and \$2 for each additional stall more than ten. Any person whose business it is to keep horses for hire, or to keep, board, or feed horses for others, shall be regarded as a livery-stable keeper: *Provided*, That nothing contained in this clause shall be so construed as to exempt livery-stable keepers from procuring additional license for running cabs, hacks, or hackney carriages.

Thirty-first. Proprietors of grounds used for horse-racing or tournaments shall be required to pay a weekly tax of \$25, or \$10 per day when so used.

Thirty-second. Photographers shall pay annually \$10. Any person who makes for sale photographs, ambrotypes, daguerreotypes, or pictures by agency of light, shall be regarded as a photographer.

Thirty-third. Peddlers shall pay \$50 annually. Any person who may offer for sale from house to house, or from a wagon or other like means of transportation, dry goods, fancy goods, notions, toys, and similar articles, delivered at the time of sale, shall be known as a peddler. Permits may be issued, in the discretion of the commissioners, to parties whose capital invested in articles for sale does not exceed \$10.

Thirty-fourth. The proprietors of soap-factories and slaughter-houses shall pay \$50 annually.

Thirty-fifth. Proprietors of restaurants and eating-houses shall pay \$25 annually. Every place the business of which is to provide meals or refreshments, except distilled or fermented liquors, wines and cordials, for casual visitors, shall be regarded as a restaurant or eating-house.

Thirty-sixth. The proprietors of theaters shall pay annually \$300: *Provided*, That license may be granted for theatrical performances for one week on the payment of \$20. Every edifice used for the purpose of dramatic, operatic, or other representations, plays, performances, or burlesques, for admission to which entrance money is received, but not including halls rented or occasionally used for concerts or lectures, shall be regarded as a theater.

Pelterers shall pay annually \$50. Every person who shall buy and sell pelts, hides, or skins of any kind or description shall be regarded as a pelterer.

Thirty-seventh. Contractors shall pay \$25 annually. Every person who contracts for building railroads, bridges, ships, or buildings, or for paving or grading streets or sidewalks, or for building sewers and other work of a like character, shall be regarded as a contractor.

Thirty-eighth. Book agents shall pay \$10 annually. Every person whose business it is to solicit subscriptions for, or deliver, books or maps shall be regarded as a book agent: *Provided*, That only one person shall be authorized to solicit orders or deliver books, maps, or engravings under one license.

Thirty-ninth. Manufacturers of illuminating gas for sale shall pay a monthly tax of 1 per cent. on their gross receipts.

Fortieth. Claim agents, patent agents, lawyers, physicians, and dentists shall pay \$25 annually. Every person whose business it is to prosecute claims before the Executive Departments of the General Government or the District of Columbia shall be regarded as a claim agent.

Forty-first. Street-railway companies shall pay \$1 on each thousand dollars of their stock paid in; but this tax shall not exempt their real estate or their cars from taxation or license. Telegraph companies shall pay \$250 and \$1 annually on each telegraph pole erected in the District of Columbia; and all poles shall be painted and numbered in the manner prescribed by the commissioners of the District. Bank-note engraving companies shall pay a license of \$100, and \$1 on each thousand dollars of their paid-up capital. Architects, undertakers, notaries-public, and civil engineers shall pay annually a tax of \$10.

Forty-second. Telephone companies shall pay \$1 upon each telephone instrument in use in the District of Columbia.

Sec. 21. Persons having stands in two markets, both of which are not open on the same day, shall be required to take out but one license; but if they have stands in markets that are open on the same day they shall be required to take out a license for each market. Produce dealers selling from a wagon and a market or other stand at the same time shall take out a license for each.

Sec. 22. That for the purposes of this act the word person shall signify and include firms, corporations, or company. Words of one number shall signify and include words of both numbers respectively. Words of one gender shall signify and include words of every gender respectively. The word "agent" shall signify and include every person acting for another. The word "merchandise" shall signify and include every article of commerce, whether sold in bulk, by sample, catalogue, or otherwise. The word "dealer" shall signify and include every person engaged. And nothing in this act contained shall be construed as exempting any person, agent, or corporation from the payment of such general or personal taxes as may be assessed upon his or their capital under existing laws.

Sec. 23. It shall be the duty of every person who is required by the provisions of this act to have a license, to keep the same at all times displayed in a conspicuous position in his place of business, and if he has no place of business to exhibit the same on demand of the proper officials; and it is hereby made the duty of the superintendent of police to see that no person required by this act to have a license shall be engaged in business without the proper license.

Sec. 24. That all laws and ordinances of the corporations of Washington and Georgetown and the levy court, providing police regulations for the several businesses of the citizens of the District of Columbia, and not inconsistent with the provisions of this act, are hereby continued in force; and all acts and ordinances, or parts of the same, of the said corporations of Washington and Georgetown and the levy court and the District of Columbia, not heretofore repealed, inconsistent with the provisions of this act, are hereby repealed.

Sec. 25. That all the penalties or fines imposed or in any manner created by this act or by the act of the Legislative Assembly entitled "An act imposing a license on trades, business, and professions practiced or carried on in the District of Columbia," approved August 23, 1871, shall be recovered in the police court of said District, on information under oath filed therein by the attorney of the District or his assistant, in the name of the District of Columbia, and in the same manner as was provided for in section 16 of an act of Congress of the United States entitled "An act to establish a police court for the District of Columbia," approved June 17, 1870, for the recovery of fines and penalties for the violation of ordinances of the late corporation of Washington, Georgetown, and the levy court.

Sec. 26. That the commissioners of the District are hereby authorized to arrange the laws relating to licenses in the form of a circular, and have two thousand copies printed for distribution.

Sec. 27. The commissioners of the District of Columbia are hereby authorized to accept semi-annual payments in advance for produce-dealers' and peddlers' licenses, and they are further authorized to refund the cart and wagon licenses which were paid between July 1 and July 12, 1876.

In any case of appeal from the police court to the supreme court of said District for violation of any law of said District, or of any ordinance or act of the corporation of Washington, Georgetown, or the levy court, or of the provisions of this act, the defendant shall give bond, in the surety to be approved by the clerk of said police court, as in other cases of appeal from said police court, for his appearance at the next term of the supreme court of the District of Columbia holding a criminal term; and proceedings in such cases shall be the same as those of appeal in United States cases; and if judgment shall be rendered against the defendant, the court shall sentence him to pay the fine provided for by law, and in default in payment thereof to be confined in the District jail or workhouse for a period of not less than seven days nor more than six months.

Sec. 28. Any person convicted of violating any of the provisions of this act shall, in addition to the penalties hereinbefore prescribed for such violation, forfeit his license; and no license shall be granted to such person under the provisions of this act within one year after such conviction.

The amendments were read, as follows:

Section 11, page 5, line 4, insert, after the word "and," the following: "whenever it may be required by the commissioners of the District of Columbia."

Section 11, page 5, line 5, strike out the words "with his application for license."

Section 19, page 19, line 256, strike out the words "twenty-five," and insert in lieu thereof the word "ten."

Mr. BUTLER. I rise to a point of order on that bill.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BUTLER. This being a tax bill, must be first considered in the Committee of the Whole. A tax on any portion of the citizens of the United States is of course a tax on all.

Mr. CLAFIN. Very well, we will consider the bill in the Committee of the Whole.

The SPEAKER. The Chair would decide that, under Rule 110, any tax or charge upon the people is obnoxious to the point of order.

Mr. CLAFIN. I move that the House resolve itself into the Committee of the Whole on the state of the Union for the purpose of taking up and considering the bill which on the point of order has been referred to that committee.

Mr. BUTLER. This bill having gone to the committee must take its place on the Calendar, and it cannot be reached until we have gone through the whole list.

Mr. BLACKBURN. Cannot this bill be considered in the House as in Committee of the Whole?

The SPEAKER *pro tempore*. It can only be considered as in Committee of the Whole by unanimous consent.

Mr. BLACKBURN. Is there objection?

Mr. BUTLER. I object.

Mr. CLAFIN. I move, then, that the rules be suspended and the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering that bill.

Mr. BLACKBURN. I rise to a parliamentary inquiry. If the motion of the gentleman from Massachusetts shall prevail and the House resolves itself into Committee of the Whole, is not the evening to be confined to the consideration of legislation affecting the District of Columbia?

The SPEAKER *pro tempore*. Exclusively.

Mr. BUTLER. But the legislation affecting the District of Columbia on the Calendar must be considered in its order.

The SPEAKER *pro tempore*. This day after two o'clock has been set apart for the consideration of business of the District of Colum-

bia, and that business must be considered in its order on the Calendar.

Mr. BUTLER. All the business on the Calendar before this bill just referred to the committee must first be taken up.

Mr. CLAFLIN. There is no other business on the Calendar.

Mr. BUTLER. Oh, yes; the jail bill and others.

Mr. CLYMER. I move the House take a recess until half past seven o'clock this evening.

Mr. CLAFLIN. I hope not; this is an important bill.

Mr. BUTLER. There are other bills to be considered. I hope the gentleman will withdraw his motion for a recess. We can go into committee and vote down this bill, and then proceed to the consideration of other business.

Mr. PAGE. Is there not a special order for this evening?

The SPEAKER *pro tempore*. This evening has been set apart for eulogies on Mr. Schleicher.

Mr. WAIT. The recess is for that and no other purpose.

The SPEAKER *pro tempore*. It has been set apart especially for the obsequies of Mr. Schleicher, and no other business, of course, will be transacted.

The House divided; and there were—ayes 84, noes 67.

Mr. HENDEE demanded tellers.

Tellers were ordered; and Mr. CLYMER and Mr. BUTLER were appointed.

The House again divided; and the tellers reported—ayes 96, noes 66. So the motion was agreed to; and thereupon the House (at four o'clock and twenty-two minutes p. m.,) took a recess until seven o'clock and thirty minutes p. m.

EVENING SESSION.

The recess having expired, the House resumed its session at seven o'clock and thirty minutes p. m.

DEATH OF HON. GUSTAVE SCHLEICHER.

Mr. GIDDINGS. Mr. Speaker, in accordance with notice heretofore given and order of the House, I now submit resolutions of respect to the memory of our late colleague, GUSTAVE SCHLEICHER.

The Clerk read as follows:

Resolved, That this House has heard with profound sorrow the announcement of the death of Hon. GUSTAVE SCHLEICHER, late a Representative from the State of Texas.

Resolved, That in token of regard for the memory of the lamented deceased the members of this House do wear the usual badge of mourning for thirty days.

Resolved, That the Clerk of this House do communicate these resolutions to the Senate of the United States.

Resolved, That as a further mark of respect to the memory of the deceased this House do now adjourn.

Mr. GIDDINGS. Mr. Speaker, Mr. SCHLEICHER was born at Darmstadt, Germany, November 19, 1823. We know little of his early life, except that he was educated at the University of Geissen, in the Grand Duchy of Hesse-Darmstadt; that he selected the profession of civil engineer, and was engaged in the construction of several works of internal improvement in Europe.

He emigrated to Texas in 1847, in company with thirty-nine young and educated Germans, and settled on the western frontier of Texas, constituting what was known as the Colony of Forty. They engaged in agricultural pursuits and stock-raising, but owing to Indian and Mexican depredations the enterprise proved a failure, and he, with a number of his associates, in 1850, settled at San Antonio.

By close study he became master of the English and Spanish languages, and in 1853 was elected a member of the house of representatives of the Legislature of Texas. After the close of his term, in 1854, he was elected surveyor of Bexar land district, which was an important position, embracing a territory greater in extent than the six New England States.

In 1859 he was elected senator from Bexar County, serving as such until 1861, when he entered the confederate service in the engineer corps, with the rank of captain, and served in that capacity during the war.

He was chief engineer, and constructed the railroad from Indianola to Cuero on substantially the same line established by General Joseph Johnston, assisted by Mr. SCHLEICHER, in 1852, as the line of the San Antonio and Gulf Railroad.

He was elected from the sixth district of Texas to the Forty-fourth Congress; re-elected to the Forty-fifth, and again to the Forty-sixth Congress, and on the 10th day of January last, at his residence in this city, surrounded by his devoted family and friends, after a short and painful illness, departed this life. In accordance with resolutions of the House his remains were conveyed to San Antonio, Texas, and on the 19th of January, with appropriate ceremonies, deposited in the national cemetery at that place.

Mr. Speaker, it is fit and proper that we should pause for a few moments at least, that his surviving comrades may pay suitable tribute to his many virtues as a citizen, husband, father, and public servant.

The grim monster Death knows no distinction. The high and the low, the learned and the unlearned, the rich and the poor, all must obey the dread summons when made. In this instance he has indeed chosen a shining mark. GUSTAVE SCHLEICHER was no ordinary man. Possessed of great energy of body and mind, and endowed

with a thorough education, he could not be confined within the narrow limits marked out for him in the Old World. At the early age of twenty-four he left his native land and sought a home in the then unexplored portion of Western Texas, and by his indomitable will and perseverance met and overcame, as only brave men can, the hardships, privations, and dangers of a frontier life. He soon became master of two foreign languages, and by his learning, industry, integrity, and sound, practical common sense, so established himself in the confidence and affections of the people of Western Texas as to be chosen to represent them in the Legislature, composed of bold, adventurous spirits like himself, who always constitute the pioneers of civilization, and at a time when the Legislature of Texas, in point of general intelligence and ability, could compare favorably with any deliberative assembly in any country. He served with credit to himself and his constituents with such men as Wigfall, Potter, Ochiltree, Jennings, Tarver, Willie, and Wilson.

Mr. SCHLEICHER was eminently practical and thorough in everything he undertook; there was nothing superficial about him. He made no effort at display, but was an ardent seeker after truth, and one of the most patient investigators it was ever my fortune to know, going to the bottom and fully comprehending in all its details every subject upon which he was called to act. He was a close and logical reasoner, a profound thinker, and was never satisfied with a superficial knowledge of anything. He approached conclusions by a regular and systematic course of study and analytical reasoning, and when he reached a conclusion it was to him as clear and satisfactory as if susceptible of mathematical demonstration, and upon it he rested immovable; neither passion nor the love of popular applause could move him one hair's breadth from the line marked out; he would pay due deference to the opinions of others, listen attentively to any argument offered, but relied upon his own convictions, and had the courage to do that which he believed to be right under all circumstances, though he differed from his best and most trusted friends. Philosophical in politics and in religion, submitting to no restrictions in the wide range of thought to which he was impelled by his innate love of truth, and bound by the tenets of no party or sect when in conflict with his own clear convictions of right, the result of patient investigation and profound thought, yet, while true to those convictions as the needle to the pole, he nevertheless accorded to others the same liberty of thought and freedom of action he claimed for himself.

He had acquired that strictly accurate knowledge of our language which is possessed only by those who learn it from the best authors. By patient and careful study he had acquired a thorough knowledge and understanding of our system of government, differing so widely from that under which he had been reared, and though cherishing a praiseworthy fondness for the Fatherland and home of his childhood was nevertheless thoroughly Americanized, fully identified with our people, devoted to the principles of our free institutions and constitutional Government; and in all positions to which he was called by the people, discharged the high trust reposed in him with strict fidelity and a desire to promote the best interest of the whole country.

He was justly the pride of the industrious, intelligent, law-abiding Germans, (many of whom have found their way to Texas, induced by liberal grants of land made by the Republic and State of Texas,) to whose energy and industry the unexampled progress and advancement of Texas is largely due.

He had all the fondness for social enjoyment and pleasant recreation for which the German is distinguished, to which was added ready wit, which, with his genial and generous disposition and accurate and varied information, rendered him a most agreeable companion and a safe counselor and friend. In all the relations of life, public and private, as husband, father, neighbor, citizen, and legislator, he came up to the full measure of a noble manhood, and in his death the people of Texas, and particularly of the sixth district, feel that they have sustained irreparable loss. He had devoted the best years of his laborious life to their service, and to his efforts more than to those of any other one man is attributable the present peaceful and satisfactory condition of the Mexican border.

During the long and eventful career of Mr. SCHLEICHER no stain rests upon his character. His most violent political opponents accord to him fidelity and strict integrity. He ever commanded the respect of all who knew him. He sleeps upon a mound overlooking the historic Alamo, where the ashes of Milam, Travis, Bowie, and Crockett mingle with the dust. To this immortal band who, with a heroism more grand than that of famed Thermopylae, laid down their lives for the freedom of Texas, and who require no monument to perpetuate their memory save that inscribed in the hearts and affections of the people they served so well, is added the name of the patriot and statesman, SCHLEICHER.

I would like to speak more in detail of the many virtues of my deceased colleague, and of the manifestations of appreciation of the loss our people have sustained, but will not trench further upon the field to be occupied by those who are to follow me, and who are better prepared to do justice to the occasion than I am.

Mr. BRENTANO. Mr. Speaker, when the delegation which escorted the remains of our lamented colleague, GUSTAVE SCHLEICHER, from this Hall to his own State, there to find a resting-place in the National Cemetery of San Antonio, crossed the line of the Lone Star State, it

became clearly apparent that the people of Texas fully realized the loss which they had sustained. At the very threshold of that grand and promising State we were met by a committee sent by the Legislature of Texas with a similar trust which was imposed upon us by this House to serve as an honorary escort to the lifeless body of a man who, transplanted from a far-off country to the soil over which, after many a bloody contest, now waves in its glory the emblem of American liberty, was up to the last moments of his life active in the interests and for the welfare of a people who had honored him with their confidence. Only a few months ago Mr. SCHLEICHER, after a protracted and bitter election contest, elated by a glorious victory, clothed anew with the confidence of his fellow-citizens of both political parties and accompanied by their wishes for his success, had, on his way to the scene of his labors and of his public duties, crossed the northern frontier of his State, and the same people who then had cheered him, the man in the bloom of vigorous manhood, flocked now to the funeral car, in which, in a garden of flowers under the festoons of the American flag entwined with the Lone Star, was laid out in state the lifeless form of the man so dear to the hearts of his fellow-citizens. It was a sorrowful spectacle to see the people, under the subdued tones of the funeral dirge, approach in large and mournful processions the funeral car to pay the last honor to their departed friend and Representative, and the tears which ran down the cheeks of old and young, men and women, were a better eulogy on the man than my feeble voice is able to pronounce. Should a stranger have casually happened to see this outpouring of the masses, the gloom depicted in their looks and on their countenances, he must at once have received the impression that it was not a common mortal, but a man whose death was considered a public calamity, who was being carried to his last resting-place.

At every station the same spectacle. Arrived at San Antonio, we found ourselves in a city of mourning. It was the principal city of the district represented by our deceased colleague. We must expect to find here disconsolate friends, personal and political. But, Mr. Speaker, allow me to say that I, who in the country of which Mr. SCHLEICHER was a native have seen magnificent and splendid funeral pageants of men occupying the highest places in the monarchy, have never witnessed the funeral of any public man who on the way to his grave was honored by such an imposing cortege and at the same time by such sincere sorrow of the people who thronged the streets and followed the remains of the man whom they were used to look upon as their true friend. And, indeed, Mr. SCHLEICHER has fully deserved the confidence of the people whom he represented in the highest council of the nation; and well has he deserved of the grief with which the news of his demise was received, not only in his own State but throughout the whole country.

Mr. SCHLEICHER was a man of sterling qualities of mind and character. Born in a foreign country, the son of an humble artisan, and endowed with a rare intellect, which was cultivated by classical studies, he left the country of his birth shortly before the popular outbreak in 1848 which shook old Europe to its very foundations, and, from my personal acquaintance with my departed friend, I may say that he would have stood in the front ranks of the soldiers of liberty had he at that time still been among his former fellow-citizens.

It was at some time in the fifth decade of the present century that a colony of Germans, under the auspices of German noblemen, was established in the State of Texas. New Braunfels was the name of the principal settlement of those emigrants. Exaggerated reports of the great success of said colony coming to Germany induced many who were dissatisfied with the social and political conditions of their country, and who believed that here was a chance of carrying their social theories into practice, to emigrate to Texas and join the colony established at New Braunfels. A company was formed in southwestern Germany for the purpose of seeking new homes in the State of the Lone Star. The number of that company was limited to forty men, but only thirty-seven joined. They were mostly men of the educated and better-situated classes, comprising engineers, physicians, merchants, mechanics, farmers, and foresters. One of them was young SCHLEICHER, then about twenty-five years of age. He was a native of Darmstadt, the capital of the little duchy of Hesse Darmstadt. His father, who was a joiner and furniture maker, had given his son a good education. After SCHLEICHER had, at the gymnasium of his native city, received a good classical education, he studied engineering at the University of Giessen. At that time the railroad connecting the city of Heidelberg, celebrated for its university, with the city of Frankfurt on the Main, formerly a "free city" and the seat of Government of the old German confederation, was being built, and here Mr. SCHLEICHER practiced his profession, surveying and superintending a portion of that road. It is a fact that the company of emigrants of which SCHLEICHER was a member, and who were known in Texas and are so known to the present day as "The Forty," were adherents to socialistic and even communistic theories, and in Texas they expected to test the practicabilities of their theories, where there was plenty of room for testing the most chimerical theories. Reality, however, soon broke upon the theorists. The necessities of practical life and the diversity of the inclinations and the individual wants of the partners brought about a relinquishment of their original plans and a dissolution of the company. SCHLEICHER left the beautiful and picturesque valley of Waco Springs, where they had settled, and went to Bettina to cultivate the soil, a hard-working but independent farmer. In the mean time his family, consisting of his father

and two sisters, had arrived and settled at San Antonio, where SCHLEICHER soon joined them, and where he engaged in business. His excellent social qualities, his affability and keen sense of good humor, which never left him to the last stage of his life, attracted a large circle of friends around him and gave him that popularity which was the foundation of his popular career. He had scarcely been admitted to citizenship in the country of his adoption when he was elected a member of the State Legislature, and at the close of the session elected surveyor of the Bexar district. In 1859 we find Mr. SCHLEICHER in the senate of the State Legislature and at the same time as one of the editors of a German paper published at San Antonio. When the late civil war arrayed the citizens of the country against one another Mr. SCHLEICHER retired from the editorial chair and cast his lot with the State that had adopted him and with his constituents. Their lot was his lot; their fortunes or misfortunes were his fortunes or misfortunes. The "Lost Cause" was his cause. He stood by it to the end and then returned to the flag of the Union, and with the same fidelity with which he had served the confederacy he now served the reunited country, true to the Stars and Stripes, under whose cover he was carried to his last resting-place.

Mr. Speaker, in the few hours which your committee spent in the old city of San Antonio, memorable by the bloody encounter of a gallant little band of American heroes with the bloodthirsty Santa Anna, I was told of so many noble deeds of our departed colleague—of how he protected through his influence in the days of revolutionary excitement many of his countrymen, who considered loyalty to the Union their paramount duty, against persecution—that I found it natural that his death was the cause of so much sincere sorrow, and that the deep sympathy for his bereaved family was not confined to his party friends alone, but that it was so universal.

At the close of the civil war Mr. SCHLEICHER returned to the practice of his original profession. Intrusted by the Gulf and Western Texas Railroad Company with the construction of the road from Victoria to Cuero, which latter town he himself had founded, he settled again at San Antonio till his fellow-citizens, quite unexpectedly to him, called him to a higher field of action. It was in 1874 when the democratic convention for the purpose of nominating a candidate for Congress met at Goliad. Many a ballot had been taken without result, when a plain countryman stood up and proposed the name of GUSTAVE SCHLEICHER. His nomination gave general satisfaction, and he was gloriously elected to the Forty-fourth, and afterward to the Forty-fifth, and again to the Forty-sixth Congress.

GUSTAVE SCHLEICHER proved to be a man of sterling character, of great intelligence, of unusual energy and assiduity, honest and incorruptible, always attentive to the wants and interests of his constituents; and, although attached to one of the great political parties of the country, he never was a partisan in that sense that he would have obeyed party dictation if any measure proposed would have been contrary to his convictions of right and wrong, or of what he deemed public welfare or the interests of his constituents required. Having lived for more than thirty years in the State of Texas, and most of the time in the southwestern portion thereof, and identified in all his relations and interests with that country, he knew and well understood what legislation was required for his State and district. The construction of the Texas Pacific Railroad he considered as a measure which must promote commerce and industrial enterprises in his State, and therefore he labored with all his power to accomplish this object. His district lying along the long-stretched frontier dividing the United States from Mexico, he knew from daily experience how his constituents suffered from the lawless raiders who came from the neighboring country, which for long years was distracted by civil disorders and the government of which was too weak, even had it an earnest desire to do so, to protect a friendly neighbor from the invasion and depredations of murderers and robbers. I well remember the vivid picture which he gave of the sufferings of his constituents in our meeting of May 22, 1878; of the murders of defenseless women and children by savage Mexicans and cruel Indians, and how he appealed to this House for protection. It was on that occasion that he spoke the memorable words:

Mr. Chairman, I have been accused sometimes of being a filibuster, of wanting to take Mexico or part of it. Sir, I hesitate to say it, but I must say it: God forbid that this country should ever become larger; it is far too large now for the minds and hearts of its legislators.

Mr. Speaker, these were bitter words, indicating how his feelings and his sympathies were enlisted in the cause of his constituents. His mind and his heart were large enough for the whole country from the Canadian frontier down to sunny Texas, but if he could have heard the resolutions passed in this House when his death was announced, if he could have seen how a great nation which had taken him to its heart while alive honored him when dead, with what liberality the Congress of the United States provided for the return home of his widow and children and for carrying his soulless body to his last resting-place, he would certainly have modified those bitter words and would have cheerfully acknowledged that the minds and hearts of the American legislators are large enough to embrace the whole country, to embrace with the whole love those who were born on this soil and those who come here to participate in the blessings of republican institutions and liberty. Mr. Speaker, GUSTAVE SCHLEICHER, although born in Germany, has lived and died an American. Mr. Speaker, it may be proper for me whose native home was only a few miles distant from the birthplace of my departed friend to say what might not

be considered quite as proper if it came from another side, that if Mr. SCHLEICHER had remained in his original country; if he had served his people with the same zeal, the same fidelity, and the same success; if he had attained the same high positions in public life; if he had died while a member of the German Reichstag, no such pageant would have escorted his earthly remains to their grave. By sending three Senators and eight members of this House as an escort of honor of the lifeless body of a Representative of the people over more than two thousand miles, the nation in honoring one of its citizens has honored itself.

Mr. Speaker, in closing these remarks allow me to present the resolutions which the citizens of Medina County, constituents of Mr. SCHLEICHER, passed when they received the announcement of his death, and which express the feelings which I found everywhere pervaded the country through which we escorted his remains. I send them herewith to the Clerk's desk, and respectfully ask that they may be read as a part of my remarks.

The Clerk read as follows:

We, the citizens of Medina County, Texas, and constituents of the late Hon. GUSTAVE SCHLEICHER, desiring to testify in a marked manner our appreciation of one who at all times, whether as an officer or as a private citizen, was peculiarly the friend of our county and of our frontier, do resolve:

1. That we receive the announcement of the death of Hon. GUSTAVE SCHLEICHER, late Representative in the Congress of the United States from the sixth congressional district of Texas, with feelings of profound sorrow and regret.

2. That in the late Hon. GUSTAVE SCHLEICHER we recognized a statesman of enlarged and liberal views, a public servant without venality, faithful and conscientious in the discharge of every duty; a man of pure and unsullied honor; a stainless patriot. He was ever ready to succor the needy, and his charity was as broad in its exercise as it was narrow in its ostentation. In his friendship he was steady and firm; wise in counsel, he was ever ready to aid by advice those younger and less experienced than he; to a disposition kind and gentle and peaceful, he united the unflinching bravery of a Bayard. A thorough, painstaking student, he was not satisfied with superficial knowledge, but mastered every subject that claimed his attention. The wall of the grief-stricken widow and the cries of his bereaved children show that the loving husband and fond father are no more.

3. That by the death of Hon. GUSTAVE SCHLEICHER the State of Texas has lost a faithful and upright citizen; the United States an officer of great ability and incorruptible honor; the sixth congressional district of Texas the bulwark of its frontier, and the world an affable, courteous gentleman, and liberty one of its staunchest defenders.

4. That we condole with the family of the deceased in this, their great bereavement, and humbly trust that He who "tempers the wind to the shorn lamb" will comfort the bereaved as none but He can.

Mr. McKENZIE. Mr. Speaker, among all civilized peoples from immemorial times, it has been a beautiful custom to mingle with laments for the dead eulogies of their well-spent lives. The Greek elegy, the resounding prose of the Roman orators, the limpid speech and incisive phrase of the French Academy, and the lofty and pathetic verse of Milton and Tennyson have been alike in the one great purpose of teaching the lesson that the highest life is that which is lived for others. The public servant has this reward, that as the tendency of his labors and toil is to take him out of himself and set before him the public good as his highest aim, so the popular heart is willing to condone his faults and errors, and to remember only that he was one who has in his way striven to serve his fellow-man. But when such a public servant has brought uncommon physical energy and large faculties of head and heart to the tasks and obligations of political life we must feel it to be a sad yet sacred duty to bring to his bier our unavailing regrets. Such a public servant was GUSTAVE SCHLEICHER.

The words of sorrow redeem nothing from the grave. They are as brief memorials as these perishing wreaths of flowers which the unconscious irony of speech has christened "immortelles."

A good man has fallen. A valuable public servant has gone from among us. A representative of some of the best elements of our national progress, a statesman of the most enlarged and liberal views, a tried and trusted legislator, has answered at a higher roll-call than this.

Mr. SCHLEICHER could not be withdrawn from any arena on which he had moved without his loss being severely felt. Born upon a foreign soil, a land that has given to literature a Goethe and a Schiller, to the ranks of war Prince Frederick and Von Moltke, to science Von Humboldt, and to statecraft the great Chancellor Bismarck, he brought to America some of the best and most useful of those national traits which characterize his German Fatherland. His was the massive and masculine judgment; his the far-reaching forecast, the calm courage, the broad and tolerant views of life and man, which mark the best of his countrymen.

To whatever field of knowledge he turned his attention it soon became his own. His mastery of Mexican affairs made him an authority on that subject. He was the great defender of that exposed frontier, and in every cottage, hamlet, and jacal from Brownsville to El Paso a sense of personal bereavement is felt at his untimely death.

But though alien to our soil by birth, Mr. SCHLEICHER was native to the institutions of our great Republic. Wherever liberty dwelt, there was his country.

He was a lover of our free institutions by nature, by education, by aspiration, and by the teaching of that ripe experience which crowns with wisdom the laborious and faithful thinker and observer of men. In his political views he was fettered by no narrow provincialism or partisan bigotry. He welcomed what he thought to be good from whatsoever quarter it came. It is fitting that the tribute to such a memory should be made in no exclusive or sectional spirit. He was an honor to his party, to his State, and to his country; an honor to those people of Texas whose quick intelligence selected him as their

Representative, and an honor to this House, in which the voice of the people and the demands of eternal justice and right meet and should be reconciled.

This gathering to-day in honor of our dead friend is no idle ceremony. In meeting thus, under the shadow of the sepulcher, we lay aside all asperities, personal and political, for the time, and may we not lay aside some of them at least forever. Could the voice that is silenced reach us from the grave, such I am sure would be its wise and wholesome and kindly counsel now as it was ever while in the land of the living.

Mr. Speaker, it was my fortune to have served upon the Committee on Railways and Canals, of which Mr. SCHLEICHER was the honored chairman, and I had large opportunity to study and form, as I trust, a just estimate of his character.

His powers of generalization and analysis, his patient, unflagging industry, his scholarship, his love of truth, the spirit of judicial fairness and candor which characterized him, his merit, his modesty, and his great abilities at once attracted the attention and compelled the admiration of the committee; and I may be pardoned for saying that in my humble judgment many of his reports, notably the one relating to our Mexican border troubles from the Committee on Foreign Affairs, are among the ablest contributions to the literature of the Forty-fifth Congress.

I accompanied Mr. SCHLEICHER's remains to his far-off home in the Lone Star State. From Denison to San Antonio the people of that great Commonwealth assembled along the line of railway at every village, town, and city, irrespective of race, party, or creed, to do honor to the distinguished dead; and it was no idle ceremony, no hollow mockery, no unmeaning pageant, for you could read in tear-dimmed eyes the story of a people's loss.

As evidence of the esteem in which Mr. SCHLEICHER was held in the State of Texas, when the news of his death reached the capital of his State the Legislature, then in session, unanimously adopted the following resolution:

Resolved by the house of representatives, (the senate concurring.) That a committee consisting of three members of the house be appointed by the speaker to act with such members as may be appointed by the senate to meet the congressional committee having charge of the remains of the late Hon. GUSTAVE SCHLEICHER, and now on their way to Texas to deposit them in the land that the deceased loved so well; and also to co-operate with the congressional committee in all other fitting honors and care of the distinguished dead.

Resolved, That it is the desire of the house of representatives that the mortal remains of the late GUSTAVE SCHLEICHER, his family assenting, be interred in the cemetery of the State at Austin, which has been expressly established and set apart as a burial-ground for the illustrious dead whom the people of the State of Texas desire to hold in perpetual honor for services rendered to the people.

HOUSE OF REPRESENTATIVES,
Austin, Texas, February 10, 1879.

I hereby certify that the above and foregoing concurrent resolutions were adopted by the house of representatives of the Legislature of the State of Texas on the 15th day of January, A. D. 1879; and that, in pursuance thereof, Hons. E. D. Linn, J. E. McComb, N. G. Collins, and C. L. Warbach were appointed a committee on the part of the house to carry out the provisions of said resolutions.

WILL LAMBERT,
Chief Clerk House of Representatives.
SENATE CHAMBER,
Austin, Texas, February 10, 1879.

I hereby certify that the above and foregoing concurrent resolutions were adopted by the senate of the Legislature of the State of Texas on the 15th day of January, A. D. 1879; and that, in pursuance thereof, Senators E. R. Lane, Peyton F. Edwards, Marion Martin, Charles D. Grace, John S. Ford, A. W. Houston, and L. J. Storey were appointed a committee on the part of the Senate to carry out the provisions of said resolutions.

WM. A. FIELDS,
First Assistant Secretary of the Senate.

The committee appointed in pursuance of the foregoing resolutions met the congressional committee at Denison, and formally tendered to the wife of Mr. SCHLEICHER a lot in the State cemetery at Austin, but she, with that tender and womanly instinct that clings to the object of its love even after death, preferred that his mortal remains should rest near her future home and amidst the people whose immediate Representative he had been, and by whom he had been so well known and so much beloved.

On the banks of the beautiful San Antonio River, in the midst of a people whom he had so long and so bravely served, in a cemetery where lie buried many of the Republic's heroes who fell at the Alamo, he sleeps in honored rest.

As I looked upon the great throng that stood reverently uncovered at his bier, I was forcibly reminded of the truthfulness and beauty of those lines of the poet:

There is a tear for all who die,
A mourner o'er the humblest grave,
But nations swell the funeral cry
And triumph weeps above the brave.

Mr. Speaker, I would fain offer consolation to the bereaved widow and orphaned children of GUSTAVE SCHLEICHER. For the children thus left desolate I can only commend them to the care of Him who has promised to be a father to the fatherless. But for her who was the partner of his life, the wife of his bosom, what word of consolation can be given?

Go where the hunter's hand hath wrung
From forest cave her shrieking young,
And calm the lonely lioness,
But mock not, soothe not her distress.

In conclusion, may I not be permitted to say to the members of this House that, notwithstanding the great personal loss we have sus-

tained, notwithstanding the fact that we are deprived of the advantage of Mr. SCHLEICHER's great learning, his wisdom in counsel, and his ability in debate, may we not find some degree of consolation in the eloquent words of Cicero when mourning over the death of the good Hortensius, when he exclaimed: "His end was not unfortunate, for he died mature in years and full of honors, and at a moment happy for his fame but unfortunate for his country."

Mr. GARFIELD. Mr. Speaker, I stand with reverence in the presence of such a life and such a career as that of GUSTAVE SCHLEICHER. It illustrates more strikingly than almost any life I know the mystery that envelops that product which we call character, and which is the result of two great forces: the initial force which the Creator gave it when He called the man into being; and the force of all the external influences and culture that mold and modify the development of a life.

In contemplating the first of these elements, no power of analysis can exhibit all the latent forces infolded in the spirit of a new-born child, which derive their origin from the thoughts and deeds of remote ancestors, and, enveloped in the awful mystery of life, have been transmitted from generation to generation across forgotten centuries. Each new life is thus "the heir of all the ages."

Applying these reflections to the character of GUSTAVE SCHLEICHER, it may be justly said that we have known few men in whose lives were concentrated so many of the deeply interesting elements that made him what he was. We are accustomed to say, and we have heard to-night, that he was born on foreign soil. In one sense that is true; and yet in a very proper historic sense he was born in our Fatherland. One of the ablest of recent historians begins his opening volume with the declaration that England is not the fatherland of the English-speaking people, but the ancient home, the real fatherland of our race, is the ancient forests of Germany. The same thought was suggested by Montesquieu long ago, when he declared in his *Spirit of Laws* that the British constitution came out of the woods of Germany.

To this day the Teutonic races maintain the same noble traits that Tacitus describes in his admirable history of the manners and character of the Germans. We may therefore say that the friend whose memory we honor to-night is one of the elder brethren of our race. He came to America direct from our Fatherland, and not, like our own fathers, by the way of England.

We who were born and have passed all our lives in this wide New World can hardly appreciate the influences that surrounded his early life. Born on the borders of that great forest of Germany, the Odenwald, filled as it is with the memories and traditions of centuries, in which are mingled Scandinavian mythology, legends of the middle ages, romances of feudalism and chivalry, histories of barons and kings, and the struggles of a brave people for a better civilization; reared under the institutions of a strong, semi-despotic government; devoting his early life to personal culture, entering at an early age the University of Giessen, venerable with its two and a half centuries of existence, with a library of four hundred thousand volumes at his hand, with a great museum of the curiosities and mysteries of nature to study, he fed his eager spirit upon the rich culture which that Old World could give him, and at twenty-four years of age, in company with a band of thirty-seven young students, like himself cultivated, earnest, liberty-loving almost to the verge of communism—and who of us would not be communists in a despotism?—he came to this country, attracted by one of the most wild and romantic pictures of American history, the picture of Texas as it existed near forty years ago; the country discovered by La Salle at the end of his long and perilous voyages from Quebec to the northern lakes and from the lakes to the Gulf of Mexico; the country possessed alternately by the Spanish and the French and then by Mexico; the country made memorable by such names as Blair and Houston, Albert Sidney Johnston and Mirabeau Lamar, perhaps as adventurous and daring spirits as ever assembled on any spot of the earth; a country that achieved its freedom by heroism never surpassed, and which maintained its perilous independence for ten years in spite of border enemies and European intrigues.

It is said that a society was formed in Europe embracing in its membership men of high rank, even members of royal families, for the purpose of colonizing the new republic of the Lone Star and making it a dependency of Europe under their patronage; but without sharing in their designs, some twenty thousand Germans found their way to the new republic, and among these young SCHLEICHER came.

The people of Texas had passed through a period as wild and exciting as the days of the Crusaders, and had just united their fortunes to this Republic. How wide a world opened before these German students! They could hardly imagine how great was the nation of which they became citizens. Even the new State of their adoption was an empire in itself. I suppose few of us who have never visited that State can appreciate its imperial proportions. Vastly larger than the present Republic of France; larger than all our Atlantic States from the northern line of Pennsylvania to the southern boundary of Georgia; as large as the six New England States, New York, New Jersey, Maryland, Pennsylvania, Ohio, and one-half of Indiana united, to such a State, with its measureless possibilities of development, young SCHLEICHER came.

It was a noble field for a bright, aspiring, liberty-loving scholar of the Old World in which to find ample scope for the fullest development of all his powers.

The sketches we have already heard show with what zeal and success our friend made use of his advantages. His career as a member of this House has exhibited the best results of all these influences of nature and nurture. He has done justice to the scholarship which Germany gave him and the large and comprehensive ideas with which life in the New World inspired him.

To exhibit with a little more fullness the origin of those decided opinions which Mr. SCHLEICHER held on the great questions of finance, I venture to refer briefly to an interesting chapter in the history of Texas. It may be doubted whether in any part of the world life has been more intense and experience more varied than among the people of Texas.

In the short space of ten years they had tried the whole range of financial experiments as fully as France had done in two hundred years. Every possible form of monetary theory that is recorded in history Texas had tried, for with that brave, quick-thinking, and quick-acting people, to think was to resolve, and to resolve was to execute.

They had tried a land-bank scheme as wild and magnificent as the land-bank of John Law. They had tried the direct issue of treasury notes, and had seen them go down from par to half, to ten cents, to five cents, to two cents, to nothing on the dollar. They had tried "red-backs" of the Republic, notes of corporate banks, scrip of private citizens, and worthless notes from banks of neighboring States, and had seen them all fail. Awakening from the dream of their experiments, under the leadership of clear-sighted men they put into their constitution, as they entered the Union, a provision that "in no case shall the Legislature have power to issue treasury warrants, treasury notes, or paper of any description to circulate as money." More radical still, they decreed that "no corporate body shall be created, renewed, or extended with banking or discounting privileges," and "no person or persons within this State shall issue any bill, promissory note, or other paper to circulate as money." They put an end to all paper-money systems, and since then the majority of the people of that State have never looked with favor upon any other currency than specie.

With such traditions and influences among the people of his adoption, and with a student life back of it, formed in the solid Old World ways of thinking, it is not wonderful that in all our financial discussions here we found Mr. SCHLEICHER the sturdy supporter and able advocate of a currency based on coin of real value and full weight.

I would say nothing that has even the appearance of controversy on this occasion. I mention these facts only to do justice to his memory. Of his character as we knew it here, two things struck me as most notable. First, he possessed that quality without which no man ever did and I hope no man ever will achieve success in this forum—the habit of close, earnest, hard work. All his associates knew that when he rose to speak in this Hall it was because he had something to say, something that was the result of work, and that he said it because it came from the depth of his convictions, as the result of his fullest investigation.

I stop to notice the fact that although he spoke with an accent brought from the Fatherland, he had that rare purity of language and style which I am inclined to believe that you and I, Mr. Speaker, will never achieve, and which few persons born on our soil can rival. We learned our language in the street; he came at once into the parlors of English and learned it from the masters. His printed English was as pure as the purest which can be found in the records of our debates.

He possessed and exhibited a noteworthy independence of character. In this he taught a lesson which ought never to be forgotten here. His people trusted him and by their approval enforced the lesson that the men who succeed best in public life are those who take the risk of standing by their own convictions. That principle never fails in the long run, for the people who send Representatives here do not want a mere echo, but a man who sees with his own eyes and fearlessly utters his own thoughts, as our friend did with a boldness and courage that made him a worthy example to all American statesmen.

I cannot conclude without asking the permission of the House to present a paper which has been handed to me to-day by Mr. Schade, the last manuscript which Mr. SCHLEICHER penned. It was found in his sick-room by his family, and I have read it to-day with a feeling of veneration and admiration that few papers have ever awakened in my heart. It is a fragment—the introduction to a speech that he intended to deliver here upon the Indian question. It is only a few pages, but it exhibits a breadth of scholarship, a power of generalization and research, seldom seen in this Capitol. I ask permission to have printed in the RECORD this very interesting fragment of his last work in the service of his country.

[The following is the paper referred to by Mr. GARFIELD, prepared by Mr. SCHLEICHER:

A comparison of the settlement of the northern portion of the American continent by the Teutonic races, if I can use the designation which applies to the largest part for the whole, and the settlement of the southern portion by the Spaniards, presents many very interesting features, both of resemblance and difference, which occur to the observant reader of history. Social features, political features of the different races of immigrants, some inherited from their ancestry and brought with them and nursed and cherished in their new homes, others developed by

their new relations, the task before them of the conquest of new worlds and the formation of new nationalities, carried out by each in its own characteristic way, all these are of absorbing interest for the student from their first appearance, through all stages of development, until we see before us the two great resultant parts; on the one hand the United States of America and the kindred British Dominion of the Canadas, and on the other the vast family of nations of Mexico, the Central and South American republics, and the Empire of Brazil. Varying within themselves through many minor shades, yet the two groups appear, each one separate and distinct, strikingly different one from the other, and although known popularly as the Anglo-Saxon Americans and the Latin Americans, yet much further removed from each other and differing vastly more than the nations known by these familiar appellations in Europe. Perhaps no one characteristic feature in the developments of the new nations—nay, perhaps not all others combined—have had as large a share in bringing about the great difference in the results attained by these two different classes of settlement as the difference in the mode of dealing with the native Indian populations.

The Saxon mode of dealing with the Indians was always to get them out of their way, push them aside, by treaty, trade, agreement, or by force, and get the land clear for their own settlement. They colonized. Their society, large or small, was complete in itself. They did their own fighting, their own preaching, their own governing, and their own working all within themselves; they never absorbed the Indian into their society. They removed him as they removed or girdled the trees in the primeval forest to make room for their grain fields, not from any hatred or hostility to them, but because they did not want them as an element of their own society. There was no theorizing about race in those practical people, yet they had the strong natural development of race-feeling and race-prejudice in a remarkable degree. It has its melancholy aspect to see an entire race of aborigines gradually dwindle away in a feeble struggle with a superior civilization, and the sentimentalism of the sons has sometimes bewailed the rugged strength of the fathers while enjoying its fruits; but the glorious result has been a homogeneous, powerful people.

The advancement of the human race is by the struggle for existence and by the survival of the fittest. That the lower races must drop by the wayside and give way to the stronger is essential to the progress of the whole. The weeds in the field and the grass of the prairie are individual organisms with the same right of existence, all but their usefulness to man, as the wheat-plant and the fruit-tree, but on the cultivated field the farmer destroys the life of the weed that the grain-bearing plant may live, and ploughs up the grass by the roots in order that the full strength of the orchard plat may be devoted to the development of the fruit-tree. The intelligent breeder of the noble horse and the useful cow or sheep never permits the lower and weaker individuals or classes to enter into the breeding of the fine herds, in which human intelligence has aided the selection of nature in producing the highest excellence of their kind. Thus, what is called by feeble sentiment prejudice of race is the true guarantee for the advancement of mankind.

Circumstances favored the separate development of the Teutonic settlers. Not only were they averse to absorbing any strange element into their society, even for the purpose of obtaining their labor, but the Indians whom they found in possession of the soil were a warlike race who preferred war to the death to submission to domestic labor. It is a remarkable fact that the Northern Indians have never yielded to servile labor. In countries where man comes in contact only with the tiger, the panther, and the wolf, it would not prove his lower degree of intelligence that he cannot make animals subservient to his domestic uses when other more fortunate human beings found the docile horse, the patient steer, or the obedient dog, which readily submitted to be the useful servants of their human master. Thus the independent development of the Saxon settler was aided by the haughty spirit of the independent Indian, who would no more bow to servile labor than the tiger would submit to working in harness.

The North American Indian cannot in his civilization be compared to any living race in Europe or Asia. He seems to occupy the degree in civilization which was held by man in the so-called stone age. Where he had not acquired the products of the civilization of the white man, his weapons and implements were of flint, the same arrow-heads and stone hatchets which are now found in Europe as remnants of the stone age. They sometimes hammered copper and other metal when it was found in a pure malleable condition; they never smelted any metal. They did not use bronze or iron. They did not use the milk, butter, or cheese of animals, but only the meat. To this day the only use the wild tribes of Indians know to make of a cow is to kill her, eat the flesh, and use the hide. Their sole pursuits were the chase and war. Bravery, endurance, cunning in stratagem, were their highest virtues. To this day the young Sioux who asks admission to the dignity of a warrior has to pass through a series of self-imposed cruel tortures, mutilating his own body while he smiles at his sufferings. War was their sole ambition and their only means of distinction, and all labor was left to the woman as unworthy of a man. With such a people confronting them, fierce and untamable, no temptation was held out to the Teutonic or Anglo-Saxon settler to absorb them as domestic servants. The sturdy independence, the prejudice of race, and contemptuous aversion for beings of a different order were met with an equal independence, with undaunted, fierce, and cruel hostility, and with undying and revengeful hatred.

Thus a homogeneous people grew up under the most favorable circumstances. Their intact and pure development continued to attract to them immigrants from their kindred races in Europe, so that what with their own strong development and the continued additions of homogeneous immigrants to their number their increase in numbers and power is far superior to anything in history. The only disturbing element has been the introduction of negroes as laborers, of which I will say more hereafter.

Far different was the development in the countries acquired by the Latin races. The Spaniards went not as settlers or colonists, but as conquerors. They subjugated the native races wherever they found them and absorbed them into the new society they were forming as useful laborers. Like the feudal conquerors in Europe, as the Franks in conquering Gaul, the Goths in conquering Italy and Spain, became the large landed aristocracy by right of the sword, but left the peasantry of the conquered nation to be their serfs and laborers, so the Spaniards, by the system of repartimientos in Mexico, Peru, and other conquered countries, divided land and Indians among the conquistadores. There is a strange similarity in this respect between the conquest of the Latin countries by the wandering warrior nations of Germany in the fourth and fifth centuries in Europe and the Spanish conquests in America on one side, and the Anglo-Saxon conquest of England and the Anglo-Saxon settlement of North America on the other. The causes and circumstances were widely different, but there is a similarity of result. The conquerors of Italy, Gaul, and Spain found in the Roman countries which they overran a civilization far superior to their own. Their military prowess and savage strength were the only qualities in which they excelled the people they conquered. In all elements of civilization they were vastly inferior to the subdued people. The result was that they adopted the laws, the language, and the civilization of the vanquished, and, while they became the military aristocracy, disappeared in the nationality of the resident population. They were not so very different in race from the descendants of Indo-Germans. In England alone the conquering immigrants from the northern coast country of Germany found a people inferior to them, not only in martial qualities but inferior in civilization. The result was that they colonized the country with their own people. From about the year 450, for more than two centuries, they waged a war of extermination against the Britons, until the poor remnants of the aboriginal people found refuge only in the mountains of Wales and the highlands of Scotland, while the Saxon occupied all the rest of England and the Scotch lowlands, retaining their language, their laws, and their old customs and habits. Of

the British language only the geographical names remained, the same as the Indian geographical appellations have been retained in North America. The Spaniards found no civilization equal to their own in America, and retained the laws, the language, and customs of Spain. But they made the Indian population an essential and permanent part of their society, and an element, too, in point of numbers far stronger than they were themselves. This was the fatal weight with which they loaded their strong nationality and which has dragged it down ever since.]

Mr. MILLS. Since the assembling of the present Congress seven of our colleagues have finished their labors and gone to rest. Welch sleeps far toward the sunset on the western plains; Williams by the northwestern lake shore; Quinn on the banks of the Hudson; Leonard on the Delaware; Douglas on the Pamunkey; Hartridge on the Savannah; and SCHLEICHER by the rapid running waters of the San Antonio. Almost the entire area of the Republic, from East to West and from North to South, lies within the boundary marked by their graves. The great distance at which they repose each from the other reminds us how vast is the extent of the country of which they were fellow-citizens, and for the Government of which they had been chosen as Representatives.

The different opinions they entertained, whether of the creeds of church or the policies of State, show how broad and catholic is the spirit of liberty that is nourished and grown by the liberal institutions under which we live. In the discharge of duty to country as each in the light of conscience saw and determined for himself, their paths sometimes in peace ran smoothly side by side, and at others converged and closed in sharp encounter, but to-day after life's fitful fever they sleep well. The conflict is ended, all differences are reconciled, and the voice of contention is hushed in the silent halls whither they have gone to rest from their labors. The angel of death has touched and stilled the speaking lip, and in the white alphabet of Heaven has written upon each forehead, "peace." They have laid their armor by, and, bowing their heads upon the bosom of a common mother, they have locked their arms in the embrace of an everlasting friendship. They are citizens of that republic that lies beyond the river of the chilling waters, where power has no purple, the church no heretics, wealth no palaces, and penury no pains.

The wise man has said that the day of one's death is better than the day of his birth, and the patient man hath said his life is of few days and full of trouble. His entrance into life brings him upon a stage where he must act his part according to the gifts with which nature has endowed him. His brief span is filled with anxious corroding cares, with griefs and disappointments, pain and suffering. When the play is ended, the curtain dropped, and the lights extinguished, he retires to his chamber, lies down upon his couch, and pillows his weary head to pleasant dreams. If in the part he has performed he has taught his fellow-man the pathway of the just, his life has been a bright and a shining light. If endowed with abilities that have lifted him to high public station, and he has faithfully labored to promote the welfare and increase the happiness of his fellow-creatures, his life has been to them the shadow of a great rock in a weary land. If fortune has allotted him the humble walk of obscurity, yet he has given to his suffering fellow-man a sigh, and it were all he had to give, his life has not been lived in vain.

Twenty years ago my colleagues from the second and third districts and myself served in the same Legislature with the deceased. He was there, as he was here, a faithful, hard-working Representative. He was then, as he was ever afterward, struggling for the amelioration of the condition of our western border. In that work he was thoroughly in earnest. It began, continued, and ended with his public life. With the people of the frontier he had spent the best days of his life. He knew them well. He thoroughly understood their unhappy condition and did all he could to alleviate their sufferings. They reposed in him at all times their unbounded confidence, and that confidence no act of his ever marred or poisoned with a doubt. When chosen by his fellow-citizens to represent them here he came with two subjects earnestly impressed upon his mind—the protection of the western border by the adoption of a firm and determined policy, and the solution of our financial troubles by a speedy return to specie payments. To these he gave all his attention, and labored with unflinching energy to accomplish his desired objects.

Whether his views of the proper treatment of these subjects were wise or otherwise, he honestly entertained them and earnestly pursued them. He lived to see the border attain a measure of relief from its persecutions and mainly through his persistent and untiring labors. He lived to see the resumption of specie payments, and on that fatal day received the injury that resulted in his death. Deeply as we deplore his loss, our grief would find some solace if we could know that day had brought sorrows to no other household in the land.

Sir Francis Bacon has said that reading makes a full man, writing an exact man, and thinking a profound man, and his philosophy found ample verification in GUSTAVE SCHLEICHER. He was always a hard student. He read many books and the best of books. His mind was well stored with the knowledge derived from the experience of others. He wrote much and wrote well, and few men wield the pen with greater force than he did. His strength resulted from the fact that he never attempted to write or speak on any subject till he had weighed and digested it well in his own mind, and when he entered the lists to champion a cause he was no mean adversary for any opponent. He was not a master of elocution, and understood little or nothing of the graces of oratory, yet he always presented

his subject clearly, fortified it by sound reasons, and impressed it with earnestness and force. He was sometimes humorous, never witty, but always intelligent. He was earnest, but never violent. No depth of conviction or fervor of feeling could so far overmaster him as to make him discourteous to any one who might entertain opposing opinions. His own opinions, which were formed after mature deliberation and thorough investigation, he maintained with great stubbornness.

Strong as were his convictions and irresistible as appeared to him the logic that led him to them, yet he was tolerant of the opinions of others, and treated all opponents with a courtesy and kindness that were as large as his own physical stature. His disposition was naturally kind and amiable. In conflicts where the collisions of others were sharp and jagged, giving and receiving blows that left wounds rankling with pain and bitterness, he would glide smoothly through, leaving no sting in any bosom, and yet steadily maintain his own position. His mind was well disciplined, and whatever of temper he had was held under perfect subjection to his will. In the boarding-house life to which the poorer members of Congress with their families are doomed we are sometimes thrown together and learn much of the domestic life of our neighbor that would otherwise remain a sealed book to us.

When he first entered Congress we procured apartments for our families in the same house, only a narrow hall dividing us. I have often seen him at his desk, with his manuscripts and open books around him on the table, the chairs, and the floor, with his little children about his feet and sometimes playing sad havoc with his work; but I never saw the least exhibition of temper or heard a sharp word from his lips. To a man whose mind is engaged in deep study, buried with books and thoughts, such an intrusion would in most cases overturn one's patience as well as his plans and papers. But it was not so with him. His power of continuity was sufficiently strong when he seized a thought to hold it like a slave till he had examined it in all its aspects and laid it away, and when he desired it again he knew precisely where he left it and where to find it. He had only to command, and it came as the willing vassal of a well-disciplined mind. Like most men whose lives have been spent with books and study and in public service, he gathered but little of the goods of this world around him. The toil of his half century was expended for others, and its fruits, whatever they are, are left to the enjoyment of others. To his wife and children he has left only the name of the husband and father. Falling in the very midst of life's battle, he is buried, like Socrates, at the public expense.

That great State, great in the extent of its territory, in its history, its resources, and the number and character of its people, found in him a son well adapted to fill the measure of a representative of all the varied elements of her greatness and power. To his remains passing through her territory from north to south and east to west she has shown every mark of distinction, paid every tribute of respect, and the incense of gratitude and affection arose from the grief-stricken hearts of her people as his ashes moved through their midst to their last resting-place. He sleeps on a spot dear to every Texan, a spot where their fathers built their first altars and offered their first sacrifices for political and religious liberty.

A grateful mother, whom he served so long, so faithfully, and so well, may point to the mound where his ashes are inurned and say to all her children, as David said over the dead body of Abner, "Know ye not that there is a prince and a great man fallen this day in Israel?"

Mr. HARRIS, of Massachusetts. Mr. Speaker, I rise to pay a brief but heartfelt tribute to the memory of our late friend and associate to whose memorial service this hour has been set apart. It was not my good fortune to know Mr. SCHLEICHER intimately. I met him but few times out of this Hall, and therefore I cannot speak of his private life or character. I however formed a very high opinion of him as a man from what I saw of him here. I believed him to be of pure and stainless private life and habits, of great integrity, and unblemished honor.

Of his public character and actions I can speak without doubt or hesitation. Here he was able, painstaking, and faithful, and gave unmistakable evidence of severe labor and untiring industry. And above all else be it said that he was thoroughly sincere and honest, and independent and manly in defense of what seemed to him to be just and honest. Party allegiance, which so often binds and fetters the judgments of the best among us, was forgotten by him when truth, justice, and honesty, as he saw them, were at stake; and probably no member of this body voted more frequently independent of party considerations than did our deceased friend.

His aim was to do right in all things, and he did not forget, as is sometimes the case, I fear, that that which is not right in itself is wrong even in politics. He was in full and hearty sympathy with every movement tending to bind and cement this Union, to heal up the wounds made by war, develop its resources, or increase the general prosperity.

To his own State he was loyal and devoted, and for his services rendered in securing her interest and highest welfare he is entitled to the lasting gratitude of her people. But he did not forget that he was a citizen of the Republic and under its protection and subject to its Constitution and laws, and that to the Republic he owed the best

efforts of his mind and the homage of his warm and generous heart. He was in public as in private life an honest man, and this is the highest eulogy which can be pronounced. If only such as he were intrusted with power in this country, this Union would last forever, and public life would be as it should be, the model and best example for the life of the citizen.

Mr. Speaker, we can often judge of the virtues and usefulness of a public man as much by the opinions of his immediate neighbors and friends, those who see him only with the harness of public care thrown off, as by examination of his official record. There he is known as he really is; his motives and ambitions are all known, and disguise is laid aside. I had the fortune to be designated as a member of the committee of this House which accompanied the remains of Mr. SCHLEICHER to the city of San Antonio. I had ample opportunity to discover in what esteem he was held by the people of Texas of all classes, creeds, and of whatever political faith. From the moment we entered the State of Texas from the north to the time we laid his remains in their final resting-place in the National Cemetery at San Antonio our progress was that of a vast funeral procession.

The Legislature of the State sent a delegation of its distinguished members to meet us and escort the remains to their final resting-place. At Dallas and at Houston and at other places on the way our passage was delayed for longer or shorter periods, sometimes four hours, out of respect to the feelings and wishes of the people who came thronging to pay their last respects to the memory of their honest and devoted servant. He represented, to be sure, a constituency and a section hundreds of miles away in the remote confines of their almost limitless State, and yet they knew him, loved him, and wept at his bier.

Long processions moved in silence through his funeral car, which the liberality of the State, the railroad companies, and individuals had provided to receive the remains at the State line, and which was a bower of green adorned with living growing plants and rare flowers. At Houston for hours the procession moved on, and there were thousands who did not gain admittance. It was noticeable that the people who like himself had left their German homes and given up allegiance to the Fatherland, tempted by the promises of liberty and new homes in the young republic, were the first to drop a tear over his remains. But they came not alone. There were the people from other lands—the men and women from every quarter of the Union—all races were represented. White and black alike joined in the procession and walked side by side. I saw the starting tear glistening in the eye of many a colored man and woman. I saw that the freed bondman dared to trust GUSTAVE SCHLEICHER with his rights and liberties, relied upon his truth, honor, and love of justice with no faltering confidence, and that in his death he felt he had lost a true friend.

At San Antonio, that beautiful old city in which he for so many years had his home, the people with one accord came to do him honor. The scene at his obsequies was imposing and beautiful, but sorrowful and most touching. The authorities of the United States, the State, and the city had joined in their efforts to make the occasion memorable and worthy of the man whose memory they sought to honor. Nothing was omitted which could give dignity or grace to the ceremonies. Though elaborate and costly, there was no meaningless decoration. The ceremonies were grand and solemn, yet simple and in the most perfect good taste. The religious service at the church and at the grave were in all respects worthy of the deceased. The people who stood silent and uncovered by the wayside, joined in the long procession, and gathered at the cemetery where the remains were laid, formed an immense throng. People of all nationalities were there, the Mexican, the Spaniard, the Indian, the Japanese, and the man of color joined harmoniously with the native American population in doing honor to the deceased statesman. No sadder spectacle was ever witnessed in any city. It was a Sabbath day of mourning and true sorrow. The shadow of a great calamity seemed to darken every face. From that vast and miscellaneous throng there was not heard one ribald word or one discordant sound.

The people on that day testified by their unfeigned sorrow to the virtue and worth of their deceased statesman. No man receives such homage who has not in his life been faithful, just, and honest.

He sleeps in the National Cemetery which overlooks from a gentle eminence the beautiful city. It is most fitting that the nation which adopted and honored him and which he has served with integrity and zeal, should receive his remains into her keeping and guard them forever. He sleeps in the cemetery which the nation has provided for those who have died in her service. We left him there in his honorable and honored grave with the flag of his adopted country waving peacefully and proudly above him, and may he sleep peacefully forever, thus attended and thus honored.

GUSTAVE SCHLEICHER to us is dead and returns to dust from whence he came; but—

Dust thou art, to dust returnest,
Was not spoken of the soul.

The pure spirit of our departed friend and brother, has, let us trust and believe, found welcome from kindred spirits in a better world than this. While we say "peace to his ashes," let us put up the prayer that his released soul may have joyous and blessed existence in heaven forever.

Mr. MULLER. Mr. Speaker, in the death of GUSTAVE SCHLEICHER we who served with him on the Committee on Railways and Canals and enjoyed with him the freedom of social intimacy suffer a deep personal loss. Texas is deprived of the services of one who has helped to build up her waste places. The country especially misses the wise lawmaker. Nor should the city of New York be voiceless in these memorial services. She feels sensitively as the commercial center of the Union every event for weal or woe, rejoicing when agricultural, manufacturing, and commercial industries thrive and prosper, and sorrowing when they languish and are distressed. Naturally, therefore, she hails the advent in the public councils of men whose lofty natures and broad minds seek eagerly the general welfare. Such a man was Mr. SCHLEICHER. We have witnessed the zeal and success with which he advocated the interests of his immediate constituents upon a remote frontier, and we have also witnessed the unflagging enthusiasm with which he sustained measures of trade and commerce and finance, fraught as he believed with blessings for all.

He symbolized the wealth that European immigration has poured upon our shores. When he left his Fatherland to cast his fortunes with us he came like most of his countrymen, fully equipped. He brought with him not only brains and muscle and energy, but education of a high character. Here he built his home, here married, and here grew up his children. Frugal, temperate, industrious, the German settlers erected in the Southwest flourishing and happy civilized communities. In him they found a counselor and friend. Others may live in history as the destroyers of cities; he has the greater honor of having founded them.

He was educated in the exact sciences. His profession was that of civil engineer. Before coming into political life he was a successful journalist. He was cautious. He always sought full and accurate information. Though slow in taking his ground his conviction when once formed was fearlessly defended. Of this his recent canvass for re-election is proof. When know-nothingism became all-powerful in the United States and proscribed men because of their religion or place of birth he waged deadly war against it, and so far as Texas is concerned he destroyed the monster forever.

Fixed and unbending as he was in what he believed to be right, there was no man more suave and agreeable or less dogmatic. His heart was open as the day.

As one of the committee appointed to accompany the remains to San Antonio I saw how deeply he was loved and how all-pervading was the grief for his loss.

He gave the promise of many years of life. He had grown steadily in the public esteem. His power for usefulness was greater than ever before. Yet freighted as he was with the rich hopes of his State he has suddenly passed away. His life has not been in vain. Even though his sun has gone down it has left a bright glow upon the horizon. His sterling integrity, lofty patriotism, noble aims, true heart, will long be remembered by those who knew him.

Mr. TUCKER. Mr. Speaker, it would be vain repetition for me to attempt an analysis of the character of our late distinguished fellow-member, which has been so beautifully and critically delineated by his friends who have preceded me; but I may be pardoned for adverting to one or two points in the career of our lamented friend to which no one has yet alluded.

In the life of Mr. SCHLEICHER and in his representative relations two fundamental and prominent points in our American polity were conspicuously illustrated. I mean the doctrine of expatriation, by which the tie of native allegiance to the mother country is loosed and an alien is admitted into the fold of our American brotherhood; and that other principle by which a foreign state, formed out of territory no part of the domain of our common Union, or of any State of the Union, is admitted into the family, the confederate family of our American States.

The principle of naturalization, ingrafted in our Constitution by our fathers, admitted Mr. SCHLEICHER to citizenship in the United States; and the principle by which new States may be admitted into the Union brought the Lone Star State of Texas into the American family in 1845.

It may not be out of place for me to say that perhaps the most momentous event in American history was the admission of Texas into the Union. The fruit of it has been the founding of that great Pacific empire which has done so wonderful a part in furnishing a currency for the world, and which has opened the gates of American commerce with Asiatic civilization. And at the same time perhaps it may be said that it was productive of the unhappy civil war which convulsed this Union to its center. I am old enough, Mr. Speaker, to remember the circumstances of the admission of Texas into the Union. I remember the character of the discussions that were had as to the constitutionality of that act. It is rather an interesting point in our American history that a northeastern State, the State of Vermont, was a lone star during the whole period of the American Revolution, no member of the American confederacy, and was admitted into the Union not as a part of any other State, nor as formed out of the common territory of the United States. In the debates in the Federal convention it appears that the clause in the Constitution for the admission of new States into the Union was regarded as sufficient for the admission of Vermont as a free, independent, and sovereign State without requiring the consent of any State that had laid claim to her

territory. This great precedent in our history was the foundation of the claim for the admission of Texas into the Union, the Lone Star of the Southwest.

She came into the Union in December, 1845, as an independent State. She had won her independence by war. The ghosts of the martyred heroes of the Alamo had been avenged on the plains of San Jacinto, and for nine years her nationality had been recognized by the United States. The war with Mexico broke out in 1846. In the year 1847, while the Lone Star State and the whole Union were convulsed with that war which ended in the triumph of American arms and the floating of our flag over the halls of the Montezumas, GUSTAVE SCHLEICHER, with a band of brothers from the old Fatherland, cast in his lot with the people of Texas and became a citizen of the United States.

I cannot but think, Mr. Speaker, that in the mind of Mr. SCHLEICHER there were two ideas, generated by his relations to his native and adopted countries, which were in conflict. He no doubt came from the Fatherland with the dream of German unification which has been recently realized by its greatest statesman, Bismarck. But he came to a State which had severed her confederate allegiance with the Mexican union and by an act of secession had declared herself an independent commonwealth, and then by an act of her own volition had become a member of the American Union.

I have no doubt that the feeling of Mr. SCHLEICHER, as I understand it manifested itself in the early part of our civil strife, was that of a Union man; but as a citizen of the State of Texas, whose advent into the Union had been marked by those events to which I have adverted, he could not but feel that his allegiance was due to her. He was faithful to her during the whole period of the late war, serving as a civil engineer in the army of the Confederate States, and doing his whole duty as a citizen of the confederacy. When the war was over he turned again to the avocations of civil life, and as a Representative from the State of Texas in the Forty-fourth and Forty-fifth Congresses his record is before us.

I can only say that while I did not know Mr. SCHLEICHER intimately yet I knew him so well that I desired to know him better. Our intercourse was always cordial and kind. It gave me an insight into those qualities of mind and character which have endeared him not only to his people but to his friends and his family. With a large and capacious mind of the Teutonic type, acute, discriminating, and analytic, laborious in his methods, with a disposition to deal in the details of a subject in order that he might reach a more accurate generalization, he dived, as it seemed to me, into the depths of every subject that he touched, and presented it with the clearness of a sunbeam, and with a fulness which demonstrated that his conclusions were reached after the most thorough and painstaking examination.

I shall never forget the first impression he made upon me as a man of ability. I heard his speech here upon the subject of the currency, that subject which I believe all gentlemen will admit is to most minds one of the most inscrutable. He dealt with it as a master, analyzing it to its elementary principles, and deducing his results from them by a close and severe logic; and whether, as my friend who has preceded me [Mr. MILLS] has said, he reached proper conclusions or not is a matter not now for discussion. He came to his own conclusions with a clearness and a vividness which impressed them upon every mind, and satisfied all that he loved and sought for truth, and had the moral courage to maintain with sincerity and integrity the strong convictions of his well-balanced judgment.

He was a man unquestionably of the highest personal honor, and his public integrity was beyond suspicion. It was open to the observation of this House and the country. No man could doubt the sincerity of his convictions; no man could doubt the earnestness of his purpose; and in his short career in this House he gave the promise of a future as a statesman that makes us as citizens of a common country deplore his loss as a public calamity.

Mr. Speaker, I do not intend to indulge in eulogy upon this occasion. That has been done already in eloquent and appropriate tributes to his memory. In conclusion I will only say that again and again this House has been summoned to mourn the death of our distinguished comrades. In the manly, sturdy, and soldierly character of my friend from Michigan, General Williams; in the brilliant and powerful intellect of my colleague, Mr. Douglas; in the accomplished, fascinating, and able Hartridge, of Georgia; in the laborious and comprehensive intellect of the honored Representative from Texas, we have been called again and again this session to mourn the loss of the valued jewels of the Federal Union. God grant, Mr. Speaker, that when death shall summon each of us to the dread account of the future, we may in the retrospect of our lives feel that we have done nothing unworthy of a noble manhood, nothing against our obligations as patriots, and nothing contrary to our duty to our God.

Mr. KELLEY. Mr. Speaker, GUSTAVE SCHLEICHER was no ordinary man, or one in reciting whose merits it is necessary that defects of character or habit must be concealed or glossed over, and I avail myself of this occasion for the purpose of recording my estimate of his character and congressional labors, and of saying, as I do in the coldest candor, that in his death his immediate constituents, the State he represented, and the country at large sustained a great loss.

The natural gifts of Mr. SCHLEICHER were great. The collegiate training he had received at the University of Giessen and his subsequent experience as civil engineer in the construction of railroads in his native country had so expanded and disciplined his powers that when in 1847 he emigrated to Texas he brought to that young State the best gift that man could bring, a vigorous frame, a large mind, high culture, thorough intellectual discipline, and a manhood which he proposed to devote to her interests under his highest convictions of right, truth, and duty, from which he seems never to have found it expedient to swerve.

Few men who have served so brief a period in Congress as the Disposer of events permitted him to do, have left in the permanent results of their congressional labors such evidence of remarkable capabilities, disciplined by schools and expanded by experiences, primarily in the midst of dense population in which high culture prevailed, and subsequently in the wilderness and upon the border-land of two republics, many of whose frontiersmen found pleasure and profit in deeds of lawlessness.

That one whose nature was so full of gentleness, should have cast his lot with such a community, was, from the time I came to know Mr. SCHLEICHER well, to me a constant source of wonder. To him, however, as it involved the performance of great duties it was a source of happiness, and his devotion to the State of his adoption was absolute.

I will not attempt to portray his character, but will illustrate it in his own language. On the financial question we differed widely; indeed, in the whole range of discussion involved in that complex question there was but one point on which we agreed, which was the inexpediency and dishonesty of contracting, by arbitrary means, a volume of currency to which prices had adjusted themselves. On this point we were in perfect accord; but on all others our differences seemed to be fundamental. Yet, in my intercourse with him on this grave question I ever found him as tolerant of the convictions of those who differed from him as he was firm in the maintenance of his own. Toward but one class of disputants on this or any important subject did he manifest impatience—an impatience springing from contempt—for he could not tolerate those who would legislate on far-reaching questions without reference to the wisdom of their votes, but in the hope of conciliating popular favor. Thus, in opening his speech on the resumption of specie payments, on the 28th of January, 1876, Mr. SCHLEICHER said:

It would have been accorded with my personal preferences to have found in the House the sign of a well-defined financial policy, which would agree with my general convictions of what the country needs and demands, and to have followed a lead in that direction. But it seems to me that our path for the future in that respect is still in the dark, lighted only by eternal truth and the teachings of experience. I have come to the conclusion that my duty, like that of every Representative in a time like this, is an earnest, devoted adherence to truth and honesty, and complete and unreserved loyalty to the convictions of right which I have formed from the lights before me. No good, at this time, can come from the politician's reasoning to find out the drift of popular will, and take the course which seems to lead to the people's favor. Public opinion itself is not formed, and the course which might to-day seem to lead to popular approval may to-morrow be found to lead away from it. No time-serving views will now answer. A firm determination to do right, to follow a conviction arrived at after earnest and laborious searching, cannot be wrong. The people mean to be honest and right; this is the fundamental idea of my political faith.

That speech is in itself a monument to his industry, his acuteness, and breadth of research, and his stern integrity. Dissenting from its teachings as I do, I commend it to those who agree with its conclusions as a store-house of argument and illustration.

Mr. SCHLEICHER is understood to have been the author of the report made April 25, 1878, by the Committee on Foreign Affairs on the relations of the United States with Mexico. That it was his work there is no room for doubt, as it abounds in evidence of his fondness for research, his clearness of statement, and of his devotion to the people among whom he chose to pass his life. He who would learn something of the dangers and, I may say, the terrible fascinations of such border life as the Texan settlers upon the Rio Grande have known, will nowhere find them more vividly presented than in Mr. SCHLEICHER's report to which I refer.

So, too, in his report of June 7, 1878, from the same committee, he recorded with clearness the history of the Japanese indemnity fund. No fact that touched the merits of the case seems to have been too minute to merit his consideration, nor did the amount of labor required to acquire and present all the facts touching any bearing of the question bid him pause; and he who would know the history of the Japanese indemnity fund may find it all in that brief report.

Mr. SCHLEICHER, during our intestine struggle, was true to his adopted State and the confederacy, with which she cast her lot; but when the war ceased he accepted the result and came among us with a brave determination to do what in him lay toward restoring harmony between the people of the two sections of the country, and thus hastening the restoration of the waste places of the South. On political subjects his words were always as conciliatory as they were manly and frank; and when I heard of his death I grieved as for one in whose departure my country had sustained a great loss.

Mr. THROCKMORTON. Mr. Speaker, during the present short session of our body death has been unprecedentedly busy among the people's representatives. Again and again this House has been called to mourn the loss of one and another of its members, summoned from the scenes and duties of earth to that eternity whither we are all hastening.

The dread messenger which waits once upon each and every individual without respect to person or position has recently visited our delegation and robbed Texas of one of her wisest and worthiest Representatives.

No one is better enabled by more than a quarter of a century of intimate personal and political acquaintance to bear testimony to the moral and intellectual worth of my deceased colleague's character than myself, and certainly no one more thoroughly realizes than I do the loss which my State and the country at large has sustained in his death. I esteem it a melancholy privilege to put upon record a slight tribute to the character and memory of a good man and wise legislator gone from our midst forever.

GUSTAVE SCHLEICHER, whose death we to-day commemorate, was, as you have heard, of German birth and parentage, and at the university where he was educated his decided mathematical talent received thorough development and cultivation.

Pursuing this natural bent of his genius he first chose civil engineering as a profession, and was engaged, before he left his Fatherland, in the construction of several railroads.

Early realizing, however, that America afforded a wider field for useful operation and a greater scope for honorable ambition than did the Old World, besides offering surer and swifter rewards to energy and industry judiciously applied, he determined to emigrate, and came to Texas when the State had been but recently admitted to the Federal Union, and when he himself was only twenty-four years of age. From that date to the time of his death his history forms part of the history of the State.

To the capacity for profound reflection he joined habits of close observation, and soon understood the spirit of the laws and acquired the language of his adopted country, always presenting his well-considered thoughts in terse and idiomatic English.

After passing three years in different portions of the State, he finally located at San Antonio, in 1850, and within another three years his solid sense and great moral worth had become so well known and so justly appreciated that he was elected, by the popular vote, to represent the people of that section first in the lower house and afterward in the senate. I served with him in both branches of the Legislature, and there learned to know and to value the native strength of his mind, the sturdy independence and unflinching integrity of his character, and the ripe scholarship of his attainments. Succeeding years of association have only served to verify the high estimate I then made of his character and qualifications.

Prone to investigation and gifted in an eminent degree with the power of correct analysis, he thoroughly studied every question that presented itself for his consideration and conscientiously sought the right solution of it by the light of experience and of reason, and when he thought he had found it he stood by his convictions with a firmness that never faltered, even when those convictions proved contrary, as they sometimes did, to the sentiment of his constituents. This demonstrates GUSTAVE SCHLEICHER to have been no mere politician, seeking popular favor by a facile yielding of principle at every variation of public opinion.

In point of fact he possessed many of the distinctive characteristics of a statesman. Cautious in forming his opinions and slow in arriving at conclusions, when satisfied of their correctness he yet was bold in their promulgation and persistent in their maintenance. His patriotism was not of that merely local growth and nurture which is circumscribed by State lines or sectional bounds, but was as broad and comprehensive as the nation. While endeavoring by observation and reflection to see and to comprehend the true interest of his section, and while mindful and jealous of the interest of his immediate constituency, he looked beyond it to the general good, and ever labored for the welfare of the whole country.

The district which he represented, bordering, as it does, upon a jealous, lawless, and practically hostile nation, which is either unable or unwilling to prevent or to punish the depredations of its citizens offending within our territory, is exposed to constant invasion and to loss both of life and property. No one understood better than Mr. SCHLEICHER the necessity for protection by the General Government to that exposed and suffering frontier, and no one was more fearless and untiring in representing the wrongs of that region or more competent to point out the remedy. In him the pioneers of Texas and the border of every frontier State and Territory have lost a judicious friend and an able promoter of all their interests.

He was a life-long, earnest advocate of internal improvement, and while a member of the State Legislature was a zealous friend of State patronage in behalf of railroads, and afterward in the National Legislature he favored a liberal policy on the part of the General Government in support of feasible schemes for extending iron thoroughfares of travel and trade across the country, with ramifications to the remote borders of the country, fully realizing that such modes of rapid, easy, and constant communication between the widely separated portions of our extensive territory would tend to the promotion of a just equilibrium by keeping up a brisk and healthful circulation, and to the mitigation of a narrow sectionalism by affording opportunity for free intercourse and personal contact.

The very fact that Mr. SCHLEICHER was born and lived the first score of his years in a foreign land, qualified him to comprehend the nature and necessities of that large and useful class of emigrants which every year swells our population from Europe. A large proportion of his constituents were his own countrymen, who, like him-

self, sought homes in America where they and their descendants might enjoy the privileges of free government and reap the abundant rewards accruing to well-bestowed industry. For that class of intelligent, frugal, industrious, law-observing Germans, which are an acquisition to any community, and which form a considerable element in the population of that part of Western Texas, he was a most able and faithful exponent, at the same time representing with equal fidelity and exact impartiality the interests of all other citizens of the district. Transplanted at so early an age from the Old World to the New, his sympathies struck deep root in the eternal principles of free government and drew their inspiration from the pure fountain of political liberty.

He was, in fact, a thoroughly naturalized American citizen of foreign birth, and loved the land of his adoption with all the strength of his exceptionally strong nature.

Personally he was a favorite wherever he was known. While the unquestionable integrity of his character was calculated to inspire confidence, the strong Teutonic elements of his nature were lubricated and softened by a deep and inexhaustible flow of humor; that attribute of character which has somewhere been called the offspring of a union between wit and good nature, partaking in a modified degree but in an equal measure of the qualities of both parents. The fitful flash of wit without good nature often scathes and scorches; good nature without wit is as often puerile; but true humor warms and cheers the character and diffuses a constant and equal glow over the conversation of those who are so fortunate as to possess it. Among his friends and in the freedom of social intercourse this genial quality contributed not a little to render Mr. SCHLEICHER an acceptable and entertaining companion.

No man was more ready to acknowledge the merits and good qualities of others than was my deceased colleague and friend. There are few characters in which some grains of gold, some germs of good may not be found. These he was quick to see and prompt to appreciate.

In common with the majority of his countrymen, Mr. SCHLEICHER was distinguished by that innate and deep love of home, that constant interest in homely duties and enjoyment of those simple domestic pleasures which are within the reach of all and not beyond the range of any—interests and pleasures which, being habitually shared and enjoyed together with wife and children, knit the bonds of family union and raise an impregnable fortification against all temptation to excess. Wherever love of home pleasure forms a national characteristic, as it does with the Germans, there the arts of peace are found to flourish in perfection, and there a cheerful and tranquil spirit pervades the community. An assemblage of Germans is rarely otherwise than pacific and good-humored, never fierce or cruel.

Depending, as he did, upon his home for his highest happiness, Mr. SCHLEICHER was peculiarly fortunate in his selection of a wife. Generous in her nature, social in her tastes, and cordial in her manners, she was his constant and congenial companion and the proper presiding spirit for the home he loved so well. No words of sympathy can soothe her sorrow; only that time which moderates the keenest anguish can alleviate the grief which time itself has occasioned. To Him, the father of the widow and the orphan, the assuager of every grief, we commend her, in the hope that ere long a tranquil sorrow may succeed the present agonizing sense of irreparable loss.

In Mr. SCHLEICHER's death the country has been deprived of one of its wisest and ablest legislators; the Texas pioneers have lost one of their most watchful advocates and strongest defenders; his constituency a discriminating, vigilant, and faithful representative; his friends a genial companion, whose attachments were deep and sincere; his countrymen in Texas a grand and noble type of their character, and his family their idol and treasure. His exit from life has left a sensible void in the councils of the nation, in the representation of his adopted State, and in the relations he bore to his own countrymen; in the social circle and at the domestic hearth. But he has passed out of sight and beyond recall. His work in this world is finished. Mortal man can neither help nor harm him more. Never more shall we have the benefit of his enlarged views and his practical good sense; no more feel the comfort of his ready sympathy or the charm of his social and genial qualities.

We can only endeavor to perpetuate his memory and recommend his example by pointing to his useful, consistent, and honorable career as a private citizen and public servant who has in the most exemplary manner discharged the duties of the one capacity, and served his country well and faithfully in the other, through a long and most trying period, with clean hands and untarnished honor.

His book of life is now closed. Into it neither debit nor credit can be entered more, and in the firm belief that when his accounts shall have been finally reckoned for eternity the balance will be found largely in his favor, we bid him adieu.

His life on earth affords a lesson which may serve as an example and encouragement to those who come after him.

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time.

Footprints that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother,
Seeing, shall take heart again.

Mr. BUTLER addressed the House. [His remarks will appear in the Appendix.]

Mr. EICKHOFF. Mr. Speaker, I would fail in my duty to the memory of a departed friend if I did not add a few simple words to the many eloquent orations that have been delivered in honor of the late statesman from Western Texas.

GUSTAVE SCHLEICHER left Germany when he had scarcely arrived at the age of manhood. Europe then stood on the threshold of a new political era—on the eve of those revolutions which drove thousands of the friends of liberty from the Old World. The Lone Star State, about which two republics were then at war, and which the more powerful warrior of the North had already won, its romantic history, the wonderful tales of its climate, fertility, and vast territorial extent, had attracted the fancy and excited the imagination of many of the flower of German youth, who inclined to adventures and deeds of courage and of daring. They embarked, like the early Spanish conquistadores, on a long voyage across the seas; not like those, however, for conquest by fire and sword, but for the peaceful triumphs of industry in the strange land toward the setting sun. At that time but two steam-vessels connected the old continent with the new. Since then these have wonderfully increased in numbers, uniting the nations of Europe into a closer bond of interests and of friendship with their descendants in the New World. A sailing-vessel carried them on a long and dreary voyage from their native home to the far-off foreign land. How often may not the recollections and visions of the home of their childhood, of friends, and kindred have dimmed their eyes on that journey? Few of those early settlers in Southwestern Texas are left to mourn the loss of their comrade, who, after years of perseverance and toil, acquired the language and achieved distinction in the land of his adoption. He grew in importance with his State. Of the many millions who, during the past thirty years, have arrived here from Central Europe, he was one of the very few who established a reputation in public life, while many others, men of learning and of talent, followed more inviting avenues of industry and duty, where the difficulties of language were not obstacles in their path and where the prejudices and jealousies which we encounter in the political arena did not prevail.

When I met the deceased at the beginning of the first session of the Forty-fifth Congress his mind seemed absorbed in the troubles on the Rio Grande, which then excited the attention of the whole country. His heart beat for the sufferings of his friends and fellow-citizens on the border, and he was anxiously weighing every word uttered by the President, by the Secretary of State, by the military authorities, and by members of Congress on that subject. Newspaper articles, for the most part flippant and superficial, siding with the robbers beyond the Rio Grande and ridiculing the cry of anguish and terror of his countrymen, would often render him sad and dejected. When he thus believed his efforts in behalf of the Americans on the frontier encompassed with difficulties, he would complain of the lack of unity in the American people and in Congress, believing the representatives of one section indifferent to the fate and interest of the other. Great was his devotion to the country of his adoption. The slightest indication of danger or distress on the Rio Grande would render him as sensitive as a child. Goethe relates in his "Travels in Italy" that one day, while in company with a friend in the vicinity of Sorrento, a peasant boy, who guided them, shouted as if seized with frenzy on arriving at a certain point which afforded an enchanting view of the surrounding landscape. When reproved for his conduct, the meaning of which the strangers could not understand, he replied: "*Pardonate, signor, quest' è la mia patria!*" I was reminded of this incident of patriotic enthusiasm when I noticed how Mr. SCHLEICHER would be touched to the very fibers of his heart by any remark derogatory to the State and people he represented. But while thus devoted to his State, he was by no means indifferent to the welfare of the whole Union. His patriotism was as broad as the wide prairies of his distant home, and his knowledge of the wants of the entire people as great as that of the best statesmen of the land. His brain was ever intent upon finding and creating new ways and means for reviving the languishing industries of the country, to give employment to the millions of citizens who were and are suffering for want of remunerative labor. He believed in the so-called "manifest destiny" theory, a favorite theme of the democracy before the late civil war; not that he desired to see other fair countries on the northern half of this continent annexed to our great Republic by war and conquest, but he believed that they would be drawn into her embrace by the natural course of events.

He was intimately acquainted with the history, geography, and general condition of Mexico, sometimes called our sister republic, and his report on our relations with that country is a State paper full of information and sound logic. SCHLEICHER was a party man, but not a narrow-minded partisan; he was attached to the cause of democracy, but demanded that it should be the cause of liberty and humanity, identical with the progress of mankind. In private life, in the social intercourse with his friends and acquaintances, SCHLEICHER was jovial and entertaining. His early life in Texas, his knowledge of the history and conditions of the nations of the earth, his genial nature and versatility, made him the ruling spirit in a circle of learned men who in the course of last winter frequently assembled to discuss, in a free and easy manner, the questions of the day in science and politics. He never spoke nor acted against his convictions, uncon-

cerned about the clamor of the hour or the pressure of other agencies. Well knowing that public opinion is as changeable as the weather in April, he did not allow himself to be overawed by it, but followed the dictates of his judgment and conscience in the pursuit of his duty as a legislator. He was as far removed from the political sentimentalism of a Marquis de Posa as from the demagogism of the "statesman" of the period.

Not without misgivings he departed for his far-off home on the adjournment of Congress, leaving his large family here dependent upon his exertions for support. Others had become ambitious for his place, and had been active in undermining him while he was here guarding the interests of his constituents. The convention that was to nominate a candidate for Congress met about the middle of July. He went through a long and fatiguing canvass, in which his opponents spared neither his principles nor his reputation. He had become unused to the rough and reckless language of the "stump." "He never felt," said the worthy Chaplain of this House, "that it was necessary, in order to compass his own success, to destroy the private character of a competitor. But as he felt himself to be actuated by principles of honesty and integrity, he recognized these in his opponents, and as a gentleman, conscious of his own honor, so he regarded those who differed from him in sentiment." A good and brave people stood by him. The memorable contest, which excited the attention of the whole country on account of the principles involved in it, closed on the 5th of November with his triumphant re-election. But the triumph was dearly won. A languishing fever had undermined the giant nature of this powerful man. The insinuations and calumnies which had embittered the canvass, the uncertain future of his family, whom he loved and adored, weighed heavily upon his mind. When I met him on his arrival at the capital, I perceived that he was no longer the man he had been. My apprehensions were commingled with the hope that time might heal the wounds which the harsh aspersions of the late campaign had inflicted on his mind. The rest is known. Seven months ago he was full of hope for the future; now he lies moldering in the grave on the hunting-grounds of his early manhood. He fell a victim to one of the exciting political contests, which are dangerous to all sensitive characters and feared by the best of men. We miss others from our midst who took part in the deliberations in this Hall. We mourn their loss because we miss them in the councils of the nation; we mourn for them for the sake of their kindred and their friends. As for themselves, they died a happy death in the service of their country. They are at peace.

"His voice is silent in your council-hall
Forever; yet remember all
He spoke among you, and the man, who spoke:
He never sold the truth to serve the hour,
Nor palter'd with Eternal God for power."

Mr. BANKS addressed the House. [His remarks will appear in the Appendix.]

Mr. COX, of New York, addressed the House. [His remarks will appear in the Appendix.]

Mr. HENDERSON. Mr. Speaker, it was with deep regret and sorrow that I heard of the death of the late Hon. GUSTAVE SCHLEICHER, a member of this body. I was returning with a sorrowful heart from the West, where I had just followed a beloved mother to the grave, when I saw in one of the daily journals that GUSTAVE SCHLEICHER, a member of Congress from Texas, was dead. I was not only surprised and saddened, but, Mr. Speaker, I was shocked by the intelligence of his death, for it seemed to me I had never been more forcibly impressed with the great uncertainty of human life. But a few days before, and when our hearts were filled with the gladness of the new year, I had met him on New Year's Day at different places where we had called; and at those meetings, and when I parted with him, as I did, Mr. Speaker, for the last time at your own house, he was apparently in good health, unusually cheerful, and I thought I had never seen him in better spirits. But now in a few brief days he had passed through the valley and the shadow of death, and with the lamented Leonard and Quinn and Welch and Williams and Douglas and Hartridge he had gone out from among us forever.

But, Mr. Speaker, I did not intend to occupy the attention of the House more than a few moments. I only desired at this time, and on this occasion, to pay some tribute to the memory of GUSTAVE SCHLEICHER, and to express the high regard I entertained for him as an honored and useful member of this body.

It was my good pleasure to have served on the Committee on Railways and Canals with Mr. SCHLEICHER during the Forty-fourth Congress, and in that service I was brought in frequent contact with him, early formed his acquaintance, and learned to honor and respect him for the intelligence and fidelity he at all times exhibited in the discharge of public duty. From my acquaintance with him, I can truly say I never knew a more earnest, conscientious, faithful public servant than GUSTAVE SCHLEICHER; and I believe no man ever had a more earnest desire than he to reach correct conclusions, nor labored more conscientiously in carrying them out. He was a man of independent thought, of honest convictions, and the opinions he entertained he freely expressed, and firmly and intelligently maintained when occasion required.

Although he was born in a foreign land, he yet loved his adopted country, and earnestly desired the prosperity of every section of it. No constituency ever had a more faithful Representative than did the border district of Texas, which he represented in this body; but while he labored diligently in season and out of season to give to his constituents all the protection which their exposed condition demanded, yet he was unselfish and patriotic in his public action, and took a deep interest in whatever measures he believed would contribute to the public good in any part of the country. It was with great pleasure, Mr. Speaker, that I frequently heard him speak of and predict the future prosperity and greatness of this his adopted country. He cherished high hopes for the future of the Republic, and if he had lived and continued in the public service, I have no doubt but that he would have contributed, by his ability and patriotic devotion, largely to its prosperity. But he has been cut down in the midst of his labors and of his usefulness, and I feel to-night that we can truthfully say the public service has lost a valuable, a faithful, and devoted public servant.

While, Mr. Speaker, we honor the memory of GUSTAVE SCHLEICHER, let us, his associates, address ourselves all the more earnestly to the conscientious and faithful discharge of our public duties; let us contribute whatever we may have the ability to do to the welfare and happiness of the people we here represent, so that when our labors shall end, and we shall be called hence, we may, as our departed friend has done, leave behind us an honored name and the memory of an honorable and useful public service.

Mr. CABELL. Scarcely had the echoes of the preacher's voice, lamenting the death of Georgia's distinguished son, died away in this Hall ere that same preacher was called to announce in solemn form the untimely demise of GUSTAVE SCHLEICHER, Representative from the State of Texas and chairman of an important committee of this House.

The "dread archer," who always "loves a shining mark," too well aimed his shaft, and the victim, who worthily wore the representative "toga" of a grand State and fitly illustrated the intelligence and honor of a proud people, fell to rise no more until that great day when the archangel's trump shall summon all nations and peoples to answer at the bar of "Heaven's high chancery."

Born and educated in a land where constitutional liberty is but little understood, and whose systems and traditions are foreign to our own, Mr. SCHLEICHER had his mind imbued with the genius and spirit of American institutions, and while still a young man determined to seek fame and fortune in a country where talents combined with energy and worth never fail to bring rich rewards. His good genius guided Mr. SCHLEICHER to the State of Texas, which had lately emerged from a struggle for independence and united its destinies with the American Union. Its broad territory offered the most inviting field for the exercise of enterprise, energy, and talents. Mr. SCHLEICHER possessed both energy and talent, and ere long he was called to the hall of representatives and then to the senate of his adopted State. The cultivated mind, the ripe judgment, the sterling integrity, and the solid qualities of the man displayed themselves in such sort that it at once became evident that no son to the "manner born" could originate with more skill, uphold with more power, and enforce with more address those measures which tend to the development of a growing State than this young and gifted stranger.

The spring of 1861 found Mr. SCHLEICHER at his representative post of duty. With a sad heart he beheld the "storm god" as he hurled his thunderbolts upon the face of a devoted country, but with undaunted front he sustained the decision of his people, and followed the star of the South until it went down at Appomattox in darkness and in blood. The war over, he addressed himself with all the strength of his matured intellect to the duty of restoring peace to his State and good government to her citizens. As soon as the people of Texas found themselves at liberty to manage their own domestic concerns and to participate in the affairs of the National Government, they sent Mr. SCHLEICHER along with other distinguished gentlemen to represent them upon this floor. How ably he discharged every duty, how faithfully he adhered to the teachings of the fathers of the Republic, how devotedly he clung to the honor and interests of the State of Texas, our records will show, and our colleagues will bear me witness.

No member of the Forty-fourth Congress will ever forget the skill and intrepidity with which Mr. SCHLEICHER labored to secure the necessary legislation for the suppression of outrages along the borders of Texas, and his people will, I am sure, ever feel grateful for the relief induced in great part by the able, lucid, and exhaustive report submitted by him to Congress on that subject. The speech delivered by Mr. SCHLEICHER upon the presentation of his report, while short, was telling and to the point, and exhibited well the fact that, coupled with a brilliant conception and handsome diction, he possessed the ability to deliver his blows with the force and strength of a Titan.

Members of the Committee on Foreign Affairs will doubtless state with what intelligence and ability Mr. SCHLEICHER dealt with the intricate and delicate subjects presented for the consideration of that body; and no member of his own committee, that of Railways and Canals, will ever fail to accord to our late distinguished chairman

the full meed of praise inspired by the impartiality and courtesy with which he presided in committee, and the broad intelligence and marked ability which he threw into the discussion of every subject engaging the attention of his committee.

Of Mr. SCHLEICHER's private and domestic relations I have but little right to speak, but it cannot be doubted that one possessing so many genial and generous traits of character was likewise the possessor of every element which goes to make up the model husband and father.

As a Representative, Mr. SCHLEICHER was all that his people could have desired. Jealous of their good name, devoted to their interests, quick to echo their sentiments and sympathies, and swift to repel any assault upon their rights or honor, they had reason to mourn, as I learn they did mourn, the death of their gifted and accomplished Representative, dying, as he did, in the meridian glory of his worth and power.

Peace to the ashes of one who, having sustained himself honorably and well in all the relations of life, has gone down to the grave carrying with him "across the dark waters" the love, regard, and tender recollections of not only the people of the land of his nativity, but of those of his district, State, and country.

The resolutions offered by Mr. GIDDINGS were unanimously adopted; and in accordance therewith (at ten o'clock and forty minutes p. m.) the House adjourned.

PETITIONS, ETC.

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

By the SPEAKER: The petition of J. D. C. Kennedy, in reference to the census bill now before Congress—to the joint committee on the census.

By Mr. ALDRICH: The petition of R. W. Dunston and 168 others, citizens of Chicago, Illinois, for such legislation as will secure the building of a ship-canal from Chicago, Illinois, to the Illinois River, to be maintained and controlled by the General Government as a national highway—to the Committee on Commerce.

By Mr. BANNING: Papers relating to the bounty claim of Robert Bell—to the Committee on Military Affairs.

Also, papers relating to the bounty claim of Andrew Dunn—to the same committee.

By Mr. BENEDICT: The petition of Robert T. Paine and 100 others, citizens of Niagara County, New York, honorably discharged soldiers of the late war, that General James Shields be made a brigadier-general in the regular Army and placed on the retired list—to the same committee.

Also, the petition of James F. Fitts and 30 other honorably discharged soldiers of the late war, of Niagara County, New York, for an appropriation for payment of arrears of pensions under the recent act of Congress—to the Committee on Appropriations.

Also, the petition of Mrs. George Herbert Patterson and 30 other women, of Suspension Bridge, New York, for such legislation as will make effective the anti-polygamy law of 1862—to the Committee on the Judiciary.

Also, the petition of M. B. Ransom and 20 other women, of Ransomville, New York, of similar import—to the same committee.

Also, the petition of Mrs. L. C. Beale and 130 other women, of the town of Pater, Niagara County, New York, of similar import—to the same committee.

Also, the petition of Mrs. S. Hulse and 200 other women, of Bergen, New York, of similar import—to the same committee.

Also, the petition of Mrs. N. H. Bell and 75 other women, of Arcade, New York, of similar import—to the same committee.

By Mr. BRIDGES: The petition of citizens of New York, for a public hearing in opposition to the extension of the McKay & Mathies sewing-machine patent—to the Committee on Patents.

By Mr. BROWNE: The petition of Riley Hyatt and 123 others, against the extension of the Birdsell clover-huller patent—to the same committee.

By Mr. BUTLER: The petition of Lewis R. Power and others, of Marblehead, Massachusetts, for the payment of arrears of pensions in full legal-tenders—to the Committee on Banking and Currency.

By Mr. CHALMERS: Memorial of the Mississippi State Board of Health, on the subject of a national quarantine—to the committee on the origin, introduction, and prevention of epidemic diseases in the United States.

By Mr. DANFORD: The petition of Jane Cralles and 73 other women, of Mooretown, Ohio, for such legislation as will make effective the anti-polygamy law of 1862—to the Committee on the Judiciary.

By Mr. DUNNELL: The petition of G. F. Wells and others, of Chatfield, Minnesota, for a commission of inquiry concerning the alcoholic liquor traffic—to the same committee.

By Mr. EDEN: The petition of Mrs. McFarland and others, of Clark County, Illinois, for such legislation as will make effective the anti-polygamy law of 1862—to the same committee.

By Mr. FREEMAN: Concurrent resolution of the Legislature of Pennsylvania, in regard to appropriations for the erection of neces-

sary public buildings in the principal cities and towns of that Commonwealth—to the Committee on Public Buildings and Grounds.

By Mr. GARDNER: The petition of S. Robinson and 148 others, citizens of Fayette County, Ohio, against changing the present tariff on wool—to the Committee of Ways and Means.

By Mr. HARRIS, of Virginia: The petition of M. T. McClure and others, of Riverhead Grange, Augusta County, Virginia, for the repeal or reduction of the tobacco tax—to the same committee.

By Mr. HEWITT, of New York: The petition of Mrs. C. A. Von Cort, for a home for indigent invalid nurses of the late war—to the Committee on Invalid Pensions.

By Mr. JAMES: The petition of Marion Sawyer and 38 others, of Canton, New York, for such legislation as will make effective the anti-polygamy law of 1862—to the Committee on the Judiciary.

By Mr. KIDDER: Memorial of the Legislative Assembly of Dakota Territory, for the establishment of a new land district in Northern Dakota—to the Committee on Public Lands.

Also, the petition of C. G. Shaw and others, citizens of Vermillion, Dakota Territory, against the adulteration of sweets—to the Committee of Ways and Means.

By Mr. LOCKWOOD: The petition of the Board of Trade of Buffalo, New York for the interchange of subsidiary silver coins and United States notes—to the Committee on Banking and Currency.

Also, the petition of bankers of Buffalo, New York, of similar import—to the same committee.

By Mr. LUTTRELL: Memorial of J. F. Ray and others, night inspectors of the district of San Francisco, relating to their compensation—to the Committee on Appropriations.

By Mr. MACKEY: The petition of Mrs. G. L. Reed and 300 other women, of Clearfield, Pennsylvania, for legislation to make effective the anti-polygamy law of 1862—to the Committee on the Judiciary.

Also, the petition of Mrs. Emma Flemming and 142 other women, of Mifflin County, Pennsylvania, of similar import—to the same committee.

By Mr. MITCHELL: Resolutions of the Legislature of Pennsylvania, favoring appropriations for the erection of necessary public buildings in the principal cities of that State—to the Committee on Appropriations.

Also, resolutions of the Legislature of Pennsylvania, favoring the passage of a bill granting a medal to each of the soldiers of certain companies from that State who passed through the mob at Baltimore and reached Washington for defense of the capital on the 18th of April, 1861—to the Committee on Military Affairs.

By Mr. PHELPS: The petition of J. H. Hayden & Co. and 80 others, of New Haven, Connecticut, for an amendment of section 3399 of the Revised Statutes, relating to the stamping of cigars—to the Committee of Ways and Means.

By Mr. POUND: The petition of Hon. S. S. Fifield and others, for the passage of the bill (H. R. No. 3350) providing for the classification of mail matter and the rates of postage thereon—to the Committee on the Post-Office and Post-Roads.

By Mr. PRICE: The petition of the Women's Christian Temperance Union of Western Iowa, for a commission of inquiry concerning the alcoholic liquor traffic—to the Committee on the Judiciary.

Also, the petition of the Women's Christian Temperance Union of Elkader, Iowa, of similar import—to the same committee.

Also, the petition of the Women's Christian Temperance Union and 90 others of Cedar Rapids, Iowa, of similar import—to the same committee.

Also, the petition of the Women's Christian Temperance Union of New Providence, Iowa, of similar import—to the same committee.

By Mr. PRIDEMORE: The petition of members of Botetourt Springs Grange, Virginia, for the passage of the interstate commerce bill—to the Committee on Commerce.

Also, the petition of members of Botetourt Springs Grange, Virginia, for the reduction of the tax on tobacco to sixteen cents per pound—to the Committee of Ways and Means.

By Mr. RICE, of Ohio: The petition of Jeremiah Cain, for a pension—to the Committee on Invalid Pensions.

Also, the petition of Joseph A. Wasson, of similar import—to the same committee.

Also, the petition of Charles A. Deitrick, of similar import—to the same committee.

By Mr. ROBINSON, of Massachusetts: The petition of Adelia and Edwin P. Ball, administrators, for the extension of patent No. 14944, granted to William Ball, May, 27, 1856, for operating steam-stamps—to the Committee on Patents.

By Mr. SLEMONS: The petition of citizens of Camden, Arkansas, and vicinity, for an appropriation of at least \$75,000 for the improvement of Ouachita River, Arkansas—to the Committee on Commerce.

By Mr. STEWART: Memorial of the Legislative Assembly of Dakota Territory, for the establishment of a new land district in Northern Dakota—to the Committee on Public Lands.

By Mr. STONE, of Michigan: The petition of Rhoda J. Negley and 68 other ladies, of Caledonia, Michigan, for such legislation as will make effective the anti-polygamy law of 1862—to the Committee on the Judiciary.

By Mr. TIPTON: The petition of Mrs. S. Cobeau and 89 other women, of Delavan, Illinois, of similar import—to the same committee.