

PETITIONS, ETC.

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

By Mr. ALDRICH: The petition of Captain W. M. Egan and 410 others, vessel-owners and captains, of Chicago, Illinois, for the building of a light-house at the mouth of Manistique River, on the north shore of Lake Michigan—to the Committee on Commerce.

By Mr. BICKNELL: Resolution of the senate of Indiana, favoring the passage of the interstate-commerce bill—to the same committee.

Also, resolutions of the senate of Indiana, relating to judgments in Federal courts and discharges in bankruptcy—to the Committee on the Judiciary.

By Mr. CLAFLIN: The petition of Riley, Pebbles & Son, against the extension of the Mathies & McKay patent—to the Committee on Patents.

By Mr. COBB: Resolution of the senate of Indiana, relating to judgments in Federal courts and discharges in bankruptcy—to the Committee on the Judiciary.

Also, resolution of the senate of Indiana, favoring the passage of the interstate-commerce bill—to the Committee on Commerce.

By Mr. COLE: Memorial of citizens of Saint Louis, Missouri, dealers and manufacturers of boots and shoes, in opposition to the extension of the patent of McKay & Mathies granted in 1862—to the Committee on Patents.

By Mr. DIBRELL: Resolutions of the Legislature of Tennessee, favoring the removal of the tariff on quinine—to the Committee of Ways and Means.

By Mr. FULLER: Resolution of the senate of Indiana, relating to judgments in Federal courts and discharges in bankruptcy—to the Committee on the Judiciary.

Also, resolution of the senate of Indiana, for the passage of the interstate-commerce bill—to the Committee on Commerce.

By Mr. HAMILTON: Resolution of the senate of Indiana, of similar import—to the same committee.

Also, resolution of the senate of Indiana, relating to judgments in Federal courts and discharges in bankruptcy—to the Committee on the Judiciary.

Also, the petition of cigar manufacturers of Bluffton, Indiana, against passage of the bill providing for coupon stamps for cigars—to the Committee of Ways and Means.

By Mr. MCKINLEY: The petition of Rebecca Albaugh and 95 other women, for such legislation as will make effective the anti-polygamy law of 1862—to the Committee on the Judiciary.

By Mr. MITCHELL: The petition of manufacturers, inventors, and machinists of Williamsport, Pennsylvania, against the passage of the bill proposing changes in the patent laws—to the Committee on Patents.

By Mr. MORGAN: The petition of D. Crawford & Co. and others, against extending the McKay & Mathies patent—to the same committee.

By Mr. O'NEILL: Resolutions of the select and common councils of Philadelphia, favoring the addition of \$5,000 to the appropriation for the Signal Service, so as to establish a signal station at the Delaware breakwater—to the Committee on Appropriations.

By Mr. PHILLIPS: Resolutions of the Legislature of Kansas, asking that civil jurisdiction be taken from the Federal courts—to the Committee on the Judiciary.

By Mr. PRICE: The petition of the Women's Christian Temperance Union of Denison, Iowa, and 40 others, for a commission of inquiry concerning the alcoholic liquor traffic—to the same committee.

By Mr. ROBINSON, of Massachusetts: The petition of Mrs. A. B. Forbes and others, of the Olivet church, Springfield, Massachusetts, for such legislation as will make effective the anti-polygamy law of 1862—to the same committee.

By Mr. STEVENS, of Arizona: Memorial of citizens of Arizona Territory, for the modification of an order of the President of the United States setting aside an Indian reservation in said Territory—to the Committee on Indian Affairs.

By Mr. STRAIT: The petition of Mrs. A. R. Chase, Mrs. R. E. Cutts, and 45 others, of Lyon County, Minnesota, that Congress will not admit the Territory of Utah as a State until polygamy be abolished—to the Committee on the Judiciary.

By Mr. THOMPSON: The petition of citizens of Butler County, Pennsylvania, against polygamy—to the same committee.

By Mr. WALKER: Resolutions of the Young Men's Catholic Union of the United States, opposing the unjust discriminations made in the selection of chaplains for the Army, &c.—to the Committee on Military Affairs.

By Mr. WATSON: Resolution of the Legislature of Pennsylvania, favoring the erection of necessary Government buildings in said State—to the Committee on Public Buildings and Grounds.

Also, resolution of the Legislature of Pennsylvania, favoring the granting medals to certain Pennsylvania volunteers—to the Committee on Military Affairs.

By Mr. WILLIAMS, of Alabama: Memorial of the Legislature of Alabama, for the extension of the time within which the State may select, and the inhabitants of the townships falling within the Chickasaw cession in Alabama may accept, the lands granted in lieu of and as indemnity for sixteen sections falling within said cession, as pro-

vided by the act of Congress of July 4, 1836, and acts amendatory thereof—to the Committee on Public Lands.

By Mr. WRIGHT: The petition of citizens of the District of Columbia, for the passage of the bill (H. R. No. 110) to aid settlers to go upon and cultivate the public lands—to the same committee.

IN SENATE.

THURSDAY, February 20, 1879.

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

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

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

HOUSE BILL REFERRED.

The bill (H. R. No. 6242) for the relief of the soldiers and sailors becoming totally blind in the service of the country was read twice by its title, and referred to the Committee on Pensions.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a memorial of the Legislative Assembly of the Territory of Arizona in favor of the establishment of a branch mint at Florence, in that Territory; which was referred to the Committee on Finance.

He also laid before the Senate a communication from the Secretary of War, transmitting a letter from Colonel T. T. S. Laidley, president of the board for testing iron, steel, &c., stating that the board had accepted the machine erected at the Watertown arsenal, Massachusetts, by A. H. Emery, and asking an appropriation of \$45,000 for that purpose; which was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting a letter from the Paymaster-General of the Army, forwarding estimates of amounts required to pay certain professors at the Military Academy for the years 1878, 1879, and 1880, and asking that provision be made for that purpose in the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of the State Grange of Virginia, in favor of the passage of the bill (H. R. No. 3547) to regulate interstate commerce and to prohibit unjust discriminations by common carriers; which was referred to the Committee on Commerce.

Mr. McDONALD presented a concurrent resolution of the Legislature of Indiana, in favor of the passage of the bill (H. R. No. 3547) to regulate interstate commerce and to prohibit unjust discriminations by common carriers; which was referred to the Committee on Commerce.

Mr. COKE presented resolutions of the Legislature of Texas, in favor of an appropriation by Congress to aid in the extension of the railroads in that State to the Rio Grande; which was referred to the Committee on Railroads.

Mr. MORGAN presented a joint resolution of the Legislature of Alabama, in favor of the passage of a law by Congress authorizing an extension of the time within which that State may select and the inhabitants of the townships falling within the Chickasaw cession in that State may accept the lands granted in lieu of and as an indemnity for sixteen sections in that cession; which was referred to the Committee on Public Lands.

Mr. MERRIMON presented the petition of S. D. Booth and others, of Granville County, North Carolina, and the petition of S. W. Waller and others, of Granville County, North Carolina, praying for the passage of the bill (H. R. No. 3547) to regulate interstate commerce and to prohibit unjust discriminations by common carriers; which were referred to the Committee on Commerce.

Mr. WITHERS presented a resolution of the State Grange of Virginia and Patrons of Husbandry, in favor of a reduction of the tax on tobacco; which was ordered to lie on the table.

Mr. VOORHEES presented a memorial of John L. Barcroft and others, citizens of Indiana, and manufacturers of cigars, remonstrating against the passage of the bill (H. R. No. 5430) to secure more efficient collection of the revenue from cigars; which was ordered to lie upon the table.

He also presented the petition of J. W. Davis and 50 others, ex soldiers and sailors in the late war, praying the passage of the bill (S. No. 843) to grant an increase of pensions in certain cases; which was referred to the Committee on Pensions.

Mr. GROVER presented a memorial of the Legislative Assembly of Idaho Territory, in favor of an appropriation by Congress for the construction of a military road in that Territory from Fort Hall to Fort Boise; which was referred to the Committee on Appropriations.

He also presented a memorial of the Legislative Assembly of Idaho Territory, in favor of an appropriation by Congress for the establishment of a military post in Lemhi County, in that Territory; which was referred to the Committee on Appropriations.

He also presented a memorial of the Legislative Assembly of Idaho

Territory, in favor of an appropriation by Congress for the payment of the necessary legislative expenses in that Territory; which was referred to the Committee on Appropriations.

Mr. CAMERON, of Pennsylvania, presented a resolution of the select and common council of Philadelphia, Pennsylvania, in favor of an additional appropriation of \$5,000 to the Signal Service, so that a signal station may be established at the Delaware breakwater; which was referred to the Committee on Commerce.

Mr. HOAR presented the petition of Henry Waterman, of Brooklyn, New York, praying for the extension of his patent for improvement in tempering wire and steel; which was referred to the Committee on Patents.

REPORTS OF COMMITTEES.

Mr. HAMLIN. I am instructed by the Committee on Foreign Relations to report back the petition of Mary E. Colburn, widow of Justin E. Colburn, late consul-general of the United States to Mexico, praying to be indemnified for losses alleged to have been sustained by reason of having to dispose of her furniture, household effects, &c., at a sacrifice after the death of her husband, with an amendment which the committee recommend be added to the deficiency appropriation bill. I ask that the amendment be printed and, together with the accompanying papers, referred to the Committee on Appropriations.

The VICE-PRESIDENT. It is so ordered.

Mr. HAMLIN. The same committee, to which was referred a letter from the Secretary of State to the chairman of the Senate Committee on Foreign Relations, recommending the appropriation of an amount to be paid to the widow of Bayard Taylor, late United States minister to Berlin, equal to one year's salary at the rate allowed by law to the mission her husband held, have directed me to report the same back with an amendment recommending that a certain sum be placed within the hands of the Secretary of State for that purpose. I ask that that amendment may be printed, and referred, together with the accompanying papers, to the Committee on Appropriations.

The VICE-PRESIDENT. It is so ordered.

Mr. HAMLIN, from the Committee on Foreign Relations, to whom was referred a memorial of the constitutional convention of the State of California, remonstrating against the proposed commercial treaty between the United States and France, in which it is proposed to reduce the rate of duties on imported wines and spirits, asked to be discharged from its further consideration; which was agreed to.

Mr. KIRKWOOD, from the Committee on Pensions, to whom was referred the bill (H. R. No. 698) granting a pension to Nathan Udell, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the petition of Mary Hopperton, widow of Edward Hopperton, late a wheelwright in the Quartermaster's Department, United States Army, praying for the passage of a law authorizing the payment to her of a pension at the rate of \$8 per month from the date of the death of her husband, submitted an adverse report thereon; which was ordered to be printed, and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the bill (S. No. 1511) granting a pension to Dederick Blanck, reported it with an amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the bill (H. R. No. 4702) granting a pension to Catharine Gemmill and children, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the bill (S. No. 1513) granting a pension to Charles Reed, reported it with an amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the bill (H. R. No. 637) restoring the name of Benjamin Hollingsworth to the pension-roll, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the bill (S. No. 1512) granting a pension to Peter Gettert, reported it with an amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. No. 100) for the relief of the heirs of Chauncy M. Lockwood, asked to be discharged from its further consideration; which was agreed to.

Mr. McPHERSON, from the Committee on Naval Affairs, to whom was referred the bill (H. R. No. 138) for the relief of Henry M. Meade, late paymaster in the United States Navy, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

Mr. HOWE, from the Committee on the Library, to whom was referred the bill (S. No. 1336) to authorize the National Academy of Sciences to receive and hold trust funds for the promotion of science, and for other purposes, reported it with amendments.

Mr. BLAINE. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. No. 6145) making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes, to report it back with amendments,

which I ask to have printed, the bill to be called up at the earliest possible moment.

The VICE-PRESIDENT. The amendments will be printed under the rule.

Mr. INGALLS, from the Committee on Pensions, to whom was referred the bill (H. R. No. 4698) granting a pension to Helen Crabbe, reported it without amendment, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was recommitted the bill (S. No. 1602) granting a pension to Louisa Bainbridge Hoff, reported it with an amendment, and submitted a report thereon; which was ordered to be printed.

Mr. INGALLS. The same committee, to whom was referred the petition of John McNulta, of Bloomington, Illinois, and also the memorial of the governor and State officers of the State of Illinois, asking for the passage of a special act of Congress for his relief, have instructed me to report a bill granting to John McNulta \$50 a month in lieu of the pension he now receives.

The bill (S. No. 1841) granting a pension to John McNulta, was read twice by its title.

Mr. DAVIS, of Illinois. I should like to have that bill passed today if there is no objection.

Mr. EDMUNDS. There are some constituents of mine who need pensions whose bills have been reported favorably and are waiting on the Calendar to have the pension bills taken up. I must therefore ask that this bill take its place with the others, and we shall take them all up presently.

Mr. HOAR. I should like to ask the chairman of the Committee on Pensions, for the satisfaction of a great many persons who write to me, not at all because I have any doubt of the answer to the question myself, whether it is his purpose at a very early day to call up the pension bills which are pending on the Calendar?

Mr. INGALLS. It is my purpose to make the request of the Senate at a very early day to take up and consider all the private pension bills on the Calendar, and I may add that that request has never been refused at any previous session of the Senate.

Mr. HOAR. I put the question because many persons write to me, and this declaration of the chairman will satisfy them.

Mr. BAILEY, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. No. 737) for the relief of H. K. Belding, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

Mr. WITHERS, from the Committee on Pensions, to whom was referred the bill (H. R. No. 1396) granting a pension to Elizabeth R. Hull, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. No. 1515) granting a pension to James H. Poland, reported it with amendments, and submitted a report thereon; which was ordered to be printed.

He also, from the same committee, to whom was referred the bill (H. R. No. 4494) granting a pension to John Grubbins, reported it with an amendment, and submitted a report thereon; which was ordered to be printed.

Mr. MAXEY. I am instructed by the Committee on Military Affairs, to whom was referred the bill (H. R. No. 4559) for the relief of John N. Reed to report it back with their opinion that it ought to go to the Committee on Claims. I move that the Committee on Military Affairs be discharged from its further consideration and that the bill be referred to the Committee on Claims.

The motion was agreed to.

Mr. MITCHELL, from the Committee on Railroads, to whom was referred the bill (S. No. 1796) granting the right of way through the public lands to the Cheyenne, Black Hills, and Montana Railroad and Telegraph Company, reported it with amendments, and submitted a report thereon; which was ordered to be printed.

Mr. SAULSBURY, from the Committee on Public Buildings and Grounds, to whom the subject was referred, reported a bill (S. No. 1842) authorizing the erection of Government buildings at New Castle, Delaware; which was read twice by its title.

JACOB S. HUNT.

Mr. BAILEY. The Committee on Pensions have instructed me to request that unanimous consent be given for the reconsideration of the vote of the Senate at the last session indefinitely postponing the bill (S. No. 1059) granting a pension to Jacob S. Hunt, for the reason that since that action was taken by the Senate some evidence has been filed with the committee showing that perhaps he was the victim of a conspiracy. I therefore ask a reconsideration of the vote by which the bill was indefinitely postponed, so that the bill and papers may be recommitted to the Committee on Pensions.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote will be regarded as reconsidered and the bill and accompanying papers recommitted to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. ROLLINS, Mr. JONES of Florida, Mr. KERNAN, (by request,) Mr. HAMLIN, Mr. FERRY, Mr. GARLAND, Mr. SAUNDERS, Mr. MITCHELL, Mr. PLUMB, Mr. SAULSBURY, and Mr. INGALLS submitted amendments intended to be proposed by them, respectively, to the bill (H. R. No. 6463) making appropriations for the construction,

repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes; which were referred to the Committee on Commerce, and ordered to be printed.

Mr. KELLOGG, Mr. DORSEY, and Mr. PLUMB submitted amendments intended to be proposed by them to 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; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. SARGENT, Mr. BECK, Mr. COCKRELL, Mr. PLUMB, and Mr. MITCHELL submitted amendments intended to be proposed by them respectively to the bill (H. R. No. 5218) to establish post-routes in the several States herein named; which were referred to the Committee on Post-Offices and Post-Roads.

TRANSFER OF INDIAN BUREAU.

On motion of Mr. SAUNDERS, it was

Ordered, That the bill (S. No. 1743) authorizing the President temporarily to transfer the custody, control, and management of certain Indian tribes from the Interior to the War Department, and for other purposes, be taken from the Calendar and referred to the Committee on Indian Affairs.

SPRUILLE BRADEN.

Mr. McDONALD. I ask unanimous consent for the present consideration of the bill (S. No. 1638) to appoint Spruille Braden an ensign in the United States Navy.

Mr. WINDOM. I ask that the regular order may be proceeded with this morning, Mr. President.

The VICE-PRESIDENT. The Chair has recognized the Senator from Indiana. Is there objection to the consideration of the bill?

Mr. WINDOM. I believe the resolutions on the Calendar are the regular order until twelve o'clock.

The VICE-PRESIDENT. The Chair hears no objection to the request of the Senator from Indiana, and the bill is before the Senate.

Mr. WINDOM. I was not aware that unanimous consent had been granted; but as the bill as been called up, I shall simply insist on the Calendar after that is disposed of.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 1638) to appoint Spruille Braden an ensign in the United States Navy. It authorizes the President to appoint him an ensign to take position at the foot of the list of ensigns on the active list.

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

BILLS INTRODUCED.

Mr. EATON asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1843) extending the letters-patent granted Joseph Jordan, jr. and Thomas Eustice, seven years from May 18, 1879; which was read twice by its title, and referred to the Committee on Patents.

Mr. TELLER asked, and by unanimous consent obtained, leave to introduce a joint resolution (S. R. No. 67) directing the President to officially sanction the Geneva convention for the mitigation of the horrors of war and other public calamities; which was read twice by its title, and referred to the Committee on Military Affairs.

PRINTING OF AN ACT.

Mr. INGALLS. The last copy of the printed bill in regard to the arrears of pensions has been taken from the document-room, and the superintendent informs me that there is great necessity for the printing of an additional number of copies. I therefore ask for the passage of the following resolution:

Resolved, That there be printed for the use of the Senate 1,000 additional copies of public act No. 14, granting arrears of pensions, &c., as approved January 25, 1879, said edition to be delivered to the Senate document-room.

The passage of that resolution will involve an expenditure of about \$2, the matter all being in type and only the printing being necessary.

The resolution was considered by unanimous consent, and agreed to.

RAILROAD CONCESSIONS IN MEXICO.

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

Resolved, That the President be requested to communicate to the Senate, if in his judgment compatible with the public interests, a copy of any dispatches not heretofore communicated, which have been recently received by the Secretary of State from the United States minister in Mexico, relating to concessions for railroads in that country.

APPELLATE JURISDICTION OF CIRCUIT COURTS.

Mr. DAVIS, of Illinois. I ask the indulgence of the Senate to call up a bill which was reported unanimously from the Committee on the Judiciary, to give the circuit courts of the United States appellate jurisdiction in certain criminal cases. In the Federal judiciary up to this time there has been no appeal from trials in criminal cases whatever, which is an anomaly in the jurisprudence of this country. The object of this bill is simply to allow a party who is convicted before a district judge to have a writ of error to the circuit court; and the decision of the circuit court is to be final. The Judiciary Committee reported the bill unanimously. I hope the Senate will take it up and pass it.

The VICE-PRESIDENT. The Senator from Illinois asks unanimous consent for the present consideration of the bill named by him.

Mr. DAVIS, of Illinois. I would state another reason why the bill should have immediate action. The principle of the bill the Judiciary Committee adopted as it came from the House, but it was necessary to alter it in many particulars so as to give it shape and form.

Mr. WINDOM. Before the bill is taken up I desire to say that I will not object to it, but I shall insist on the regular order after that is disposed of.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. No. 5065) to give circuit courts supervisory jurisdiction in certain criminal cases.

The bill was reported from the Committee on the Judiciary with amendments.

The first amendment of the committee was, in section 1, line 3, after the word "court," to strike out the words "for each judicial district;" in line 4, after "jurisdiction," to strike out "on" and insert "of;" in line 5, after the words "where the," to strike out "penalty" and insert "sentence," and after the word "is" to strike out "confinement in the penitentiary or in the jail" and insert "imprisonment or fine and imprisonment;" in line 7, before the word "fine," to strike out "by" and insert "a" and in the same line, before the word "exceed," to strike out "may" and insert "shall," and after the word "exceed" to strike out the words "under the law;" in line 8, before the word "hundred," to strike out "five" and insert "three;" in line 9, before the word "feeling," to strike out "person" and insert "respondent;" and in line 11, after the word "which," to strike out "if the truth of the case be fairly stated therein, the judge shall sign" and to insert "shall be settled and allowed according to the truth, and signed by the judge;" so as to make the section read:

The circuit court for each judicial district shall have jurisdiction of writs of error in all criminal cases tried before the district court where the sentence is imprisonment or fine and imprisonment, or where, if a fine only, the fine shall exceed the sum of \$300; and in such case a respondent feeling himself aggrieved by a decision of a district court, may except to the opinion of the court, and tender his bill of exceptions, which shall be settled and allowed according to the truth, and signed by the judge, and it shall be a part of the record of the case.

The amendment was agreed to.

The next amendment was, in section 2, to strike out the first word of the section, "the," and insert "within one year next after the end of the term at which such sentence shall be pronounced, and not after the respondent may;" in line 4, before "district," to strike out "a" and insert "the;" and after the word "cases," in the same line, to strike out "referred to" and insert "named;" in line 5, before the word "preceding," to strike out "next," and after the word "section," in the same line, to strike out "may" and insert "which petition shall;" in line 6, before the word "circuit," to strike out "judge of the;" and after the word "circuit" to insert "judge or circuit justice;" and after the word "vacation," in line 7, to strike out the following words:

And if allowed shall be docketed in the circuit court having jurisdiction over such district, but if refused may be presented to the justice of the Supreme Court who is allotted to such circuit, and if allowed, shall be docketed and heard in such circuit court. The judgment or decision upon such writ of error shall be remitted to the district court appealed from, to be enforced according to law.

And in lieu thereof to insert:

Who, on consideration of the importance and difficulty of the questions presented in the record, may allow such writ of error, and may order that such writ shall operate as a stay of proceedings under the sentence; but the allowance of such writ shall not so operate without such order. The judge or justice allowing such writ of error shall take a bond with sufficient sureties that the same shall be prosecuted to effect, and that the respondent shall abide the judgment of the circuit court thereon. And if the writ shall be allowed to operate as a stay of proceedings under the sentence, bail may in like manner be taken for the appearance of the respondent at the term of the circuit court to which such writ of error shall be returnable, and that he will not depart without leave of the court.

So as to make the section read:

SEC. 2. Within one year next after the end of the term at which such sentence shall be pronounced, and not after, the respondent may petition for a writ of error from the judgment of the district court in the cases named in the preceding section, which petition shall be presented to the circuit judge or circuit justice in term or vacation, who, on consideration of the importance and difficulty of the questions presented in the record, &c.

The amendment was agreed to.

Mr. HOAR. I desire to inquire whether this bill allows the taking up of any question of law to the circuit court if the fine be less than \$300 or the sentence be not imprisonment?

Mr. DAVIS, of Illinois. No. The fine must exceed \$300 to allow the case to be brought up.

Mr. HOAR. There are a great many cases where the fine may be less than \$300. It may be \$100, for instance, as provided by law, where the construction of a law affects a very large class of persons. It seems to me that if the court are of opinion that the question of law is important and difficult they ought to have a discretion in such cases to allow such question to go up by certificate at the will of the district court. The question is whether this bill affects the existing law that permits a case to go up now whenever the judges choose to certify.

Mr. DAVIS, of Illinois. Oh, no, not at all.

Mr. HOAR. The Senator does not make his answer so that the Senate can hear.

Mr. DAVIS, of Illinois. No, sir; anything that can be certified now, after this bill is passed, may be taken up—anything that the two judges determine to certify.

Mr. HOAR. The Senator from Illinois perhaps does not appreciate the full force of my question, if it has any force. I will state my question again. This is a proposed law purporting to regulate the subject of writs of error from the district courts to the circuit courts. Is there not danger that this bill may be construed to cover the whole subject and to operate as a repeal of all other provisions on that subject, so that it may be claimed that the discretionary right to send up important questions, where the sentence is less than this, is affected?

Mr. DAVIS, of Illinois. I think not. It never entered into the mind of the Judiciary Committee that the bill would operate in that direction. It could not do it unless it was done by some section repealing the existing law. We included \$300 as the lowest fine, because we did not want every case to go up to the circuit court; it would overwhelm the court with too much business. That was the object of that limitation.

Mr. HOAR. Would it not be well to insert a reservation?

Mr. DAVIS, of Illinois. I think not.

Mr. EDMUNDS. I think, if my honorable friend from Massachusetts will pay strict attention to what this bill is intended to effectuate, and does effectuate, he will see that there is no difficulty on the point he refers to. The bill provides solely for writs of error from the district court to the circuit court. There is no provision of law new, and never was, providing for a certificate of division anywhere from the district court, either to the Supreme Court or to the circuit court, for the reason that there is only one judge in the district court.

Therefore the only effect of this bill is to bring into the circuit court for hearing upon a writ of error, and under the limitations named in the bill, a cause. Being in the circuit court the cause there is like every other precisely. If the two judges in the circuit court differ, then I have no doubt of their right to certify it up for an opinion, if they wish to do so; and the question of amount in all cases of certificate has nothing to do with the subject. This limitation of amount here is just like the limitation on appeals and writs of error in civil cases from the district court to the circuit court, under which it has always been held without regard to amount when it is once gotten up, that a certificate of division may go.

Mr. HOAR. I was not speaking of the certificate of division. The question that I put to the Senator who reported this bill was whether it would not be well to reserve the right, in the discretion either of the district judge or the circuit judge, to take up important questions of law, made important by affecting a large class of cases, where the question of the construction of a criminal statute arises, even if the maximum fine, or the fine imposed in the particular case, were less than \$300; to which the Senator from Illinois replied that that could be done now.

Mr. DAVIS, of Illinois. No; it cannot be done in the district court.

Mr. EDMUNDS. I misunderstood the Senator from Massachusetts. I thought he was afraid that this bill would prevent a certificate of division in one of these cases when it was once in the circuit court.

Mr. HOAR. My question—

Mr. EDMUNDS. I understand it now.

Mr. HOAR. My inquiry to the Senator who reported this bill is whether the question of the right to this writ of error ought to depend wholly on the amount of the fine without regard to the importance of the question, and whether it may affect or not a large number of cases?

Mr. DAVIS, of Illinois. You have to fix some limit. Fines vary from \$10 up to \$10,000. You cannot have every case taken up to the circuit court; you must fix some fine as a limit; and we thought it best to limit it to \$300. The bill came from the House with the limitation at \$500, and we lowered it to \$300, thinking that a fair sum upon which the party could go to the circuit court. A district judge, if he is fit for his place, will take the advice of a circuit or a supreme court judge in any class of cases where the fine may be nominal and the matter of moment. The very reason that from the formation of the Government to the present time there has not been more complaint in relation to the matter of having no appeals from the lower courts to the higher is, that the judges of the lower courts have always taken the advice of the judges of the higher courts in relation to any matter of the kind. It is done constantly, and it ought to be done everywhere.

The VICE-PRESIDENT. The next amendment of the committee will be reported.

The next amendment of the Committee on the Judiciary was to strike out section 3 in the following words:

A writ of error awarded under this act to any judgment shall act as a supersedeas thereto on such terms and conditions as said court or judge awarding the same may prescribe.

The amendment was agreed to.

The next amendment was to insert as an additional section the following:

SEC. 3. Such writ of error so allowed shall be returnable to the next regular term of the circuit court for the district, and shall be served on the district attorney of the United States for such district. The circuit court may advance all such writs of error on its docket in order that speedy justice may be done. And in case of an affirmance of the judgment of the district court, the circuit court shall proceed to pronounce final sentence and to award execution thereon; but if such judgment shall be reversed, the circuit court may proceed with the trial of said cause *de novo*, or remand the same to the district court for further proceedings.

The amendment was agreed to.

Mr. HARRIS. Mr. President, I appeal to the Senator from Illinois having this bill in charge to accept an amendment, or not object to my offering it, for I am not willing to offer it against his wishes. I propose to amend, in the fifth line of the first section, after the word "court," by inserting "or the judge of the district court when holding the circuit court;" so that the section may read:

The circuit court for each judicial district shall have jurisdiction of writs of error in all criminal cases tried before the district court or the judge of the district court when holding the circuit court.

And the reason why I think the amendment important is found in this fact: There are a number of districts in which the district judge is authorized to hold the circuit court, and the district judges in those districts do hold the circuit court in a large majority of instances. In my own State such is the case; and all the proceedings in the Federal courts in that State are in the circuit—rarely if ever in the district—court. Now this bill, as reported from the Committee on the Judiciary, gives no means of review in Tennessee, where the indictment originates in the circuit court and the trial is had there before the district judge; it is a finality. I ask the Senator to accept the amendment I suggest, for it will secure to others the same right of appeal that the bill allows. It will be an appeal from the circuit court to the circuit court, it is true, but really it is an appeal from the judgment of the district judge to that of his superior judicial officer; and I feel that the districts where the district judges have circuit-court jurisdiction are entitled to that right of appeal, and it should be extended to them.

Mr. DAVIS, of Illinois. Mr. President, this bill must be passed in five minutes, if at all. The amendment of the Senator from Tennessee destroys the symmetry of the bill. Most of the criminal cases in this country are tried in the district court. The district court has jurisdiction in all such cases. There may be rare instances, as in Tennessee, where the matter would be settled by the district judge; but the district judge would naturally allow a writ of error or a motion for a new trial and would ask the circuit judge to sit. If not, he would be guilty of misconduct. We do not have any such district judges in my region of the country, and I hope if there are any in the country they will be brought to the notice of the proper tribunal.

But I cannot accept the amendment. The chairman of the Committee on the Judiciary is here, and thinks it would destroy the symmetry of the bill, and so do I; and we have no authority to accept it. There are but five minutes left. If this bill is to pass at all, it ought to pass now.

Mr. EDMUNDS. There is another objection to this amendment which I want to suggest to my honorable friend from Tennessee. The theory of the circuit court is not a theory of superiority as between its judges, with the single exception that when two judges sit, the circuit and the district judge, where they differ in opinion, for the time being, in order to have the case disposed of, the judgment shall be entered according to the opinion of the circuit judge. That is necessary from the fact that there are only two judges; otherwise the case would be hung up and you could not decide it either way.

So then, aside from this exception in form, which is not an exception in substance, the circuit court, like the Supreme Court of the United States, is a court of three equal judges, the justice of the Supreme Court allotted to the circuit, the circuit judge, and the district judge. Those three officers make up the body of the judges of the circuit court. To say therefore that you might bring a writ of error from that court to itself, because one of these judges rather than another happened to be sitting alone at the moment, would be to overthrow all the notions of jurisprudence that we have in respect to the equality of judges in courts containing more than one.

Now, as a practical matter, very likely it may sometimes happen, where you have a passionate or an unjust or an ignorant judge, be he circuit judge or be he district judge, that if he were sitting alone and decided a case and a bill of exceptions were settled and a motion upon that made for a new trial, which may be done now, he might be so derelict in his duty and so unfair as to say "I will overrule the motion instantly now;" but those cases would be so rare that it is better to submit to that inconvenience, with the chances of impeachment behind, than it is to entirely overthrow the theory, the just theory of equality in a court of three judges among them all. You might just as well say and you ought to say that if a judge of the Supreme Court is sitting and decides a case alone, a motion for a new trial made on a bill of exceptions settled by him shall not be made before him, that it shall wait until the next term when some of the other judges come around; and that of course makes a block, a delay of all proceedings in criminal cases, because everybody will get a bill of exceptions and move for a new trial in order to suspend sentence for six months. I submit to my friend that it is better to bear the incidental and occasional evil that may arise under their system of jurisdiction than it is to do this.

Mr. HARRIS. I shall not press the amendment against the wishes of the Committee on the Judiciary, because I believe this bill is right in its aim to the districts to which it applies. My appeal was that they extend its practical benefits to all the districts equally and alike. If that cannot be done, I am not inclined to thwart its passage, or to delay it by pressing the amendment, and will not press it; but I had rather that its benefits should be extended to the districts in my own State and several other States where the district judges

have circuit court jurisdiction, and do, in point of fact, hold the circuit courts in a large majority of instances.

Mr. EDMUNDS. Just one word upon that point, Mr. President. The Senator from Tennessee I think is quite right that there ought to be a circuit court of the United States in every district, so that whatever revisory power the circuit court has in any district it shall have in all; and the Judiciary Committee have had that matter under consideration and are of that opinion; but the press of a thousand affairs upon us has prevented us reporting it. I hope that at the next session when, as it has been stated here, the Judiciary Committee will be better composed and of better men, it will be done. It will certainly have my support as a member of the Senate.

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

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to give circuit courts appellate jurisdiction in certain criminal cases."

SCHOOL LOT IN DENVER.

Mr. GARLAND. I wish to get unanimous consent of the Senate, on behalf of the absent Senator from Colorado, to the consideration of House bill No. 4779. It will take but very few moments.

Mr. ANTHONY. I must insist on the Calendar.

The VICE-PRESIDENT. This bill can only be considered in the morning hour by unanimous consent. The Senator from Rhode Island objects.

Mr. GARLAND. I wish to say to the Senator from Rhode Island that it is not my proposition to take up the bill, but the proposition of the Senator from Colorado, [Mr. CHAFFEE,] who is now sick and detained from the Senate. I do not care anything about it myself.

The VICE-PRESIDENT. Is there objection?

Mr. EDMUNDS. What is the proposition?

The VICE-PRESIDENT. The Senator from Arkansas asks to take up, at the instance of the absent Senator from Colorado, a certain bill, which will be read.

The Secretary read the bill (H. R. No. 4779) donating to the board of education of school district No. 1, Arapahoe County, Colorado, block numbered 143, in the east division of the city of Denver, Colorado, for common-school purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. EDMUNDS. Is there any report?

Mr. GARLAND. There is a written report.

Mr. EDMUNDS. Let us hear the report read.

The Secretary read the following report submitted by Mr. THOMAS M. PATTERSON, from the Committee on Public Lands of the House of Representatives, on the 6th of May, 1878:

The Committee on Public Lands, to whom was referred the bill H. R. No. 3952, having had the same under consideration, respectfully submit the following report, and a substitute for said bill, with a recommendation that the substitute do pass:

In 1869 the Denver Town-Site Company mapped and platted for town purposes two or more sections of the public lands on the site where Denver is now situated. In the disposition of the land thus platted the town company reserved from sale and for public purposes certain lots, and the block in question, within the platted area. At the time of these reservations the population of Denver was quite small, and it could not at that time be foreseen in what direction the business of the city would extend. In 1864 it became manifest that great injustice would be done to lot-owners within the limits of the town site if title to the site was conferred under the then existing town-site law, since, by it, but one section of land could be obtained for town purposes, leaving the remaining portion of the site to be preempted by individuals under the existing pre-emption laws. There were many lot-owners and occupants of the site outside of the one section thus allowed, all claiming ownership therein, and unless the entire area occupied as a site could be patented to some trustee for the benefit of such owners, endless and ruinous litigation must inevitably have ensued. For these causes Congress, in 1864, passed an act authorizing the probate judge of the county in which Denver is situated to enter in trust, for the use and benefit of the occupants and owners of said land, a section and a half of land, and in the act provided that the Commissioner of the General Land Office should reserve from such sale and entry lots and blocks for public purposes, to be designated by the said Commissioner. The object of this provision, which is unusual in its character, was evidently to enable the Government to retain title to the block and lots theretofore reserved from sale by the Denver Town-Site Company; for, in pursuance of its provisions, the Commissioner did reserve these and only these identical lots and block. It was proper that this should have been done, because, at that time, the town-site company practically no longer existed, and there were no owners or claimants for these tracts. Since then the growth of the business of Denver has demonstrated that the block in question is not and will not be suitable for Government public uses. It is far removed from the business portion of the city, and is not in the direction in which its trade and business is extending. For this section and a half of land the Government was paid entire, it received the Government price for the lots and block mentioned as well as for the remaining portion. This block is now an open common in a residence part of the city. It is wholly uncared for, and has, from many causes, become a nuisance to the surrounding residents.

A petition signed by over six hundred of the leading citizens of Denver, praying Congress to donate this block to the city for common-school purposes, has been presented to Congress; resolutions to the same effect have also been passed by its board of education. In determining that it would be wise to make the disposition of the block as prayed for, the committee have been largely influenced by the well-settled policy of the Government to encourage in every reasonable way, by the common-school system, the education of the masses; and further, by the fact that the beneficiary is in every way worthy to receive the gift. From official reports and statements submitted to the committee it is shown that the school grounds and buildings now used in Denver have cost its board of education over \$175,000; that over two thousand children are in constant attendance upon them, and a corps of some thirty teachers watch over its educational interests. The people of Denver have taxed themselves cheerfully and heavily to build up their schools, and they are now desirous of erecting a high-school building if a suitable site therefor can be obtained.

Unlike most of the other States, Colorado will receive comparatively little benefit from the sixteenth and thirty-sixth sections of the public lands donated to it for common-school purposes. Fully one-third of the lands of the State are mineral, and of these it can receive no portion for school or other purposes. Of the remainder of its lands, not over 8 per cent. are fitted for agriculture, and lands not agricultural can bring but a nominal price in the market. It is safe to say that of the sixteenth and thirty-sixth sections of public lands to which Colorado is entitled, not more than one-sixth of them will sell for \$1.25 an acre, while the remaining portion cannot be sold for one-fifth of that sum. While the educational interests of nearly all the other States are fostered by a munificent fund derived from the sale of the public lands donated by the Government, Colorado is comparatively unprovided for from that source, and some measure by which educational benefits can be realized is well worthy of the consideration of Congress, and must at some future day be enacted.

The people of Colorado are struggling with wonderful success to build up education in their midst, out of their own resources and in the absence of the ordinary governmental aid, and in so laudable a work they deserve to be encouraged.

The committee under the provisions of the bill have guarded against any other use of the property than that contemplated by its terms. The grant is made to the board of education of the school district in which Denver is situated; the school must be free forever to all, and without distinctions of any kind, save those of age and grade of scholarship; if the ground shall ever cease to be used for common-school purposes it at once reverts to the Government, and the grant does not take effect until a building, not to cost less than \$25,000, shall be commenced to be erected upon it.

Therefore, since the block desired cost the Government nothing, but on the contrary was paid for by the people now desiring it for their children, and since, on account of its location, it is not in any wise adapted to Government uses, but is well located for educational purposes, the committee unanimously recommend the passage of the bill.

Mr. EDMUNDS. I do not expect to prevent the passage of this bill, and I do not know that I ought to do so; but it simply amounts to giving out of the Treasury of the United States five or ten thousand dollars to that very prosperous city—very prosperous indeed and I am very glad it is so—for school purposes. If you can do it to every city, I shall be glad to have a city in a State that I am acquainted with have a similar donation of money or land; we will take the money if we cannot get the land. In the course of three or four or five years anybody who happens to be here will see a proposition, as I dare say there ought to be one, to build a court-house and post-office, &c., of the United States in the city of Denver and it will then be proposed, this land being gone, to purchase of somebody that owns it a square or two of land for that purpose. But, of course, this year Congress is in a very liberal mood. We have carried profusion in the way of appropriations and provisions to an extent that will be wonderful to behold when we come to foot the bills next year with no revenue to do it all. I therefore only wish to put in my humble opposition to this species of legislation, although the object of course, for free schools, is one of the best possible. No better could be stated.

Mr. TELLER. I think that the report of the committee is all the answer that need be made. The people have paid for this land once to the Government.

Mr. EDMUNDS. Not these people.

Mr. TELLER. We in Denver have paid for this particular piece of land a dollar and a quarter an acre.

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

The bill was passed—ayes 26, noes not counted.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 19th instant approved and signed the following acts:

An act (S. No. 830) for the relief of Francis O. Wyse;

An act (S. No. 99) for the relief of the estate of Amos Ireland, deceased;

An act (S. No. 364) for the relief of Peaseley & McClary, of Nashua, New Hampshire; and

An act (S. No. 771) for the relief of Ebenezer Walker.

ORDER OF BUSINESS.

Mr. EDMUNDS. Mr. President—

Mr. HAMLIN. The Senator yields to me. I wish to propose—

Mr. SARGENT. What has become of the Calendar?

The VICE-PRESIDENT. The Calendar is before the Senate.

Mr. SARGENT. I believe that is the regular order.

The VICE-PRESIDENT. It is.

Mr. SARGENT. It is the only chance I see to get at bills.

Mr. HAMLIN. I hope the Senator will allow me to offer an amendment to a bill to go to a committee.

Mr. SARGENT. Certainly.

Mr. HAMLIN. I move to strike out "two," in line 8 of 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, and insert "six;" so as to read:

For improving Penobscot River, Maine, \$6,000.

I move that the amendment be referred to the Committee on Commerce.

The motion was agreed to.

THE CALENDAR.

Mr. EDMUNDS. I ask leave to ask unanimous consent—

Mr. ANTHONY. I object to anything but the Calendar.

Mr. EDMUNDS. Do you object to my asking leave?

The VICE-PRESIDENT. The regular order is demanded, which is the call of the Calendar of general orders, commencing at the point left off on yesterday.

Mr. KERAN. I ask leave—

Mr. ANTHONY. I demand the regular order.

Mr. PADDOCK. I ask to be allowed to submit an amendment.

Mr. ANTHONY. You can do that at half past twelve.

The VICE-PRESIDENT. The Secretary will report the first bill on the Calendar.

Mr. WHYTE. Mr. President—

The VICE-PRESIDENT. The Chair cannot recognize anybody except in connection with the special order, which is the call of the Calendar of general orders.

Mr. WHYTE. I rise for the purpose of making a motion of which I gave notice yesterday, to suspend the present and all prior orders and proceed to the consideration of the bill (S. No. 501) for the relief of John C. Birdsell. I gave notice—

The VICE-PRESIDENT. The Senator from Maryland in pursuance of the notice given by him yesterday to suspend the pending and all other orders, moves now that the special order be laid aside for the purpose indicated by him.

Mr. ANTHONY. Well, Mr. President, I hope that my friend from Maryland will not insist upon that, and if he does I hope the Senate will vote it down. The only chance for the Calendar is in the half hour between twelve and half past twelve, and it is impossible to pass any disputed bills in this time. If the bill of the Senator is unobjectionable it will be reached upon the Calendar.

Mr. WHYTE. That is the difficulty, Mr. President, that any one Senator can control the Calendar and object. I have made this motion to see whether a majority of the Senate cannot take up this bill.

Mr. WITHERS. The motion has been twice made to take up that bill, and twice a majority of the Senate has decided it should not be taken up.

Mr. EDMUNDS. Regular order.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Maryland that the special order, which is the call of the Calendar of general orders, be suspended or postponed—

Mr. ANTHONY. For what purpose?

The VICE-PRESIDENT. For the purpose indicated by him. The Senator gave the requisite notice yesterday.

Mr. WHYTE. I gave the requisite notice yesterday.

Mr. EDMUNDS. I should like to hear the notice read.

The VICE-PRESIDENT. It will be reported.

The SECRETARY. The notice given by the Senator from Maryland [Mr. WHYTE] yesterday was:

That on to-morrow, after the morning business, he will move to suspend all prior and existing orders for the purpose of considering Senate bill No. 501, order of business 134, for the relief of John C. Birdsell.

Mr. EDMUNDS. Now, Mr. President, I should like to hear the rule of the Senate which provides for the Calendar for this hour read also—the special rule that was made.

The VICE-PRESIDENT. The order will be read.

The Secretary read the following resolution adopted February 3:

Resolved, That after this day the order of the Senate of January 20, 1879, relative to the consideration of bills on the Calendar, shall not be suspended, unless by unanimous consent, or upon one day's notice.

Mr. EDMUNDS. Now, Mr. President, in order to have this settled so that it will be a guide to us hereafter—of course I do not object to the Birdsell bill or any other particularly—I make the point of order that this notice is not a notice for the suspension of this order of the Senate, and is only a notice of a motion to suspend the orders upon the Calendar, the present and all prior orders; and therefore it does not come within the rule.

The VICE-PRESIDENT. It contains the phrase "and existing orders." The Chair differs from the Senator from Vermont. He thinks the notice sufficient.

Mr. EDMUNDS. The Chair overrules the point?

The VICE-PRESIDENT. The Chair overrules the point.

Mr. EDMUNDS. Then that will stand as law for the future. That is all I cared to know about it, so that we may understand exactly where we stand.

The VICE-PRESIDENT. The question is on the motion of the Senator from Maryland.

The motion was not agreed to; there being on a division—ayes 10, noes 29.

The VICE-PRESIDENT. The Secretary will report the bill upon the Calendar now in order.

M. G. HARMAN.

The bill (H. R. No. 2161) for the relief of M. G. Harman, of Virginia, was considered as in Committee of the Whole.

The VICE-PRESIDENT. The Chair will state that the Senate returns to this bill by unanimous consent given, the Senator having it in charge being absent when it was reached before.

The bill provides for paying to M. G. Harman, of Virginia, \$354 for the rent, by contract, of stables at Fredericksburgh, Virginia, for the use of the Union Army.

Mr. EDMUNDS. Let us hear the report.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. HOAR December 11, 1878.

The Committee on Claims, to whom was referred the bill (H. R. No. 2161) for the relief of M. G. Harman, have considered the same, and respectfully report:

For the reasons set forth in the report made by the Committee on War Claims of the House of Representatives, we recommend the passage of the bill.

[H. R. Report No. 50, Forty-fifth Congress, second session.]

Mr. EREN, from the Committee on War Claims, submitted the following report, to accompany bill H. R. No. 2161:

The Committee on War Claims, to whom the petition of M. G. Harman was referred, having considered the same, submit the following report:

The proofs show that M. G. Harman, on the 18th day of September, 1865, by contract with Major H. F. Gerrish, acting quartermaster, leased a stable in Fredericksburgh, Virginia, to the United States for \$45 per month. It appears from the evidence that the stable was held and occupied by the United States forces under said lease from the 18th day of September, 1865, to the 19th day of May, 1866, being eight months and two days, which, at the rate of \$45 per month, makes a total of \$363 due said M. G. Harman. On the 31st day of January, 1866, Major H. F. Gerrish, acting quartermaster, (with whom the contract was made,) was succeeded by Colonel G. H. Higbee, acting assistant quartermaster, there being due M. G. Harman at the time, rent for said stable for four months and thirteen days, who issued a voucher for the sum of \$199.50.

Upon presentation of this voucher to the Quartermaster's Department for payment, it was disallowed, for the reason "that the decisions of the War Department prohibited the payment of rent in States proclaimed to be in rebellion previous to the proclamation of the President, in April, 1866."

The claimant then filed his claim (including voucher) for the sum of \$354 before the proper accounting officers, who disallowed the same, "by reason of the act of Congress of February 21, 1867, forbidding the payment of such claims."

Your committee, after a careful examination of the claim, are fully satisfied that there is due and unpaid M. G. Harman, the claimant, the sum of \$354 for rent of said stable, and that at the time the claim accrued hostilities had actually ceased, though technically the war had not closed. Your committee therefore report the accompanying bill for his relief, and recommend its passage.

Mr. EDMUNDS. I should like to ask the Senator from Massachusetts, because I cannot understand from the report, whether at the time this stable was hired the regulations of the War Department prohibiting such hirings were in existence, or whether it was afterwards?

Mr. HOAR. As I understand, the uniform policy in dealing with this class of claims has been this, and I am not aware that any voice has been raised against them.

Mr. EDMUNDS. I was not on that, but on the point of fact.

Mr. HOAR. I will include an answer to the Senator's question in what I state. After hostilities had actually ended, though before the time in 1866 when the war is held by the courts to have terminated, the quartermasters having then authority to hire premises for the use of the Army for headquarters or other similar purposes, actually made contracts for rent, so that the right of hostile capture, if it continued to exist, was not exercised or proposed to be exercised. There we have paid the rate so agreed upon to the owners of the premises. When that contract was made, the regulations of the Department permitting the quartermasters to do that were in force. There was a time when the Department prohibited such contracts, and there was a time when the act of Congress prohibited the payment of rent by the Department itself in the rebel States, and so the parties have to come to Congress. In this case the quartermaster was authorized by the Department to make a contract, and he made a contract.

Mr. EDMUNDS. So that this contract, the committee find, was lawful when made?

Mr. HOAR. Yes, sir.

Mr. EDMUNDS. Very well.

Mr. HOAR. He made a contract, and for the first two or three quarters the rent was paid; I do not know exactly how long, but for a time the rent was paid.

The bill was reported to the Senate, ordered to a third reading, read the third time, and passed.

RAILWAY MAIL SERVICE EMPLOYEES.

The bill (S. No. 1477) to designate, classify, and fix the salaries of persons in the railway mail service was announced to be next in order.

Mr. WHYTE. Is not that contained in the appropriation bill?

Mr. EDMUNDS. I think so.

Mr. FERRY. It is covered in an amendment I propose to offer to the Post-Office appropriation bill. Let this pass.

The VICE-PRESIDENT. The bill goes over.

Mr. FERRY. Is there objection offered? I have heard no objection.

Mr. CAMERON, of Wisconsin. Then go on.

The VICE-PRESIDENT. Does the Senator from Maryland object?

Mr. WHYTE. I only asked whether we had not provided for that in an amendment adopted yesterday in the Senate.

Mr. FERRY. I believe, on reflection, it was agreed to, reported by the Committee on Appropriations.

Mr. EDMUNDS. Is it on the appropriation bill?

Mr. FERRY. By concurrence of the Senate.

Mr. MORRILL. If we pass this bill the provision can be stricken out of the other.

Mr. FERRY. Let this go over.

The VICE-PRESIDENT. The Secretary will report the next bill on the Calendar.

FEES OF DISTRICT ATTORNEYS.

The next bill on the Calendar was the bill (H. R. No. 3124) to amend section 824 of the Revised Statutes of the United States; which was considered as in Committee of the Whole. It proposes to amend section 824 of the Revised Statutes so as to make the subdivision of that section read:

When an indictment or information for crime is tried before a jury, and a conviction is had, the district attorney may be allowed, in addition to the attorney's fees herein provided, a counsel fee in proportion to the importance and difficulty of the cause, not exceeding \$30.

The bill was reported from the Committee on the Judiciary with

an amendment, which was, after the word "dollars" in line 13, to insert:

Provided, however, That information shall not be filed in such cases except where the accused has been committed in default of bail or is under a recognizance for his appearance to answer the crime charged in the information.

So as to read:

When an indictment or information for crime is tried before a jury, and a conviction is had, the district attorney may be allowed, in addition to the attorney's fees herein provided, a counsel fee in proportion to the importance and difficulty of the cause, not exceeding \$30: *Provided, however,* That information shall not be filed in such cases except where the accused has been committed in default of bail or is under a recognizance for his appearance to answer the crime charged in the information.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to amend section 824 of the Revised Statutes of the United States relative to fees of district attorneys."

RAILWAY MAIL SERVICE EMPLOYÉS.

Mr. FERRY. The bill passed over prior to the one just acted on is a House bill, and I ask unanimous consent to its passage, lest the appropriation bill should in any way be interrupted.

Mr. EDMUNDS. There may be objection to its passage. It may be taken up, however.

The VICE-PRESIDENT. The Chair hears no objection to this being considered.

Mr. WHYTE. Is it not a Senate bill?

Mr. FERRY. No, a House bill; and it has been agreed to in Committee of the Whole on the Post-Office appropriation bill, where there was no objection to it.

The VICE-PRESIDENT. The bill will be reported.

The Secretary read the bill (S. No. 1477) to designate, classify, and fix the salaries of persons in the railway mail service by its title.

Mr. FERRY. No, there is a House bill of like character, which is on the Calendar.

Mr. EDMUNDS. Where is it?

Mr. FERRY. It is No. 766 on the order of business.

Mr. INGALLS. Seven hundred and sixty-six is the letter-carrier bill.

The VICE-PRESIDENT. Order of business 767 is probably the bill referred to.

Mr. FERRY. The letter-carriers' bill was passed yesterday.

The VICE-PRESIDENT. Does the Senator desire order of business 767 to be considered, the bill to designate, classify, and fix the salaries of persons in the railway mail service?

Mr. FERRY. That is a Senate bill. I do not care for any action on it.

Mr. PADDOCK. Let it lie over, reserving the right to call it up.

Mr. EDMUNDS. You cannot reserve any right.

The VICE-PRESIDENT. The Secretary will report the next bill on the Calendar.

ARMY REORGANIZATION.

The next bill on the Calendar was the bill (S. No. 1491) to reduce and reorganize the Army of the United States and to make rules for its government and regulation.

Mr. WHYTE. I object.

The VICE-PRESIDENT. The consideration of the bill is objected to.

HOMESTEAD SETTLERS.

The next bill on the Calendar was the bill (S. No. 1441) for the relief of homestead settlers on the public lands.

The Secretary proceeded to read the bill.

The VICE-PRESIDENT. The time within which the Calendar of general orders is to be considered under the special order has expired.

PENSIONS TO SOLDIERS OF MEXICAN WAR.

Mr. VOORHEES. Some days ago I gave notice that at this hour to-day I would ask the Senate to take up and consider a resolution heretofore offered by me, instructing the Committee on Pensions to report a bill making provision for placing the names of the surviving soldiers of the Mexican war on the pension-roll. I make the motion now, Mr. President, to postpone the existing and all prior orders for the purpose of allowing the Senator from Missouri [Mr. SHIELDS] to address the Senate upon the subject indicated in the resolution.

The VICE-PRESIDENT. The Senator from Indiana asks that the unfinished business of the Senate, being the Post-Office appropriation bill, be temporarily laid aside for the purpose indicated by him. Is there objection?

Mr. DORSEY. I have no objection to that order being made for the purpose of allowing the Senator from Missouri to make some remarks; as I understand that he is prepared to make them.

The VICE-PRESIDENT. The Chair understands that to be the only purpose.

Mr. VOORHEES. It is the only purpose.

Mr. DORSEY. I desire to give notice, however, that after the Senator from Missouri concludes his remarks I shall insist on the completion of this appropriation bill to-day.

The VICE-PRESIDENT. The Senator from Indiana, by unanimous consent, calls up for consideration a resolution which will be read.

The Secretary read the following resolution submitted by Mr. VOORHEES on the 10th of April, 1878:

Resolved, That the Committee on Pensions be instructed to report a bill to this body making provision for placing the names of the surviving soldiers of the Mexican war, and of the widows of those who are deceased, upon the pension-roll of the United States.

Mr. SHIELDS. Mr. President, I thank the Senate for giving me an opportunity to speak a few words in this place in favor of my old comrades of the Mexican war. My words shall be very brief indeed. They will be nothing more than an earnest appeal to this body to pass the resolution just read, and when the bill returns to the Senate that the resolution calls for, to pass that bill also, and then, in my opinion, this body will have done generous justice to the soldiers of the Mexican war.

The soldiers of the last war have been treated by Congress with justice, and, in my opinion, with very commendable liberality. The soldiers of the Mexican war have not been so treated. Those soldiers served their country, and have received nothing in the way of generosity at the hands of the Congress of the United States. I wonder not at seeing the services of young soldiers handsomely rewarded; but the wonder is at seeing the services of old soldiers almost forgotten. They complain that Congress has neglected to listen to their appeals. In my opinion, sir, after all, Congress is not much in fault. I think the fault principally lies upon the Bureau of Pensions. That bureau, by some process of calculation utterly unintelligible to ordinary intellects, or at least to an intellect like my own, has reported to Congress a larger army of Mexican veterans alive to-day, than ever stood on Mexican soil with arms in their hands at one time during the whole period of the Mexican war. No wonder Congress hesitated to make provision for such an Army after such a report as that. The only wonder is that any intelligent Congress could place implicit confidence in such a report. For my part, I do not place implicit confidence in bureau estimates. I have seen too many of them to place great reliance on them. It is said that the famous Dr. Johnson, when asked if he believed in the existence of ghosts, said: "Ghosts I do not believe in, because I have seen too many of them." [Laughter.] So, Mr. President, I say in regard to bureau estimates.

There have been many attempts to obtain returns of the survivors of the Mexican war from every State in this Union, and the returns which have been obtained by the associations concerned are as accurate as any returns can be in all probability in such a case; and what are these returns? That in the whole Union at this day there are not eleven thousand Mexican veterans alive. I need no report from any bureau to enlighten my mind on a point like this.

I cannot call the death-roll of the American Army that served in Mexico; but, sir, I can, and if the Senate permits me I will, call the death-roll of the general officers that served in that Army in Mexico: Scott, Taylor, Wool, Worth, Twiggs, Kearney, Quitman, Pillow, Pierce, Cushing, Cadwalader—all gone; all dead. I, the humblest of them all, am left to make this appeal to Congress—to make it with heart and voice—to do something; to do it speedily; to do it before they are all gone. Sir, if it is not done speedily, if it is deferred a few sessions longer, it will come too late; for then the favors of Congress will not come to cheer living men, but will fall on silent graves.

Sir, do not talk to me of those exaggerated estimates reported by the bureau. I can give figures of my own. One of the regiments of my brigade, a regiment from the State of my friend near me, [Mr. BUTLER,] when it landed in Mexico mustered eleven hundred gallant men. When the war was closed, when the city of Mexico was taken, that regiment mustered what? Two hundred and twenty-three men. Only two hundred and twenty-three men of that gallant regiment were left to carry the Palmetto flag back to the old State of South Carolina; and how many men of the two hundred and twenty-three are now left? Just eight. A delegate has come up from there to attend a meeting in Baltimore, and he is here to-day, and perhaps hears me now, and he tells me there are only eight men of that whole regiment now left alive. Sir, you may go over the States, and I have been over many of them, and of the men I knew in Mexico and who fought in the battles there, I cannot find one man living to-day out of every twenty or thirty. This illustrates the way Congress has been imposed upon.

Sir, I need not talk of the history of the Mexican war in this Senate. You are all familiar with it, although I must say that there is no history of that war that does even half justice. Neither need I talk of the army that conquered Mexico, but I can say in one word that no nation upon this globe need be ashamed of such an army. I say here to-day; I say it because it is due to that army; I say it because it is due to the American character, that no government ever sent an army into a foreign country better, braver, nobler than the army America sent to Mexico. Why, sir, from the first shot fired on the Rio Grande to the last shot fired at the city of Mexico, that army never suffered a single defeat, never lost a battle, never met a repulse, never surrendered a detachment, never even suffered an accidental disaster. Where can you find anything like that?

But some men may say: "You had only Mexicans to fight?" Yes, very true, we had only Mexicans to fight, and we had plenty of them to fight. But ask the soldiers of France, and they are as brave sol-

diers as can be found in Europe; ask them their experience of these despised Mexicans, and they will tell you frankly that in all Europe there is no peasantry that are less afraid of death than these very Mexicans. I ought perhaps to except the Irish and the Anglo-Saxons, and the Germans also; but I tell you the Mexicans stand killing as well as any people on God's earth, and they had plenty of it while we were there. [Laughter.]

Sir, if this Government ever undertakes to walk over Mexico again with the expectation of having the same result, they will find themselves much disappointed. I assure you that it is my opinion, without saying one word against the American Army now, that if the soldiers of the American Army were just such soldiers as first starved and then killed the Cheyennes on a recent occasion, they will never get to the halls of the Montezumas, except as prisoners of war. That is my honest opinion.

Sir, that little army that is now gone except a few broken remnants was as conspicuous for its humanity as for its distinguished bravery. I undertake to say here-to-day that Mexican life, Mexican property, family honor all over Mexico were as well protected during the American occupation as they had ever been before or have been since. I say further, and I say it on the honor of a man, that no army ever invaded a foreign country that committed so few offenses as the army that operated in Mexico, and I am not sure but that the men committed fewer offenses than the same number of men living in civil life now in the United States of America. If you ask me why, I will tell you. It was, first, discipline; and, second, not speaking of the commanding officers, who were the best America could furnish, (not including myself of course, but speaking of the rank and file,) they were simple, honest, brave, manly, generous, and humane. It is said there are about ten thousand of them still left, and I say here now, and I will thank any man to correct me if I am mistaken, that I do not think in all America you will find one of them in the penitentiary. They would die before they would commit a crime. Some of them may die in the poor-house, but you may take my word for it no soldier of this nation who fought in the battles of Mexico will ever die the inmate of an American penitentiary.

If the Senate will bear with me, I will justify the truth of this assertion by a reference, a brief reference, to the campaigns.

In the fall of 1846 a Missouri regiment nine hundred strong, under Colonel Doniphan, took its departure for Mexico. That regiment executed a march of some two thousand miles; deserts were crossed and arid plains; they passed through the *Jornada del Muerto*, the journey of the dead as it was called, passed the Rio Grande at El Paso, swept opposition of every kind before them, entered and captured the city of Chihuahua, and in all that march never committed a single crime, and never met with a single defeat. Ought men of that kind to be forgotten? Any government that forgets such men is not a government to encourage national heroism of any kind. But the public are better acquainted with what occurred on the Rio Grande. I can hardly find in history a spectacle more interesting and more romantic than my old friend, Zachary Taylor, "old Rough and Ready," standing there at the head of three or four thousand men confronting a whole nation of ten millions. That campaign commenced at Palo Alto and commenced brilliantly, and it ended at Buena Vista, and you all know it ended there in a blaze of glory. Sir, I reckon Buena Vista as one of those battles that will always stand foremost in history.

Then look at the other campaign beginning at Vera Cruz under Winfield Scott. The capture of that city is as splendid as any military achievement. The Gibraltar of Mexico was taken by a little American army, with a less loss of life on the part of the assailants than was ever suffered in any assault. This was owing to the skill and consummate genius of the commander, the excellence of our engineers, and the splendid management of American artillery at that time.

Then there was Cerro Gordo. I have some reminiscences of that which I shall not forget. There was a natural fortress defended by the Mexicans. That natural position perhaps is the strongest in Mexico itself. The strength of that position was great in itself, besides the strength of the Mexican army defending it, and they were nearly double the strength of the American army assailing it. It was considered an impregnable position. And yet Cerro Gordo was carried with such a small sacrifice of life that to military men of that day all over the world it was a matter of astonishment. Sir, in my humble opinion Cerro Gordo ranks with and is only second to the battle of New Orleans under old Andrew Jackson.

But I will not delay the Senate; I will not abuse its courtesy. On the 10th day of August, 1847, ten thousand men crossed the mountains and entered the romantic valley of Mexico. It was an adventurous movement. That army abandoned its communications, its supplies, its very possibility of re-enforcement. That was its condition, and yet isolated as it was, small in numbers as it was, it fought the battles and gained the victories of Contreras, Churubusco, Molino del Rey, Chapultepec, and on the 13th day of September, 1847, it found itself before the ramparts of Mexico; and how many men stood before those ramparts, all told? Six thousand six hundred men on the 13th day of September, 1847, crossed those ramparts, captured the city, a city containing two hundred thousand inhabitants, and defended by thirty thousand disciplined soldiers. Give me any other instance of the kind in history. Why, sir, the army was hardly suf-

ficient to police the city after they captured it. When I myself stand here and look back at that, it looks even to me more like fable than reality. I shall never forget the insignificant appearance we cut when we got into the great plaza of the City of Mexico. Happily, though, they thought we were only the advance guard of some tremendous army. I recollect an old English *militaire* who was there, and after he looked at the little band he said: "Is this the army?" "Yes." "Well," said he, "all I have to say is this, you Americans are not only the bravest people I ever heard of, but the most audacious people on God's earth to come here with such an army as that!"

Then, sir, think of the acquisitions that have been secured to this country by that army. They are not to be estimated now, they are not calculable at this time. The future only can estimate the value of the acquisitions accruing from that war, a territory sufficient to make an empire, certainly large enough for another independent country, with unsurpassed mineral wealth, mines of gold and silver that have changed the monetary condition of the world. Why, sir, Europe was struck with astonishment a year or two ago at the idea that this our territory acquired from Mexico was about to deluge the whole world with an inundation of silver. I wish to God the American Congress would turn a little stream of that flood in the direction of our Mexican war veterans. I am very sure we could stand under the deluge.

Now, sir, one advantage—not to speak of the harvest of glory which we foolishly thought we had reaped at that time, but a harvest, as I say, of real, substantial advantage—in addition to the territory and mineral wealth, is this, and future ages will consider it, and that is, the command of the great Pacific Ocean, the greatest ocean upon this globe, which will remain in our control "to the last syllable of recorded time," if this Republic shall last so long.

Sir, the remnant of that army, the army which did so much for this country, speak as it were through me to-day, hold up their hands in supplication to this body and this Congress and say, "Give us a little of that we helped to secure for our country; give us a small pittance before we leave the world; give us a pittance to help us on the downward path of life in our old age; give us something to assist us in our last days when we are marching to that field from which no warrior has ever yet returned victorious, and never will."

Sir, I thank the Senate for the kind attention which has been bestowed on me and for the courtesy of permitting me to make such a speech as this; and were it not that it might look like taking advantage of that courtesy, I would move now that the resolution be taken up and passed and sent to the committee, in order to have the bill reported speedily.

The VICE-PRESIDENT. The resolution will lie on the table. The Senate proceeds to the consideration of its unfinished business.

PUBLIC PROPERTY AT CINCINNATI.

Mr. DORSEY. I call for the regular order.

The VICE-PRESIDENT. The regular order is the unfinished business of yesterday.

Mr. MATTHEWS. The Senator from Arkansas, who has charge of the Post-Office appropriation bill, kindly gives way that I may ask the unanimous consent of the Senate to consider a joint resolution (S. R. No. 66) authorizing the sale of public property in Cincinnati.

Mr. DORSEY. I yield to it with the understanding that the resolution will lead to no debate.

Mr. MATTHEWS. It will not lead to any at all.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which authorizes the Secretary of the Treasury to contract for the sale and conveyance of the real estate and buildings owned by the United States situate on the southwest corner of Fourth and Vine streets, in the city of Cincinnati, Ohio, now used as a post-office and custom-house, and for other Government purposes, possession of the same to be given to the purchaser under such contract as soon as the new custom-house and post-office building, now in course of erection, shall be completed and ready for occupancy.

Mr. KERNAN. How is this property to be sold, at public auction or otherwise?

Mr. MATTHEWS. By private contract. The resolution does not specify, but simply authorizes the Secretary of the Treasury to dispose of it.

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

MILITARY LAND WARRANT LOCATIONS.

Mr. PLUMB. On the day before yesterday I gave notice that at this time I would move to suspend the present and all prior orders and take up the bill (S. No. 1035) to authorize the Secretary of the Interior to ascertain and certify the amount of land located with military warrants in the States described therein, and for other purposes. I cannot, of course, ask that that order shall be made to the displacement of the Post-Office appropriation bill, but I ask that when that bill is through with this shall be considered the unfinished business. I ask unanimous consent that that order shall be made.

Mr. DAVIS, of Illinois. That cannot be done.

Mr. DORSEY. I call for the regular order.

Mr. WINDOM. Was it understood that unanimous consent was given to the request of the Senator from Kansas, [Mr. PLUMB?]

Mr. DAVIS, of Illinois. Oh, no.

The VICE-PRESIDENT. The Chair did not understand that unanimous consent was asked.

Mr. PLUMB. I will then make a motion that when the Post-Office appropriation bill is disposed of—

Mr. WINDOM. I wish to object to unanimous consent being given if it was so understood.

The VICE-PRESIDENT. The Chair did not understand that unanimous consent was given.

Mr. PLUMB. I then give notice that when the Post-Office appropriation bill is concluded I shall move to take up the bill of which I gave notice at that time.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 6143) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes, the pending question being on the amendment of Mr. BAILEY to strike out "ten" and insert "five" in line 200 in the amendment reported by the Committee on Appropriations, so as to read:

For ocean steamship service between the United States and Brazil; and the Postmaster-General is authorized and directed, after due public advertisement, to contract for five years for carrying the mails, &c.

Mr. MAXEY. Mr. President, at the last session of Congress the pending measure was elaborately discussed on both sides. All the arguments that could be made, whether favoring or opposing the proposition, I apprehend were adduced. We have now the same Senate, substantially the same personnel, and I would not regard it as proper or very courteous to this body to repeat arguments which have once been made. I assume that the Senate of the United States has intelligence enough to comprehend an argument when it is once presented and that, therefore, it is not necessary to re-present the same argument.

The Senator from Connecticut [Mr. EATON] yesterday evening moved to reduce the length of this contract from ten years to three years. That was voted down by a decided majority of the Senate. The Senator from Tennessee [Mr. BAILEY] then moved to strike out "ten" and insert "five" years; and that is the pending question.

Mr. President, the argument presented in a single sentence of the Senator from Louisiana [Mr. EUSTIS] is conclusive against the proposition as presented by the Senator from Tennessee. It is true, as stated by the Senator from Louisiana, that if that amendment is adopted it strikes a grievous, if not a fatal, blow at the New Orleans line, if the Senator from Tennessee is correct in his construction of the law. It is true that the great, the opulent city of New York, sustained, as it is, by the commerce of the entire United States and with a line already established, might sustain that line under the amendment of the Senator from Tennessee limiting the contract to five years, but it is also true that, where the trade will have to be built up by a new line, as the one from New Orleans, it will cost a vast amount of money; the contractor will be doing a losing business until that trade is established; and, therefore, the shorter the length of time for which the contract runs, the less disposed will be men to undertake the contract who have the financial ability to fulfill it. That is a business proposition which will strike every man of business capacity instantly as unanswerable.

But, I would say further, the people of the North and of the East come forward with their proposition, their line, to benefit the manufacturing and commercial North and East and a southern line to benefit the agricultural South and West. The South is in a large measure paralyzed in her industries, without any large amount of property, and certainly not a great deal of money capital. Others having the capital are willing to establish that line and take the chances. Now, sir, if this southern line is so hampered that men of capital, men of business, will not undertake to run it upon a short contract, the inevitable effect will be that we shall lose the line entirely. So it will result in this, that those who ought to befriend the South, those who ought to befriend the West, those who are willing to befriend the West and South by the building up of this line, are striking a grievous blow at the very object which they say they desire to accomplish by this reduction in the duration of the contract. It is far more important to the New Orleans line to have the time ten years than it is to the New York line.

But, again, it was repeated more than once yesterday that there is a detour from New Orleans around to Galveston, and that there is no reason for that. Why, Mr. President, who cannot understand a question of that kind? It was said that there is not sufficient water upon the bar of Galveston to permit a vessel of three thousand tons burden to cross the bar and, therefore, this detour of a few hours from New Orleans to Galveston would interfere. Why, Mr. President, if we were endeavoring to establish a lightning express postal line from New Orleans to Brazil, having no other object than carrying the mail, there would be some reason in this; and there would in that event be no need of a ship of heavy tonnage. A very light, swift-running vessel would answer. But when everybody knows that the real purpose is the commercial advantages to be derived, first having the constitutional power, which is not denied, to establish the line because it is a post-route, a route over the public highway of nations, then all the incidental advantages flowing from that we want, and

the great benefit of this line is the commercial advantages; and what, I ask, is the loss of a few hours where it gives the benefits of this trade which we desire to open up to such a vast country as Texas and all the magnificent country lying north of it, up to and including the State of Nebraska, whose nearest and best outlet to the Brazilian market is through the port of Galveston? The gentlemen who thus argue lose sight entirely of the great commercial advantages to result from the establishment of this line and confine themselves exclusively to their view of a postal line. If that be the sole object of it, then it would be better not to establish the line at all, but to let the mails go, as it is said they now go for some \$1,200 a year, to Brazil on foreign bottoms. The argument is short and fails to reach the purpose which every friend of this bill has in view.

But I have heard another argument, and it has been repeated and iterated and reiterated in this Senate Chamber until every one here understands it. This, they say, is the bill of John Roach. The impression they intend to convey seems to be that those who support this bill are desiring to foster, uphold, and encourage a single individual at the expense of the American people; and, it is said, that John Roach is the only man who can contract for and carry on the lines which we propose to establish. He has been arraigned in the Senate for the "high crime and misdemeanor" of being the only man in America who is able and willing to build a ship bearing three thousand tons burden, made of iron, with all the modern appliances, and suited to be converted in time of war into a naval vessel, or converted to the use of the United States for war purposes, and which can make thirteen knots an hour. That is the high crime that this man is guilty of; that of all the men in the United States, of this population of forty-five million people, it turns out that there is but one man in this Union who has the nerve, the courage, the ability, and the will to build a first-class steamship! That is the high crime and misdemeanor which this man is guilty of—that a mechanic who has passed all others in the great race for success should dare to come here and ask the Congress of the United States to encourage this great American industry of ship-building. What a proposition! It is the argument *ad hominem*, and is unworthy further reply.

But another position is that a route of this kind will cost money; that it will take money out of the pockets of the people; that it will divert the hard earnings of the people to this enterprise. Why, Mr. President, every appropriation bill that comes to this body putting money out for any purpose whatever, takes money out of the pockets of the people. A wise man when he goes to make an investment looks to see if that investment will prove profitable. If he thinks so, he is willing to make the investment, whether it be large or small; but if it will in his judgment be unprofitable, then he is unwilling to make it, and if this will result, as the friends of this bill believe it will result, in fostering and encouraging all the great industries of this country, in putting the life-blood into the paralyzed industries of this country, then it will be money well spent, and the people, the tax-paying people of the United States, will reap the fruits and benefits of this measure. So that that appeal *ad captandum* will weigh nothing. But with skill and ingenuity, such as possibly might win in some court-house, the effort is made here to throw a bomb-shell among the friends of this bill and make the point that Galveston shall be left out. Who does not understand that? In the carrying out of that position the remark was made here:

I know that these claims come with local force. I can read in this Chamber, in the votes that are cast, just the effect of local pressure in favor of local interests.

Mr. President, this Senate Chamber is filled with ambassadors of sovereign States, and in our united capacity we represent the general interest, the general welfare of this whole country; but these ambassadors were taken from the several States for a wise purpose, and it is their bounden duty to see to it that the local interests of the respective States represented by them should not be overslaughed. It is true, sir, that local interests are subserved. There is no question but those who vote for this bill believe that at the same time it will result in the general welfare of the whole country. Starting out with that proposition, it is legitimate that they should look to see what will be the local and special effect on their own constituents. It is a reasonable answer, and is undoubtedly true, that those from the North and East who vote for this bill believe that it will aid in building up their commercial and manufacturing interests, and those from the South and West believe that it will aid in building up their agricultural interests; and it is unquestionably true that when you commence at New York and pass around to Norfolk, then to New Orleans, and thence to Galveston, you do embrace various distinct interests, all of which will be benefited by this movement; but all these various distinct interests aggregate largely the general welfare of this whole country. I ask those who made the argument yesterday to strike Galveston out, suppose the Senate should strike Galveston out, would they vote for the bill? No, sir, not one of them. Suppose that you were to strike New York out, would they vote for the bill? No, sir. Norfolk out? No, sir. New Orleans? No, sir. These arguments are made by men who are opposed to the whole bill, and the purpose of the argument was simply to throw a bomb-shell among the friends of the bill and cause them to divide.

But this measure has passed through the searching scrutiny of three different committees, two committees of this body and one committee of the other House; and, after the most thorough and exhaustive investigation of the subject, all these committees concur that that

great country called the "New West," that great country called Texas, the Indian Territory, Kansas, West Missouri, Nebraska, and Western Iowa, will be benefited by giving them an air-line route to the Gulf, their nearest point being at Galveston, and thence to the commerce of the world, and that measures now in course will, at no distant day, bring water enough to bring large-sized vessels into Galveston Harbor. But one Senator says there are only about twelve and one-half feet of water there and, therefore, Galveston should not be a point. Who does not know that there were at Galveston Harbor two bars across it, separating the harbor from the outer sea, and that, by the process of improvement which is now going on, the engineers have cut down the inner bar, which had but eleven and one-half feet of water on it to start upon, until now more than twenty feet flow over it. They have shown the skill and ingenuity of the engineer on that bar, and now there flows over that bar, as stated, more than twenty feet of water. You pass then to the other bar. Now, having accomplished their purpose on the inner bar, the engineers have directed their attention to the outer bar. The appropriations of this Congress go now not to the inner, but the outer bar, and it is confidently stated by the engineers in charge that the same results will be obtained on the outer bar as were on the inner bar; and there having been originally but eleven and one-half feet of water on the inner bar, and a like amount, or near it, on the outer bar, this outer bar will be reduced so that twenty feet or more of water will flow over it. It was not expected that a three-thousand-ton vessel could at this time get into Galveston Harbor, but this is a contract covering ten years. In the mean time, it was established by proof before the committees that there is outside of Galveston Harbor a roadstead, capable of floating the navies of the world, with a depth of water sufficient for any vessel, and in which no vessel has foundered for more than thirty years, and we are carrying our produce to Europe now from Galveston from that roadstead, carrying it over that bar by lighters, and from the lighters put it into the vessels. That is a mere question of a very few hours transfer from the lighter into the vessel lying out there, merely stopping or touching, as the expression is in the bill, to load her as we load vessels all through the year, and have been doing so for thirty years, and these lighters loaded and going out into the roadstead at a specified hour fixed for the arrival of the steamer, will be then ready to steam right alongside of the vessel and transfer their load from the lighter into the vessel. So there need be no stoppage of any consequence on that account; and thus it will continue until the outer bar is removed, and I have no doubt whatever, from the report of Major Howell and Captain Davis, indorsed by General Humphreys, that it will be as successfully done on the outer bar as it has been on the inner bar; and in a few years we shall be able to carry first-class steam-vessels of almost any size inside the Galveston Bar. It is because the Senate and because Congress believe that, that appropriations are made annually for the purpose of removing these obstructions.

But, it is said, this breaks down the trade of Baltimore. That argument, made to my astonishment by the Senator from Maryland so often, almost every day for a long time, was repeated yesterday by the Senator from Tennessee that it interferes with Baltimore. Why, Mr. President, does not every one know who has any knowledge of legislation, of the grand duties devolving upon Congress, that it sometimes happens that a local and special interest must yield to the general good, and the very same argument which was made by the Senator from Maryland and the Senator from Tennessee, that we should interfere with the little sail-vessels, not one of which carries five hundred tons, now plying between Baltimore and Rio, that we should not establish this steamship line because it interferes with them—the same argument precisely would have kept every steamboat out of the rivers of this country, because the flatboats were there before the steamboats; it would have kept every steamship off the high seas of nations, because sail-vessels were there before steamships?

The same argument which would prevent this great American people from becoming a competitor, a rival, with the nations of the earth for the trade upon the high seas, would not only have kept the steamboats out of rivers and lakes and steamships off the ocean, but would have limited down internal improvements here to the dirt road and the wagon, because they were there before the stages were there, and they were there before railroads were there. Sir, the argument will not do; it has no weight in it. As to these little vessels that go from Baltimore to Rio, the argument on that point answers itself. It is said on the one side that we object to putting on this line of steamers because it will drive out those vessels, and in the very next breath I see it stated by the papers of that city which are so earnest in the support of the Baltimore vessels, that they can carry their flour to Brazil and bring their coffee back cheaper in sail-vessels than it can be done by steamships and that it does not interfere or injure in any way whatever coffee to bring it back by sail and therefore these steamers cannot interfere. Well, Mr. President, if that be so, Baltimore has no cause of complaint. If they do interfere, it is because the general welfare, the great trade of this country, is paramount and superior in interest with the American Congress to the local and special trade of any one place; and if this measure does not interfere they have no cause of complaint. Either horn leaves them without argument.

Now, Mr. President, I ask the friends of this bill to remember that

all the effort which was made and repeated here to strike at Galveston was simply to throw a bomb-shell to alarm the Senators from Texas, from Kansas, from Missouri, from Iowa, and from Nebraska, who are deeply interested in the Galveston end, into voting against this bill if they could strike this point out, and thus by dividing the friends of the bill to defeat it in that way. That was the object, and it was sought by men who were not more in favor of establishing a route from New Orleans than they are one from Galveston. They are opposed to establishing it anywhere on any part of the ground, and therefore it is better for the friends of the bill to stand together and do it boldly, according to the report of the committee.

But, sir, it is said that local interests are subserved. That is true. While I never would vote for any measure which would subordinate the general good to local interests, yet when I see a great measure like this which in my judgment will do so much toward reviving the drooping industries of this country, and operate to the interests of my people, I will support it though taunts may be thrown out about John Roach, which is a mere *argumentum ad hominem* unworthy of the Senate of the United States. Notwithstanding all these taunts and the talk of taking money out of the pockets of the people, I will stand true to my people, nor will it ever be said of me by the people of Texas that I have abandoned their interests. It will never be said of me by the people of Texas—

How sharper than a serpent's tooth it is
To have a thankless child!

I will stand by their interests, not because their interests alone are concerned, but because they are in perfect accord with the general interests of this country. When I see such a disposition shown here as has been shown, to have the city of New Orleans, plague stricken as it was with the loss of thousands and hundreds of thousands of dollars in the late epidemic that swept fatally over that city, pleading to Congress in its aid, I, southern born and southern reared, will never say to that city "I refuse to help you." I have never known an instance where any portion of this country was concerned that I failed to do what I believed to be both right and proper for the advancement of the country, and in the Southern States where they need so much more help than the Northern States, never have I failed to stand by any one of them from Virginia to the Gulf.

I do not care to go into a general discussion of this question, but while I believe that I will be as true to the general welfare of this whole country as any man in it, I was born and reared in a country which will be greatly benefited by the measure. I will therefore stand by their interests, and I can say to them—

Whither thou goest, I will go; and where thou lodgest, I will lodge: thy people shall be my people, and thy God my God: Where thou diest, will I die, and there will I be buried.

Mr. COKE. Mr. President, I yield to no man in a desire to increase and improve our commerce with Brazil and the country lying south of the United States on this continent, and am a friend of this bill, but desire amendments which shall put it in a shape which will commend it to the good judgment of the country. I will vote for the amendment now proposed reducing the term of the contract from ten to five years. It is asserted, and not denied, that John Roach is the only man in the United States who can make the contract provided for by the bill, because he is the only man who owns American-built ships of the character required. I hope to see before five years our legislation so modified that an American citizen may buy a ship wherever he can do so cheapest, and do not wish, as will be done, if this amendment is not passed, to perpetuate longer than is absolutely necessary the monopoly created by this bill. Again, the amount of subsidy proposed to be paid by this bill for the ten years will be \$390,000 per annum, or \$3,900,000 for the whole term—a large amount of money. At the end of five years there may be, and doubtless will be, more than one person in the United States who will own the requisite ships, and under the operation of competition a reletting of the contract would give the Government an opportunity to procure a performance of the same service for less money.

I do not believe it a good business transaction to make a contract for ten years when within five years changed conditions may place it in the power of the Government to make a much better.

I desire, Mr. President, to see another feature in this bill changed, and unless this particular one is so changed I cannot vote for the bill. As it now stands the bill requires the two lines contracted for simultaneously, but imposes no forfeiture or penalty if either one of the lines should be abandoned. Now it has been asserted repeatedly and not denied in this debate that the line from Galveston and New Orleans will not pay and must be run at a loss until commerce is built up between those points and Rio. The amount of the subsidy has been fixed with reference to that fact, and I desire to see the bill amended (and an amendment for that purpose will be proposed as soon as the pending amendment is disposed of) so that no part of the subsidy shall be paid unless both lines are not only contracted for, but actually run in accordance with the contract. The southern line must be made as absolutely certain as the northern line before I will support the bill; that done, I will support it. The bill as it now stands and is being supported has no guarantee for the southern line, and I hope that no obstacle will be interposed to its amendment in this regard. I hope, Mr. President, that the pending amendment reducing the term of the contract from ten to five years will be adopted. The bill which passed the Senate at the last session of Congress and

was defeated in the House provided for a contract of only five years' duration. It then seemed satisfactory, and I know of no change which has occurred since necessitating a longer term for the contract.

Mr. DORSEY. Mr. President, the intention of the committee which reported this bill was that this amendment should provide for a line of steamships not only from New York, but one from New Orleans. If the language of the bill is not sufficiently clear that those two lines shall be established and maintained after they are established, any amendment which the Senator has to suggest to improve the language of the committee, I am sure I am willing to accept. As to the amendment proposed by the Senator from Tennessee [Mr. BAILEY] last night intertwining the contract so that if one line failed the other should, I am entirely willing to embody it in this bill. The interest of the country in which I reside is solely in the New Orleans line, and if by any means that line be permitted to fail and the line from New York to continue the main object of the bill will not be accomplished. The amendment of the Senator from Tennessee, he thinks, is better than what the committee propose in that connection, and I am entirely willing to accept it so far as that goes, but not in regard to five years as the term of the contract. I do not believe that the service can be put on from New Orleans to Rio if the term of the contract is limited to five years. It requires too great an outlay of money for anybody to undertake the contract for such a limited period. I hope that the amendment reducing the term to five years will be voted down.

Mr. COKE. I ask the Senator, with his permission, if the bill which passed at the last session did not provide for a contract for only five years?

Mr. DORSEY. I believe it did, but I do not know that that in any way affects the strength of my argument. Now, I hope that we can have a vote upon this amendment.

The PRESIDING OFFICER. (Mr. ROLLINS in the chair.) The question is on the amendment proposed by the Senator from Tennessee [Mr. BAILEY] to the amendment of the committee.

Mr. COCKRELL. Let it be reported.

The PRESIDING OFFICER. The amendment to the amendment will be reported.

The SECRETARY. In line 200 it is proposed to strike out "ten" before "years" and insert "five;" so as to read:

To contract for five years for carrying the mails, once each month, commencing not later than July, 1879, &c.

Mr. DORSEY. I ask for the consideration of the first amendment of the Senator from Tennessee, which is an entirely different matter.

The PRESIDING OFFICER. This is the only amendment offered by the Senator from Tennessee.

Mr. BAILEY. This amendment was offered yesterday afternoon, and is the pending amendment.

Mr. DORSEY. Then I ask for the yeas and nays on the amendment, and I hope it will be voted down.

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

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "nay."

Mr. McCREERY, (when his name was called.) I will say once for all that I am paired on all these questions arising in the consideration of this bill with the Senator from Virginia, [Mr. JOHNSTON.] He favors the subsidy and I am opposed to it.

Mr. MITCHELL, (when his name was called.) On this question for the time being I am paired with the honorable Senator from Illinois, [Mr. DAVIS.] If he were here, he would vote "yea" and I should vote "nay."

Mr. WINDOM, (when his name was called.) On this question I am paired with the Senator from West Virginia, [Mr. DAVIS.] If he were here, he would vote "yea" and I should vote "nay."

Mr. WHYTE, (after having voted "yea.") I agreed to pair with the Senator from California [Mr. SARGENT] early this morning, in case he found it necessary to leave the Chamber. I observe he is absent, and therefore I withdraw my vote. Were he here, he would vote "nay" and I should vote "yea."

The roll-call having been concluded, the result was announced—yeas 25, nays 31; as follows:

YEAS—25.

| | | | |
|------------------|-----------|------------|------------|
| Bayley, | Grover, | McPherson, | Saulsbury, |
| Bayard, | Harris, | Merrimon, | Teller, |
| Beck, | Hereford, | Morgan, | Voorhees, |
| Booth, | Howe, | Morrill, | Wadleigh. |
| Cameron of Wis., | Kernan, | Oglesby, | |
| Coke, | McDonald, | Randolph, | |
| Eaton, | McMillan, | Ransom, | |

NAYS—31.

| | | | |
|-----------------|-----------|-----------|------------|
| Allison, | Conkling, | Hoar, | Patterson, |
| Anthony, | Conover, | Ingalls, | Plumb, |
| Barnum, | Dawes, | Kellogg, | Rollins, |
| Blaine, | Dorsey, | Kirkwood, | Sanders, |
| Bruce, | Eustis, | Lamar, | Shields, |
| Burnside, | Garland, | Matthews, | Spencer, |
| Butler, | Hamlin, | Maxey, | Withers. |
| Cameron of Pa., | Hill, | Paddock, | |

ABSENT—19.

| | | | |
|--------------------|-------------------|------------------|----------|
| Chaffee, | Edmunds, | Jones of Nevada, | Thurman, |
| Cockrell, | Ferry, | McCreery, | Wallace, |
| Davis of Illinois, | Gordon, | Mitchell, | Whyte, |
| Davis of W. Va., | Johnston, | Sargent, | Windom. |
| Dennis, | Jones of Florida, | Sharon, | |

So the amendment to the amendment was rejected.

Mr. EATON. I move to amend the clause in the two hundred and eighth and two hundred and ninth lines by striking out the words "American built and owned" and inserting after the word "steamships" the words "owned, commanded, and manned by citizens of the United States;" so as to make it read:

First-class iron screw-steamships owned, commanded, and manned by citizens of the United States, of not less than three thousand tons.

Mr. BLAINE. What is the effect of that amendment?

Mr. EATON. I will state the effect of the amendment as it strikes me. If I have, or the honorable Senator from Maine has, a first-class iron screw-steamship of three thousand tons burden we can put it in the water, if it is now in dry-dock, and we can officer it with Americans, man it by Americans, and contest with John Roach, who seems to be the great scare on this floor, in the taking of this contract. That is precisely what I mean by it.

Mr. SPENCER. If the Senator from Connecticut will allow me to interrupt him, I suppose he means ships with American registers.

Mr. EATON. It is a matter of very little consequence what I mean by it, but the matter is of a great deal of consequence what it means, and every Senator will judge for himself.

A good deal has been said by my friend from Kentucky [Mr. BECK] and certain other gentlemen on the floor that this was a subsidy for John Roach. Let us look at it one moment. Who can contest with John Roach? The Pacific Mail Company have eight steamers of three thousand tons burden and more; the Philadelphia and Liverpool line have five steamers; the Garrison line have three steamers; the Clyde line have three steamers; and Mr. Roach has two steamers for each line. These are all American-built steamers. Here are nineteen American-built steamers now owned by Americans that may, if they please, enter into competition with Mr. Roach.

Mr. BLAINE. Of course. Does not the bill permit it?

Mr. EATON. Of course; but taking the argument made yesterday by the Senator from Kentucky one would suppose that there was nothing more than a scow that could compete with John Roach, and therefore he has been held up here as a scarecrow. It is not right nor proper that it should be so. Here are nineteen American-built iron steamships that may compete with Mr. Roach; and if my amendment passes there are fifteen hundred ships that can compete with John Roach. There are four for sale now of the very best steamers in the water, equal to any steamers ever built upon the Clyde, equal to anything that was ever called a Cunarder. I want those steamers to enter into this competition. I see no reason why they should not have the right. That is the reason why I desire the adoption of my amendment. I am in favor of this measure if I can get it, to use a common expression, licked into a respectable shape.

Mr. CONKLING. Will the Senator be good enough to state his amendment?

Mr. EATON. I move to strike out, in lines 208 and 209, the words "American built and owned," and after the word "steamships" to insert the words "owned, commanded, and manned by citizens of the United States."

Mr. BLAINE. You leave out "American built" so as to bring in vessels built elsewhere.

Mr. EATON. I do leave out the words "American built;" there is no question about that. In my amendment I strike out the words "American built and owned;" I insert "American owned" in another place; so as to read:

Of first-class iron screw-steamships, owned, commanded, and manned by citizens of the United States of not less than three thousand tons.

Mr. BLAINE. If the honorable Senator from Connecticut is so particular that they should be manned by Americans, why does he disregard all idea of having them built by Americans? In other words, if he thinks it is just as well to take a ship built by foreign mechanics, why is it not just as well to have it sailed by foreign sailors? Where is the exact point that the shoe pinches the commercial conscience of my friend in that regard?

Mr. EATON. My commercial conscience is not pinched at all in this matter, and the shoe does not pinch me anywhere. It is the commercial conscience of the honorable Senator from Maine that is being pinched, not mine. I say this in reply: I believe, I have a right to believe, that there can be bought to-day for 50 per cent. of what it would cost the honorable Senator from Maine or John Roach, either of them, to build an iron screw-steamship of three thousand tons burden. One can be bought to-day for one-half of what it would cost either of those gentlemen to build such a steamship. That is why I desire that the commercial men of the country should have the right to buy ships and put them upon this great line to compete with Mr. Roach or Mr. BLAINE or anybody else who may have some ships.

Mr. DAWES. Is an amendment to this amendment in order?

The PRESIDING OFFICER. (Mr. INGALLS in the chair.) It is not in order at this time. The Chair understands an amendment in the second degree to be pending.

Mr. DORSEY. Mr. President, I should like to ask the Senator from Connecticut to what ships he alludes when he says that any citizen of the United States ought to be permitted to buy ships. Does he mean that they ought to be permitted to buy French ships, or English ships, or German ships and bring them over here and bid on this contract as against American-built ships?

Mr. EATON. Beyond question I do. I mean just that.
Mr. DORSEY. Then we understand the amendment, and I think we ought to vote it down.

Mr. EATON. The amendment cannot mean anything else, if I am not more stupid than usual; and it strikes me that this language is easily understood by anybody.

Mr. BLAINE. Nobody will ever accuse the honorable Senator of lacking acuteness, but still I have not got a satisfactory answer to my question why at the point of sailing ships he becomes exclusive, and will not admit anybody who is not an American citizen to be an officer or sailor on board? Wherein, I say, does the Senator draw the distinction? If we are going to encourage American commerce, let us begin at the beginning. The Senator says let us invite everybody to come in with ships, no matter where they are built, but after they are in do not let a single man tread the deck that cannot show either by birth or naturalization that he is an American citizen.

Mr. EATON. My friend wants an answer to that?

Mr. BLAINE. Yes, I do.

Mr. EATON. There is a very amusing answer that old ladies sometimes give, which generally ends the discussion, and that is "cause;" but I will go further in my answer. While I will give an American the right to buy ships where he chooses, and compete for this great commercial line, I prefer that they should be officered, commanded, and manned by American citizens. I prefer that the flag of the country should float over the people born here or naturalized by the laws of this country. I want such a ship to be regarded as eminently an American craft.

Mr. BLAINE. An American craft built abroad by English or Germans?

Mr. EATON. I thought the honorable Senator from Maine was answered sufficiently the other day on that matter.

Mr. BLAINE. I was not answered at all.

Mr. EATON. He was not. It is difficult to answer my friend to satisfy him. The most brilliant battles that ever have been won under the flag of the United States on water were won by men on a foreign-built ship. I have yet to learn that when my friend from Massachusetts [Mr. HOAR] buys a craft built on the Clyde, pays good American gold for the craft, brings it here, and it is registered here by our laws—if they should be altered so that it may be done, and I hope they may—that that is not an American vessel any more than the coat which my friend wears is not an American coat although the cloth was made in England or France. I desire this provision to be made because I want competition. I desire it because I want this line established. If I can buy a ship for \$300,000 that John Roach or the honorable Senator from Maine cannot build for less than \$600,000, I can compete with them; I can carry the mail from here to Rio de Janeiro for \$5 a mile instead of \$30 a mile.

Mr. HOAR. The Senator from Connecticut has used me for an illustration. I should like to say to him that I do not comprehend his answer to the Senator from Maine; and I will ask him to permit me to put the question in my way.

Mr. EATON. Certainly.

Mr. HOAR. Why is it that the Senator desires that this Government should expend this large sum of money to develop the skill of American citizens in commanding and navigating ships, and therefore requires that the commanders and sailors shall be American citizens, and does not desire by the same act to develop the skill of American citizens in constructing ships? What is the difference in principle?

Mr. EATON. That is a pretty long question.

Mr. HOAR. It is not very long.

Mr. BLAINE. It is a bothersome one, though.

Mr. EATON. It is a pretty long question. One would suppose by the question put by the honorable Senator from Maine, and now reiterated in different language by my honorable friend from Massachusetts, that all there was to this proposition was simply and nothing else in the world except to give American ingenuity a chance to build a scow or a steamship. That is not the object of my amendment. The object is far greater than that. The object is in the first place to make a postal line so that our letters may be carried from here to Rio de Janeiro and Pernambuco without going all around the world. The next great object is that we may take from our rival, old England, thirty or forty million dollars' worth of trade every year. That is the great object, and not where the steamers may be built.

Mr. DAWES. Does the Senator recognize any part of the object to be the carrying of the millions' worth of products that are manufactured in his own State into a new market which are manufactured in his own State, under the policy upon which he makes war by the suggestion that he should buy these ships where he happens at this moment to be able to buy them the cheapest? Under the policy upon which he is now making war the State of Connecticut has grown up to be able to supply the market of Brazil with millions of dollars' worth of manufactures within her own borders, and by her own men, and by her own capital. This very difference, as my colleague and the Senator from Maine have said, between the policy which prevails and the one he maintains, has enabled his constituents with their capital to build up manufactures, and will enable his constituents and those of the Senator from Maine to build ships in the same way.

Mr. EATON. I do not know whether that is a question or an argument.

Mr. DAWES. It deserves an answer from the Senator from Con-

necticut. The Senator from Connecticut should be clear and distinct to his constituents and mine, whether the policy which he proposes is one that will strike down the capital, and the manufactures, and the products of those States in the pretense that we are opening a new market to them.

Mr. EATON. My friend went off in a hurry this last time. If he had waited one moment he would have been satisfied as well as I am able to satisfy him. I said it was either an argument or a question, I could not tell which. It was a little too long for one and a little too short for the other. I do not propose to be drawn into the question of tariff, into the question of protection to a new industry, into the question of whether Connecticut manufactures have been built up by a protective system or not. I am not going to be drawn into a discussion of that character to-day. Whenever it becomes necessary, I shall doubtless do my best in my feeble way to make such answers as may be deemed best by myself.

Mr. DAWES. The Senator would be a little more clear if he would try to answer the question now. If the Senator would embrace the opportunity of his amendment to explain his policy, it would be more satisfactory to those he calls upon to support it. He calls upon us to support his amendment, and gives notice that on some other occasion he will explain it.

Mr. EATON. I have explained it.

Mr. DAWES. I suggest to the Senator that when he is called upon to explain the difference between his amendment and the policy which strikes at the very prosperity of his own State and mine, it is hardly a fair answer to say that on some other occasion he will endeavor to explain it.

Mr. EATON. I doubtless, in discussing this question, shall discuss it in my own way. If it does not happen to suit my honorable friend from Massachusetts that I do not choose to go into a full discussion of the tariff question upon this matter of steamships I cannot help it. He understands precisely what my amendment is. If he likes it he will vote for it; if he dislikes it he will vote against it. I am prepared myself to go that far, no matter what the manufacturers of Connecticut and Massachusetts are doing to-day; no matter under what system they may have grown up; no matter whether we can undersell Great Britain in her markets in some of our hardware or not. That is not the question now. The question is, how shall we maintain the great industries of the country to-day; how shall we now establish a great line of steamers between New York and Rio de Janeiro, and between New Orleans and Rio de Janeiro, so that we may take out ourselves that forty or fifty million dollars in trade which the honorable Senator from Maine was speaking about the other day? It is a great object, an object that commands my respect, an object that if this bill should be amended, as I believe it ought to be, will command my support. I desire to see the whole country, North and South, the manufacturers of New England, the grain-growers of the West, the manufacturers of the West, have a market. It is a burning shame to us, a burning shame to Massachusetts and Connecticut, that to-day out of two million dollars' worth of boots and shoes and hats consumed in Brazil ten thousand dollars' worth are made in the United States; and here my friend is quarreling with me because I will not go into an argument with regard to the policy heretofore adopted in this country upon the manufacturers of Maine, or Massachusetts, or Connecticut.

No, Mr. President, I will not be drawn into a discussion of that tariff matter at all. Let us do our duty now. It is a shame that Ohio and Illinois and Indiana and the great grain-growing sections of the Middle and Western States do not sell half the flour that is sold in Brazil. Old England sells the flour, the cheese, the butter, instead of our farms, and our butter and cheese producing factories furnishing these articles.

Mr. BLAINE. Will my friend permit me to interrupt him exactly on the point he is discussing?

Mr. EATON. Why, certainly.

Mr. BLAINE. I want to ask my friend if he has ever thought of this, that a steamship at sea keeps more men busy on land than are required to navigate her; that the building and maintaining a ship gives more labor on land than it does on the water?

Mr. EATON. It gives twenty times as much; and I will go to the Clyde and buy the ship, and while a hundred Americans are navigating her let us keep two or three or four thousand Americans busy at home because of the increased trade, and they will be at work at home while the American ship is sailing on and plunging the waters of the ocean.

Mr. BLAINE. The Senator says he would go to the Clyde and keep the English laborers busy and the Scotch laborers busy. He proposes to make a fair divide of it. The men who shall sail the ship shall be Americans, but the men who build her and who are capable only of repairing her, if you keep the ships on that side only, shall be those abroad. I am willing possibly under certain circumstances to divide evenly and squarely, but my friend gives a good deal the largest half to the other side. If you apply that to this particular case and the amendment should prevail, what would happen? British ships lying in New York Harbor to-day, whose owners sent the memorial that the honorable Senator from Delaware presented here last year, would discharge their British crews, ship an American crew, haul down the Union Jack and put up the Stripes and Stars, and there are your men. They are doing your business for you, every particle of it on English capital, every particle of the profit going into English

hands, and it would be an absolute abnegation of all aspiration on the part of the American commercial marine to control anything or to attain anything.

Mr. EATON. What does the honorable Senator mean by this?

Mr. BLAINE. He means just what he says.

Mr. EATON. Then he says what, reading my amendment, he has no business to say at all. It does not become him to say it. The amendment provides that the ships shall be owned and manned and commanded by Americans, and the Senator from Maine says that under my amendment all this will go into English pockets. What does he mean by an assertion of that character? Does he mean to say that I myself am guilty of a falsehood in this amendment? I say that my amendment is that Americans as good as I am, as good as the Senator from Maine, can become the owners of these ships; if any money is made they make the money, and if money is lost they lose the money.

Mr. BLAINE. I know that the honorable Senator does not mean to misrepresent anything; I know his character for frankness too well to intimate that; but I do mean to say that under his amendment there would be all sorts of fraudulent registries. There are to-day. You cannot tell by any form of investigation who may be the owners. All you know is that the registry is in the name of John Smith, American citizen. Who is back of John Smith, who pays the cost of that enterprise and reaps the profit, is past finding out, even by the ingenious and clever powers of my friend from Connecticut.

Mr. EATON. Very well. How much better off are you now? How do you know whether John Roach owns one of his steamships or not? How do you know that his steamers are not owned by an English house and controlled by English capital, and that John Roach is not merely put forward with his name as an American?

Mr. BLAINE. If the honorable Senator will permit me, I will state what I know. I never mentioned John Roach's name, but I know the ship attributed to John Roach was built by American mechanics; it was built of American iron; it had American wood and glass and every other article put into it. It was built on American soil. It was built in a yard that has paid \$15,000,000 of wages to American mechanics within the last eight years. That \$15,000,000 by the policy advocated by my friend from Connecticut would have been paid in foreign yards to foreign mechanics. That is what I know.

Mr. EATON. That is all very well. The Senator may know that.

Mr. BLAINE. I do know it.

Mr. EATON. But after all the Senator does not know who owns the ship.

Mr. BLAINE. I do not care; I know that American mechanics got the profit of building her.

Mr. EATON. Then the gentleman does not care how much a man commits falsehood when he says he owns the ship; he does not care how often fraud is perpetrated.

Mr. BLAINE. Does my friend mean that possibly an English owner owns the ship?

Mr. EATON. I do not know, nor does the Senator.

Mr. BLAINE. My friend has been telling us how much cheaper we could get ships abroad, and now he says possibly some Englishman has been behind John Roach in building this ship at an enormously advanced cost. That is a very likely story! Does my friend suspect in the inmost recesses of his heart that any other than an American owner has one dollar staked in a John Roach ship?

Mr. EATON. It is not necessary that I should state what my opinion is. I simply was taking the club of the gentleman from Maine to beat his own brains out with when he says that everybody is guilty of fraud. That you cannot tell; that nobody can tell; that when a man says he is the owner of a vessel there is so much fraud nowadays and these custom-house oaths are of so little consequence you cannot tell who the owner is, although A B says that he is; it may belong to somebody else.

This amendment stands upon its merits or its demerits; have it any way you please. All I ask is a vote upon it. I want to see this line established, and if we can get a ship that will cost \$300,000, which I trust will live and last long enough in the water to carry one hundred million dollars' worth of American goods and manufactures and the products of the earth to our Brazilian friends, I shall not stop to inquire where the \$300,000 came from that built the ship. I desire to have the benefit of the line that shall be established.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut to the amendment of the committee.

Mr. DORSEY. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. JONES, of Florida. Let the amendment to the amendment be reported.

The PRESIDING OFFICER. The amendment will be again reported by the Secretary.

The SECRETARY. It is proposed, in lines 208 and 209, to strike out the words "American built and owned," and after the word "steamships" to insert "owned, commanded, and manned by citizens of the United States;" so as to read:

Of first-class iron screw-steamships owned, commanded, and manned by citizens of the United States.

The Secretary proceeded to call the roll.

Mr. HEREFORD, (when the name of Mr. DAVIS, of West Virginia, was called.) My colleague [Mr. DAVIS] is paired with the Senator

from Minnesota, [Mr. WINDOM.] If my colleague were here, he would vote "yea."

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "nay."

Mr. MITCHELL, (when his name was called.) I am paired with the Senator from Illinois, [Mr. DAVIS.] If he were here, he would vote "yea" and I should vote "nay."

Mr. WHYTE, (when his name was called.) On this question I am paired with the Senator from California, [Mr. SARGENT.] If he were present, I should vote "yea."

Mr. WINDOM, (when his name was called.) I am paired with the Senator from West Virginia [Mr. DAVIS] on all questions relating to this Brazilian mail service. I do not know how he would vote on this proposition, but I withhold my vote. I should vote "nay."

The roll-call having been concluded, the result was announced—yeas 19, nays 34; as follows:

YEAS—19.

Bailey,
Beck,
Booth,
Coke,
Eaton,

Gordon,
Grover,
Harris,
Hereford,
Jones of Florida,

Kernan,
Lamar,
McDonald,
McPherson,
Merrimon,

Morgan,
Saulsbury,
Shields,
Voorhees.

NAYS—34.

Anthony,
Barnum,
Bayard,
Blaine,
Bruce,
Burnside,
Cameron of Pa.,
Cameron of Wis.,
Conkling,

Conover,
Dawes,
Dorsey,
Edmunds,
Eustis,
Garland,
Hamlin,
Hill,
Hoar,

Howe,
Ingalls,
Kellogg,
Kirkwood,
Matthews,
Maxey,
Morrill,
Oglesby,
Paddock,

Patterson,
Plumb,
Rollins,
Saunders,
Spencer,
Teller,
Wadleigh.

ABSENT—22.

Allison,
Butler,
Chaffee,
Cockrell,
Davis of Illinois,
Davis of W. Va.,

Dennis,
Ferry,
Johnston,
Jones of Nevada,
McCreery,
McMillan,

Mitchell,
Ransom,
Randolph,
Sargent,
Sharon,
Thurman,

Wallace,
Whyte,
Windom,
Withers.

So the amendment to the amendment was rejected.

Mr. EUSTIS. I move to amend the amendment of the committee by inserting in line 216, after the words "shall be contracted for," the words—

And established according to the provisions of this act, neither contract to be considered in force if the service on either line be abandoned or discontinued.

So as to read:

The two lines to be contracted for simultaneously, and neither contract to go into effect unless both services shall be contracted and established according to the provisions of this act, neither contract to be considered in force if the service on either line be abandoned or discontinued.

Mr. MAXEY. I trust that the amendment just offered by the Senator from Louisiana will be adopted. That was the substance of the proposition made by the Committee on Post-Offices and Post-Roads, and I hope it will be adopted.

Mr. DORSEY. I did not catch the full intent of the amendment, and I ask that it be read by the Secretary.

The PRESIDING OFFICER, (Mr. ROLLINS in the chair.) The Secretary will report the amendment offered by the Senator from Louisiana [Mr. EUSTIS] to the amendment of the committee.

The amendment to the amendment was read.

Mr. DORSEY. That was the original intention of this amendment, and as I stated earlier in the day if by any means the line from Rio to New Orleans should be abandoned, I think that both lines ought to be abandoned.

Mr. KERNAN. I wish to inquire of the Senator from Arkansas if his meaning is if one man should be the lowest bidder for the New York line and another man the lowest bidder for the New Orleans line for the ten years, and if one contractor fails to perform his contract the other contractor who has no interest with him is to lose the benefit of his contract?

Mr. DORSEY. What I mean is exactly what I said, and that is that the intention of this law is to establish two lines of steamships to Brazil, one from New Orleans and one from New York, and if either one of them fails both of them shall fail. That is what I mean and that is what I said.

Mr. KERNAN. Then it is all a delusion to put the two lines up as separate contracts. No man will take a contract for the one line if by some other contractor violating his contract for the other line he is to be ruined; and it is strange to pretend to give out these two lines as separate contracts.

Mr. MAXEY. I only have to say that if the amendment to the amendment goes into the bill it goes in as a part of the law of the land, and whoever makes a contract under that law makes it with full knowledge and notice of the law. The Senator from New York says that it would be a delusion to make two separate contracts, but does he suppose that any American citizen will be such a fool as not to know the laws of the country? The proposition is right, because we want an honest contract made.

Mr. KERNAN. One moment. I want to answer the Senator from Texas. I mean to say that putting these up as separate contracts, expecting different men to take them, would be a delusion. To say that if the one contractor should break, the contract of the other is

to be destroyed, is equivalent to saying that these two lines are to be contracted for by the same man. If that is right and wise, I have nothing to say; but the meaning of it, if this language is put in, would be to require that there should be some one man who would take both these contracts and that everybody else is excluded and cannot take either. I do not want that done at all. I cannot but suppose that that is the purpose of the amendment to the amendment.

Mr. EUSTIS. Mr. President, I offered this amendment to meet the suggestion of one of the most earnest opponents of the main proposition, the Senator from Tennessee, [Mr. BAILEY.] I will state to the Senator from New York, and I have nothing to conceal, that my intention is that unless both these lines shall be established, there shall be neither a line from New York to Brazil nor a line from the city of New Orleans to Brazil.

Mr. HOAR. Mr. President, I desire to inquire of the Senator from Louisiana if he means to say that if it should turn out in the future that the New Orleans contractor failed because his steamships did not get business, it proving to be clearly a losing and unprofitable concern, and if it should turn out on the other hand that the New York line was successful and profitable and accomplished the objects which we hope this bill will accomplish for both lines, the Senator thinks still that the New York line ought to be abandoned because a losing contract for his State is not kept up? I should have voted last year for this proposition; I propose again to vote for it this year on the ground that other countries have established commercial relations with nations in South America and Asia by the adoption of this policy, and I believe we may safely and profitably take a lesson from their experience. If the Senator who has charge of this measure, or the Senators who are chiefly advocating it, put it upon the ground that it is to be passed as a bargain between two sections of the country, and that the South is to have a line, and that New York is to have what the national interests demand at the price only of a similar concession to some other part of the country, and that the two things are to stand together or fall together, a bill which contains any such principle shall not receive my vote.

Mr. DORSEY. I do not understand where the Senator from Massachusetts gets the information he has just referred to, I am sure.

Mr. HOAR. I get the understanding from what the Senator from Arkansas himself has just said.

Mr. DORSEY. I have not intended to intimate anything of the sort. What I did say before, and what I repeat now, is that so far as the people of the Southwest are concerned their sole interest is in the line from New Orleans to Rio; their material interests, their commercial interests, are in that line. So far as the people of Massachusetts and the East are concerned, their interests are in the line from New York, because it is through that line and by that line that they will convey their products.

Mr. HOAR. I do not recognize that proposition. I assert that the interests of the people of the East, so far as their interests can rightfully and properly be represented by a vote given on this floor, are just as much in favor of anything that benefits the city of New Orleans or the valley of the Mississippi as they are in favor of anything that benefits New York or Boston.

Mr. DORSEY. I am glad to hear that.

Mr. HOAR. No Senator has a right to know or to recognize any other principle in legislation. I do not mean at all to impute to the motives of Senators who advocate this bill any such purpose, but the Senator from Arkansas, as I understand him, told the Senate that although he was of opinion that a line from New York to Rio was a national benefit, of national importance, and ought to be established by national authority and with national aid, yet if it turned out on experiment that a similar line from New Orleans was not of sufficient national interest and national importance to pay expenses on the experiment being tried, then the New York line should be stricken down. It is against that doctrine that I raise my voice.

Mr. BLAINE. Pardon me a moment. I do not remember whether this is the language of last year's bill or not, but I think the honorable Senator from Texas will see that when the proposition goes to this effect, that one line shall not be contracted for unless the other is, and that good and sufficient bonds shall be given to the Government for the faithful performance of each, to go beyond that and at the end of three or four or five years, if two separate men have them and one should fail, it would not be fair to make New York dependent on New Orleans or New Orleans dependent on New York. But my friend from Texas will observe, as the Senator from New York remarked, the one very salient objection to this provision is that it forces these contracts into the hands of one man, or it makes two men, if they separately bid, to become one the indorser of the other throughout the ten years of the contract. I do not think my friend from Texas will consider that to be fair. I do not think that is fair. I go with him heartily and say that I will vote that there shall be no contract made for New York without one being made for New Orleans, and that that contract shall be made as strong as bonds and forfeiture can make it; but that in the development of commerce you should hold the one for all time dependent on the other, or that you should now legislate so as that one man can bid for both, I doubt very much the expediency of the proposition. It would subject the legislation to the most censorious criticism, and I do not see how it could be well answered.

Mr. DAWES. Mr. President, this practical question, to which the Senator from Maine has addressed himself, is the one which ought to determine this case. I do not think there is any person in favor of a line of steamers from New York to Brazil who is not equally in favor of a line of steamers from New Orleans. It is the benefit that these lines will produce to the country that actuates those who support these lines; it is not any fancied advantage to the locality of New York or the locality of New Orleans. It is from a broad view of the effect upon the nation. The two grand features of it are that it enables us to encourage the building up of American commerce, which is of just as much importance whether it goes between New Orleans and Brazil as it is whether it goes between New York and Brazil. The object is to open up a direct trade between this nation and Brazil. It is of just as much importance whether that trade starts from our shores at one point as another. The object is to enable us to carry into that market what we produce, and bring from that market that which we do not produce, directly between us and them. That is what induces me to support the measure. But if you make it necessary for one man to take both contracts, if the amendment proposed by the Senator from Louisiana prevails, it will go further. If you undertake to stipulate, as the Senator from Maine says he is willing to do, that a bid for one line shall not be effectual unless there is some other person who is able to bid at the same time successfully for the other, it amounts to the same thing, and neither line can start unless one man be found who will undertake both enterprises. So it seems to me, and I want to have this measure practical. I have no desire to give one line the slightest advantage over the other. I want to see those lines maintained for ten years, and I believe that after that time they will take care of themselves and will be their own support, and will demonstrate to the country their usefulness. I think the line from New Orleans to Brazil will do quite as much in that way as the one from New York. It is a different kind of business, it is true, but it is a business that is going to be greater, if possible, than that which will come from the great port of New York.

But these lines must be independent of each other in all respects or else one man must take them both. The benefits to this country will be very much circumscribed and curtailed and hampered and cramped if both lines are under the control of one man. Some benefit in the competition growing out of two lines, owned by two separate and competing interests, will result to both points. I have a faith that both lines will be undertaken in competition with each other, and benefits of that kind will result, which, if the Senator from Louisiana in the apprehension which he has that one line will stand and the other fail, will deprive one section or the other of the benefit of competition. I want the competition. I want both lines established, but established in competing interests. I do not want both lines under one controlling power that shall make it questionable whether it be better that the carrying trade of this country should go over these lines or go around by Great Britain in foreign bottoms.

Mr. MAXEY. Mr. President, I had not designed to say anything more until the Senator from Maine referred so pointedly to the remarks that I made. I am acting in perfect good faith in this matter to the end that both lines be effectually established. I believe that the establishment of both of these lines will inure to the benefit of the whole people. Mr. Webster once, when asked the question in New England, "Why did you favor the improvement of the Mississippi River," replied, and wisely and like a statesman, "The benefit to the people in the valley of the Mississippi resulting therefrom is a benefit to the people of New England." I believe in establishing a line from New York and one from New Orleans, but I believe that there should be equal and exact justice. I believe that the northern and eastern commerce and manufactures should be built up alongside of the western and southern agricultural interests, and that we should give all sections additional markets, which in my humble opinion are essential to the well-being of this country.

When the Committee on Post-Offices and Post-Roads had this matter up at the last session there was introduced and adopted by that committee a clause which I respectfully submit is that substantially offered by the Senator from Louisiana. After going on and describing the two contracts, the bill provided:

It being the true intent and meaning of this act—

As it was then written—

that by the 1st day of January, 1870, service on both of said routes described in this section shall be established, to make this act effectual as to either of them from and after that date.

That was the wording. This amendment of the Senator from Louisiana, I take it, is substantially the same thing. It is the effect, the purpose, and design that the contractors, whoever they may be, must understand when they take the contract that the law of the land requires that both contracts shall be observed and that this is a grand commercial enterprise from New York and New Orleans as initial points for the purpose of capturing the trade of Brazil.

Look back a moment, if you please, to history. In 1823 when Mr. George Canning was called back to the secretaryship of foreign affairs in England, Mr. Richard Rush was then the minister of the United States at the court of St. James. The Holy Alliance was in the height of its glory on the continent of Europe. France had her troops in Spain; and the southern American colonies were in revolt. The policy of England was then to break and shatter into pieces the Holy Alliance and restore the prestige of Great Britain. It

was known that France was endeavoring to put an indemnity upon Spain for her military possession of that country, and the only way she had of securing that was by Spain turning over to her all the Spanish South American colonies then in revolt or wresting them from her, Portugal being in the same boat. Mr. Canning said to Mr. Rush, "Tell your President that if he will recognize those colonies England will follow, because by the recognition of those colonies we will take the power from France which she is seeking. France is our greatest rival. You are determined in your country that no foreign power shall have a foot-hold on the American continent. I agree with you. You are interested from your stand-point, England from hers. We can act in concert." Mr. Monroe did acknowledge the independence of those countries. Mr. Canning, on behalf of England, did follow in the movement, and went into the British Parliament and declared very proudly that he had fought the battle of England over in the Indies. What else did he do? While that great piece of political policy was going on Mr. Canning had one of the most competent diplomatists in the South American colonies, in Mexico, in Brazil, and in all those countries, I believe Sir Charles Stuart, if I remember correctly—I am speaking from memory—who entered into commercial treaties with every one of those countries. That was in 1823, and prior to the recognition of those countries by England. Those treaties were made with these South American countries before the date of recognition, and an act of Parliament had to be passed to ratify those treaties because they did it anterior to the recognition of the independence of those colonies. By those commercial treaties England more than fifty years ago captured the commerce of Brazil, of the whole of South America, and of Mexico, and she has held it and yet holds it in her grasp, while we have expended all our statesmanship upon mere platitudes, glorying in the fact that we have established by the recognition of those countries and by the Monroe doctrine the principle that no foreign country should have a foot-hold upon American soil. They accomplished their purpose of breaking the Holy Alliance, but underneath that they had the wisdom to secure commercial relations which have been the pride and glory of Great Britain from that day to this. That is the difference, sir, between statesmanship and glittering generalities.

The object which we have now is to capture that trade. We must do it by making outlets to our commerce, our manufactures, and our agriculture. I want a fair, equal, exact, and just measure that will be alike beneficial to the North and the East on one side by one line, and to the South and West on the other by another line, and then let it become a part of the law of the land so that in every contract entered into the contractors will have full notice and knowledge; and if the bonds are as they ought to be, then the resulting damages would make it so that no one would suffer by the operation.

Mr. BLAINE. Mr. President, if I can have the attention of the Senator from Louisiana a moment, I shall be glad. The amendment which he has submitted reads thus: in line 216, page 10, after the words "shall be contracted for," to add the words:

And established according to the provisions of this act, neither contract to be considered in force if the service on either line be abandoned or discontinued.

My friend from Texas will observe that this is a very different provision from the last year's provision. The last year's provision, which I took from the desk, reads thus:

It being the true intent and meaning of this act that by the 1st day of January, 1879, service on both of said routes described in this section shall be established, to make this act effectual as to either of them from and after that date.

This is a continuing condition which the Senator from Louisiana proposes to put in, and if they get under way and the New Orleans contract should fail at the end of four or five or six years, or the New York contract should fail at the end of four or five or six years, then the other would have to be given up; both must be given up in case either fails. I think the honorable Senator will see that that cannot be sustained upon any principles of fair dealing, and that the prime objection to it is that it lays down a law on which it is impossible there should be any possibility of competition as to the two places. The same man must take the two under that. I wish the honorable Senator would modify it so as to conform to the provision of last year; but really that which is in the bill now contains all that was in the amendment of last year.

Mr. KERNAN. If I am right the Senator who reported this bill said the intent was to have both go together and continue, or neither.

Mr. BLAINE. But that is not in the bill now.

Mr. KERNAN. There is ambiguous language there.

Mr. BLAINE. Both are to be contracted for together. I think the honorable Senator from New York would very plainly see that the mere fact of contracting for the two before both go into effect is a very different condition from maintaining that each shall be continued throughout the ten years if either is. That is a wholly different condition and one that in my judgment the Senate ought not to put on the legislation.

Mr. EUSTIS. I wish to answer the Senator from Maine. I understand the difference which exists between the amendment presented by the committee at the last session and the amendment as offered; but my object is that this whole purpose of subsidizing steamship lines to Rio de Janeiro shall be an entirety. I am perfectly willing to admit that only one person or two persons having a joint interest in the lines would take such a contract as is proposed under these amendments; but at the same time I call the attention of the friends

of the measure to this risk, and that is that the New Orleans line will not be remunerative for several years; on the contrary, in my judgment it will entail very serious loss, and unless there be a very particular guarantee in the bill, some provision as stringent as language can express it, in my judgment it is utterly idle for us to be legislating that we are going to establish two steamship lines to Rio de Janeiro, because practically, and as a practical result under the amendment proposed by the committee, it will only secure the service of the New York line to Rio de Janeiro.

Mr. BAYARD. Mr. President, I am thoroughly convinced of the sagacity of the Senators from Louisiana and Texas on this subject; that they realize that their local share of the profit and advantage to accrue from these lines is in very great jeopardy unless they shall secure it by the most clear and affirmative expression. It is perfectly clear now that as the bill stands and as is stated by the honorable Senator from Maine, although you may contract and must contract separately for these two routes, yet if by one of those unavoidable accidents that have occurred and which may again occur in human affairs, it may so happen that the Galveston and New Orleans line may come to grief and the other may continue to flourish under its subsidy. "Accidents will happen in the best-regulated families." There is one which is made historical by the genius of Dickens where by some means which the elder Mr. Weller alone was able to solve and comprehend the coach that carried the Bufts was upset at a particular portion of the journey while that which carried the Blues arrived at its point of destination in safety. Now, I submit to my honorable friends from the southwestern section of this Union that if they desire their share of this advantage which my friend from Texas thinks is to diffuse itself all over the country but which nevertheless has its peculiar points at Galveston and New Orleans, they will take care that it is affirmatively expressed upon this bill otherwise, I am afraid that the steamship line from Galveston and New Orleans to Rio de Janeiro will meet with the same strange character of accidental upsetting that befell the coach of Mr. Weller that carried the Bufts to the election.

I see very clearly that the Senators are right and that they should insist upon words too clear to be construed away from what is the intent stated by the gentleman in charge of the bill and what I understand is stated by the honorable Senator from Texas. Of course I am opposed to either of the lines being established by governmental aid; but I do think that if it is meant to have two, you must take care that one is not dropped, as I think it is in great danger of being. Therefore, unless you have affirmative words to express your meaning, that these lines shall be a joint affair, that both shall run, or neither shall run, that the mail service from New Orleans and Galveston shall be carried on just as regularly as that from New York and Norfolk; unless this is made clear then, as I said, you may have one of those accidents occur again by which one of the lines may survive and be profitable and the other may die if it turns out to be less profitable. Therefore I think the Senators from the southwestern section of the country are very wise if they so legislate that one of these lines is not to go on unless the other is also carried on.

Mr. HILL. Mr. President, I am not supporting this bill for the benefit of Mr. John Roach or any other individual. I do not know Mr. John Roach; I do not know a single owner individually in the United States that has any interest in either of these lines, so far as being the owner of any ships that are proposed to be put on the lines. I am influenced solely by certain considerations which I am willing to declare to the Senate.

In the first place I feel that I am instructed to vote for this measure by my people and by a body of men and a class of men for whose intelligence, and patriotism, and comprehension of this measure I have the greatest respect. It has received very general approval through the South; and in a body of over five hundred men assembled from that region of country two years ago they unanimously asked that this measure should be adopted, and I have not heard of any counterfeeling on the subject. The feeling not only of my own State, but the great commercial interests of that State, the manufacturing interests of that State, and the transporting interests of that State and the whole South are deeply interested in this matter; and I have great confidence in their intelligence. I feel it therefore my duty to support the measure, whatever might be my private opinion on the question of subsidies generally. Certainly there is no constitutional principle involved; it is a mere question of policy, and one recognized everywhere as a question of policy.

Now, why is it that there is such a unanimous sentiment in my section of country in behalf of a measure of this kind? The reasons are very manifest. We have the beginning of a new era in the South, and it is to be a very marked one. Our whole industrial system has been changed. We were formerly only an agricultural people; we raised one great staple especially. Now, we expect in the future to become a manufacturing people, a very large manufacturing people. We look forward to the time when all the cotton raised in the South shall be manufactured in the South. It may be a dream; but we look forward to the time when the capital of Massachusetts now invested in Lowell and when large portions of the capital invested in Manchester, England, will be invested in manufacturing interests in the South, because, as I have been assured by the wisest manufacturers in New England, cotton fabrics, especially the coarser fabrics, can be manufactured in the South 15 per cent. cheaper than they can

be in New England; and I know that suggestions have been made frequently that the capitalists of England might be induced to transfer their spindles from Manchester to the water-power of the South.

Now, sir, in view of this probable future which we believe is beginning, which is well under way in my own State, we are building factories very largely. We have a manufacturing investment in that State far exceeding anything that has ever existed in the South before, and it is increasing every year; and notwithstanding the stringency of the times, notwithstanding all the panics in the money market, every man who puts his money in a cotton factory in Georgia gets a dividend. Even when the great investments in New England return no dividends we get dividends in the South, and handsome dividends at that. These things encourage us to believe that we are to be a great manufacturing people. Of course we shall also be largely a commercial people.

Now we want markets. We want to do everything that can encourage the building up of this country. It is a pleasant prospect to us; it is a very cheerful one to us, and we are willing to test its practicability. We think that South America, and Central America, and the West Indies are our proper markets. We believe that the manufactured productions peculiar to the South will be especially desirable in those countries, and that we can build up a very large commerce between the Southern States and the Central American States and the West Indies and Mexico, and all that country south of us. Very well; in order to do that we must have steamships, we must have lines from our southern sea-ports to the sea-ports of the countries I have mentioned; and it is ideas of this sort that are inducing our commercial people, our manufacturing people, our educated people, and our intelligent people throughout the South to take a deep and abiding interest in the success of this measure, or some similar measure. We care nothing about individuals; we care not a cent about John Roach; we care nothing about anybody; we look to the public interest. We are not sectional in this. We know that when the South is built up the whole country is built up; we know that when we grow wealthy the whole country is growing in wealth and power. I repeat that the prospect before us in the South is a most inviting one but we must have an outlet we must have markets. And as my friend from Texas suggests to me, not only do we expect great benefits to our manufacturing and commercial interests in the South by reason of experiments like this, but of course our agricultural interests will be built up too; for if we can build up manufacturing in the South, if we can build up a great commercial interest and a manufacturing interest there, of course we build up the agricultural interest too, and we build up all portions of our country and every interest of our country. It is for that reason that all the people of my State, embracing the agricultural population as well as the manufacturing and commercial population, are taking a great interest in this thing.

We know we labor under some disadvantages. We know that as matters now stand we have got to build up a business largely before it can be profitable to these lines. We do not suppose that a line from New Orleans to Rio de Janeiro will be as profitable for the first few years as a line from New York to Rio de Janeiro. So we want some help; we acknowledge it. The frank way is the best way in all these matters. We want some help.

Mr. MORGAN. Let me ask the Senator who he expects are to pay for it.

Mr. HILL. I will come to that. We need some help. Now, gentlemen come to us in the South and say "here your manufacturers, your commercial men, your manufacturing, your every interest in the South will be built up by encouraging a steamship line from New Orleans to Rio and one from New York to Rio, and large ship-owners are willing to undertake to establish the lines on certain conditions and terms. We will build the lines from both points; we will have two lines." That is what we want.

Mr. President, is it the object of our friends on the other side to tempt us with the expectation of a line from New Orleans to Rio for the purpose of getting their line from New York to Rio, and then after getting their line abandon us? That is not fair. Come; if you use the New Orleans line to start the New York line, then use the New York line to keep the New Orleans line going. That is what we want. That is fair. You say we must vote for the bill including the New York line because we get a line. Very well; I acknowledge it is a great temptation: I acknowledge it has tempted our people in the South; I acknowledge it has induced one of the largest conventions I have ever seen attended in the South, composed of five hundred of our very best men, unanimously to urge us to support this measure. Well, gentlemen, come now, do you mean to get our votes to establish two lines under phraseology that will only keep one going? That is not right. That will not do. If the New York line is to be very profitable and the New Orleans line not so profitable, then in consideration that we give you a profitable line from New York, help our line for a time. We think in a few years the New Orleans line will be as profitable as the New York line, and that is really the great reason why I voted against striking out "ten" and inserting "five" years. We do not think we should be doing a very liberal or generous thing to establish a line only for five years, and compel whoever takes the line to operate from New Orleans to Rio, when perhaps during those five years the line from New Orleans to Rio might not be profitable; but we believe before the ten years

expire it will be exceedingly profitable even from New Orleans. That is what we believe, and therefore we are dealing in a spirit not only of fairness but of liberality in this matter. We are entirely willing to help you, to join with you in building up the commerce of the whole country, taking in North and South alike and all at once, and we are willing to do it on terms that will be generous and liberal, and make both lines pay. That is the whole of it, and I say to my friends on the other side—for frankness is a great virtue—that their anxiety to keep phraseology out of this bill which will compel the running of both lines, or neither, excites a little our suspicion. Why is that? If you mean to deal with us in good faith, to keep up both lines, use such language as can make no mistake. That is all.

I listened with a great deal of pleasure to the remarkable and able speech of my friend from Maine, [Mr. BLAINE.] I voted with him for a proposition that I might under ordinary circumstances wish to consider before I would make it general; but we are perfectly willing in this case, at least I am, to try this experiment in its very best sense. I am willing to have American-built ships as well as American-manned ships. I am willing to encourage American commerce on the sea and American industry on the land. I am willing to vote for this enterprise, and I trust the time will soon come when from the Southern States as well as from the Northern States we shall see a commerce flying over the ocean equal to the most brilliant anticipations of the Senator from Maine, that shall be American in every sense, in wood and iron and in sailors, in ownership, in origin, and in everything else. I am perfectly willing that it should be so, as far as I am concerned.

I say frankly—and it is the reason why I am supporting this amendment—this is the beginning of a great era, I trust, for us. New York does not need that her commerce should be built up; New England does not need that her people should be encouraged. The whole world almost is tributary to them now. We of the South are in a different position. We are down. We of the South wish to get up; we of the South wish to improve our agriculture, our commerce, and our manufactures. We want to extend our markets, which can never be done until we try. We must make the effort, and we unite in good faith with our friends from the North and with our friends from New York in behalf of these two lines for the reason that while they will benefit the whole country, North as well as South, they inure especially in benefit to our section of the country. We think so; at least we are willing to try the experiment, and we are willing to try it for a term of years that shall make it a perfect and complete experiment. But let there be no doubt about it. After we have started on the journey, my good friends, do not abandon us, and do not get ready to abandon us before we start. At least encourage us with the hope and belief that you mean to go with us unto the end.

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

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

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.]

Mr. MITCHELL, (when his name was called.) On this question I am paired with the Senator from Illinois, [Mr. DAVIS.] I do not know how he would vote on this particular proposition, but I shall refrain from voting.

Mr. TELLER, (when his name was called.) On this subject I am paired with the Senator from Nevada, [Mr. SHARON.] If he were present, I should vote "nay."

Mr. WHYTE, (when his name was called.) I am paired on this subject with the Senator from California, [Mr. SARGENT.] If present, he would vote "nay" and I should vote "yea."

The roll-call was concluded.

Mr. HEREFORD. My colleague [Mr. DAVIS of West Virginia] is paired with the Senator from Minnesota, [Mr. WINDOM.] If present, my colleague would vote "yea."

The result was announced—yeas 33, nays 13; as follows:

YEAS—33.

| | | | |
|-----------------|-------------------|------------|-----------|
| Bailey, | Eustis, | Lamar, | Ransom, |
| Barnum, | Gordon, | McCreery, | Samders, |
| Bayard, | Grover, | McPherson, | Shields, |
| Beck, | Harris, | Maxey, | Spencer, |
| Butler, | Hereford, | Merrimon, | Voorhees, |
| Cameron of Pa., | Hill, | Morgan, | Withers. |
| Cockrell, | Ingalls, | Paddock, | |
| Coke, | Jones of Florida, | Patterson, | |
| Conover, | Kellogg, | Randolph, | |

NAYS—13.

| | | | |
|------------------|-----------|-----------|-----------|
| Anthony, | Conkling, | Hoar, | Wadleigh. |
| Blaine, | Dawes, | Howe, | |
| Burnside, | Edmunds, | Kirkwood, | |
| Cameron of Wis., | Hamlin, | Morrill, | |

ABSENT—29.

| | | | |
|--------------------|------------------|------------|----------|
| Allison, | Eaton, | Matthews, | Teller, |
| Booth, | Ferry, | Mitchell, | Thurman, |
| Bruce, | Garland, | Oglesby, | Wallace, |
| Chaffee, | Johnston, | Plumb, | Whyte, |
| Davis of Illinois, | Jones of Nevada, | Rollins, | Windom. |
| Davis of W. Va., | Kernan, | Sargent, | |
| Dennis, | McDonald, | Saulsbury, | |
| Dorsey, | McMillan, | Sharon, | |

So the amendment to the amendment was agreed to.

Mr. KERNAN. I wish to move an amendment in line 212, after the words "dollars per," to insert "nautical;" so as to read:

Such mail carriage to be paid for at not exceeding \$30 per nautical mile per annum.

I do this because I learn that under these bills, unless it is specified to the contrary, payment is made according to the statute mile instead of the nautical mile. Now, as I have got from the Hydrographic Office, the nautical miles from New York to Rio by the way of Norfolk are fifty-one hundred and seventy-eight, and they put a note stating that if you count statute miles it would be one-sixth more. Six thousand nautical miles would be sixty-nine hundred and twenty-five statute miles. The distance in nautical miles from New Orleans to Rio Janeiro by way of Galveston is sixty-two hundred and ninety-five nautical miles, and it would be a good many miles farther counting by statute miles. I suppose that it is not intended in running vessels on the sea to give them \$30 per statute mile. Therefore, to make it certain, I move to insert the word "nautical," so that they shall be paid according to the number of nautical miles the vessels run; and it will make a very large difference, about one-sixth, in the amount whether they are paid by nautical miles or statute miles.

I have information, which I believe to be accurate, that where the direction is to pay so much per mile in a statute it is uniformly held that the pay shall be by the statute mile. By the statute mile the distance from New York, stopping at Norfolk, would be, instead of five thousand one hundred and seventy-eight miles, six thousand miles, or about that, and on the other route from New Orleans to Rio by way of Galveston it would be over seven thousand miles. Hence I have called the attention of the Senate to this matter, and move to insert the word "nautical," believing, as the pay is very high any way, the pay should be according to the nautical miles run.

The PRESIDING OFFICER. (Mr. ROLLINS in the chair.) The question is on the amendment of the Senator from New York.

Mr. DORSEY. It was the intention of the committee's amendment to refer to nautical miles and not statute miles.

Mr. KERNAN. I wanted to make it clear, having got the information that where "miles" simply are mentioned, as here, they uniformly claim statute miles, and they have generally been so paid unless it reads the other way. Therefore I want to make it clear.

Mr. DORSEY. If there is any doubt whatever on the subject, I think the amendment of the Senator from New York ought to be adopted.

The amendment to the amendment was agreed to.

Mr. BAYARD. I offer the following amendment, at the end of line 218:

And provided, That the annual compensation for such postal service shall not exceed the sum of \$150,000 for each of the said lines.

Mr. EDMUNDS. The clause as it now stands provides in specific terms for \$30 a mile. Now this amendment, that I am in favor of, would seem to be in conflict with that, because without that the provision would be largely in excess, and as this is on an appropriation bill there is no time of course to see how the whole thing bears; but at the risk of making this an entirely inconsistent piece of legislation, one part of the section with another, I shall vote in favor of the amendment of the Senator from Delaware.

Mr. MORRILL. I suggest to the Senator from Delaware that he means that both these lines shall only cost \$150,000, and not \$150,000 for each.

Mr. BAYARD. No, my object in offering the amendment is very obvious. The present section pays them by the mile, no matter what route they may take. They might be wandering over the face of the ocean and charging for every mile necessary or unnecessary. According to the amendment inserted by my honorable friend from New York [Mr. KERNAN] the pay would be measured by the nautical miles run. The nautical miles from New York via Norfolk would be five thousand one hundred and seventy-eight; from New Orleans by way of Galveston six thousand two hundred and ninety-five. By making a calculation you will find that the aggregate amount paid to these two lines would greatly exceed \$300,000, and I therefore, as the amount expected to be allowed in this service has been stated to be \$150,000 for each line, propose to limit the bill to that sum.

Mr. DORSEY. I desire to suggest to the Senator from Delaware that if he will put his amendment in line 214 after the word "routes," saying "Provided, however, The whole cost shall not exceed," I shall not resist it.

Mr. BAYARD. It matters not to me where this amendment is made so that it is a proviso that the rate at \$30 a mile shall not take from the Treasury more than \$150,000 a year for each line.

Mr. DORSEY. At that place in the bill it will come in proper connection.

Mr. BAYARD. I have no objection to have it at line 214 instead of at the end of line 218 if the Senator wishes.

Mr. DORSEY. Yes.

Mr. MAXEY. I will say to the Senator from Delaware that what he proposes was in the amendment offered by me on behalf of the Committee on Post-Offices and Post-Roads.

Mr. BAYARD. That was last year?

Mr. MAXEY. Yes, sir; and this year I offered the same amendment. I have no objection to it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. MORRILL. I now move on line 212 to strike out "thirty" and insert "ten," so as to make the compensation \$10 per mile. I do not know but that I have been misinformed, but I was informed by the Clerk at the desk that no amendment had been offered to this point.

Mr. DORSEY. The Senator from Connecticut offered that amendment yesterday.

Mr. EATON. No, I gave notice yesterday that I would offer it today.

Mr. MORRILL. I did not see that the Senator from Connecticut was here.

Mr. EATON. I am very glad my friend has offered it. I hope he will have better luck with it than I had with my amendment.

Mr. MORRILL. Now, Mr. President, I desire to call attention to the fact that the bill has been so amended that only one party in the United States can possibly take this contract. That party is one who has already a contract with the Brazilian government for a subsidy of \$100,000 a year, as I understand. I should be perfectly willing to vote some reasonable sum in order to establish these lines. I do not propose to vote what I believe is a very excessive amount for this purpose; but the amendment proposed by the Senator from Delaware last adopted is one that as I read the bill increases the amount appropriated to be paid by the sum of \$100,000 a year. That is to say, we all looked upon the sum of \$200,000 here named as the amount to be appropriated for this year and for ten years hereafter; but by the amendment that has just been adopted it is proposed to be limited to \$300,000, that is to say to \$150,000 for each line, which makes the proposition one to expend \$3,000,000 instead of \$2,000,000.

Mr. President, I have no objection to these lines being established, and I should be glad to see them in operation although I do not think they will contribute so much to the trade and commerce of the country as an equal amount expended in direct assistance to lines to Europe. Still I am not unwilling to have these lines established, but I do think that we ought to obtain these contracts on reasonable terms. There is no sort of doubt but what they can be obtained for \$100,000 a year each, or a sum just equal to the amount paid by Brazil. I therefore ask that this amendment may be incorporated in the bill.

Mr. BAILEY. Will the Senator from Vermont permit me to ask him a question?

Mr. MORRILL. Certainly.

Mr. BAILEY. I understand him to say that he is willing to vote \$100,000 to each of these lines. Is it not understood that the Emperor of Brazil is now paying \$118,000 or \$120,000 upon the line from New York to Rio; and if that be true, is it not proper in the bill that we shall pass to require that if any other government pays to the contractor upon either line any subsidy, it should be deducted from the amount we pay?

Mr. MORRILL. I did not hear the Senator's question.

Mr. BAILEY. It is understood that there is now a line of steamships plying between New York and Rio, and it is understood that the person who will contract for this mail service is the person who is now employing ships in that service, and that the Emperor of Brazil is paying a subsidy of \$118,000 or \$120,000 to that person. Would it not be proper, then, to deduct that sum from the amount that is now to be paid under this bill to the contractor upon the line from New York to Rio?

Mr. MORRILL. Certainly it would so seem to me, or at all events it would seem to me that it was proper that we should pay less in consequence of knowing the fact that the party and the only party who can be employed is one who is already receiving a sufficient subsidy to enable him to start and run, as he is now running, vessels on one of these lines.

Mr. BAILEY. I understand that that line of steamers is now running.

Mr. MORRILL. I understand so.

Mr. BAILEY. And without any subsidy from the American Congress? Whence, then, the necessity for paying a subsidy?

Mr. DORSEY. Mr. President, I do not care to continue this debate; I am in hopes that we can arrive at a vote without further debate upon this subject. I simply rise now to say that if the amendment of the Senator from Vermont or any amendment looking to a very large reduction of this pay per mile is adopted it destroys the whole measure, and it is better at once to vote the provision out of the bill than to reduce it to \$10 or \$20 per mile. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HEREFORD, (when the name of Mr. DAVIS, of West Virginia, was called.) My colleague [Mr. DAVIS] is paired on this subject with the Senator from Minnesota, [Mr. WINDOM.] If he were present, my colleague would vote "yea."

Mr. FERRY, (when his name was called.) I am paired on this question with the Senator from Maryland, [Mr. DENNIS.] Were he here I should vote "nay."

Mr. TELLER, (when his name was called.) On this subject I am paired with the Senator from Nevada, [Mr. SHARON.] If he were present, I should vote "yea."

Mr. WHYTE, (when his name was called.) On this question I am paired with the Senator from California, [Mr. SARGENT.] If he were present, he would vote "nay" and I should vote "yea."

The roll-call was concluded.

Mr. MITCHELL. On this question I am paired with the Senator from Illinois, [Mr. DAVIS.] If he were here, he would vote "yea" and I should vote "nay."

Mr. TELLER. I desire to say that my colleague [Mr. CHAFFEE] is detained from the Senate by sickness.

The result was announced—yeas 22, nays 29; as follows:

| YEAS—22. | | | |
|--------------------|-------------------|------------------|-----------|
| Bailey, | Edmunds, | McMillan, | Randolph, |
| Bayard, | Grover, | McPherson, | Ransom, |
| Beck, | Harris, | Merrimon, | Voorhees, |
| Booth, | Hereford, | Morgan, | Wadleigh. |
| Cameron of Wis., | Howe, | Morrill, | |
| Eaton, | Kernan, | Oglesby. | |
| NAYS—29. | | | |
| Barnum, | Dawes, | Kellogg, | Rollins, |
| Blaine, | Dorsey, | Kirkwood, | Saunders, |
| Burnside, | Eustis, | Lamar, | Shields, |
| Butler, | Garland, | Matthews, | Spencer, |
| Cameron of Pa., | Hamlin, | Maxey, | Withers. |
| Coke, | Hill, | Paddock, | |
| Conkling, | Ingalls, | Patterson, | |
| Conover, | Jones of Florida, | Plumb, | |
| ABSENT—24. | | | |
| Allison, | Davis of W. Va., | Jones of Nevada, | Sharon, |
| Anthony, | Dennis, | McCreery, | Teller, |
| Bruce, | Ferry, | McDonald, | Thurman, |
| Chaffee, | Gordon, | Mitchell, | Wallace, |
| Cockrell, | Hoar, | Sargent, | Whyte, |
| Davis of Illinois, | Johnston, | Saulsbury, | Windom. |

So the amendment to the amendment was rejected.

Mr. WHYTE. The Senate having adopted or apparently indicated by its vote the adoption of that part of the bill which is to secure beyond peradventure two lines of steamships—one from New York, the other from New Orleans—running to Brazil, and having indicated apparently its purpose of paying a large sum out of the Treasury for the purpose of opening up commercial intercourse and enlarging it between our country and Brazil, I merely desire to call the attention of the Senate to the fact that the great trade in imports to this country from Brazil has been carried on heretofore between three ports of the United States and not two; that New York, according to the report which I hold in my hand, last year imported from Brazil 1,057,000 bags of coffee; that Baltimore imported 513,000 bags of coffee, almost exactly one-half of what was imported to New York; that New Orleans imported 203,000 bags of coffee, or one-fifth of the number imported at New York. The Senate, representing the whole country, acting, I presume, under all the clauses of the Constitution, which according to my memory declares that no preference of a commercial character shall be given to any port of the United States—

Mr. EDMUNDS. Over another.

Mr. WHYTE. Over another. The Senate has so far indicated its purpose to give a commercial advantage in importations to New York and New Orleans over Baltimore, which has imported in the years past half as much as New York and more than twice as much as New Orleans of coffee, the chief article of exportation from Brazil. Baltimore, without subsidy, Baltimore, without asking any aid from the General Government, has built up this trade in its own vessels. And now, in behalf of some of its people—not of my own motion, for I am opposed to the principle of this measure, and no matter what interest my own constituents might have in it, on a question of principle I shall stand with my face like a flint against it—I shall offer an amendment to insert Baltimore, and allow this northern line to run alternately from New York and from Baltimore to Rio.

While I am pleased to see the North and South shaking hands over "the bloody chasm," while I am pleased to see New Orleans and New York lying down in peace, kissing each other, I do hope my poor city may not be ground between the upper and nether millstone of this reconciliation.

In the dark hours after the war had closed—it would be odious in me to speak of personal kindnesses; but when the South had just come through its darkest hours of trial; when want was at many a doorstep and the lean dog was gnawing at it; when agricultural implements had almost fled from that land, and the plowshare had been turned into implements of warfare, my dear old State stretched out its hands to the Southern country full of benefaction, and aided in building up the waste-places of that country; and I wish to-day to see whether the city which I have in part the honor to represent upon this floor is to find itself stricken down in the house of its friends.

I offer this amendment, Mr. President: in line 202, to strike out the words "from New York" and insert "alternately from New York and Baltimore City."

Mr. COCKRELL. I should like to ask the Senator from Maryland, as I feel exceedingly kindly to Baltimore, whether he will support the bill after his amendment shall have been adopted?

Mr. WHYTE. It is manifest, Mr. President, that the Senator paid no attention to my remarks. When I first opened I said I was opposed to this measure on principle, and no interest of my city would induce me to forfeit my self-respect.

Mr. COCKRELL. Then you will not vote for it?

Mr. WHYTE. No, sir; not vote for it under any circumstances.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maryland to the amendment of the committee.

Mr. WHYTE called for the yeas and nays, and they were ordered.

REPORTS OF COMMITTEES.

Mr. EDMUNDS. I ask unanimous consent to make a report at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. EDMUNDS, from the Committee on the Judiciary, to whom was referred the bill (S. No. 1820) changing the time of holding the November term of the United States district court in the district of Connecticut reported it with amendments.

Mr. CONKLING, from the Committee on Commerce, to whom was referred the bill (H. R. No. 5824) extending the limits of the port of New York reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. No. 1699) extending the limits of the port of New York, moved that the bill be postponed indefinitely; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. No. 1767) to relieve certain ships and vessels from compulsory pilot fees, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. No. 1417) amendatory of title 48 of the Revised Statutes of the United States, so as to authorize the purchase of foreign-built ships by citizens of the United States, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. No. 1824) authorizing the issue of an American register to the brig Dos Hermanos, and to change the name of the same, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CONKLING. The same committee direct me to report adversely the bill (S. No. 1522) to regulate the employment of labor on the public works of the United States. I call the attention of the honorable Senator from Oregon, [Mr. GROVER,] this bill having been introduced by him and being a bill prohibiting the employment of foreign-born laborers on the public works except those who have been naturalized or who have declared their intention to become citizens. I move the indefinite postponement of the bill.

The motion was agreed to.

Mr. WINDOM. I ask leave to report back from the Committee on Appropriations a communication which was inadvertently sent to it. I report from that committee a letter from the Secretary of War, (to Hon. W. H. CALKINS, House of Representatives,) transmitting a copy of a report of Major J. A. Smith, Corps of Engineers, in relation to the amount of appropriation necessary to complete the breakwater and piers at the harbor of Michigan City, Indiana, which should have been sent to the Committee on Commerce. I move that it be referred to the Committee on Commerce.

The motion was agreed to.

Mr. SPENCER, from the Committee on Military Affairs, to whom was referred a resolution of the Senate directing the Committee on Military Affairs to consider and report whether it is expedient to authorize the Secretary of War to procure a supply of canister shot of improved pattern, asked to be discharged from the further consideration of the subject; which was agreed to.

He also, from the same committee to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. No. 1277) donating condemned cannon and cannon-balls to the Colchester Monument Association, of Colchester, Connecticut, for monumental purposes;

A bill (H. R. No. 1278) donating condemned cannon and cannon-balls to Ledyard Monument Association, of Ledyard, Connecticut, for monumental purposes;

A bill (H. R. No. 3871) donating condemned cannon to the city of Boston for monumental purposes;

A bill (H. R. No. 4002) donating a condemned cannon and cannon-balls to Post No. 145, Grand Army of the Republic, district of Massachusetts;

A bill (H. R. No. 4013) donating condemned cannon to Lyon Post, No. 10, Grand Army of the Republic, to be placed in a lot in Siloam Cemetery, Vineland, New Jersey, to be held as a free burial-place for ex soldiers, sailors, and marines;

A bill (H. R. No. 4772) granting condemned cannon to Grand Army Post No. 3, of Taunton, Massachusetts, for monumental purposes;

A bill (H. R. No. 4836) granting condemned cannon to the village of Quincy, Michigan, for a soldiers' monument;

A bill (H. R. No. 5011) authorizing the donation of ten condemned bronze cannon to aid in the erection of a monument to the memory of General George A. Custer at the Military Academy at West Point;

A bill (H. R. No. 5176) to donate condemned ordnance to the Union Township Monumental Association, at Milford Centre, Ohio;

A bill (H. R. No. 6272) donating condemned cannon to Bayard Post, for purposes therein mentioned;

A joint resolution (H. R. No. 134) authorizing the Secretary of War to deliver to the city of Winterset, Madison County, Iowa, four cannon and carriages for the soldiers' monument in said city; and

A joint resolution (H. R. No. 207) authorizing the Secretary of War to send artillery and camp equipage to the soldiers' reunion at Cambridge, Ohio.

He also, from the same committee, to whom were referred the following bills and joint resolutions, reported them with amendments:

A bill (H. R. No. 4837) authorizing the Secretary of War to deliver

to the city of Port Huron, Michigan, certain condemned cannon and balls for a soldiers' monument in Lakeside Cemetery;

A bill (H. R. No. 4752) donating condemned cannon to Weiser Post, Grand Army of the Republic;

A bill (H. R. No. 5021) donating condemned cannon to the Danville Light Battery A, Illinois National Guards;

A bill (H. R. No. 5531) donating condemned cannon to Saint Clair Post, Grand Army of the Republic;

A bill (H. R. No. 6179) donating four condemned cannon to the town of Sutton, in the State of Massachusetts; and

A joint resolution (H. R. No. 129) authorizing the Secretary of War to deliver to the town of Avon, Livingston County, New York, four cannon for the soldiers' monument in said town; and to the city of Canton, Ohio, four cannon for the same purpose.

PETITIONS AND MEMORIALS.

Mr. CONKLING. I present a petition signed by a large number of citizens of the State of New York alluding to the evils of intemperance, and praying, indeed in the language of the petition beseeching Congress to do whatever may be done to prevent the manufacture, importation, or use of intoxicating drinks. It goes, I believe, under the usage of the Senate, to the Committee on Finance.

The PRESIDING OFFICER. It will be so referred.

Mr. McMILLAN presented a memorial of the Legislature of Minnesota, in favor of an appropriation for the construction of dams and reservoirs on the headwaters of the Mississippi River, for the improvement of the navigation of said river; which was referred to the Committee on Commerce.

He also presented a resolution of the Legislature of Minnesota, in favor of an appropriation for the improvement of the Minnesota River; which was referred to the Committee on Commerce.

He also presented a resolution of the Legislature of Minnesota, in favor of such legislation as will prevent the adulteration of sweets, food, &c.; which was referred to the Committee on Agriculture.

He also presented the petition of members of Pilot Grange No. 131, of Freeborn County, Minnesota, and the petition of citizens of Wacasa County, Minnesota, praying the passage of the bill (H. R. No. 3547) to regulate interstate commerce, and to prohibit unjust discriminations by common carriers; which were referred to the Committee on Commerce.

AMENDMENTS TO BILLS.

Mr. WITHERS, Mr. McDONALD, Mr. MITCHELL, and Mr. INGALLS submitted amendments intended to be proposed by them respectively to 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; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. CAMERON, of Wisconsin, Mr. TELLER, and Mr. OGLESBY submitted amendments intended to be proposed by them respectively to 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; which were referred to the Committee on Commerce, and ordered to be printed.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1880, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the bill (H. R. No. 5218) to establish post-routes in the several States herein named; which was referred to the Committee on Post-Offices and Post-Roads.

M. G. HARMAN.

Mr. HOAR. I desire to enter a motion to reconsider the vote by which the bill (H. R. No. 2161) for the relief of M. G. Harman, of Virginia, was passed to-day, and to ask unanimous consent that a message be sent to the House to have the bill sent back. The man has died and the bill should be amended by inserting his personal representatives.

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

JAMES JOHNSTON.

Mr. HAMLIN. On the 29th day of January the Senator from Tennessee [Mr. BAILEY] made an adverse report upon the bill (H. R. No. 4978) granting a pension to James Johnston. I am inclined to think there was some error in the report. I have conferred with the Senator making it, as well as with the chairman of the committee, and I ask leave to enter a motion to have that vote reconsidered and the case recommitted.

The motion to reconsider was agreed to by unanimous consent, and the bill was recommitted to the Committee on Pensions.

DEBATE ON APPROPRIATION BILLS.

Mr. WINDOM submitted the following resolution for consideration:

Resolved, That during the present session it shall be in order at any time pending an appropriation bill to move to confine debate on amendments thereto to five

minutes by any Senator on the pending motion; and such motion shall be decided without debate.

COMPETING TELEGRAPH LINES.

Mr. MITCHELL. I ask unanimous consent to make a report from the Committee on Railroads. The Committee on Railroads, to whom was referred a Senate resolution of January 23, instructing them to inquire into the expediency of authorizing railroad companies operating interstate railroads to construct and operate lines of telegraph for commercial purposes and of authorizing the connection of lines of different companies, with a view of encouraging competition in the telegraphic business of the country, have had the same under consideration at some length, and have instructed me to report an amendment to the sundry civil appropriation bill, with the recommendation that it be referred to the Committee on Appropriations with a recommendation to that committee and the Senate that it be incorporated in the sundry civil bill.

Mr. CONKLING. I ask to have that amendment read.

Several SENATORS. It is quite long.

Mr. MITCHELL. I am also instructed by the same committee, in support of the amendment reported, to submit a report in writing. I desire to say in this connection that this report has received with one exception the unanimous approval of the members of the Committee on Railroads and of that committee. The exception refers to a member of the committee who was not able to be present when the matter was considered, and I have not been able to consult him outside of the committee, so that I do not know what his views are in regard to the matter. I move that the report be printed.

The motion was agreed to.

Mr. CONKLING. Now, I ask to hear the amendment reported.

The PRESIDING OFFICER. The proposed amendment will be read.

The Secretary read the amendment to the sundry civil appropriation bill recommended by the Committee on Railroads, as follows:

Insert after line —, page —, the following:

That a commission of nine persons, composed of two Senators to be appointed by the Vice-President, three members of the House of Representatives to be appointed by the Speaker of the House, which persons shall be selected from those who are members of the present House and have been re-elected to the next House, and four persons, citizens of the United States not members of either House of Congress, to be appointed by the President of the United States, shall be created on or before March 15, 1879, whose duty it shall be to make a thorough examination into and investigation of the relations existing between the Western Union and other telegraph companies and the public, as affecting interstate commerce and the public interests; also the relations between such telegraph company or companies and the New York Associated Press Association, and other press associations of the country, national and local, in so far as the interests of the interstate commerce of the country and the public generally are affected thereby; and to report to the President of the United States on or before the 1st day of December, A. D. 1879, the result of such investigation, together with the testimony taken, also their recommendation as to what legislation, if any, is expedient and proper as affecting the business of telegraphic communication between States in the interest of the public generally and of interstate commerce in particular; and especially to report their conclusions as to the constitutional power and governmental policy of authorizing and compelling railroad companies to transact a telegraph business for commercial purposes on interstate railroads, and of authorizing the connection of lines of different companies; also their conclusions and recommendations as to the constitutionality and policy of the creation by Congress of a postal telegraph system under the direction and control of the General Government, and as to the right and duty of Congress to regulate the rates of any such telegraph companies on interstate lines, and to prevent such companies from according exclusive or exceptional privileges to the press associations, national and local, of the country. Such commission shall meet in the city of Washington, District of Columbia, on or before April 1, 1879, and organize by selecting one of their number as president and another as secretary. They shall have power to sit at any place within the United States, to issue subpoenas, send for persons and papers, administer oaths, and take testimony. Each member of such commission shall receive his actual expenses while in the service of the same; and those members who are not members of either House of Congress shall for the time actually engaged in such service receive the same per diem as do members of Congress, and for this purpose there is appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$—, or so much thereof as may be necessary.

Mr. MITCHELL. I think now, inasmuch as the amendment has been read, justice to the committee, as the report is very short, requires that it should be read. ["Oh, no!" "Oh, no!"]

Mr. DORSEY. I call for the regular order.

Mr. MITCHELL. I ask that the proposed amendment be referred to the Committee on Appropriations.

Mr. SPENCER. I object to that reference.

Mr. EDMUNDS. The rule says it shall be referred.

Mr. DORSEY. I call for the regular order.

POST-OFFICE APPROPRIATION BILL.

The PRESIDING OFFICER. The regular order is demanded. The regular order is the Post-Office appropriation bill, and the pending question is on the amendment of the Senator from Maryland [Mr. WYTHE] to the amendment reported by the Committee on Appropriations, upon which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "nay."

Mr. TELLER, (when his name was called.) On this subject I am paired with the Senator from Nevada, [Mr. SHARON.] If he were present, I should vote "nay."

The roll-call was concluded.

Mr. COKE, (after having voted in the negative.) I withdraw my vote. I am paired with the Senator from Georgia, [Mr. GORDON.]

The result was announced—yeas 19, nays 25; as follows:

YEAS—19.

| | | | |
|----------|-------------------|------------|-----------|
| Bailey, | Grover, | McDonald, | Oglesby, |
| Bayard, | Harris, | McPherson, | Ransom, |
| Beck, | Hereford, | Merrimon, | Voorhees, |
| Booth, | Howe, | Morgan, | Wadleigh. |
| Edmunds, | Jones of Florida, | Morrill, | |

NAYS—25.

| | | | |
|------------------|----------|------------|----------|
| Anthony, | Dawes, | Kellogg, | Plumb, |
| Barnum, | Dorsey, | Kirkwood, | Rollins, |
| Burnside, | Eustis, | McMillan, | Shields, |
| Cameron of Pa., | Garland, | Matthews, | Spencer. |
| Cameron of Wis., | Hamlin, | Maxey, | |
| Conkling, | Hoar, | Paddock, | |
| Conover, | Ingalls, | Patterson, | |

ABSENT—31.

| | | | |
|--------------------|------------------|------------|----------|
| Allison, | Davis of W. Va., | Kernan, | Sharon, |
| Blaine, | Dennis, | Lamar, | Teller, |
| Bruce, | Eaton, | McCreery, | Thurman, |
| Butler, | Ferry, | Mitchell, | Wallace, |
| Chaffee, | Gordon, | Randolph, | Whyte, |
| Cockrell, | Hill, | Sargent, | Windom, |
| Coke, | Johnston, | Saulsbury, | Withers. |
| Davis of Illinois, | Jones of Nevada, | Saunders, | |

So the amendment to the amendment was rejected.

Mr. WHYTE. Mr. President, this is not a subsidy, I believe; it is only a compensation for carrying the mail! I believe that is the delicate description of it. Under the circumstances I propose to offer an amendment carrying out the views of a gentleman whose opinion will have no influence in this Chamber but has a great deal of influence throughout the country, and I desire before offering my amendment to quote from the little pamphlet which I hold in my hand issued by Mr. John Roach and dated at "the Morgan Iron Works, New York, November 26, 1877." He has very clear views upon the mode and manner in which steamship lines should be nursed and fostered; and in order to carry out his views I propose the amendment which I hold in my hand. On page 16 of his little book he says:

The necessity for ten or fifteen year contracts is readily apparent.

Short contracts, he goes on to say, are not often remunerative.

To overcome this difficulty, a long mail contract—

That is, ten years—

at a low rate of annual compensation will be much more effectual than a short contract at a much higher compensation. The English plan has been to give liberal mail pay in the earlier years of a line, and to gradually lessen and withdraw it as the line becomes commercially profitable.

And therefore I offer this amendment to carry out those views. I move to strike out all after the word "for," in line 212, down to the word "for" in line 213, as follows:

And not exceeding \$30 per mile per annum one way for.

And insert:

Such mail carriage to be paid for at not exceeding \$15 per mile per annum for the first three years from the date of the contract; at not exceeding \$10 per mile per annum for the second three years provided for by the contract; and at not exceeding \$5 per mile per annum for the concluding period of four years provided for by the contract.

I ask for the yeas and nays on the amendment to the amendment.

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

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "nay."

Mr. WHYTE, (when his name was called.) I am paired with the Senator from California, [Mr. SARGENT.] I should vote "yea" and he would vote "nay," if present.

The roll-call was concluded.

Mr. TELLER. On this subject I am paired with the Senator from Nevada, [Mr. SHARON.]

The result was announced—yeas 21, nays 27; as follows:

YEAS—21.

| | | | |
|------------------|------------|-----------|------------|
| Bailey, | Harris, | Merrimon, | Saulsbury, |
| Beck, | Hereford, | Morgan, | Voorhees, |
| Cameron of Wis., | Howe, | Morrill, | Wadleigh. |
| Eaton, | Kernan, | Oglesby, | |
| Edmunds, | McDonald, | Randolph, | |
| Grover, | McPherson, | Ransom, | |

NAYS—27.

| | | | |
|-----------------|-----------|------------|-----------|
| Anthony, | Conkling, | Ingalls, | Plumb, |
| Barnum, | Conover, | Kellogg, | Rollins, |
| Blaine, | Dawes, | Kirkwood, | Saunders, |
| Bruce, | Dorsey, | Lamar, | Shields, |
| Burnside, | Eustis, | Maxey, | Spencer, |
| Butler, | Garland, | Paddock, | Withers. |
| Cameron of Pa., | Hill, | Patterson, | |

ABSENT—27.

| | | | |
|--------------------|------------------|-------------------|----------|
| Allison, | Davis of W. Va., | Jones of Florida, | Sharon, |
| Bayard, | Dennis, | Jones of Nevada, | Teller, |
| Booth, | Ferry, | McCreery, | Thurman, |
| Chaffee, | Gordon, | McMillan, | Wallace, |
| Cockrell, | Hamlin, | Matthews, | Whyte, |
| Coke, | Hoar, | Mitchell, | Windom. |
| Davis of Illinois, | Johnston, | Sargent, | |

So the amendment to the amendment was rejected.

Mr. MORRILL. I am very sure that \$30 is too much per mile, and as the Senate has voted down \$10 per mile, I will make another mo-

tion to amend by striking out "thirty" and inserting "twenty." That will save at least a million dollars, and I am certain that the contract can be as easily made at a cost of two million as three million dollars. I hope the Senate will concur in the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Vermont to the amendment of the committee, to strike out "thirty" and insert "twenty" in line 212.

Mr. KERNAN called for the yeas and nays, and they were ordered.

Mr. CONKLING. I infer from the frequency with which the yeas and nays are demanded upon propositions like this, that the belief is on the one side or on the other of the Chamber that some advantage is to be gained by making what is called a record; and as I vote against these various amendments I will occupy the attention of the Senate for a moment to state once for all why.

A committee has reported to the Senate a given proposition for a given purpose. An effort is proposed to do something to achieve our portion of South American commerce. The committee has reported what it believes to be adequate as an experiment—postal compensation, graduated not only by the service to be rendered, but by what commercial men are accustomed to call the plant, the outlay, the investment, in one word the venture. As one member of the Senate I am in favor of trying that experiment. Looking at the action of other nations and looking at the reason of the thing, I believe in it with so much confidence as to warrant me in voting to try the experiment. Trying it, of course I wish to try it fairly and effectually; and therefore when one Senator rises and proposes ten dollars in lieu of thirty, and demands the yeas and nays upon that, I vote against it; and when another Senator proposes twenty in lieu of thirty, I vote in the negative for the same reason; all the time believing that the committee presents us with a proposition which if adopted will fairly try the experiment, but will, if frittered away, if paralyzed wholly or partially by saying that we will try it inadequately or in part, hazards the whole money involved and at the same time casts away a reasonable promise that the object will be assured.

Mr. President nothing is more delightful to me than one of the economical moods which sometimes prevails in the Senate Chamber. When the Senate has a spasm of economy, especially during this winter, I take heart. I have seen and you have seen, sir, millions on millions voted away during this winter, many of which, in my belief, should not have been voted. But when the attention of the Senate is occupied with a proposal to do that for the want of which we are told the whole country is languishing, to do that the want of which fills the democratic mind especially with apprehension, to do something to restore our commerce to the seas, borrowing the familiar phrase, then the genius of economy presides, then all manner of fears take possession of the senatorial heart that we may make a contract for a year or two longer than will turn out to be economic, that we may give a maximum or minimum per diem or per mile which time will demonstrate could have been arranged cheaper or upon a lower scale.

I say, Mr. President, that I am very glad to see even on a measure like this the thoughts of the Senate turned to saving money, turned to checking that outflow from the Treasury which has been, as I think, so largely encouraged and aided during this winter. But I beg for myself to say that when I sit down to be most critical and most economical and willing to run the most risk of paralyzing a scheme by being most careful in the measure of appropriation to it, I will select some scheme rather than that, the only one that has attracted my attention this winter looking to the augmentation and nourishment of our commerce, and especially with a country in the same hemisphere with us, whose commerce I think, as has been said by other Senators, peculiarly and appropriately belongs to the great Republic rather than to nationalities far away which enrich themselves upon it.

I shall vote for this so-called subsidy none the less because "subsidy" is the word applied to it. I shall vote to try the experiment of making a contract under which for the time specified the amount of money proposed shall be appropriated in order to see whether we cannot establish on the ocean a competition successful against those who have been carrying on their commercial enterprises by dint of the very instrumentalities which the Senate to-day considers.

Mr. HOWE. Mr. President, I want to say a word or two right in this connection. It has been my misfortune to vote during the day, to vote during the pendency of this particular measure now under consideration, very much the reverse of what the distinguished Senator from New York has voted; but I do not want that he or any Senator or any citizen of the United States should fall into the mistake of supposing that I have been voting in the interests of economy. If I understand myself, I have been voting in what I conceive to be the interests of commerce, of American commerce. If I am not strongly deceived as to my own purposes I am as ambitious of having all our seas whitened by our commerce as any Senator about me; but I do not believe that that end is to be effected or promoted by any arrangement or contrivance which tends directly and inevitably to force all commerce into one or two prescribed channels and into a particular kind of bottom. I am just as proud and just as fond of our commerce, whether it is sent out from one American port as from another, just as partial to that which goes from Portland as to that which goes from—I do not say New York, because I see the portentous brow of my honorable friend lowering upon me, but I will

say as from Nashville, or from Mobile. I am prudent; I am discreet. And, Mr. President, I am just as partial to it whether it be propelled by sail or by steam, and whether the bottom in which it goes to sea is built of wood or of iron. I have no prejudice against iron ships. There are large deposits of iron in the neighborhood where I live. I am very anxious to see them wrought into great ships and to see them profitably employed; but there are in the State of Wisconsin and in the State of Michigan forests of very valuable timber, which I would like to see utilized in the building of ships and to see them profitably employed.

Now, if any Senator here were moved to provide for giving a bonus upon every ton of merchandise carried between any American port and any port in Brazil, I would cheerfully vote for such a proposition.

Mr. EDMUNDS. In an American ship?

Mr. HOWE. In an American ship whether propelled by sails or by steam, whether built of wood or of iron, provided she be an American ship commanded and manned by American seamen. I am just as fond of those distinctions as my honorable friend from Maine; and with those conditions I would very cheerfully vote for a bonus upon every ton carried. If the bonus was an equivalent for the whole cost of carriage, I would care but very little, for what was taken from the cost of transportation would be compensated to the producer of that we shipped to the consumer of that we imported. I should be very liberal, therefore, in regard to the bonus to be paid. But when, instead of that, you have a proposition which, as I understand it, says that no commerce, nothing shall be shipped from the United States to Rio unless it goes from New York or New Orleans, and nothing shall be imported into the United States from Brazil unless it be discharged at one or the other of those two ports, and nothing shall be shipped to or from an American port unless it be shipped in an iron vessel propelled by steam, I do not think that tends to promote American commerce.

I believe that free competition is as necessary to the success of commerce as to any other branch of business. Sir, if we had not a cotton factory on this continent, I should feel, as others would feel, it to be very desirable to promote the manufacture of cotton here; but if to that end it were proposed to give a subsidy to anybody who would establish cotton factories in two towns singled out from the whole United States, I should say that that was a very awkward attempt to promote the manufacture of cotton in this country, and I regard this as just as lame an attempt to promote American commerce. Of course I may be mistaken, but this is the idea which has actuated me. I believe this injures commerce instead of promoting it; and so, as I profess to be the friend and not the enemy of American commerce, I have voted against this subsidy.

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

Mr. MORRILL. Mr. President, I desire to add a single word. It will be seen, as the amendments adopted have changed the form of the proposition as it came from the committee, that it is now utterly impossible that any save one single person shall be able to take the contract and all the talk in the bill about the lowest bidder is an absurdity if anybody expects anything from it. Of course we only have the proposition of one man who has appeared before a committee offering to do this service for the sum proposed by that committee. Now, I desire that we shall at least make one side of that bargain. If we cannot let the service out to the lowest bidder, I desire that we shall offer terms on our part that we will give, rather than accept those and those only offered by one man.

Mr. BLAINE. I desire only to put what I might call a little conundrum to my friend from Wisconsin, who has just delivered himself of some views on this question, and it is this: I ask how it happens that the nations of the world that have earliest and longest persisted in the very policy which he says will never produce a result are the nations that to-day hold and lead the commerce of the world? Great Britain began this policy with the advent of steam navigation. France followed her. They have both kept it up to this hour, and they have swept us off the sea. Now, I think you get *propter hoc* along with *post hoc* there. Their development has been because of the very application of the means which the Senator from Wisconsin says are not in the least degree adapted to produce the result.

Mr. WADLEIGH. I wish to ask my friend from Maine whether the excessive cost of manufacturing in the United States and the consequent increase of the price of goods which we sent abroad had nothing to do with our being driven from the seas?

Mr. BLAINE. We never got on to the seas with a steam marine.

Mr. WADLEIGH. If we had had a steam marine, does not the Senator from Maine know that within two or three years we could not have had any success in competing with other manufacturing nations on account of our inability to manufacture as cheaply as they?

Mr. BLAINE. Yes; but the Senator's question answers itself. Now, when we have got down to that, why do we not have the means necessary to promote it?

Mr. WADLEIGH. The answer to the Senator from Maine is that the nations of the world who adopted this system would have succeeded without it as against us, because until within two or three years it has been impossible for American manufacturers to manufacture cheaply enough to compete with other nations, and every man in this country knows it who has studied the subject at all. It is not

because we have lacked steam lines; it is because we could not manufacture so as to sell in the markets of the world against the other manufacturing nations. If we had had ever so many steam lines, it would have made no difference.

Mr. BLAINE. Can we now?

Mr. WADLEIGH. I am inclined to think it possible.

Mr. BLAINE. Then I should think that the Senator's logic would induce him to support the measure. He says we have now reached a point where we can do it. Now in the very harbor of Rio there come from twenty to twenty-three vessels every month from Europe, four or five a week sometimes; from Liverpool, Lisbon, San Lazar, all along the great commercial front of Europe they have lines connecting with Rio and putting goods in there. Now the Senator tells us we have reached a point where we can begin to compete with them, and still his logic leads him to the point that we ought not to give the mercantile and manufacturing communities in this country an opportunity to test that competition.

Mr. WADLEIGH. Mr. President—

Mr. BLAINE. I cannot answer the Senator as well as he answers himself.

Mr. WADLEIGH. The Senator from Maine asked the Senator from Wisconsin a question. That question was, how it happened that the other nations of the world, which had steam lines when we had not, had driven us from the seas. I saw that the Senator from Wisconsin was not going to answer; at least it did not appear to me that he was, though perhaps he was, and I ventured to suggest the true and correct answer to be this: that when we could not manufacture goods so as to compete with other nations, the question of steam lines or no steam lines had no influence at all upon our commercial prosperity, because it is not true, as stated by the Senator from Maine, that we have not succeeded because we have not had steam lines. That is what was stated. We could not have manufactured to compete with England and France if we had ever so many, and that answers the question which he asked of the Senator from Wisconsin.

Mr. BLAINE. Oh, well, the Senator has not made so conclusive an answer as he thinks, because there has been just as much trade all this time between New York and Liverpool as there has been between Liverpool and New York. That does not sound like a very difficult problem to understand, and yet I will repeat it for the benefit of the Senator from New Hampshire that during all these years there has been just as much commerce between New York and Liverpool as between Liverpool and New York, and the English steamers have carried the whole of it. Every particle of it that has gone both ways has been carried by English steamers. We have had as much to send out, we have brought as much in, we have sold as much, we have bought as much; and who has carried it all?

The Senator says that the foreign lines would have been built up against us regardless of this fact. Why? Does the Senator mean to say that the foremost commercial nation of the world, guided with ability and characterized by shrewdness, have wasted their money in building up these lines? Does he say that Great Britain, beginning in 1839, has pursued a policy which he now rises in the American Senate to tell them they were unwise in doing, and that they did not need, and would have succeeded without?

When the Senator speaks about the steam marine of the country it is not simply to Rio, nor is it simply to Rio that I would confine and limit this enterprise of the nation, but I will take what I can get; I will vote for what comes up. If I could be assisted by a majority, I would vote to compete for the great North Atlantic traffic, and I would vote to regain it by precisely the same means that Great Britain adopted to secure it.

Mr. HOWE. Mr. President, the Senator from Maine is altogether too practiced a debater not to know that a question may be put in a very brief space of time and in very few words which it requires a speech to answer; and the question which he propounded to me is of that character; and so I decline to take the time which would be necessary to answer fully his question.

I want to suggest to him, however, that foreign subsidies were not the only agency employed in hustling our commerce from the Atlantic; but it is undeniable—and, therefore, I am not here to deny—that if one government offers subsidy and another refuses it to the same line of transportation or to the same carriers, the government which offers the subsidy will get the carrying trade. Great Britain has paid subsidies to many lines of steamers, notably to those plying between her great ports and our great ports, and, therefore, she can offer inducements to the carrying trade which our lines not subsidized cannot. But if Great Britain, instead of giving a bonus, subsidies to particular lines of ships, had offered a bonus on each ton of freight carried, I think that would have been the better way of promoting British commerce; and although I would go as far as he who would go farthest in the effort to transfer that commerce to American bottoms, I would not agree to pay a dollar of subsidy to a particular line, but I would, as I said before, agree to pay a liberal bonus on every ton of freight carried between Liverpool and every American port in an American vessel; and by offering such inducements as that I believe we could in a very short time resume our share, our ancient share, in that very wealthy trade.

I am not here to say that Great Britain has been the loser by the policy of subsidy; on the contrary, I think she has been the gainer. She has done the carrying and we have paid for it. I would be glad

to pay our own marine for doing it. The way to get it for our marine, I think, is not by the intervention of subsidies.

Mr. BLAINE. Well, the Senator from Wisconsin comes to this, that he thinks much as Great Britain has monopolized the world by her policy, he could have given her a hint that would have enabled her to monopolize it still more. That is about it.

Mr. HOWE. Yes, sir; modestly I admit that is what I think, and modestly I think the hint I give is the very suggestion which, if we mean to get that trade back, we should act upon.

Mr. BLAINE. I do not object to the Senator's suggestion. I will vote for any instrumentality that will do it. But when the Senator laid it down here in an *ex cathedra* manner that this mode of building up a commerce could not succeed and would not succeed, I pointed him to the most illustrious example in the commercial history of the world where it had succeeded, and then the Senator gets up and says if she had done something else she would have succeeded a good deal better. God be thanked, then, that she did not get hold of something else! She has succeeded well enough now, almost too well; and she has succeeded by exactly these means.

And in still further answer to the suggestion of the Senator from New Hampshire, who is impatient to get up—let him keep his seat a moment longer—I want to call his attention to the fact that we have more ocean freight for vessels than any two nations in the world, that we send more tons of freight to be transported on the high seas than any other two nations of the world. This very last year we sent thirteen million tons, and it gave an aggregate profit of one hundred and fifteen million gold dollars to somebody.

Mr. EATON. I want to suggest, right in the line of thought of the Senator from Maine, that the object of Great Britain was twofold; it was a double object: first to sell her manufactures all over the world, and second, to gobble up, if I may use the expression, the entire carrying trade of the world.

Mr. BLAINE. I accept the suggestion. My friend from Connecticut is always right on the main issue; he gets a little wrong on some of the amendments. [Laughter.] Now I do not intend to delay the Senate with anything like a speech. I only point out why this trade is in their hands. It has been wrested from us; it has been wrested from us by certain well-known instrumentalities. We want to try the experiment of getting it back. This is an effort in that direction, an experiment if you choose; it is at least an experiment that shall deliver American goods at Rio by direct transportation and not have it said as it is now that the very petroleum that is used in Rio de Janeiro is shipped from Antwerp, giving the German middleman a profit on a product exclusively American.

Mr. SAULSBURY. Mr. President, this question of the carrying trade and how we shall recover it is certainly a question of the very gravest importance to the people of this country. We once had a very large portion of the carrying trade of the world; we have lost it; and how to recover it is a very important question; but I apprehend the suggestion of the Senator from New Hampshire is partially right. We paid heavy tariffs on our manufactured goods and we were unable therefore to sell them in competition with English goods which were free from heavy tariffs.

Mr. BLAINE. Was that the suggestion of the Senator from New Hampshire? Do I understand my friend from New Hampshire to object to the tariff?

Mr. SAULSBURY. There is another reason. The rates of interest in this country have been much higher than they have been in England, and capital has not sought investment in the enterprise of building steamships or building vessels of any kind to carry freights, but has sought investment in Government securities and in other things that paid better. That is another reason why we have lost our carrying trade. Men have not placed their money in it; and now the proposition of the Senator from Maine is that we take the public money and build up vessels which private enterprise will not build.

We had also a war which interrupted our carrying trade—ruined it. We had up to 1860 a very fair carrying trade, but since that time investments were more profitable in other directions than in ship-building. We paid heavy interest, and we paid it in gold on Government securities, and men put their money there. If you can bring down the rates of interest in this country to the same rates that prevail in England, then men of wealth will put their money in ship-building, as they formerly did; but they will not be apt to do it while they can place that money where it will pay better than in business enterprises.

Now, sir, this idea of subsidizing lines to get the carrying trade for this country is all a delusion. We have tried it. We have tried it with the Collins line and with the Garrison line and it did not succeed; but, as the Senator from Wisconsin says, the natural and inevitable tendency is to restrict commerce by destroying competition. If we subsidize this line, can the packet lines from Baltimore, now employing some thirty vessels, maintain themselves against the subsidized steam line? Will you not destroy, by subsidizing this line, the business of men who are not subsidized? That must be the natural effect. When you go to subsidizing one builder of iron ships you prejudice other builders.

Mr. Roach's yard is only twelve or fifteen miles from the city of Wilmington, in my State, where they have two or three as good iron-vessel builders as Mr. Roach, but you propose to give him a subsidy

to the prejudice of men in his own neighborhood engaged in the same business of building iron ships. That is the natural effect of the measure.

Mr. BLAINE. Will the Senator from Delaware allow me to interrupt him?

Mr. SAULSBURY. I will.

Mr. BLAINE. I think the honorable Senator voted for the amendment to combine these two lines, when it was known that nobody but Mr. Roach could bid for them.

Mr. SAULSBURY. I did not vote on the proposition, but I would have voted for it if I had been here.

Mr. BLAINE. Then the Senator would have been against putting on these lines any steamers except those built by Mr. Roach.

Mr. SAULSBURY. I voted against the whole scheme upon the very principle suggested by the Senator from Maine, that it brings reproach upon our legislation. I understood that he meant there was something which looked like log-rolling between two sections of the country in order to carry out schemes that were promoting the interests of each. I heard the suggestion of the Senator from Maine and thought it was a very wise one. I should have acted on that suggestion, so as not by my vote aid to bring reproach on the legislation of the Senate. But I say it is true that if you place in the hands of Mr. Roach \$300,000 annually he can afford to build ships cheaper than Pusey, Jones & Co., in the city of Wilmington, or Harlan & Hollingsworth in that city, who build just as good iron ships as Mr. Roach ever built. You are therefore not only prejudicing the commerce of the country, but you are destroying *pro tanto*, so far as this appropriation will go, the interests of other gentlemen engaged in building iron ships; and instead of advancing the commerce of the country by the proposition the suggestion of the Senator from Wisconsin is eminently true that it will impinge upon the commerce of the country and ultimately work destruction if we place a monopoly in the hands of men who are subsidized.

Sir, I can understand very well why gentlemen living in a section of the country where large manufacturing interests are carried on, and who wish to see a continuation of the high protective tariff imposed upon their goods manufactured in the country, can afford to go for this proposition, for the longer you continue the public debt, the greater you make the expenditures of the Government, the more necessity there is for high rates of tariff. But I cannot understand how my southern brethren here, who are interested in low tariffs and want to see the expenditures of this Government reduced, and thereby the tariff upon manufactures and other things reduced, are advocating measures that tend naturally and necessarily to keep up the high tariffs of the country and the high imposition of taxes upon the people.

Mr. WADLEIGH. I should like to ask my friend, the Senator from Delaware, how the manufacturers of New England or any other portion of this country can afford to export their goods and sell them in a foreign market unless the goods are made cheaper?

Mr. SAULSBURY. One thing is certain. We import now from England a large percentage of our manufactured goods. How do we do it, unless their goods are manufactured cheaper than ours? I do not know the average range of the tariff upon manufactured goods, but all the goods that come over here pay a tariff in this country and they are sold here and come in competition with goods that are made here. How is it, unless they are manufactured abroad cheaper than they are in New England or other portions of this country, that they can come here and pay the tariff that is imposed upon them? You cannot tell me that a man can manufacture goods in England, bring them here, and pay the taxes that are imposed upon them, unless he manufactures at cheaper rates than they are manufactured in this country. But the secret lies here: you may be able to manufacture if you avail yourselves of the tariff imposed on foreign goods and advance the price of the domestic goods, and they sell in the same market with the foreign goods which pay the tariff we impose by law. Here is one of the secrets why we have not the trade of Brazil and the trade of other foreign countries. England sells her goods there untrammelled by any tariff. She takes the trade of other countries free; and reciprocal favors are shown to each other by the different nations; and she is able, therefore, to undersell us in that market. England is able to sell the goods that they may want to buy cheaper than we can sell them. That is the reason our commerce has languished with that country, while the British trade and British commerce has found a home there.

I should be glad to see people of this country build up the carrying trade, but I do not believe it can be done, as the Senator from Wisconsin says, by subsidizing particular lines. You must do it by stimulating different lines. You must encourage your citizens to put their capital in business of this kind to rebuild your ship-yards, to rebuild ships, and to offer to carry at cheap rates. But your plan here is to subsidize lines and by that means drive off competition and place a monopoly in the hands of the subsidized lines by which they can extort from the shippers the freights they may desire.

Mr. President, I did not intend to say anything to-day upon the question; but I thought I could see the fallacy of the reasoning of the Senator from Maine. Though I am not so skilled in debate as the Senator from Maine, I sometimes can detect errors in the arguments which he advances here. I believe it is wrong in principle to give away the public money to private parties. I believe it will accomplish no good results, and that this experiment, as it is termed, in-

stead of advancing the general interest of the country or the commerce of the country, or assisting in building up the carrying trade of the country, will have a directly opposite effect.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Vermont, [Mr. MORRILL,] on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "nay."

Mr. GROVER, (when his name was called.) On this vote I am paired with the Senator from Florida, [Mr. CONOVER.] If he were present, I should vote "yea."

Mr. PLUMB, (when his name was called.) I am paired with the Senator from California, [Mr. BOOTH.] If he were present, I should vote "yea."

Mr. SAULSBURY, (when his name was called.) I am paired with the Senator from Maine [Mr. HAMLIN] on this question. If he were here, I should vote "yea."

Mr. SAUNDERS, (when his name was called.) I am paired with the Senator from Vermont, [Mr. EDMUNDS.] If he were here, I should vote "nay."

Mr. TELLER, (when his name was called.) On this subject I am paired with the Senator from Nevada, [Mr. SHARON.] If he were present, I should vote "yea."

Mr. VOORHEES, (when his name was called.) I am paired on this question with the Senator from Mississippi, [Mr. LAMAR.] If he were here, I should vote "yea."

Mr. WHYTE, (when his name was called.) I am paired with the Senator from California, [Mr. SARGENT.] If he were present, I should vote "yea."

The roll-call having been concluded, the result was announced—yeas 18, nays 25; as follows:

| YEAS—18. | | | |
|------------------|-------------------|------------------|-----------|
| Bayard, | Harris, | McMillan, | Oglesby, |
| Beck, | Hereford, | McPherson, | Randolph, |
| Coke, | Howe, | Merrimon, | Wadleigh. |
| Davis of Ill., | Kernan, | Morgan, | |
| Eaton, | McDonald, | Morrill, | |
| NAYS—25. | | | |
| Anthony, | Conkling, | Ingalls, | Rollins, |
| Barnum, | Dawes, | Kellogg, | Shields, |
| Blaine, | Dorsey, | Kirkwood, | Spencer, |
| Bruce, | Eastis, | Maxey, | Withers. |
| Burnside, | Garland, | Mitchell, | |
| Batler, | Gordon, | Paddock, | |
| Cameron of Pa., | Hill, | Patterson, | |
| ABSENT—32. | | | |
| Allison, | Dennis, | Jones of Nevada, | Saunders, |
| Bailey, | Edmunds, | Lamar, | Sharon, |
| Booth, | Ferry, | McCreery, | Teller, |
| Cameron of Wis., | Grover, | Matthews, | Thurman, |
| Chaffee, | Hamlin, | Plumb, | Voorhees, |
| Cockrell, | Hoar, | Ransom, | Wallace, |
| Conover, | Johnston, | Sargent, | Whyte, |
| Davis of W. Va., | Jones of Florida, | Saulsbury, | Windom. |

So the amendment to the amendment was rejected.

Mr. WHYTE. Following the scriptural doctrine of returning good for evil, I want to aid my friend from Texas by a proposition which will enable ships of this line to go up into the harbor of Galveston and relieve them of the necessity of lighterage. Consequently I propose to strike out "three thousand," on lines 209 and 210, and insert "fifteen hundred;" so that it will read:

Steamships of not less than fifteen hundred tons.

This will accomplish the purpose of the vessels going in at Galveston, and besides that it will open a little wider the door for somebody to get one of these contracts other than the gentleman who has a pending contract with Brazil. I want to call the attention of the Senate in that connection to the fact that the Liverpool, Brazil and River Platte Steam Navigation Company has twenty-five steamers engaged in this trade, and of the whole twenty-five but two are larger than fifteen hundred tons. Consequently there is no difficulty about vessels of that tonnage doing the work required in transporting freight and passengers between the two countries. Besides, it is well known that vessels of smaller tonnage than three thousand tons are more likely to meet the requirements and necessities of the Brazilian trade.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maryland to the amendment of the committee, to strike out "three thousand" and insert "fifteen hundred;" so as to read "of not less than fifteen hundred tons."

Mr. DORSEY. I simply desire to say that I hope we can have a vote on this amendment, and I trust that it will be voted down.

Mr. EATON. The adoption of the amendment of the Senator from Maryland would of course require an entire reorganization of the bill. With fifteen hundred tons nobody would think of paying \$30 per mile. The expense of building the ship and the expense of keeping the ship at sea would be infinitely less. But if we are to vote such an immense subsidy they ought to be required to put on immense vessels.

Mr. DORSEY. I do not care to enter into this discussion at this late hour; but when I hear this reiteration over and over again about a subsidy of \$30 a mile being something enormous, something fearful,

something unknown to the Government, I am bound to say one or two words about it. Take what is known as the star service of this country, the average price for horseback mail service is \$18 per mile per annum. There is any quantity of mail service in our Territories where the price is thirty or forty dollars, and I think in some cases \$50 a mile per annum for mails once a week. I do not hear anybody talk about that being a subsidy. I never heard that it was a subsidy.

Mr. BAILEY. I have been consistent in my opposition to this measure, but it is very evident that a majority of the Senate intends to adopt it and to adopt it substantially as it now stands. Therefore I shall oppose the amendment offered by the Senator from Maryland. I would, in view of what I think may by possibility be the necessity surrounding this line from Rio to New Orleans, rather vote for vessels of two thousand or twenty-five hundred tons burden, and with a view to secure to that port and to the people of the Southwest the benefits that are expected from the passage of the bill; but unless the friends of the bill shall advocate it I shall vote against any further amendment of that character, for the reason that is evident, as I have said before, that it is the purpose and design and intent of a majority of the Senate to carry the bill through substantially as it is. I hope, therefore, we shall speedily come to a vote.

Mr. GORDON. I wish to offer one amendment.

The PRESIDING OFFICER. There is one amendment now pending to the amendment of the committee.

Mr. GORDON. I did not know there was any amendment now pending.

Mr. MORGAN. Mr. President, I think it is the right of those who desire to have this bill perfected, to have it in such a form that it may commend itself most favorably to the Senate. There are some Senators who have hitherto voted against this measure who would have voted for it if they could have been convinced that this legislation was brought forward in a proper way and for a proper purpose. This legislation has been brought here as a rider upon the Post-Office appropriation bill. Although the proposition appears on its face to be a measure for the extension of postal facilities to Brazil, it is a bill for the promotion and nourishment of our commerce, and only that. This bill has never entered into the Senate, so far as I am advised, upon its own merits. It has always come as a rider upon a bill providing for carrying on the operations of the Government.

At the last session of Congress it came up in the form of an amendment to the post-route bill, and now it comes in as an amendment to the Post-Office appropriation bill. If the friends of this measure believed that it would be able to stand upon merits which would commend themselves to the people of the United States at large, why should it not be presented in a form where it can stand on its merits, and where it can be discussed with freedom and without reference to the question of conducting the proper operations of this Government? But the friends of this measure have not been willing to trust it at all upon its own merits. They have all the time sought to connect it with some general legislation which is imposed by the Constitution of the United States upon Congress as a duty.

We believe, or at least some of us believe, that this measure is the result, not of an actual combination, but at least of a combination of interests which come together for the purpose of forcing this great scheme upon the attention of the country. We desire to separate it as far as we can into its different elementary parts, and to ask the opinion of the Senate upon each part thereof. It has been complained here to-day that the yeas and nays were being called. I dare say that that was in some sense due to the impatience of the Senate and the desire for a speedy determination of this subject; but that complaint is one that is not going to deter those who are trying to get a legislative expression upon every part of the measure from entering fully and fairly upon its consideration in every point and in every respect.

I am not averse to the cultivation of commercial intercourse with foreign nations; on the contrary I am in favor of it; and so long as I have been in the Senate it has been a subject of assiduous thought and earnest, industrious research, so far as I have been able to bestow industry and research on the topic, to find the best means of enlarging the commerce of the United States with foreign countries; but it looks to me as if this were a rather indirect and almost an insincere effort to enlarge the commercial prosperity of this land in its trade with other countries. There is no necessity why we should take up this subject and attach it to a postal appropriation bill in order to carry it through. The mere fact that it has been so attached leads to the supposition that there is some intention at least to pull the measure through the Senate. It has been so thoroughly developed in this debate that I think no man in the United States will hereafter deny that this measure, while professing to be a provision for postal communication between this country and Brazil, has no substantial reference to that purpose at all, and the title of the bill ought to be stricken out after this amendment is put upon it by the committee and the Senate, and it ought to be entitled a bill for the facilitation of commerce to Rio.

Mr. President, the port of New York, which of course is the great commercial emporium of the United States, is to be connected by a line of steam communication with Rio. You are to come down and touch at Norfolk, passing by Baltimore, in your undertaking to build up that prosperity which Norfolk lost nearly a century ago. You pass on then to Brazil; and when the Senator from Maryland proposes

that a city that imports from Brazil five hundred thousand bags of coffee annually should be included in this bill and thus receive the benefits of it, the Senate votes down his proposition. When you go down to the Gulf of Mexico you there meet the mouth of the Mississippi and make a divergence of from three to five hundred miles to the west, directly out of the course to Brazil. Why that divergence? Why are you compelled to go by the city of Galveston with your steamships when it is suggested that it is impossible to enter the bar with such vessels? Do you expect to go there and with lighters unload the vessels when storms prevail? Do you expect to subject commerce and the mails and the people of the United States to the perils of a dangerous navigation at best? It is perfectly obvious that your reason for the departure from the mouth of the Mississippi to go west to Galveston and thereby add, before you get through the trip, six hundred miles of journey, has in it no special reference either to the postal facilities of this country or to its commercial facilities with foreign lands. Why not diverge to the left? Why not go upon the natural route of travel by the way of Pensacola, if you please? Why not take the shortest route to Rio, if your object be to establish postal communication between these two countries? Sir, the proposition will not bear examination. It is beyond dispute that the object of this measure has not the slightest reference to postal communication, but the greatest possible reference to commercial intercourse between different sections of this country and Brazil.

Notwithstanding I know that under our navigation laws and under the existing condition of the steam-marine of this country this contract will go into the hands of a single individual; and notwithstanding those who favor this scheme have already combined these two lines in such a way as that one man is compelled to own both, and one man is compelled to operate both; and notwithstanding that I know that under those circumstances the measure pending creates in the most precise and undeniable form simply a subsidy to a known man, who if he is not designated in the amendment might just as well be named in it, I would still vote for the measure if you made your contracts to cover no longer a period than five years, and if you made your contracts also to cover no greater rate of compensation than has some reference to the transmission of the mails. But as I comprehend the subject this is a project for the taxation of one class of people in this country for the purpose of benefiting another class or another industry. It adds to the prohibitory tariff which now operates against the purchase of foreign ships a large bounty, which we give to men who are just as well known as if they had been specifically named. I therefore think that it is the right and the duty also of those who oppose this amendment, and those who have been trying to get it in such a shape that they could vote for it, to call for the yeas and nays to bring out into public expression every feature and every phase of this case, so that the country can fully and perfectly understand it.

Mr. DORSEY. I move to lay the amendment of the Senator from Maryland to the amendment of the committee on the table.

Mr. MORRILL. Let me inquire does the proposition embrace the amendment from the Committee on Post-Offices and Post-Roads?

The PRESIDING OFFICER. No, only the amendment to the amendment.

Mr. MORRILL. The whole thing then goes to the table as I understand it.

Mr. HOAR. Oh, yes, the whole amendment. We cannot lay half an amendment on the table.

The motion to lay on the table was not agreed to.

Mr. KERNAN. Mr. President, with the indulgence of the Senate, I will state in a few words, and occupying but little time, why I feel it my duty to vote against this proposition reported by the committee. I am as firmly convinced as I can be of anything that this measure will not promote our export or carrying trade. I am also firmly convinced that it will not aid in building up either ship-building or steamship lines upon the ocean. This question was before us a year ago and it was then discussed. I gave my reasons at that time, based upon our experience, why I opposed the measure, and all my information from merchants and from business men, and from the commercial press, so called, proves that I am right in this conviction. We will, I hope, build up commerce and build up the carrying trade, but, in my judgment, it will not be by subsidizing a line or two of steamers under the pretense of carrying the mails. But in the short time we have in this session, at this late hour of the day, I do not propose to go into any extended argument. In voting against this proposed measure, I believe I am not voting against anything which will promote our export trade, or our carrying trade, or the industries of the country as to ship-building.

The question then comes to this: we are asked to vote \$300,000 a year, and bind the Government by contract to do so for ten years, under the pretense of carrying our mails to and from Brazil. I ask the attention of Senators to a few facts in reference to carrying our mails. I find in the report of the Postmaster-General sent to us at the commencement of this session, on page 371, a statement of the cost of all our ocean mail service during the past year. We have had from the ports of New York, Boston, Philadelphia, and Baltimore nearly five hundred trips from these ports across the Atlantic, performing the entire carrying service of our mails to and from Europe, and how much do you suppose it all cost? Only \$152,661.13. There has been no trouble in making rapid mail communications across the

Atlantic for all the purposes of business and for all other purposes. The entire amount paid for transmitting the mails to China, to Hong-Kong, to Shanghai, to New South Wales, Australia, and New Zealand, and all the carrying of our mails across the Pacific, with this eastern country with which we have trade and commerce, was only \$9,339.25. The carrying of the mails to Panama, Central America, and the South Pacific, to Mexico, Cuba, and the West India Islands, Brazil, the Argentine Republic, Venezuela, and to Canada cost \$35,225.77. We have had no complaint that I have heard of that we have not fair mail facilities with all these countries, all that was adequate for business and all which business required. And the entire cost of the whole service across the Atlantic and across the Pacific Oceans, and South America and to the West India Islands, was only \$197,276.15. In the face of these facts there comes now to us a proposition to vote \$300,000 a year for ten years, to carry our mails twice a month from two of our ports to Brazil, stopping at three or four intermediate ports.

I cannot justify myself in giving a vote for any such project. There has been no intimation to us from the people by petition or otherwise that this is necessary for the benefit of trade or commerce or anything else. Last year the other House dissented from the post-route bill on which this same subsidy was put by the Senate, and that bill was lost. Did there come from the country any cry of dissatisfaction, any from business men? I have not heard it. I have had conversation with the merchants of my own State in the city of New York, I have looked carefully to that portion of the press which usually indicates their interests and wishes, and I find no expression of opinion calling upon us that we should vote this large sum for carrying the mails under any pretense, and no complaint because the House refused to acquiesce in the proposition last year.

Therefore I must vote against this amendment of the committee. It will no more build up commerce or lines of steamers for commercial traffic than have such measures in the past when this country has paid out large sums for like projects.

A million and a half of dollars were paid for a line for ten years to this same port of Rio, stopping at other places, and the country derived no advantage from the expenditure.

Again the proposition comes to us in a form that is very objectionable. Last year it was put on the post-route bill. Many desired that bill to become a law that we might have new post-routes throughout the United States, but it was defeated, and yet the people made no complaint that the other portions of the bill were lost when it was known that we had to adopt this proposition or allow the post-route bill to fail. Now it is put on the Post-Office appropriation bill, and comes here in such a form that if the amendment is adopted we must vote for it, to enable us to make appropriations that are essential to carry the mails throughout the United States and across the oceans, as they have been carried the past year, while neither last year nor this year has there been any need for this provision to be placed upon the bill. I hold in my hand a separate bill, introduced in the Senate on the 24th of April, 1878, entitled "A bill to provide ocean mail steamship service between the United States and Brazil," providing substantially as does this amendment put now by the committee on the Post-Office appropriation bill. If we are to act on such a matter it should come up as a separate bill, and it should not come up on an appropriation bill and be forced through or the whole bill lost if the Houses should disagree.

The attention of the country has been called to this matter, and there have been no petitions for this measure. The bill to which I refer has remained in the Committee on Post-Offices and Post-Roads from April 24, 1878, without any report or action upon it. If the measure had merits; if the people demanded it, why have we not had action on it as a separate measure where we could debate it, and where it could stand or fall upon its own merits.

I call attention to this, because I desire that we should pass the necessary appropriation bills and obviate any lock between the two Houses and obviate the necessity of a called or extra session. We must shut our eyes if we believe that the other House will adopt this bill, important as it is, with this subsidy on it. I say nothing on this except to read from the RECORD. I read from volume 7, of part 1, Forty-fifth Congress, second session, to show the action of the House of Representatives in January, 1878, on this subject. I read from page 625 and 626, under date of 28th of January, 1878. Mr. WILLIS, of New York, asked unanimous consent "to present the memorial of John Roach & Son, concerning the establishment of direct lines of steamships between the United States and Brazil, and asked that it be printed in the RECORD, and referred to the Committee on Post-Offices and Post-Roads." Permission to print in the RECORD was objected to, and the petition referred. Immediately the next thing done after the memorial was referred, was this:

Mr. BAKER, of Indiana. I move that the rules be suspended, so that the House may pass the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Mr. HOAR. Mr. President, I make the point of order that the Senator from New York has no right to quote from the debates in the other branch or to allude to particular votes or majorities there.

Mr. KERNAN. I believe we can read from the RECORD; but still I am subject to all the rules of order. I hope I may read from the RECORD, not debate on the question or anything except the resolution and the disposition made of it.

Mr. EATON. It is done every day.

Mr. KERNAN. It is done every day, and with the permission of the Chair I will proceed.

Mr. HOAR. I insist on the point of order. I understand it is expressly laid down in the Manual which is adopted for our guidance that a Senator has no right to influence the vote of the Senate by an allusion to any debate in the other House, (I do not speak of ancient debates, but of the present Congress,) or an allusion to votes or majorities there.

Mr. KERNAN. This is not on the pending measure; it is past history. May I not be allowed to read on the pending question the record of the past for our instruction? I hope I can. It is not any action taken by the House on this bill.

Mr. HOAR. I insist on the point of order. It is a very important point for the government of both branches.

The PRESIDING OFFICER. The Chair is of opinion that it has been customary in times past to read thus from the RECORD.

Mr. KERNAN. I will make it very short and simply read the resolution adopted by the House.

Mr. BLAINE. I do not think it is of the slightest importance, and I would not interfere with the Senator, but let it go by consent; but the ruling of the Chair I think is wrong.

Mr. EATON. It is done every day.

Mr. BLAINE. Then I must have been strangely remiss in observing the proceedings of the body.

Mr. HOAR. I call for the reading of the provision in Jefferson's Manual.

The PRESIDING OFFICER. The provision will be read.

Mr. KERNAN. I will say that I want to read the resolution adopted by the House, simply as a historical reference.

Mr. HOAR. It makes no difference.

Mr. BLAINE. Is it the action of a past Congress?

Mr. HOAR. It is the action of the present Congress.

Mr. KERNAN. The resolution was adopted in January, 1878, but the action was not upon any measure that is pending now.

Mr. BLAINE. With all due deference to the honorable Senator, although I have not the remotest objection to its being read, the distinction is that if it is the action of a past Congress which has gone into history it is permissible, but the action of a branch of the Congress with which we are actually co-operating daily, the same members, and the same questions, it is clearly beyond the power of a Senator to cite.

The PRESIDING OFFICER. The Senator from Massachusetts, the Chair understands, desires to have something read from the Manual?

Mr. HOAR. I desire to have read the paragraph at the foot of the one hundred and thirty-seventh page.

The PRESIDING OFFICER. The Secretary will report the clause from the Manual.

The Secretary read as follows:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

Mr. KERNAN. Mr. President—

The PRESIDING OFFICER. The Senator will suspend. The Chair is of the opinion that under a strict enforcement of the rule he would be obliged to sustain the point of order.

Mr. KERNAN. May I be heard for a moment on the question of order?

Mr. INGALLS. The point of order is not debatable.

The PRESIDING OFFICER. The Chair hears no objection, and the Senator from New York will be heard.

Mr. KERNAN. I simply desire to state that it certainly is not unconstitutional for me to inform the Senate what was done not on the bill now pending before them, but in a past session on a matter that was disposed of at that session. May I not read from the RECORD to show it? May I not state that such a measure was up in the other House and was defeated or was concurred in by the House? That is the point here exactly.

The PRESIDING OFFICER. The Chair is of opinion that the subject has not been disposed of, but is still pending before the same Congress.

Mr. BAYARD. It is not the same measure; it was more than a year ago.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. BLAINE. The Senator from New York must observe, if he will pardon me, that he is actually quoting from the proceedings of the House to influence the opinion of the Senate, and that is going as directly as it is possible to go in the teeth of the rule.

Mr. KERNAN. I do not so understand, although the Senator says I must observe it. I suppose I may read from a speech made in the other House to get the benefit of the argument; I suppose I may read a resolution offered there, not on a bill pending here now or pending there now, to show what they resolved on a certain subject.

Mr. HOAR. Will the Senator from New York allow me to suggest to him that if he may read from a speech made there, I may answer a speech made there here; the maker of that speech in the House may answer me there; and it would result in the possibility of dis-

cussions commenting on the arguments or conduct or speeches of members of one branch in the other. That is the ground of the objection.

Mr. KERNAN. I did not understand what the decision of the Chair was.

The PRESIDING OFFICER. The Chair sustained the point of order.

Mr. KERNAN. Let me understand it. Is there objection to my reading a resolution passed in the House at that date?

The PRESIDING OFFICER. The Chair also stated that it had been customary on certain occasions to read from the RECORD, but under a strict enforcement of the rule he would be obliged to sustain the point of order. The Senator from New York asks permission to read from the RECORD. Is there objection? The Chair hears no objection.

Mr. KERNAN. The resolution offered in the House was in these words:

Resolved, That in the judgment of the House no subsidies in money, bonds, public lands, indorsements, or by pledge of the public credit, should be granted or renewed by Congress to associations or corporations engaged in or proposing to engage in public or private enterprises; but that all appropriations ought to be limited to such amounts and purposes only as shall be imperatively demanded by the public service of the Government.

The rules were suspended by a two-third vote, and that resolution passed immediately on the introduction of the memorial of Messrs. Roach & Son on the subject. All I wanted to say was that I want to do what I think is wise, and I allude to this with no view other than that Senators may see what we may expect if we put on a general appropriation bill for carrying our mails on the ocean and all through the Union a provision which every one knows is included in the denomination of subsidies by the resolution I have just read, and which was aimed at subsidies of this character. I only wanted to ask the Senate whether now, at this stage of the session, when a separate bill for this purpose has lain in a committee of the Senate without there being any effort made to bring it forward as a separate measure for more than ten months, we could rightfully in the discharge of our duties, no matter how we differ on the general merits of this question, put upon this appropriation bill a provision to carry the mail under contract for ten years at \$300,000 a year. We are inviting a contest; we are doing evil to the country, in my judgment, by attempting to enact such a provision on this bill. If the proposition has merit, let it be brought up as a separate measure and voted upon; or if there is not time for that now, let it be done hereafter; but to allow it to sleep in one of our committees, after it once has been beaten by killing the post-route bill, and then to put it on a bill to furnish the Government means to carry the mails as they now exist, surely is not proper. I appeal to Senators that we ought not to do that, no matter how confident Senators may feel that it would work advantageously for commerce, or for ship-building, or for anything else.

Mr. PADDOCK. Will the Senator give way to me for a moment?

Mr. KERNAN. I would rather not. I know the Senate is weary, and therefore I shall not take up time, and I shall be through in three minutes.

Mr. PADDOCK. I want to ask a question in order to assist the Senator.

Mr. KERNAN. I assert there is no evidence to show that the business community, the tax-payers, that any class, are interested in having this subsidy passed separately, and certainly not as a rider on this great appropriation bill. I appeal to Senators, therefore, to reject this amendment. Let the ordinary Post-Office appropriation bill go to the House, and let us complete all the appropriation bills, and thus relieve the business community from what they dread, a session of Congress in the summer or in the fall.

Mr. PADDOCK. I desire to call the attention of the Senator from New York to the fact that in the face of the very resolution to which the Senator has referred as having been adopted by the House of Representatives at its last session, that body appropriated nearly \$7,000,000 to make up a deficit in the postal service of thirty-one States and nine Territories. The postages received from the service fell short nearly \$7,000,000 of the amount necessary to sustain the transportation of the mails; and in the face of that resolution the House appropriated the sum necessary in the nature of a subsidy to those States to sustain the mail service. Was that voting a subsidy, or was it not a subsidy?

Mr. KERNAN. I will not answer. My friend may decide for himself. Of course the House did its duty in appropriating money to make up the deficiency in carrying the mails on the ordinary routes; but has that anything to do with a proposition that is not pretended to be essential for carrying the mails, and that is urged here as a scheme to build up commerce by voting money at the rate of \$300,000 a year? The gentlemen who believe that it would build up commerce should let it come up as a separate measure. It does not belong to an appropriation bill, and no man will pretend that it can be claimed to be any fair appropriation for carrying the mails. All your general foreign mail service only costs \$197,000 a year. Here it is proposed to appropriate \$300,000 as a commercial enterprise. I do not think it should pass at all, and I am sure it should not pass as a rider to an appropriation bill.

Mr. WADLEIGH. Mr. President, I do not propose to detain the Senate at this late hour by making a speech, but I wish to state in a

few words the reasons why I cannot vote for this amendment of the committee.

In the first place, I am opposed to it upon the ground that it is general legislation upon an appropriation bill, a vicious kind of legislation which the rules of the Senate forbid. Such a practice enables parties to come forward at the last hours of the session and by tacking their schemes upon bills which Congress must pass, to insure their passage.

I am opposed to it in the second place, because I do not believe in subsidies for commercial purposes. It seems to me that any subsidy given, (as everybody concedes this is given,) to an individual has a tendency to destroy his competitors; for as against the advantage given by the subsidies of Congress there can be no healthful competition. The man who receives them is enabled to crush out his rivals, and having crushed out his rivals to make his prices what he chooses. There is nothing in this measure to limit the prices which the beneficiary of it may exact from those who employ him to carry freight.

In the next place, I am opposed to subsidies for another reason. Subsidies are given, as was stated by the honorable Senator from Delaware [Mr. BAYARD] yesterday, not to men who are poor, not to men who are in middling circumstances, because such men have not the means to come to Congress and procure subsidies; it is impossible for them; it is only possible for men of large means.

In view of the discontent, in view of the distress that prevails all over the country, and in view of the clamor against Congress which this measure must inevitably arouse, I am opposed to granting subsidies of this kind upon public policy. What has been the history of measures of this kind in the past? The defeat, or at least the clangor of defeat, of that great party to which I belong is due, more than to any other cause, to measures of this kind, passed, not for the benefit of the people, but for the benefit of individuals.

How have subsidies been spent? Look at the subsidies granted to the Pacific Railroad, of which more than a score of millions was devoted improperly for the purpose of securing legislation and for enriching those who made contracts with themselves. Look for one moment at the subsidy granted to the Pacific Mail in 1872. To procure that subsidy exactly the same arguments were used that are used here to-day. I have before me the statement of a witness given before the committee which investigated that subject. He goes on in his statement to tell what instructions he gave to the men who wanted to procure that subsidy. Those instructions will be found upon page 287 of Reports of Committees, second session, Forty-third Congress, Nos. 266-345. I venture to say that there is not a single argument urged in favor of this subsidy that was not then and there urged in favor of that, and it appeared upon that investigation that three quarters of a million of dollars were spent by the men who sought that subsidy to carry it through Congress; and the whole country was disgusted with it. It covered the Republic with disgrace and dishonor, and many political reputations were blasted by it. I submit that legislation which brings about such results, legislation which in its very nature leads to such results, is not the kind of legislation in which the American Congress should indulge.

Upon what ground is this subsidy to be given? My friend from Maine, with his accustomed eloquence and that force which he lends to everything he says, has said that we have lost on account of Great Britain giving subsidies to steamship lines our proper and just share in the commerce of the world. I want to take issue with him upon that question. I do not so read our commercial history. For the ten years from 1865 to 1875 there was a subsidy given to a steamship line to Brazil, the Garrison line. Did that subsidy build up American commerce with Brazil? Not at all. Our commerce with Brazil was not so great at the end of the ten years as it was at the beginning. That shows that our present condition is not due to our want of steamship lines. Having a steamship line did not change that condition which was due to other causes. Our manufacturers could not manufacture so cheaply as the manufacturers of other countries could; we could not send our manufactures abroad; and for that reason that line did not increase our commerce with Brazil.

But supposing subsidies to be necessary for the establishment of new lines to increase our commerce, upon what ground, I ask, can this subsidy be granted? I understand that this line is already established. It is under contract to be run ten years from the port of New York. The line is in actual operation. There come here numerous business men from Baltimore and present to us a statement, which has every appearance of being true, showing that that line is not only established and running but is making great profits; that over and above all its expenses, and over and above an allowance of 6 per cent. on the investment, it is making some 19 per cent. If that is true, is there any necessity for giving a subsidy out of the Treasury to such a line as that? Is there any necessity, without any provision for cheapening freights, to enhance those already enormous profits out of the Treasury of the people? Is there any denial of that fact, Mr. President? Only a general denial.

Mr. Roach has all his books; he has all his papers. These figures are presented. He can state how the fact is definitely. Does he do it? No, he makes a mere general denial of the truth of that statement. He does not say what is true. From the papers which I have examined, showing the shipments to South America upon this line, I am satisfied that the statement is substantially true. When he who has all the figures, who can show them all, has a statement before him

as to there being certain profits, and he contents himself with a mere general denial, I take it for granted that if an explicit statement of his actual profits would help his case he would make it. For that reason I think that this legislation will be unjust. I do not believe in granting subsidies to enterprises which are already profitable.

The simple fact that it is charged here, without any explicit denial, that such profits are made will stamp an effort to give subsidies upon such an enterprise with popular reprobation.

Mr. DORSEY. Who makes that charge, Mr. President?

Mr. WADLEIGH. I have seen upon my desk, and I presume the same document has been upon the desk of every member of the Senate, a statement of numerous business men and firms of the city of Baltimore stating that they have collated from the books—

Mr. DORSEY. Oh!

Mr. WADLEIGH. Will the Senator from New Hampshire allow me to interrupt him?

Mr. DORSEY. Certainly.

Mr. WADLEIGH. I have the items here, [holding up a paper,] and I challenge a denial of them.

Mr. DORSEY. First of all, I should like to inquire if those business men of Baltimore are running these ships?

Mr. WADLEIGH. No, sir; but they have ascertained from the custom-house and from the shipments exactly what it costs to run the ships and what freight is carried and what profit is in the trade.

Mr. DORSEY. Do the custom-house officials in Baltimore know what is the cost of running iron screw-steamships between New York and Brazil?

Mr. WADLEIGH. They can ascertain it to a cent. They are in the habit of running steamships themselves. We ran steamships for ten years from New York to Rio, and we know exactly what it costs. That is a mathematical calculation.

Mr. DORSEY. I undertake to say upon as good authority, I have no doubt, as the Senator from New Hampshire or the Senator from Maryland has, that there is not a single word of truth in the statement that these shipments are paying the expenses of the line in any one trip they have made, but the truth is they have lost money upon every trip.

Mr. WADLEIGH. Days ago a statement signed by the most influential and the most eminent business men and firms of the city of Baltimore was put upon the desks of Senators, which gave a detailed statement of the amount of business done by the line.

Mr. WITHERS. And it was replied to the next day, and denied.

Mr. WADLEIGH. The statement was accompanied with an estimate of the cost of running the steamship lines, showing an enormous profit; and what was the reply to it? Any statement as to what the profits are? Not at all. I examined carefully the statement of John Roach. He contented himself with a simple denial of the truth of the statement which had been made by the merchants of Baltimore. I have seen no other statement than that. Why did he not give some definite answer to these definite charges?

Mr. DORSEY. I believe I saw an answer stating that that was a lie. I do not know that anything more definite or pointed could have been made.

Mr. WADLEIGH. He has all the figures; why did he not state to Congress what his expenses were and what his receipts were? Why did he not give us the figures? The figures have been given upon the other side; why does he not state in what particular those figures are incorrect? There is nothing of that kind presented by him. In view of this case, as it stands before me now, I cannot help looking upon this amendment and voting upon it accordingly, as being a scheme to pay a great subsidy to an enterprise which is paying already great profits and which is already established.

Mr. DORSEY. I should like to inquire of the Senator from New Hampshire whether if it were shown to his satisfaction that this line was losing money, losing a great deal of money, and that this support was necessary to maintain it, he would in that case vote for what he calls a subsidy?

Mr. WADLEIGH. I have already stated in the hearing of my friend, the Senator from Arkansas, the reasons which impel me to distrust such legislation in a country like ours. What is a subsidy? It is taking from the public Treasury an amount of money wrong by taxation from the people for public purposes, and giving it to an individual upon the assumption that his business will benefit in some way the public, if it is successful.

Mr. DORSEY. That is the Senator's construction.

Mr. WADLEIGH. Where is the business of this country that is not beneficial to the country if it is successful? Why should not the cotton-mills of Manchester have a subsidy as well as John Roach? Is it not for the public interest that they are in operation?

Mr. DORSEY. They have had a subsidy, they have been protected from competition abroad.

Mr. BLAINE. They have a pretty large one, too.

Mr. WADLEIGH. If this was a subsidy open to all the people of the United States, if it was open to all the shippers of the United States, if it was not confined in effect to one man, it would bear a very different character.

Mr. BLAINE. Anybody else can come in and bid; this contract is open to everybody.

Mr. WADLEIGH. Everybody knows, and my friend the Senator from Maine knows better than anybody else, that this provision is so

carefully drawn as practically to exclude every man but one from this competition.

Mr. BLAINE. I understand the Senator from New Hampshire to back out of the idea that the cotton-mills of Manchester do not have a subsidy.

Mr. WADLEIGH. They have no subsidy. Why, Mr. President, bounties were given to fishermen for the purpose of training a navy. Was that a subsidy to an individual? No, because it was open and free to everybody. It stimulated instead of thwarted competition.

Mr. BLAINE. And yet—

Mr. WADLEIGH. The tariff under which our cotton-mills were built up is of the same character.

Mr. BLAINE. One minute—

Mr. WADLEIGH. It applies not only to Manchester, but to Georgia, to Alabama, and to any State which chooses to engage in the business of manufacturing.

Mr. BLAINE. The Senator will permit me a moment. For half a century just such diatribes as the Senator is delivering on this question were made on the fishing bounties until in utter scorn and detestation of the whole subject we came forward ourselves and said "repeal them."

Mr. WADLEIGH. Mr. President, I could vote for a fishing bounty and I can for any measure that stimulates competition in a business necessary to our national prosperity; but my point is that when you give a subsidy to an individual you benefit him and destroy everybody else. I ask what benefit will the merchants of Baltimore who trade with South America receive from this measure? Any? Yet every man who manufactures cotton in the United States receives the same benefit from the tariff that the manufacturer in Manchester does. No, Mr. President, a subsidy, instead of being a benefit to the shippers of the country, it is a positive injury; it brings into competition with them a man against whom they are handicapped by his carrying into the contest an enormous subsidy from the Treasury of this Government.

Mr. DORSEY. I should like to inquire of the Senator what benefit the farmer and the merchant and the artisan of Arkansas receive from the tariff that protects the manufacturers of the Senator's State and has made them rich?

Mr. WADLEIGH. The benefit which they receive to day is that they buy everything that is manufactured in Manchester cheaper than they could if they had to depend on England for it.

Mr. DORSEY. How was that three years ago?

Mr. WADLEIGH. American competition has kept down the prices of foreign goods. Without that competition they would have been much higher than they are now. Why let me tell my friend from Arkansas that the farmer of Arkansas who uses agricultural implements uses implements against the introduction of which into this country there is a high tariff. Does he undertake to say here that that injures the farmer of Arkansas, when we are exporting agricultural implements to the whole world?

Mr. DORSEY. The Senator suggests an article of manufacture which he knows, and is aware that every member of the Senate understands, is made nowhere else in the world except here. But how is it about your cotton goods and your woolen goods; how about the ten thousand things which are manufactured in New England, and which the people of the West have paid tariffs on for the last thirty years to build up your manufacturers, to enrich them by an enormous tariff? You talk about subsidies, when the New England manufacturers have been subsidized beyond anything ever thought of in this country. They became rich and powerful, and now they are able to compete with foreign manufacturers, and it was the protective tariff that enabled them to become so, and the people of the West and South have paid for it.

Mr. WADLEIGH. Mr. President, under this tariff policy, and by virtue of it, all over the South where there is water-power there are springing up to-day great manufactories, as in Georgia and in South Carolina and in North Carolina, whose profits are greater than those of the manufacturers of New England. As I say, the tariff stimulated competition in manufacturing. The men in Georgia have the benefit of it as much as the men of New England. It offered a reward and bounty to anybody in this broad land who would go into that business. But what is this measure before us? It picks out a single individual and gives to him a great subsidy, while his neighbors in the same business are left without any. They are driven out of business; they are ruined by such action as this on the part of the Congress of the United States.

And not only that, if subsidies are to be the rule that day is not far distant when the politics of political parties in this country will be based upon the acquisition of bounties from the Treasury of this Government. Parties will be run on that basis; such issues will be carried into elections, and whenever a party wins the seat of power a crowd of hungry men—hungry, not for offices as now, but hungry for great subsidies out of the National Treasury—will come thronging to the seat of Government to log-roll their measures through Congress. It is inevitable, it cannot be helped. This is a step in that path which must lead to national ruin, for Congress will have no power to protect itself against that class of appeals for subsidies.

Mr. President, I had looked for some measure from the committee which would confer upon everybody who chose to engage in Brazilian commerce the benefit of the bounty of the United States. I had

looked for some measure that would stimulate, and not dwarf, our depressed commerce; but I cannot look upon this measure, as I have already said, in any other light than as a measure to destroy competition and injure the commerce of the United States.

It has been said that we have little trade with Brazil. The answer is easy. Up to 1876 we did not manufacture goods cheaply enough to send them to Brazil; consequently they could not go. We could not compete in the Brazilian market with England and France. It is true that we are beginning to be able to do that now; but we cannot get possession of those markets immediately even if we can sell more cheaply to them than other nations can; and why? Because for a long series of years the English merchants have taken possession of Brazil after a certain fashion. They have their houses there; they have their correspondents there; they have their agents there who give orders for them to fill. Now, before we can have the commerce of Brazil we must have something of that kind; and that is the work of some little time. This steamship line I feel sure will help to bring that about. I have no doubt it will. If there was no steamship line already established, and if it were not apparent to me that the steamship line established was making large profits, I might look with some degree of patience upon the proposed legislation. But my friend from Maine gets up here, and certainly I admire the force with which he treats every subject his speech adorns, and he talks of American commerce being driven from all the seas of the globe; he talks of it as being prostrate and destroyed; and what does he propose? To establish steamship lines where we have none? No; but to give a subsidy to a steamship line already existing instead of making new ones.

Now, Mr. President, in view of the fact that it does not appear but that the large profits charged upon this enterprise are made by it, I must refrain from giving my vote to the support of this measure.

Mr. MORGAN. Mr. President, this bill as reported by the committee on page 9 reads:

And the Postmaster-General is authorized and directed, after due public advertisement, to contract for ten years for carrying the mails, once each month, &c.

I desire to offer an amendment to come in on line 200, page 9, after the words "to contract for." I propose to insert "a time not exceeding;" so that it will read:

And the Postmaster-General is authorized and directed, after due public advertisement, to contract for a time not exceeding ten years for carrying the mails, &c.

The PRESIDING OFFICER, (Mr. ROLLINS.) The Senator from Alabama moves to amend the amendment by inserting the words "a time not exceeding" before the words "ten years."

Mr. DORSEY. There is no objection to that amendment as I understand it.

The amendment to the amendment was agreed to.

Mr. MERRIMON. A very important section of the country is omitted; I refer to the southeastern Atlantic sea-board. I offer this amendment to accommodate that section. In line 203, after the word "Virginia," I move to insert:

And by way of Wilmington, North Carolina, and Port Royal, South Carolina.

Mr. DORSEY. I move to lay that amendment on the table.

Mr. MERRIMON. On that motion I call for the yeas and nays.

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

Mr. ANTHONY, (when his name was called.) I am paired with the Senator from Vermont [Mr. EDMUNDS] upon this question.

Mr. McMILLAN, (when the name of Mr. CAMERON, of Wisconsin, was called.) The Senator from Wisconsin [Mr. CAMERON] is paired with the Senator from Mississippi, [Mr. LAMAR.]

Mr. FERRY, (when his name was called.) I am paired on this question with the Senator from Maryland, [Mr. DENNIS.] If he were here, I should vote "yea."

Mr. MITCHELL, (when his name was called.) On this question I am paired with the Senator from Illinois, [Mr. DAVIS.] If he were here, he would vote "nay" and I should vote "yea" on this motion.

Mr. PADDOCK, (when his name was called.) On this question I am paired with the Senator from Vermont, [Mr. MORRILL.] If he were here, I should vote "yea."

Mr. WADLEIGH, (when the name of Mr. PATTERSON was called.) The Senator from South Carolina [Mr. PATTERSON] is paired with me upon all questions connected with this bill. I state that once for all.

Mr. PLUMB, (when his name was called.) On this question and all questions connected with the bill, I am paired with the Senator from California, [Mr. BOOTH.]

Mr. McMILLAN, (when Mr. TELLER's name was called.) The Senator from Colorado [Mr. TELLER] is paired with the Senator from Nevada, [Mr. SHARON.] The Senator from Colorado [Mr. TELLER] would vote "yea," if present.

Mr. WADLEIGH, (when his name was called.) I am paired upon this bill and all questions connected with it, with the Senator from South Carolina, [Mr. PATTERSON.]

Mr. WHYTE, (when his name was called.) I am paired with the Senator from California, [Mr. SARGENT.] I should vote "nay" on this motion if he were present.

Mr. WINDOM, (when his name was called.) On this question I am paired with the Senator from West Virginia, [Mr. DAVIS.]

The roll-call was concluded.

Mr. VOORHEES. I neglected to announce when my colleague's name was called that he is paired. My colleague, [Mr. McDONALD,] if here, would vote against this motion.

Mr. BLAINE, (after having voted in the affirmative.) I voted under a forgetfulness of the fact that I am paired with the Senator from Tennessee [Mr. HARRIS] on all questions pertaining to this bill; and therefore I withdraw my vote.

Mr. BARNUM, (after having voted in the affirmative.) I voted under a misapprehension. I am paired with the Senator from Delaware, [Mr. BAYARD.] I withdraw my vote.

Mr. PADDOCK. I shall vote as my pair would have voted if he were here, as there is a want of a quorum. I vote "nay."

Mr. WITHERS. My colleague [Mr. JOHNSTON] is paired on this question with the Senator from Kentucky, [Mr. MCCREERY.] My colleague, if here, would vote "yea."

Mr. BAILEY. I wish to announce that the Senator from North Carolina [Mr. RANSOM] and the Senator from Massachusetts [Mr. DAWES] are paired; the Senator from New Jersey [Mr. RANDOLPH] and the Senator from Ohio [Mr. MATTHEWS] are paired; and the Senator from North Carolina [Mr. MERRIMON] and the Senator from Rhode Island [Mr. BURNSIDE] are paired.

Mr. EUSTIS. The Senator from Mississippi [Mr. LAMAR] is paired with the Senator from Wisconsin, [Mr. CAMERON.]

Mr. FERRY. For the purpose of making a quorum I vote as the Senator from Maryland, [Mr. DENNIS,] with whom I am paired, would vote if he were here. I vote "nay."

Mr. McMILLAN. I vote "yea."

Mr. GORDON. I vote "nay."

Mr. WINDOM. For the purpose of helping to make a quorum I shall vote as the Senator from West Virginia [Mr. DAVIS] would probably vote if here. I vote "nay."

Mr. WHYTE. As the Senator from Michigan [Mr. FERRY] has voted "nay" in the absence of my colleague, in order to make a quorum, I will vote "yea" in the absence of the Senator from California, [Mr. SARGENT.]

Mr. BLAINE. I vote "nay" on the same principle.

Mr. MITCHELL. I will vote "nay" on the same principle.

Mr. McMILLAN. I voted under a misapprehension; I desire to vote against laying the amendment of the Senator from North Carolina on the table. I vote "nay."

Mr. McPHERSON. I also voted under a misapprehension and desire to change my vote to "nay."

The result was announced—yeas 17, nays 15; as follows:

YEAS—20.

| | | | |
|-----------------|----------|-----------|-----------|
| Bruce, | Conover, | Ingalls, | Saunders, |
| Burnside, | Dorsey, | Kellogg, | Shields, |
| Cameron of Pa., | Eustis, | Kirkwood, | Spencer, |
| Cockrell, | Hamlin, | Maxey, | Whyte, |
| Coke, | Hill, | Rollins, | Withers. |

NAYS—19.

| | | | |
|---------|-------------------|------------|-----------|
| Bailey, | Gordon, | McPherson, | Paddock, |
| Beck, | Hereford, | Saulsbury, | Shields, |
| Blaine, | Jones of Florida, | Mitchell, | Voorhees, |
| Butler, | Kernan, | Oglesby, | Windom. |
| Ferry, | McMillan, | | |

ABSENT—36.

| | | |
|--------------------|------------------|------------------|
| Allison, | Davis of W. Va., | Plumb, |
| Anthony, | Dawes, | Johnston, |
| Barnum, | Dennis, | Jones of Nevada, |
| Bayard, | Eaton, | Lamar, |
| Booth, | Edmunds, | McCreery, |
| Cameron of Wis., | Garland, | McDonald, |
| Chaffee, | Grover, | Matthews, |
| Conkling, | Harris, | Morrill, |
| Davis of Illinois, | Hoar, | Patterson, |

So the amendment to the amendment was laid on the table.

Mr. JONES, of Florida. I move to amend the amendment of the committee by inserting in line 205, after the word "Texas:"

And each alternate trip by way of the Bay of Mobile and the Bay of Pensacola.

Mr. DORSEY. I see the Senator from Florida has unwittingly omitted three or four other points in his State; and so that there may be no invidious distinction, I move to lay his proposition on the table.

Mr. MORGAN. It is very unusual for the Senate to adopt that course, thus cutting off any explanation or statement or debate about a matter of this kind. If the friends of this bill are determined to put a gag on us, be it so; but it is the first time I have seen it enforced on any bill in the Senate, and I think it is a very unbecoming motion on a subsidy bill.

Mr. DORSEY. Well, Mr. President—

The PRESIDING OFFICER. The motion is not debatable. If the Senator withdraws the motion, debate is in order.

Mr. DORSEY. I do for a moment. I simply desire to say that the Senator from Alabama must permit me to judge what is becoming in me and what is not. I am not here to be lectured by him. I move to lay the pending amendment to the amendment on the table.

Mr. JONES, of Florida. One word, Mr. President.

The PRESIDING OFFICER. It is moved to lay the amendment to the amendment on the table. That motion is not debatable.

Mr. MORGAN. I demand the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McMILLAN, (when the name of Mr. CAMERON, of Wisconsin, was called.) The Senator from Wisconsin [Mr. CAMERON] is paired on this subject with the Senator from Mississippi, [Mr. LAMAR.]

Mr. FERRY, (when his name was called.) I am paired on this question with the Senator from Maryland, [Mr. DENNIS.]

Mr. MERRIMON, (when his name was called.) I am paired with the Senator from Rhode Island, [Mr. BURNSIDE.] I would vote "nay" and he would vote "yea," if he were here.

Mr. PADDOCK, (when Mr. MORRILL's name was called.) I am paired with the Senator from Vermont, [Mr. MORRILL.]

Mr. McMILLAN, (when Mr. TELLER's name was called.) The Senator from Colorado [Mr. TELLER] is paired with the Senator from Nevada, [Mr. SHARON.]

Mr. WHYTE, (when his name was called.) I am paired with the Senator from California, [Mr. SARGENT.] If he were here, he would probably vote "yea," and I should vote "nay" on this motion.

The roll-call was concluded.

Mr. BAILEY. The Senator from Delaware [Mr. SAULSBURY] and the Senator from Missouri [Mr. SHIELDS] are paired. The Senator from North Carolina [Mr. RANSOM] and the Senator from Massachusetts [Mr. DAWES] are paired; also the Senator from Delaware [Mr. BAYARD] and the Senator from Connecticut, [Mr. BARNUM;] and the Senator from New Jersey [Mr. RANDOLPH] and the Senator from Ohio, [Mr. MATTHEWS.]

Mr. WITHERS. My colleague [Mr. JOHNSTON] and the Senator from Kentucky [Mr. MCCREERY] are paired.

Mr. VOORHEES. My colleague [Mr. McDONALD] is paired with the Senator from Arkansas, [Mr. GARLAND.]

Mr. MITCHELL. I am paired with the Senator from Illinois [Mr. DAVIS;] but to help make a quorum, I will vote as he would vote if he were here. I vote "nay."

Mr. BLAINE. I am in the same position. I am paired with the Senator from Tennessee, [Mr. HARRIS;] but I vote "nay" on this motion, as he would do if he were here.

The result was announced—yeas 17, nays 15; as follows:

YEAS—17.

| | | | |
|-----------------|----------|-----------|----------|
| Barnum, | Dorsey, | Kirkwood, | Spencer, |
| Bruce, | Eustis, | Maxey, | Withers. |
| Cameron of Pa., | Hamlin, | Plumb, | |
| Cockrell, | Ingalls, | Rollins, | |
| Coke, | Kellogg, | Saunders, | |

NAYS—15.

| | | | |
|----------|-----------|-------------------|-----------|
| Bailey, | Eaton, | Jones of Florida, | Morgan, |
| Beck, | Gordon, | Kernan, | Oglesby, |
| Blaine, | Hereford, | McPherson, | Voorhees. |
| Conover, | Hill, | Mitchell, | |

ABSENT—43.

| | | | |
|--------------------|------------------|------------|------------|
| Allison, | Dawes, | Lamar, | Sargent, |
| Anthony, | Dennis, | McCreery, | Saulsbury, |
| Bayard, | Edmunds, | McDonald, | Sharon, |
| Booth, | Ferry, | McMillan, | Shields, |
| Burnside, | Garland, | Matthews, | Teller, |
| Butler, | Grover, | Merrimon, | Thurman, |
| Cameron of Wis., | Harris, | Morrill, | Wadleigh, |
| Chaffee, | Hoar, | Paddock, | Wallace, |
| Conkling, | Howe, | Patterson, | Whyte, |
| Davis of Illinois, | Johnston, | Randolph, | Windom. |
| Davis of W. Va., | Jones of Nevada, | Ransom, | |

The PRESIDING OFFICER. There is no quorum voting.

Mr. DORSEY. I move a call of the Senate.

Mr. BUTLER, (at six o'clock and forty-one minutes p. m.) I move that the Senate do now adjourn.

The PRESIDING OFFICER. The Senator from South Carolina moves that the Senate adjourn.

Mr. JONES, of Florida. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. WINDOM. I ask unanimous consent to make a very brief statement before this vote is taken. ["Go on."] The PRESIDING OFFICER. The Chair hears no objection. The Senator from Minnesota may proceed.

Mr. WINDOM. Mr. President, it is very evident that we shall not be able to progress with the public business unless we can induce Senators to remain here, and it seems to me that now is a proper time to make the suggestion. The Army bill is ready for action as soon as this bill can be disposed of. It must be apparent to the Senate that if this bill goes over to-night, it will occupy all day to-morrow, and unless we can sit here to-night and complete it we shall not get at the Army bill to-morrow at all. The deficiency bill has made a good deal of progress in the committee, and will be ready by the time we can dispose of the Army bill. The pension bill appropriating some \$25,000,000 for arrears of pensions can be ready by the time the other is done, so that it seems to me very important that we should sit here to-night and finish this bill, and I hope that we may not adjourn, but may have a call of the Senate for the purpose of inducing Senators to come.

Mr. BLAINE. I desire to suggest to the honorable Senator from Minnesota, if the Senate will hear me, that a large number of Senators have gone off paired without any admonition that there was to be any night session. I paired myself with the Senator from Tennessee, [Mr. HARRIS,] who desired to leave. There is no quorum here unpaired; and without a very great effort which in my judgment will end, as so many of these efforts do, abortively, you will be able to do no business.

Mr. WINDOM. But it will help us very much hereafter if we make the effort now.

Mr. BLAINE. That kind of discipline may be good, but I do not enjoy it. [Laughter.]

Mr. BAILEY. Although Senators may be paired on this question, there is another matter connected with this bill yet to come up which is of considerable importance.

The PRESIDING OFFICER. There is a motion to adjourn pending. The debate is indulged in by unanimous consent.

Mr. BAILEY. I understand the Senator from South Carolina has withdrawn his motion for the time being.

The PRESIDING OFFICER. Does the Senator from South Carolina withdraw the motion to adjourn?

Mr. BUTLER. For the purpose of hearing a suggestion or allowing the Senator from Tennessee to make an explanation.

Mr. BAILEY. An amendment has been submitted by the Committee on Post-Offices and Post-Roads that we cannot put on to-night without a quorum. Some days ago I submitted an amendment by direction of the Committee on Post-Offices and Post-Roads, and I propose to offer it now as an amendment to the bill.

The PRESIDING OFFICER. No amendment can be entertained at present; no quorum is present.

Mr. BAILEY. I understand there is a quorum here. I hope there will be a call of the Senate to disclose that fact. I wish simply to expedite business.

The PRESIDING OFFICER. There was an amendment pending, and a motion was made to lay the amendment on the table. That motion being voted upon, the call of the yeas and nays disclosed that there was not a quorum present.

Mr. BAILEY. I ask that that amendment be laid aside at present and the amendment to which I refer acted on. It is with a view to expedite business that I make the suggestion.

The PRESIDING OFFICER. It is the opinion of the Chair that no business can be entertained unless a quorum is in the Senate.

Mr. BLAINE. Let us have a call of the Senate, if there is to be one.

Mr. BUTLER, (at six o'clock and forty-five minutes.) I renew the motion to adjourn.

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

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MERRIMON, (when his name was called.) I am paired with the Senator from Rhode Island, [Mr. BURNSIDE.] I do not know how he would vote on this motion. I am just paired.

The roll-call having been concluded, the result was announced—yeas 8, nays 26; as follows:

| | | | |
|--------------------|------------------|-------------------|------------|
| YEAS—8. | | | |
| Bruce, | Coke, | Jones of Florida, | Voorhees, |
| Butler, | Hereford, | Morgan, | Whyte. |
| NAYS—26. | | | |
| Bailey, | Eaton, | Kirkwood, | Rollins, |
| Barnum, | Eustis, | McMillan, | Saunders, |
| Beck, | Ferry, | McPherson, | Spencer, |
| Cameron of Pa., | Gordon, | Maxey, | Windom, |
| Cockrell, | Hamlin, | Mitchell, | Withers. |
| Conover, | Hill, | Oglesby, | |
| Dorsey, | Kernan, | Paddock, | |
| ABSENT—41. | | | |
| Allison, | Dawes, | Kellogg, | Sargent, |
| Anthony, | Dennis, | Lamar, | Saulsbury, |
| Bayard, | Edmunds, | McCreery, | Sharon, |
| Blaine, | Garland, | McDonald, | Shields, |
| Booth, | Grover, | Matthews, | Teller, |
| Burnside, | Harris, | Merrimon, | Thurman, |
| Cameron of Wis., | Hoar, | Morrill, | Wadleigh, |
| Chaffee, | Howe, | Patterson, | Wallace. |
| Conkling, | Ingalls, | Plumb, | |
| Davis of Illinois, | Johnston, | Randolph, | |
| Davis of W. Va., | Jones of Nevada, | Ransom, | |

The PRESIDING OFFICER. The Senate refuses to adjourn, but there is no quorum present.

Mr. KIRKWOOD and Mr. WITHERS. Let there be a call of the Senate.

The PRESIDING OFFICER. The Secretary will call the roll of the Senate.

Mr. DORSEY. I move that the Sergeant-at-Arms be directed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas.

The motion was agreed to.

Mr. BLAINE. Is a single remark in order on that? If you do that—

Several SENATORS. It is done.

Mr. BLAINE. When that is done and you bring a Senator here and he comes at your request, suppose he gets up and says "I am paired with another Senator who does not find it convenient to come," where are you then? You do not get one step ahead.

Mr. HAMLIN. We can bring his pair here.

Mr. BLAINE. You cannot force him here.

Mr. HAMLIN. Yes, we can. We have a rule now, and I helped make it.

Mr. KIRKWOOD. I think we ought to make some record that will show who are and who are not willing to sacrifice their own convenience for the purpose of transacting the public business. I hope in some way some Senators who are older in service than I will indicate some way in which we can make a record so that it can be known

who it is of us that prefer our own convenience to the transaction of the public business. I have sat here two days in regard to this bill and not said a word. I have been in favor of its passage. I have sought by silence, when I would desire to have spoken, to avoid the consumption of time; but if the friends of the bill cannot stay here to insure its passage, I shall feel myself absolved from any obligation to vote for it when it suits their convenience to come. I shall act in such manner as will advance the public business and not make my action depend upon the convenience of those who desire the passage of this bill.

Mr. HAMLIN. I want to say just one word in relation to this matter. Under the old rules of this body it was provided that a call of the Senate might be made—

The PRESIDING OFFICER. The Senator from Maine will allow the Chair to state that this debate is going on by unanimous consent of the Senate.

Mr. HAMLIN. Well, I ask unanimous consent for a brief time.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. HAMLIN. Under the old rule it was provided that the Senate, when there was less than a quorum here, might request the attendance of absent Senators. I suppose that rule was framed upon the supposition that a request of a minority of this body in session would bring Senators here. It was found, unfortunately, that that was not the case. A great many times I have seen this body compelled to adjourn after Senators had been requested to attend and did not come. When we revised the rules a few years ago they were changed so as to read in this way:

A majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators.

We are therefore, under our rules now, not without a remedy. The remedy, I think, would be, first to make the request. Then, if Senators will not come here, we have under the rules a power to compel them to come by force. The roll must first be called.

Mr. BLAINE. Let us have the roll called.

Mr. BECK. The difficulty I see about calling the roll is this: the call may develop a quorum present and yet leave it uncertain whether a number of those who answer "here" would not also be compelled to say they were paired. So, while there might actually be a quorum present, so many of those present might be unable to vote that we should be practically no better off than we are now.

Mr. BLAINE. I shall not feel at liberty to answer to the roll-call, because it would be a mere fictitious presence. I am paired; I am not able to do any voting, and therefore my answering the roll-call would practically amount to nothing.

Mr. BECK. That is the only objection I see to a call of the roll.

Mr. WITHERS. There is this point in it: your answering would show that you are here ready to attend to the public business. Those of us who are here put ourselves on the record in that particular.

Mr. BLAINE. If I answered to the roll-call and left afterward it would create a false impression. I knew a member of the House to be censured for that once, and I do not propose to incur such a danger.

Mr. WITHERS. If it were the desire of the Senate really to expedite business by the passage of the bill, it might be possible to do so with the presence of a large number of paired Senators if a roll-call was not insisted upon to indicate the non-existence of a quorum. But I have no hope of such a result to-night.

Mr. BECK. I believe I have the floor.

The PRESIDING OFFICER, (Mr. MITCHELL in the chair.) The Senator from Kentucky has the floor.

Mr. BECK. I only desire to say this: I have no objection to the roll being called except that we may be misled by the fact that a quorum may appear to be present, but when we proceed to business the same gentlemen who answer "here" will say that they are unable to vote. Therefore, I agree with the Senator from Maine [Mr. BLAINE] that those who cannot vote had better not answer "here," so as to keep us from calling upon the Sergeant-at-Arms to execute the order requesting those who are absent to come so that we may have a quorum that can vote. That is all I care about.

Mr. DORSEY. I ask unanimous consent to make a proposition.

Mr. HILL. Let me make a suggestion now. What right has a man to plead his pair as a reason why he should not vote when there is need for a quorum? We have a right to compel the attendance of absent Senators. Can a man say "I am paired, and therefore absent?" Can you not compel him to break his pair in order to secure a quorum by virtue of that rule? If you can compel his attendance at all, what right has a man to pair so as to produce the want of a quorum?

Mr. BLAINE. Does not the Senator from Georgia see that you cannot compel a man to vote on any question? You can bring the horse to water, but you cannot make him drink.

Mr. HILL. I say a pair is a personal matter, and all pairs must be understood with the reservation that they are not to destroy a quorum.

Mr. BLAINE. That may be or may not be.

Mr. McMILLAN. The Senator from Georgia will remember that the practice has not been such heretofore as he states, and it would be inconsistent with the sense of personal honor to break a pair in that way, I think.

Mr. DORSEY. I ask the Senator from Georgia to give me a moment, and I hope I shall be able to obviate all this discussion. I ask unanimous consent to submit the following proposition.

The PRESIDING OFFICER. The Chair hears no objection, and the Senator will proceed.

Mr. DORSEY. My proposition is that we adjourn now, and that to-morrow at two o'clock—

Mr. WITHERS and others. Say one.

Mr. DORSEY. I mean one if we meet at eleven. I propose that to-morrow at one o'clock we take the vote on these several amendments without debate, and as soon as we can arrive at the final vote take it. We have been discussing this bill for two days, and I am sure that no new light can be thrown upon the subject by further discussion. I hope unanimous consent will be given to this proposition.

Mr. MORGAN. I desire to say a word this evening on a subject relating to this bill that concerns the interests of the Gulf of Mexico. I was prohibited from saying that word this evening, and I was prohibited by a motion to lay the amendment on the table, which I think is a very unusual motion in the Senate, and therefore I feel justified in objecting to any such understanding as is now suggested.

Mr. BLAINE. How long will the Senator from Alabama want to speak to-morrow?

Mr. MORGAN. I think twenty or thirty minutes perhaps.

Mr. BLAINE. Say twenty minutes, and we will make that reservation.

Mr. DORSEY. I ask unanimous consent to say one word in regard to what the Senator from Arkansas has just stated. I presume that the Senator knows as well as any other person on this floor that he could have spoken to the body of the bill without any regard to the amendment of the Senator from Florida at all. I do not think my motion to lay that amendment on the table had the slightest thing to do with his right to speak.

Mr. BLAINE. Let us say half past one; that will give the Senator from Alabama an opportunity to be heard to-morrow.

Mr. KIRKWOOD. Mr. President, I call for order, and I should like to say a word.

The PRESIDING OFFICER. The Chair will submit the proposition of the Senator from Arkansas. He has asked unanimous consent of the Senate that the Senate adjourn now and to-morrow at one o'clock proceed to vote, without further debate, on the pending bill and amendments. Is there objection?

Mr. BECK. I do not know much about the rules; but can we consent to anything in the absence of a quorum?

Mr. OGLESBY. Of course not.

Mr. BECK. That is what I desired to know, because gentlemen who come here to-morrow may say "we are not bound, because it was done in the absence of a quorum." I am willing to give the consent, so far as I am concerned.

Mr. DORSEY. I desire to say a word further. The Senator from Alabama has evidenced a desire to speak further on this bill. So I will change my proposition from one to half past one o'clock, so as to give him the half hour which he desires. In regard to what the Senator from Kentucky has just stated, I think he will remember, as I do, that whenever an agreement of this sort is made it is always regarded by absent Senators, so far as I know.

Mr. BECK. But in the absence of a quorum can we agree to anything?

Mr. WHYTE. I do not think there is any necessity for any agreement about this thing. Those of us who have opposed this measure have opposed it upon principle. We have exhausted all efforts to satisfy the Senators on the other side of the question that our views are correct, and we have failed. None of us propose to pursue any filibustering or to cause any waste of time, and I do not think there is any necessity for imposing upon us any obligation whatever. We are just as ready to vote on this bill and to take up other appropriation bills as any other Senator here, and I am sure if we adjourn until to-morrow it will not take half an hour then to dispose of the bill.

Mr. DORSEY. If the Senators will allow me, my suggestion is not to impose any obligation upon our friends over there, but to see if we cannot hold down some on this side who are friendly to the bill.

Mr. BECK. Fearing that the inquiry I made might indicate that I desired further time, I wish to assure you, Mr. President, and assure the Senate that I am anxious to vote on this bill at the earliest possible moment. I will not say one word further. I know I am beaten, and I recognize the fact. I am ready to vote to-night, at any moment.

Mr. PADDOCK. I suggest to the Senator from Alabama, if it is agreeable to him, that the Senate remain in session until he shall have an opportunity this evening to make his remarks, ["No!" "No!"] and then let us agree that we will adjourn until to-morrow to take the vote at one o'clock, with the understanding that there shall then be no debate whatever.

Mr. MERRIMON. Is it the understanding that this understanding cuts off all additional amendments? ["No!" "No!"] I wish to understand whether it simply cuts off debate or cuts off all amendments that might be offered.

Mr. DORSEY. It is that we commence voting at half past one on the amendments.

Mr. MERRIMON. And vote without debate.

Mr. DORSEY. Without debate on everything relating to this proposition.

The PRESIDING OFFICER. Is there objection to the suggestion of the Senator from Arkansas?

Mr. WHYTE. I object; I will not be bound.

The PRESIDING OFFICER. The only thing in order now is a call of the roll.

Mr. WITHERS. I thought the Senate had ordered the Sergeant-at-Arms to secure the attendance of absent Senators.

Mr. HEREFORD. I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from West Virginia moves that the Senate do now adjourn. That motion is in order.

Mr. EATON. Under no understanding whatever?

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

Mr. WITHERS. I rise to a point of order. There has been no business done by the body since the motion to adjourn was made before.

The PRESIDING OFFICER. Can there be any business done in the absence of a quorum?

Mr. HEREFORD. There has been a good deal said since if nothing has been done.

The PRESIDING OFFICER. The Chair thinks there has been business done by unanimous consent, although it was all out of order.

Mr. PADDOCK. I call for the regular order.

The PRESIDING OFFICER. The question is on the motion of the Senator from West Virginia that the Senate do now adjourn, and upon that the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MERRIMON, (when his name was called.) I desire to announce that I am paired with the Senator from Rhode Island, [Mr. BURNSIDE.]

The roll-call was concluded.

Mr. PADDOCK, (after having voted in the negative.) I am paired with the Senator from Vermont, [Mr. MORRILL,] but felt at liberty to vote on the question of adjournment. However, under the circumstances, I will withdraw my vote.

The result was announced—yeas 8, nays 23, as follows:

| YEAS—8. | | | |
|--------------------|------------------|-------------------|------------|
| Barnum, | Coke, | Jones of Florida, | Voorhees, |
| Butler, | Hereford, | Morgan, | Whyte. |
| NAYS—23. | | | |
| Bailey, | Dorsey, | Hill, | Oglesby, |
| Beck, | Eaton, | Kellogg, | Saunders, |
| Bruce, | Eustis, | Kernan, | Spencer, |
| Cameron of Pa., | Ferry, | Kirkwood, | Windom, |
| Cockrell, | Gordon, | McMillan, | Withers. |
| Conover, | Hamlin, | McPherson, | |
| ABSENT—44. | | | |
| Allison, | Dawes, | Lamar, | Ransom, |
| Anthony, | Dennis, | McCreery, | Randolph, |
| Bayard, | Edmunds, | McDonald, | Rollins, |
| Blaine, | Garland, | Matthews, | Sargent, |
| Booth, | Grover, | Maxey, | Saulsbury, |
| Burnside, | Harris, | Merrimon, | Sharon, |
| Cameron of Wis., | Hoar, | Mitchell, | Shields, |
| Chaffee, | Howe, | Morrill, | Teller, |
| Conkling, | Ingalls, | Paddock, | Thurman, |
| Davis of Illinois, | Johnston, | Patterson, | Wadleigh, |
| Davis of W. Va., | Jones of Nevada, | Plumb, | Wallace. |

So the Senate refused to adjourn.

The PRESIDING OFFICER. The only thing in order now is the roll-call which has been ordered.

Mr. DORSEY. I insist on the call of the Senate.

The PRESIDING OFFICER. The roll will be called.

The Secretary proceeded to call the roll.

Mr. PADDOCK, (when his name was called.) I am paired with the Senator from Vermont, [Mr. MORRILL.] Technically I am not here, although really I am. I do not respond.

Mr. WHYTE, (when his name was called.) For the purpose of aiding in making a quorum I answer to my name, though I am paired with the Senator from California, [Mr. SARGENT.]

The roll-call was concluded.

Mr. MERRIMON. I wish to announce that I am paired with the Senator from Rhode Island, [Mr. BURNSIDE.]

Mr. WADLEIGH. I wish to announce that I am paired with the Senator from South Carolina, [Mr. PATTERSON.]

Mr. WITHERS. I wish to announce that my colleague [Mr. JOHNSTON] is detained from his seat in the Senate by indisposition.

Mr. BAILEY. I wish to announce that, supposing there would be a quorum, the Senator from Delaware [Mr. SAULSBURY] and the Senator from Missouri [Mr. SHIELDS] are paired; the Senator from North Carolina [Mr. RANSOM] and the Senator from Massachusetts, [Mr. DAWES;] the Senator from Delaware [Mr. BAYARD] and the Senator from Connecticut, [Mr. BARNUM;] the Senator from New Jersey [Mr. RANDOLPH] and the Senator from Ohio, [Mr. MATTHEWS.] My colleague [Mr. HARRIS] and the Senator from Maine, [Mr. BLAINE,] not anticipating that there would be a want of a quorum, have also paired.

Mr. WINDOM. I rise to announce that the Senator from Vermont [Mr. EDMUNDS] is paired with the Senator from Rhode Island, [Mr. ANTHONY.] I wish to announce also that the Senator from California [Mr. SARGENT] is absent on account of sickness.

Mr. VOORHEES. My colleague [Mr. McDONALD] is paired with the Senator from Arkansas, [Mr. GARLAND.]

Mr. HAMLIN. I was requested to state that the Senator from

Delaware [Mr. SAULSBURY] was paired with the Senator from Missouri, [Mr. SHIELDS.]

Mr. McMILLAN. I am requested to say that the Senator from Wisconsin [Mr. CAMERON] is paired with the Senator from Mississippi, [Mr. LAMAR,] and the Senator from Colorado [Mr. TELLER] is paired with the Senator from Nevada, [Mr. SHARON.]

The following Senators answered to their names on the roll-call:

| | | | |
|-----------|-------------------|------------|-----------|
| Bailey, | Eustis, | McMillan, | Spencer, |
| Beck, | Ferry, | McPherson, | Voorhees, |
| Bruce, | Gordon, | Maxey, | Wadleigh, |
| Butler, | Hamlin, | Merrimon, | Whyte, |
| Cockrell, | Hereford, | Mitchell, | Windom, |
| Coke, | Jones of Florida, | Morgan, | Withers, |
| Conover, | Kellogg, | Oglesby, | |
| Dorsey, | Kernan, | Rollins, | |
| Eaton, | Kirkwood, | Saunders, | |

The PRESIDING OFFICER. There are thirty-three Senators present, lacking five of a quorum.

Mr. OGLESBY. Have the names of the absentees been called?

The PRESIDING OFFICER. The names of all Senators have been called.

Mr. WINDOM. I move that the Sergeant-at-Arms be instructed to request the attendance of absent members.

The motion was agreed to.

Mr. INGALLS. I wish to record my name as present. I was not in the Chamber to answer to my name as it was called just now.

The PRESIDING OFFICER. The Senator from Kansas will be recorded as present.

Mr. MERRIMON. I ask unanimous consent to make a suggestion.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MERRIMON. I feel somewhat indisposed myself, and very much exhausted from this long sitting. I want to get out and get some fresh air. I suggest that we accommodate this trouble by taking a recess until eight o'clock.

The PRESIDING OFFICER. The Chair will suggest to the Senator from North Carolina that no business whatever is in order pending the execution of the order of the Senate.

Mr. MERRIMON. So I thought, but I supposed we might do it by general consent.

Mr. SPENCER. I desire to know whether the Sergeant-at-Arms has been instructed to send for absent members?

The PRESIDING OFFICER. He has been instructed.

The Sergeant-at-Arms, by his assistants, proceeded at fifteen minutes past seven o'clock p. m., to execute the order of the Senate.

Mr. OGLESBY, (at eight o'clock and twenty minutes p. m.) Mr. President, I wish to inquire whether the last order of the Senate has yet been executed?

The PRESIDING OFFICER, (Mr. MITCHELL.) The last order of the Senate is being executed.

Mr. OGLESBY. May I inquire what is the state of its execution?

The PRESIDING OFFICER. The Chair is unable to say.

Mr. OGLESBY. I wish to ascertain whether a quorum be now present. I do not know any proper step to take unless for that purpose a call of the Senate be ordered by the Presiding Officer.

The PRESIDING OFFICER. The Chair is advised that several Senators have come in since the order was made.

Mr. OGLESBY. Under the rule of the Senate the following proceedings have taken place:

Whenever it shall be ascertained that a quorum is not present a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel, the attendance of the absent Senators—

I believe an order of the Senate was passed to request the attendance of absent Senators, but beyond that point the Senate has not gone. Now—

which order shall be determined without debate, and, pending its execution, and until a quorum shall be present, no motion, except a motion to adjourn, nor debate, shall be in order—

may I ask how we are to ascertain when a quorum is present unless there be a call of the Senate?

The PRESIDING OFFICER. The Chair has received a report from the Sergeant-at-Arms, which will be read if there be no objection.

The Secretary read as follows:

SIR: In obedience to the order of the Senate I have requested the attendance of the absent Senators, and Senators Anthony, Burnside, and Teller have responded by their presence.

JOHN R. FRENCH,
Sergeant-at-Arms.

To the PRESIDENT OF THE SENATE.

Mr. DORSEY. Mr. President, I hope that no call of the Senate will be ordered just yet, as I believe that within a short time we shall have a quorum. There has not been time yet to hear from the notices sent out to the different Senators.

Mr. WHYTE. With a view of testing whether there is not a quorum, I move that the Senate do now adjourn.

The PRESIDING OFFICER. That motion is in order.

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

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MORRILL, (when his name was called.) I am paired with the Senator from Nebraska, [Mr. PADDOCK.] I do not know how he would vote.

Mr. DORSEY. Both Senators from Nebraska are here.

Mr. OGLESBY. I suppose the Senator from Vermont is not paired on a question of adjournment.

Mr. MORRILL. Well, I vote "nay."

Mr. TELLER, (when his name was called.) I am paired on this bill with the Senator from Nevada, [Mr. SHARON,] but as the friends of the bill are all voting "nay" and that is my judgment, I vote "nay."

The roll-call was concluded.

Mr. BARNUM. I am paired with the Senator from Delaware, [Mr. BAYARD.] If he were here, he would vote "yea" and I should vote "nay."

Mr. ANTHONY. I am paired with the Senator from Vermont [Mr. EDMUNDS] who is absent. I do not know how he would vote upon this question, and I do not feel at liberty to vote.

Mr. ALLISON. On the main question involved in these votes I am paired with the Senator from Massachusetts, [Mr. HOAR.] As I am here and he is not, I will vote "nay" on the pending question, being a motion to adjourn.

Mr. OGLESBY. I would like to know what right Senators have to stand here and announce their pairs on a question of adjournment. It is a simple question of adjourning or remaining in session, and yet Senators rise here and state about their pairs while other Senators attend the session of the Senate in order to preserve the orderly and due process of public business.

The PRESIDING OFFICER. Debate is not in order except by unanimous consent.

Mr. OGLESBY. I vote "nay."

Mr. ANTHONY. Accepting the remarks of the Senator from Illinois as a rebuke to me, I will state that the Senator from Vermont [Mr. EDMUNDS] when he went away and paired with me said "on adjournment and everything." As he is a very exact man, I keep my word.

The result was announced—yeas 5, nays 37; as follows:

| | | | |
|--------------------|------------------|------------------|------------|
| YEAS—5. | | | |
| Coke, | Morgan, | Shields, | Whyte. |
| Jones of Florida, | | | |
| NAYS—37. | | | |
| Allison, | Eaton, | Kirkwood, | Rollins, |
| Bailey, | Eustis, | McMillan, | Saunders, |
| Beck, | Ferry, | McPherson, | Spencer, |
| Bruce, | Gordon, | Maxey, | Teller, |
| Burnside, | Hamlin, | Merrimon, | Voorhees, |
| Butler, | Hereford, | Mitchell, | Windom, |
| Cameron of Pa., | Hill, | Morrill, | Withers, |
| Cockrell, | Ingalls, | Oglesby, | |
| Conover, | Kellogg, | Paddock, | |
| Dorsey, | Kernan, | Plumb, | |
| ABSENT—33. | | | |
| Anthony, | Davis of W. Va., | Johnston, | Sargent, |
| Barnum, | Dawes, | Jones of Nevada, | Saulsbury, |
| Bayard, | Dennis, | Lamar, | Sharon, |
| Blaine, | Edmunds, | McCreery, | Thurman, |
| Booth, | Garland, | McDonald, | Wadleigh, |
| Cameron of Wis., | Grover, | Matthews, | Wallace. |
| Chaffee, | Harris, | Patterson, | |
| Conkling, | Hoar, | Randolph, | |
| Davis of Illinois, | Howe, | Ransom, | |

The PRESIDING OFFICER. The Senate refuses to adjourn, and the vote discloses a quorum present. What is the pleasure of the Senate?

Several SENATORS. Question. Question.

The PRESIDING OFFICER. The pending question will be stated by the Secretary.

The SECRETARY. The amendment pending is to insert, in line 206, after the word "Texas," the following:

And each alternative trip by way of the bay of Mobile and the bay of Pensacola.

The PRESIDING OFFICER. The Senator from Arkansas moved to lay this amendment on the table.

Mr. DORSEY. At the time I made that motion—

The PRESIDING OFFICER. It is not debatable.

Mr. DORSEY. I ask unanimous consent to make a statement.

The PRESIDING OFFICER. Is there unanimous consent to allowing the Senator from Arkansas to make a statement? The Chair hears no objection.

Mr. MORGAN. I rise to a point of order. That motion was voted down when the Senate took its recess, or rather found itself disabled for business.

The PRESIDING OFFICER. The Chair understands that the vote on the question to lay on the table disclosed that there was no quorum present. So the motion was not decided.

Mr. DORSEY. I ask unanimous consent to say a word.

The PRESIDING OFFICER. Is there unanimous consent to the Senator from Arkansas submitting a remark? The Chair hears no objection.

Mr. DORSEY. When I made a motion to lay that amendment on the table, I was not aware of the fact that any Senator desired to speak to it. The Senator from Florida told me he did not desire to speak. I therefore made the motion. Since then, hearing that the Senator from Alabama wishes to say a word in regard to the matter, I ask unanimous consent now to withdraw the motion I made to lay the amendment on the table.

The PRESIDING OFFICER. Is unanimous consent given? The Chair hears no objection, and the motion is withdrawn. The ques-

tion recurs on the amendment submitted by the Senator from Florida to the amendment of the Committee on Appropriations.

Mr. MORGAN. When this measure was brought before the Senate I was inclined to vote for it if I could find that it was put in such shape as to lead me to believe a reasonable subsidy would secure the establishment of the lines provided for. It provides for the extension of postal service of this Government to Brazil. That is the caption of it; and that was apparently the purpose of the bill. But it has become a bill to promote commerce between this country and Brazil. Finding that it is not really intended as a bill for the establishment of postal communication between this country and Brazil, I determined that I would not vote for it unless the friends of the measure so modified it as to make it somewhat in accordance with the title of the measure. They have persistently refused to do that. I pass by the consideration of its effect on the Atlantic coast. There was a proposition to make a line alternating between New York and Baltimore, which I thought was a very fair and reasonable proposition, inasmuch as the merchants of Baltimore through a long series of years, commencing perhaps before the time of my birth, by their assiduity, their perseverance, their firm adhesion to a system of foreign commerce, had made Baltimore the great mart of coffee in this country, and had by that means commanded that one great export of Brazil to this country. I thought Baltimore deserved some recognition and some encouragement. I did not think that an old and established business, which had been brought up by the merchants of that city and which had contributed very largely to the prosperity of that now growing commercial point in this country should be abandoned. I did not think that it was proper on the part of the Congress of the United States to ignore Baltimore and to give its influence to a transfer of that trade by law to another great and absorbing emporium of trade, New York. I thought that that was an injustice to the merchants of Baltimore, and I so think yet, for I believe that when men by honest endeavor, by honesty in trade, by a course of perseverance in a legitimate commerce with foreign ports, have built up for themselves and for their city, for their locality and for the tributary towns, a great commerce, it is hardly justifiable for the Congress of the United States to set itself sternly against the growth of that commerce and attempt to break it down by enacting a system of commercial subsidies to build up another port at its expense.

I have not thought that it was in accordance with the Constitution of the United States that this should be done; for when our fathers entered into this compact of government, whereby the States came in and yielded up their powers and surrendered them in a certain sense to our authority, they put a check and a prohibition upon the exercise of those powers which prohibit us from making discriminations in our commercial regulations between one port and another of different States. So I felt that if Baltimore was left out a wrong was done; I felt that the American character had suffered; I felt that the Constitution of the United States had also suffered; and without reference to the pecuniary advantages or emoluments that might grow out of trade encouraged or discouraged at a particular place, I felt as if we had treated an ancient and an honorable town of this continent with disrespect and injustice in our attempt to subsidize by a vote of \$300,000 a year, or the half of that if you please, a line of steamships which should not only monopolize but usurp the trade which Baltimore had built up for herself and transfer it by act of Congress from Baltimore to New York.

Norfolk was included in the bill, and Baltimore was left out. Norfolk has a deep harbor; it is a great point of access to the ocean for the people of Virginia, of North Carolina, of East Tennessee, and Eastern Kentucky. Norfolk has great advantages, which I believe she has lost more through the influence of the discriminating legislation of the United States Congress than otherwise, and its trade has been surrendered through this means not to Baltimore but to New York. The bill proposes to have the New York line avoid Baltimore and touch at Norfolk. Let every Senator answer upon his own conscience what is the reason for that. Is it not a temptation to this ancient and almost abandoned port?

Mr. WITHERS. Will my friend permit me? I cannot consent that Norfolk shall be regarded as an abandoned city or an abandoned port, and he will admit the fact when I mention what is true, that it is the second sea-port of cotton that now exists in the United States.

Mr. MORGAN. I said "almost abandoned," and I am very sorry to have to say that. Cotton is a product of which Virginia raises a very few bales and Alabama a great many, and it is being distributed through Norfolk. It is our affection for Virginia and Virginia commerce that has built up that port recently; possibly we have done more than any other State has done for it. But for the encouragement which the South has given to it, Norfolk would be now, as it has been, an almost abandoned port.

But Norfolk is to be touched by the line from New York. I am really glad that Norfolk is to be touched, but I feel very much troubled that Baltimore has been passed by, and yet more troubled that Charleston and Savannah have been passed by, because when we come to distribute the gratuities of this Government out of taxes drawn from the people, brought out of the hard earnings of the plow and the hoe in the fields, when we come to draw on these substantial resources for money to pay men bounties and subsidies, it looks to me as if we ought to have some general regard for all those from whom we have taken the money by taxation.

Perhaps I shall be considered an intruder for having made any suggestion in regard to Baltimore or Norfolk, Charleston or Savannah. Men are very apt in this country to be considered intruders who ask to present a view of the just and honest deserts of different parts of this country for recognition under congressional laws. Still, when we come to consider the question of the just distribution of the favors and benefactions of this Government, we scarcely can pass by these ports which hitherto have been the *entrepôts* of commerce in this country without giving them at least a nod of recognition. A man to be heard here to-night must speak upon a special subject. If he expects to command the attention of the Senate of the United States he must urge some proposition that attracts the attention of particular sections of the Union in reference to the benefactions that the proposed measure will bring to those sections. He hardly dares to urge a measure here that has universal application and that proposes a general benefit.

I pass, therefore, from the Atlantic coast to the Gulf, and in this I have some interest. It has been my fortune or my misfortune, in voting upon the measure which has been brought before the Senate in this bill, to stand on almost every proposition connected with it aloof from those who represented the States that border upon the Gulf of Mexico. I have regretted this, and regretted it deeply. I dislike to be alone when a question that concerns the South is up, lest some one might suppose that my sympathies were dull and that my heart had ceased to throb with an earnest, honest bound for that section of the country. Still I have felt some constraint as this bill has been in progress here and as one feature after another has been developed before the Senate of the United States, and have interposed not by speech, not by clamor, but by my vote, those objections which I thought were reasonable and just to this bill, and in doing so I have attempted as far as I could, not to call the attention of the Senate of the United States, but of that section of the country which I have the honor in part to represent, to the peculiar features of this scheme.

I have thought and I yet think that it imposes a tax upon the energies of every man in my State who toils at the plow, for the purpose not merely of indemnifying but for the purpose of enriching men who are rich enough, men who have made money enough out of this Government under its navigation laws and its tariff laws. I have felt that it was money drawn cent by cent and dime by dime and dollar by dollar from the hard toil of our people, for the purpose of bestowing it almost without consideration upon those who have already enjoyed the bounties of this Government until they have waxed fat.

Passing by that, and being willing as our people are willing to yield to the voice of the people of the United States all that may be demanded for the purpose of carrying on the operations of this great Government in their broadest and most magnificent sweep, being willing to yield from their labor all that may be necessary to maintain its glory upon the seas as well as on the land, I have not thought that it was necessary to make any argument against the general purposes of this bill.

As I remarked when I was on the floor this afternoon, if John Roach is the only man who has the ability to build ships and equip them; if under the influence of our laws in reference to navigation he has been, with a skill and a genius which I do not deprecate, able to build himself up into a power of control over these great interests of the country, and if it be necessary that the Government of the United States should come and drop itself upon its knees and ask John Roach to carry its commerce to foreign lands and ports, I will join with the rest of the United States in asking John Roach to take care of us, in asking that his capital, whether drawn from his own pocket or from foreign sources, shall be used to build ships to carry our mails to foreign ports. If this be the condition in which the United States is put with its great resources, with its grand array of genius and enterprise, with its splendid presentation of mechanical and engineering ability—if we are indeed at this low and depressed condition that we have got to invite this man to take charge of our ship-building and our commerce abroad, I shall unite with the Northeast, the East, the West, and the Northwest, and ask him to do it, and help to pay him for it.

So I do not stand against the actual necessities of the condition of the country; I do not oppose any measure which is necessary for the promotion of the welfare of the country. If the Senate of the United States have resolved that it is necessary that commerce shall be maintained with Brazil at an expense very much larger than that which is required to carry on our postal facilities with all foreign countries, I shall join you in that; but when you come to the details of the measure I think that the Senate can afford to do some justice to localities.

This is not a bill that is entirely independent of all localities. In the bill there are four localities mentioned, New York, Norfolk, New Orleans, and Galveston. I do not know what fact has singled out these different localities as being the peculiar representatives of all the interests of this country. I understand how New York City, at the mouth of the Hudson, has managed, and I am glad to know that it has managed, to draw to itself a great part of the commerce of the whole world. Norfolk, as I have before intimated, has failed in its great mission of commanding the commerce of the United States. It started out with prospects better than any city or town or location or port or harbor in the United States; but Norfolk has not improved its opportunities. Norfolk compared with Baltimore is as a pigmy to

a giant. Baltimore has sprung up, her merchants have been powerful, her genius has been far reaching, her intercourse with the interior has been unobstructed even by the great barriers of the Alleghenies to the West, and she has flourished and is flourishing to-day until as every man in this country who knows anything about the commercial prosperity of our cities must feel, Baltimore is rapidly becoming the rival of New York.

Then there is the city of New Orleans in the South, a city which ought to be to-day nearly as large, and ought to have within her precincts as much capital as London possesses; but that city has not achieved that importance, the reason being largely, as I think, that the legislation of the Congress of the United States has been adverse to that city throughout.

Alabama has almost no interest in this project, and as this bill goes, and as it will probably be adopted by the Senate of the United States, it will have no interest in this project except as it may derive a reflected interest from advantages that will result to the city of New Orleans.

Now I come to the question as to the details of this measure. The city of New York is the great emporium of the Northeast; and the city of New Orleans is the great emporium of the Southwest, reaching its connections far out into the interior. Shall these cities receive the encouragement of the Senate of the United States in such a way as would be becoming to the nation? I was not unwilling that you should have passed Norfolk by, and yet if you included Norfolk I was willing and desirous you should go to Baltimore; but when you go to New Orleans and undertake to establish a line from there to Rio, I desire that when you start from New Orleans you shall go direct to Rio, that when you start from New York you shall go direct to Rio, and that if you undertake to make divergences from these great lines you shall make them with some sort of justice.

I should like to know what is the reason why a ship of three thousand tons burden coming out of the Mississippi River and sailing thence to the coast of Brazil, which is in a direction almost south-east, should make a divergence of three hundred or four hundred miles to the west before reaching her true point of departure for Brazil, by going to Galveston? What great commercial necessity is there for that? What trade of import or export is there that demands such relief?

I have no objection to a ship leaving the mouth of the Mississippi River, destined for Rio de Janeiro, going by Galveston. I should be glad to have a ship go by Galveston bearing trade and commerce under this subsidy bill; but is there any reason why that ship on the next trip should not, after leaving the mouth of the Mississippi go three hundred miles in the direction of its journey and thereby save six hundred miles and the amount of money that would necessarily be expended at \$30 per mile from the United States Treasury, and go by Pensacola and Mobile to take the mails and freights, and then go almost in the direct line of her progress down to Rio? Have Senators forgotten the geography of this continent? Have they forgotten that Rio lies farther east than Charleston, and if you start a line from the mouth of the Mississippi River and diverge three hundred or four hundred miles to the west and double that point of sailing and go back to the port of departure and thence go to Rio de Janeiro that you greatly increase the distance? What trade is there at Galveston to go to Rio, what need of postal service, what need of any other facilities that are not to be found to the east of the mouth of the Mississippi River upon the same line?

Galveston has got import trade of about fifty thousand bags of coffee a year; Mobile has an importation of about forty thousand bags of coffee from Brazil, and long before Galveston had established any trade the merchants of Mobile had been earnestly at work with a view of drawing the coffee trade to that port. Pensacola, it is true, has not until a late day had any decided prospects of commerce, but a steamer has loaded in Pensacola within the last three months seven thousand bales of cotton for Liverpool, and that steamer was coaled by coals that were brought from the State of Alabama. More steamers are going there and more coals are going there, and this cotton exportation will be added to the vast timber and lumber exportations from that port. Pensacola is destined before many years, in spite of Congress, to receive coals and other productions from the interior of the country, and she will build up for herself an export trade the like of which I believe will not be found in any other port upon the Gulf of Mexico except New Orleans.

But passing that by, the proposition of the Senator from Florida is that these steamers shall go one trip by Galveston and thence to Rio, and the next trip by Pensacola and Mobile Bay and thence to Rio, the second alternate trip being at least six hundred miles shorter than the other. And is the Senate of the United States going to deprive the bay of Mobile and the bay of Pensacola of the right to receive through this subsidized line importations of coffee and whatever other products Brazil may produce for the purpose of carrying into effect this measure which has been decreed upon in committee, and from which it appears we have no escape? Now, I call this to the attention of the Senate as an act of absolute wrong and injustice. You compel the people of Florida, of Georgia, and of Alabama to pay their part of the tax that is to be levied to supply these subsidies, and yet you pass them by, going six hundred miles out of the way to the west to carry this commerce and these mails by Galveston. I have no jealousy of Galveston. If there is one thing above another that I doate upon and admire and love it is the growth of that great

State of Texas. I see in the growth of that vast western empire the salvation of the Southwest. I see in the wisdom of her statesmen that which gives to me the greatest possible encouragement. She is young and she is hungry, and I delight to feed her. At the same time I think she ought to be a little magnanimous toward her older sisters.

But where is the reason for leaving the mouth of the Mississippi River and going then three hundred or four hundred miles west to touch Galveston, when everybody knows that no ship that is mentioned in this bill can enter the harbor of Galveston? Why, Mr. President, you could not haul her into the harbor of Galveston with all the steam engines that are in the United States to-day, unless you tore her keel off. She has got to go there and lie out in the roadstead, and when one of those Texas northwesterners comes this ship has to sail without unloading. It is no harbor at all compared with Pensacola. There you have got a very great depth of water and the finest bay in the United States in all seasons of the year. There you have a body of still salt water that has been too long neglected by the United States, and which foreign enterprise is now penetrating and waking up, and I think it will not be very long until the people of the United States will find, all their policies and acts of Congress to the contrary notwithstanding, that the port of Pensacola has been entered by the great steamers and has built up a commerce which Congress is continually attempting to pull down.

It may have been supposed by those who favor the passage of this bill that the amendment offered by my honorable friend from Florida was presented for the purpose of obstructing legislation, for the purpose of carrying on a sort of filibustering opposition to this bill. Mr. President, I think I may justly say in reference to every amendment that has been attempted to be imposed upon this bill on the part of those who opposed it, and on the part of those who sought to really improve it to see if they could vote for it, has been offered in good faith. When, after we had passed a certain stage of the bill, it seemed to be apparent that the bill would be crowded through the Senate in spite of all opposition, then it was the right and the duty of every Senator on this floor by his vote, if not by his speech, to signify the precise point of his opposition so that the people could understand it. Our people look more to the votes of the Senate than they do to the speeches. They look more to the motions to amend than to any other thing when they come to consider, as they have a right to consider, the real merits of any proposition here presented. I confess that I was surprised when the Senator in charge of the bill, who is not chairman of the committee of which he is a member, attempted to cut off debate by motions to lay on the table. This is my first experience in a legislative body; but it has been one of the most gratifying assurances to me that there were two things which could not prevail here; one is the previous question, which is excluded by the rules, and the other a motion to lay on the table, which is excluded by courtesy.

Mr. President, at this late hour I address these observations upon this subject to the Senate, not in the spirit of factiousness, but for the purpose of bringing to the attention of the Senate the grounds upon which I as a southern man, living near the coast and identified with the maritime States of this country, sweeping around from Maine to Alaska, have determined that it is my duty to resist this measure in the form in which it is presented. I was met a few moments ago by a motion to lay on the table. The honorable Senator who made the motion supposed that he had a right to lay the amendment upon the table. I do not know as to that. After having made a speech against the amendment the Senator concluded his speech with a motion to cut me off and claimed that I had no right to speak. That was all well enough perhaps in the heat of the process of maturing and completing this measure. The Senator may have been justified in that course of action, but I took the liberty to remark, as I now take the liberty to remark, that it is a peculiar form of proceeding for those who have the measure in charge; a measure that demands a subsidy of \$300,000 a year and compels us to go on ten years under that subsidy and to pay \$3,000,000; a measure which has, if not in its combinations at least in its accretions, the influence of different parts of this country drawn together by a cohesive power which I will not characterize as improper. It might demand and possibly does demand these energetic and unusual methods.

Mr. MAXEY. I suggest to the Senator from Alabama that that Senator to whom he applies his remarks is not in his seat.

Mr. MORGAN. I accept the suggestion and apologize to the Senator from Texas for the remarks I have made.

Mr. MAXEY. I regard it simply as an act of justice to say that the Senator is not in his seat to whom the Senator from Alabama ascribes the statement.

Mr. MORGAN. Whatever the statement may have been, it has nothing to do with the decision of this subject. I have not before seen any measure in which it was attempted to put the gag upon Senators to secure its passage, and when Senators seek to put it upon me it must be understood that as a member of this body I shall claim the right to be heard.

This measure, Mr. President, never had its origin in the proper processes of legislation. It did not come before the Senate in that form in which it ought to have come. It is a usurpation of power by the Senate, as I conceive, to saddle an appropriation bill with a legislative project which, if germane to it, is germane only by induction and inference. It is a measure which never undertook to stand upon its own feet or to move by its own strength. It is a measure that has come before the Senate twice since I have been here, once in the

form of a parasite upon a post-route bill, and the next time as a parasite upon a postal appropriation bill.

Perhaps it will not be indecorous, or considered intrusive, if I should announce thus early in my career as a Senator from the State of Alabama that it will be my disposition always to keep the different subjects of legislation so far apart as that those measures which relate to the progress of the Government, to the maintenance and influence of the power of the Government, shall not be trammelled or obstructed by those other measures which either party influence or the desires of private speculators may choose to ingraft upon them for partisan or personal purposes. I will be always found trying to preserve those lines of demarkation between measures of the two classes, one of which refers to the progress of the Government and the other to its policy; for whether the policy of this man or that, or this section or that section should prevail, it is still due to ourselves, due to the traditions of our history, due to the purposes of the organization of this Government, that we should keep it always in view. I want to see the executive department, the legislative department, the judicial department supplied, through proper agencies, at all times with the means of support; and I do not know how I could look with anything short of scorn upon the man who will attempt to obstruct the progress of one of these grand departments for the sake of gratifying his own personal desires or those of his constituents, especially with bills framed for the purpose of drawing money out of the Treasury of the United States.

I think it is time that we should pause and look around. Questions will be here within a day or two perhaps of the most serious consequence. Questions of order have been raised in this body which have been solemnly decided, and let me admonish the Senate of the United States that these decisions will be appealed to perhaps within less than twenty-four hours to justify some exploits upon this Government by which it will be attempted to carry measures on appropriation bills which have not in themselves sufficient respectability to stand upon their own feet.

I would have been glad, and I would be glad to-night, to have an opportunity to vote for an honest bill to encourage American industry abroad. If those of the Northeast should think that it was necessary for the encouragement of their industries that we should have a prohibitory tariff upon ships, and I found that we could not encourage the industry without at the same time yielding to that prohibitory demand, I would still encourage the industry at this great expense to the people.

I cannot conceive how a man can claim his right to American citizenship who has not the ability to concede something to the opinions of those with whom he is associated and by the concession to enable us to better carry into effect that grand progress which we are making in the march of nations. I am nothing, Mr. President, but an American. Whether I might have been one of the heroes who triumphed in the last war, or whether I am one of those who were conquered, I glory in this American people and its grand Constitution. The glorious reminiscences of the past are just as much my heritage as any man's, and no man can enjoy them more than I can. I want to respect this American people, I want to honor them, I want to keep our powers here within constitutional bounds, and I want the action of the Senate to be such as that no criticism will rest upon it from any honest man in the country.

Mr. WINDOM. I am so fully in accord with the honorable Senator from Alabama as to the enforcement of the rule excluding legislation from appropriation bills that I desire to say to him that he has my profound thanks for the pledge he has so unreservedly given to-night that in no case will he vote for such legislation. I stand with him.

Mr. MORGAN. Let me remind the Senator, if he will allow me, that my conduct here does not depend upon pledges; it depends upon convictions.

Mr. WINDOM. I am equally as grateful for the Senator's convictions as for his pledges.

Mr. EUSTIS. Mr. President, although I originally introduced a bill to subsidize steamship services between New York and New Orleans and Brazil, I have refrained from taking any part in this discussion. I must confess that it seems to me the only just cause of complaint that the minority of this body have to make is that they are not in the majority. I have never known in the discussion of any bill so much freedom of debate indulged in by the minority with reference even to the merits of this measure or to the mode in which it has been presented for the vote of the Senate. One would suppose that the majority of the Senate were engaged in stealing the money of the American people, and not stealing it in an open, frank manner, but stealing it even by indirection and clandestineness.

The objection is made that this measure has never been presented to the Senate on its own merits as an independent measure. What force can there be in that objection when the whole merits of this question have been discussed in their every possible phase, and every opponent of this measure has had an opportunity to defeat its passage by presenting amendments, some of which I frankly confess placed me in a somewhat embarrassing position?

Mr. MORGAN. If the Senator will allow me, I object that this measure is placed in such a form as that we shall not have any Post-Office appropriations at all unless we agree to it, and we cannot carry the mails between any two towns in the United States unless we agree to this legislation.

Mr. EUSTIS. What objection can that be if the majority of the

Senate so decides? I understand that this is a democratic form of government, and I know my friend from Alabama to be one of the most pious apostles of the democratic party.

Mr. MORGAN. It is a republican form of government under a democratic constitution.

Mr. EUSTIS. This is the first instance that I know of where a distinct measure, presented according to the rules of the Senate, a measure submitted to the decision of the Senate, is objected to because we are not called upon to vote on the bill as a whole. These separate amendments are submitted to the judgment of the Senate. When there has been a full discussion of the merits of this amendment, when every opportunity has been afforded to the minority, of which they have availed themselves to the fullest extent, to defeat the passage of this amendment by resorting to all the tactics known to parliamentarians, I ask what just cause of complaint have the minority if they have not a sufficient number of votes to defeat the measure?

Mr. MORGAN. I will say in reply to the Senator from Louisiana that the appropriation bills under the rules of the Senate have precedence and preference. This measure should have been reported from the proper committee and it should have stood upon the footing of other bills that have been on the Calendar and will be on the Calendar. By tacking it to this appropriation bill, its friends force it to the attention of the country, and they demand that the country shall not have postal facilities until John Roach is subsidized.

Mr. EUSTIS. My answer to that is simply to say that upon two occasions points of order were made whether or not this amendment was germane to the Post-Office appropriation bill, and upon both points of order the Senate decided that the amendment is germane and that it is properly a part of the bill. I ask with what propriety, after the Senate of the United States has rendered its judgment upon all these questions, can the minority occupy the attitude of complainants and ask us to revise that action, or even have they the right to protest against that action?

Mr. MORGAN. I desire to say in behalf of the minority that it is the right of a Senator to protest in the Senate of the United States when he feels that the Constitution is violated, or that the rules of the Senate are violated, or that public policy is violated. I know of no authority given by the rules of the Senate to press the presentation of a measure here which the minority have no power to resist, and to deny, when it is connected with a subject of legislation, that a Senator shall have the right to protest against it. The observations which I have made have not been with reference to defeating the bill, but in the nature of protest. The grounds of protest are those of petition. Petition introduces a subject to the Senate; protest is the right of a Senator to urge his objection to those who press the measure against what I conceive to be the rules of the Senate and the Constitution of the United States and the policy of the Government, by the mere power which they have to do so. But the right of protest is still sacred, and I have made bold to avail myself of the opportunity of protesting, and I do protest against it, and if I have done the Senator from Louisiana any injustice in that respect, I beg his pardon.

Mr. EUSTIS. Not at all. The point I was making is, why should a minority claim a superiority of judgment upon these matters over the majority of the Senate? Why should they pretend to be more conscientious than we are in the majority? Why should they pretend to be more vigilant over the Federal Treasury than we of the majority are?

Mr. MORGAN. If the Senator puts that to me as a question, I will answer that we do not claim to be any more conscientious than they are, but we say that the conduct of the party who supports this measure is unexampled.

Mr. EUSTIS. I have heard a great deal about Mr. John Roach in this discussion. It has gone forth to the country in the most unqualified terms that a majority of the Senate of the United States is taking money out of the Treasury of the United States, money paid into the Treasury by the tax-payers of the United States, in order to subserve the individual purposes and to prop the individual fortunes of a single man in this country. It is only because I have heard that argument very frequently reiterated that at this moment I desire that it should not pass unchallenged so far as my support of this measure is concerned and so far as my vote in favor of the measure is concerned. I must say in all frankness that there has been an unusual license of language indulged in during this debate. I must say in all candor that, whether it be under the irritation of defeat, whether it be that after a hard struggle gentlemen find themselves in a minority on this question, they resort to the weapon not of impugning the motives of the majority, but certainly of arraigning them before the American people by their votes and by their voice as committing themselves to what I consider the most pernicious policy that could be adopted, one which would show our recreancy to the true interests of our constituents, one which would show ourselves to be unworthy of the position which we occupy on this floor, by having the finger of crimination pointed at us that we are seeking to enrich one individual at the expense of the American people.

Mr. MORGAN. Let me ask the Senator whether he believes that the proposition for a subsidy to steamships from New Orleans to Rio could have been carried through without a similar proposition to establish a line of steamships equally subsidized from New York to Rio?

Mr. EUSTIS. I will frankly answer the question of the Senator

from Alabama. If he asks me whether we could have summoned sufficient strength in this Senate to subsidize the New Orleans line without the support of those who support the New York line, I frankly tell him we could not.

Mr. MORGAN. Let me say that I do not intend in the slightest degree to rebuke the Senator for that combination; but I have this to say about it, that the legislation of the Congress of the United States ought not to be influenced by considerations of that kind.

Mr. EUSTIS. I take this to be an entirely new doctrine which has been enunciated by the Senator from Alabama. I understand this to be an entirely new departure in legislation. The question which is presented to the Senate is not whether there has been any combination between any sections of the country; the question submitted to the Senate is not whether there has been any covenant or any compact between those who support the New York line and the New Orleans line, but the question is whether or not the interests of the whole country by the development of the commerce of the whole country, and to expand our commercial intercourse between Brazil and the United States, are to be best accomplished by supporting one line or two lines, or more than two lines.

Mr. MORGAN. Will the Senator allow me to interrupt him again? Mr. EUSTIS. Certainly.

Mr. MORGAN. I said, and I state again, that I would have voted for any proposition for a line from either port to Rio, if the details of the measure had been such as to justify me in my vote, if they had been such as to open this contract to the competition of all capitalists, wherever they might be, who might choose to come in and avail themselves of the opportunity, and thereby place this contract where all other contracts made by the Government ought to be placed; that is to say, upon an honest competition between honest men.

Mr. WITHERS. Is not that the condition of this contract?

Mr. MORGAN. I am not prepared to state the conditions; it is not my business to make the conditions; I draw my inferences and cast my vote accordingly.

Mr. EUSTIS. Then I understand the Senator from Alabama is not opposed to the principle of subsidizing steamship lines, and that it is with him merely a question of details and of local interest.

Mr. MORGAN. I am opposed to the principle of subsidizing any line.

I am in favor of the principle of open competition for the carrying of our mails and our commerce from the ports of this country to all other countries. As the Senator from New Hampshire [Mr. WADLEIGH] very well stated to-night, even the tariff laws by their most stringent operations upon the commerce of this country are not subsidies; the fishing bounties were not subsidies; because they offer an equal encouragement to all men in all parts of this country. The State which I have the honor in part to represent is a maritime State, abounding with pine, oak, iron, and all other facilities for building ships, and from the one port of Pensacola alone, which is easy of access, a most profitable line could be established. If the Senator from Louisiana will indulge me one moment, I will state further that I do not regard any protection upon the manufactures of the United States or any of its industries, whether it be the sugar of Louisiana or the cotton of Alabama, or the iron of Alabama or the iron of Pennsylvania, or any agricultural product, as in the nature of a subsidy, because it leaves competition free, and all the people of this country who choose can come and bring their capital and are free to invest it and to enter into an honest and manly competition. The benefits of such a measure reflect advantage upon the people of the United States in their general enterprise and industries; but when you single out a man and, whether you name him or not, put the measure in such a condition that he, and he alone, must receive the benefits of this law, and thereby drive out of competition with him everybody else, I think I should call that a subsidy just as distinctly as if you were to name him in the proposition. I ask the honorable Senator from Louisiana if he to-night can name in the United States any man who can compete with John Roach for this contract, made as it is a contract upon these two lines, dependent one upon the other, the line from New York to Rio and the line from New Orleans to Rio, the one failing the other must fail, the one being introduced the other must be introduced? Can any Senator upon this floor to-night name the man who can enter into competition with John Roach for this contract? It is idle for us to talk about measures of legislation which everybody can understand. The simplest plowman in the land can understand it as well as we can. It is idle for us to attempt to exclude from the minds of the people the positive contemplation and apprehension and understanding of the idea that when we give \$300,000 a year, or \$3,000,000 in ten years, under this proposition, we are giving it to John Roach; and we are not only giving it to him, but we are giving it to him in addition to the bounties which the Brazilian government has conferred upon him for the same service.

Mr. DORSEY. Mr. President—

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

Mr. EUSTIS. Certainly.

Mr. DORSEY. I do not want to interfere with the Senator from Louisiana.

Mr. MORGAN. I was occupying the floor by the courtesy of the Senator from Louisiana. Does the Senator from Arkansas desire to ask me a question?

Mr. DORSEY. I wish to say that I think there are about twenty-five different ships that can fulfill the requirements of this measure, owned by eight or ten separate owners, any one of whom can compete just the same as Mr. John Roach. There is a good deal of humbuggery in this constant talking about John Roach. There are ten or twelve ship-owners in this country who have ships and who are ready to bid, and can bid under this measure, upon exactly the same basis that John Roach can bid for the contract.

Mr. MORGAN. It is the duty of the Senator from Arkansas, who has charge of this bill, to explain to the Senate every questionable point in regard to it. The Senator from Maryland, [Mr. WHYTE,] the Senator from Connecticut, [Mr. EATON,] and the Senator from New York, [Mr. KERNAN,] have consecutively brought to the attention of the Senate a great many facts in regard to this measure, which the Senator from Arkansas has not condescended to answer. Now, after having failed to answer all this grand array of facts, which stand on the record and which the country will see, the Senator assumes to himself to say that there is a good deal of humbuggery in this discourse about John Roach. I shall not retort upon the Senator. He has a right to suppose of course that any Senator on this floor would follow those instincts of mind and heart which might induce him to undertake to humbug somebody. I have not attempted it; the Senator from Connecticut has not attempted it; the Senator from Maryland has not attempted it. Facts are not apt to humbug the American people, at least, and the denunciations in regard to humbuggery are not apt to make much impression when they come from a source which so far as I know may be as much indebted for its significance in this country to humbuggery as anything I can conceive of. These things are not to be denounced as "humbuggery." That is not a proper word to be applied to a speech or argument made which addresses itself not to this little circle here alone, but to the whole country. The facts which have been presented here are stubborn, and I think I may justify myself here to-night in saying that they are unassailable. I know men say that they have not been successfully assailed. When in comparison with this grand monumental array of facts the declaration of the Senator from Arkansas comes up to impeach them in his opinion with the idea that they partake of the nature of humbuggery, I think I can very well leave that question to the country. This people are not to be deceived about humbuggery.

Mr. DORSEY. I am quite willing to leave any question of that sort to stand on my statement and on the statement of the Senator from Alabama. I think that my authority would prove quite equal to his.

Mr. MORGAN. I have made no statement at all except to bring to the attention of the Senate again those facts that have been brought to the attention of the Senate upon authentic information by the Senator from Connecticut, the Senator from Maryland, the Senator from Delaware, and other Senators upon this floor. Those facts stand. I made no asseveration of facts at all. The statistics of the export and import trade of this country are perfectly understood. The history of subsidies in this country is perfectly understood. Since the subsidy system has been set on foot, I think I may say that a dark crimson blush has come upon the cheek of this country which before it had never experienced. In the better days of our Republic and when better men had charge of this Government we were not brought to the blush of shame by this subsidy business that has been so often and so repeatedly brought to our attention. Some Senator remarked to-day on this floor about the graves, not political merely, but actual, that had been filled by crushed and despairing hearts who had fallen beneath this system of subsidies. If the Senator from Arkansas in his retirement from this body desires to impose upon this country another subsidy like that which has so stigmatized this land, and upon which the people have so signally passed their reprobation, I can only say to him that, standing in this body as I will after he has gone from it, I desire to relieve the South from the impeachment of any participation in a scheme like that.

Mr. WITHERS. But the Senator forgets that he impugns the motives of every Southern Senator and every supporter of this measure on this floor by his remark.

Mr. MORGAN. I have no intention to do so, nor have I intimated any such impugnation.

Mr. WITHERS. If the action of the Senator from Arkansas be fairly liable to the construction the Senator places upon it, so is the action of every Senator who has supported this measure.

Mr. MORGAN. Every Senator has his own motives for voting for the measure, and I insist that he must take the consequences.

Mr. WITHERS. I am perfectly willing for myself to accept any consequence properly devolving upon me. I have kept my mouth silent upon this discussion, and I have supported this measure for reasons that I deem perfect and sufficient to induce me to guide my action by my own convictions of what is right and proper.

Mr. MORGAN. I have no objection to that.

Mr. WITHERS. I cannot consent longer to sit silent under the imputations which are made that I and those who act with me are laboring to vote a subsidy to John Roach or any other man. There is nothing upon the face of this measure to indicate that it is designed for any particular individual, and it is a gratuitous assumption on the part of those who assert that we are designing to legislate solely for the interest of one individual. The motives which have governed me in the votes I have cast for this measure have been designed to

promote the interest of my country, of my own section peculiarly, and of my own people; and I assert that there is nothing on the face of the amendment which does not leave to free and unrestricted competition the bids to supply the mail service which it is desired shall be established between this country and South America.

Mr. MORGAN. I do not so understand the measure. The Senator from Virginia must have been perfectly conscious that I made no imputation upon him or upon any other supporter of the proposition, and that I did not have him in my mind. He must have been perfectly conscious of that; and if my arguments have fallen very severely upon him or keenly upon him I beg his pardon.

Mr. WITHERS. The arguments have not, sir.

Mr. MORGAN. I made no statement that involves the Senator from Virginia or any other Senator. I have been speaking about this measure, which I have not characterized as one designed to pay John Roach a subsidy.

Mr. WITHERS. Then, if the Senator has not, I misunderstood him.

Mr. MORGAN. I have argued that that was the necessary consequence, because there is no man in the country who has the capital and the ability to build the same ships, and because you exclude competition from all other quarters. Because you cut off men of capital in the country who may desire to go abroad to buy ships to compete with John Roach, because you have united these two projects together, and because John Roach is already a subsidized agent of the Brazilian government, I have deemed it proper to argue that the result would be necessarily and inevitably the subsidizing of John Roach.

I must be allowed to ask that my argument upon facts shall have its full and unlimited sway, without any Senator being permitted to feel that he is aggrieved by it in a personal sense. The arguments are strong and this country will feel their strength. I speak more tonight with a view of bringing to the attention of Senators that which the people will extract from the facts than for the purpose of making any asseverations or charges upon my part. My course here has been one of personal friendship and conciliation, and it will always be that way. As an American Senator I have no right to bring my personal feelings upon this floor, but I have the right to deduce from the facts that are presented upon this measure, and all the motions that have been made to amend it, that which any honest man—no, I will not say an honest man, but a man of common sense—will be prepared to deduce for himself. I disclaim all intention of impugning personal motives.

Mr. VOORHEES. Will the Senator yield to me a moment?

Mr. MORGAN. I will do so.

Mr. VOORHEES. I have not opened my mouth from the beginning of this debate and I did not intend to do so, nor would I do so now but for a disposition on the part of the majority to insist upon a construction of this measure which the country will not give it and which I do not believe to be true. I believe this is a subsidy to one individual; the whole country believes it. It has never presented itself to my mind in any other shape than as a subsidy to John Roach; and I do not believe that it will present itself to the country in any other shape. It appears to me that we are voting money, under the pretense of encouraging American commerce, to one man, enabling him to outstrip all competition and drive everybody else out of the trade. There is, it is true, the additional pretense of enabling him to carry the United States mails, when this Government can carry the same mails for \$15,000 per annum. The people will be amazed to know that \$300,000 a year for ten years is voted away for such a service and for such purposes.

It is useless to assert in my presence and expect me to sit silent that this is not a subsidy, and a subsidy to an individual line. I do not believe such a construction to be true or just, and I enter my protest. I shall vote against the measure in every phase as one of the most flagrant subsidies I have ever known. I am against this, and all measures like it. If an enterprise cannot stand upon its own merits and strength without taxing some other enterprise, let it go down. I do not believe in the protective system of government; I do not believe in the paternal system of government; I do not believe in this modern doctrine of fostering one branch of industry or one enterprise by laying the heavy hand of taxation on another. I believe in freedom of trade and equal rights in trade and commerce. That which cannot stand alone ought to fall. I have always thought this to be old-fashioned democratic doctrine; I think so now. It has actuated my votes, as I have given them silently here against this measure, and will actuate my vote when I give it at the close.

Mr. WITHERS. If either the Senator from Alabama or the Senator from Indiana can draw any distinction between an offer on the part of the Government to pay a certain amount of money above the actual cost of the service to carry a mail from New York or Norfolk to Rio de Janeiro, or between any two points in our Western Territories or in the interior of our States, where a much greater proportion is paid above the cost of transportation to secure the mail service, I shall be obliged to him if he draw it here. We have a measure before us which proposes to let to the lowest bidder the contract for carrying the mails from New York and New Orleans to Rio de Janeiro and South American ports. It appropriates a sum of money to that purpose, greater I admit than need be absolutely expended possibly in the cost of transportation, but with the ulterior purpose and the almost inevitable result of so enlarging our commercial transactions

with our sister republics of South America as to redound to the best interests of this Government and of this people. It is proposed and supposed that it will bring to us a trade which will be very much more in value to us than the amount of money which will be required to establish the lines which it is expected will build up this trade. So we have upon the same bill an amount of \$5,000,000 appropriated for what are called star routes, which do not pay the cost of the service which is rendered, which is a bonus and a subsidy, in the sense in which Senators seem to understand subsidy, to the contractors upon those star routes, and I have yet to see any distinction drawn on this floor to distinguish the one from the other.

Mr. EUSTIS. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Louisiana resumes the floor.

Mr. WITHERS. I beg pardon of the Senator from Louisiana.

Mr. MORGAN. I ask the Senator from Louisiana to allow me to say just one word in reply to the Senator from Virginia.

Mr. EUSTIS. Certainly.

Mr. EATON. Have not six years elapsed? [Laughter.]

Mr. MORGAN. No man on this floor regrets so much as I do that the Senator from Connecticut will not be here for the next six years to discuss these questions. [Laughter.]

Mr. EUSTIS. Except myself. [Laughter.]

Mr. MORGAN. The Senator from Virginia has put a question to me which I desire to answer simply by reading the bill. In line 194 we have the item:

For transportation of foreign mails, \$260,000.

That applies to all nations of the earth with whom we have now foreign mails. Then follows the item:

For ocean steamship service between the United States and Brazil, \$300,000.

That is within \$60,000 of the amount we appropriate to carry our mails abroad to the whole world we appropriate to carry the mails to the single port of Rio de Janeiro. That simple presentation satisfied me that there was a great deal more in this than postal service; that while we appropriate only \$260,000 for all foreign mails carried abroad across the ocean we appropriate \$300,000 for this year, for there is a deficiency of \$100,000 which will have to be voted at the next session of Congress or some time thereafter, and \$300,000 for successive years, for ten years, to a single port of the world. That satisfied me that the object of the measure was not postal communication.

Mr. EUSTIS. I thought, Mr. President, that I was not mistaken when I charged that the opponents of this measure had arraigned its supporters as favoring the interests of one individual, although when I made the charge the Senator from Alabama disclaimed that he had made any such insinuation. The Senator from Indiana has used language which he cannot explain, for it can only have one meaning as he intended it to have. He spoke of this measure as one of the most flagrant subsidies (which I understand to be a very technical term in Federal legislation) that had ever come before his observation. So far as my vote is concerned, and I have stated it before, if I believed, as I do, that the results which are sought to be accomplished by this measure are beneficial in the largest commercial sense, and are to assist in exporting our surplus manufactured goods and surplus cereals to a new market, so far as my vote is concerned it would not make the slightest difference whether it was Mr. John Roach or Mr. John Smith who was to receive the benefits of this legislative subsidy.

Mr. VOORHEES. That may be all true from the stand-point of the Senator from Louisiana. I was speaking from my stand-point as it appears to me; and he is speaking from his stand-point as it appears to him. It is not necessary for me to say that my remarks were simply intended to explain my position and not the views of other Senators.

Mr. EUSTIS. I understand the Senator perfectly well. He said that, according to his own statement, I am voting for a subsidy and he is voting against it.

Mr. VOORHEES. That is the way it appears to me; but it does not appear that way to the Senator from Louisiana.

Mr. EUSTIS. Certainly, as I will endeavor to show if I am allowed to conclude the very few remarks which I propose to make.

The PRESIDING OFFICER. The Senator from Louisiana is entitled to the floor, unless he yields it of his own accord.

Mr. EUSTIS. Of course, Mr. President, it is very easy for any of us to indulge in mere expressions and phraseology and statements; but it so happens with reference to this particular amendment that as a matter of fact Mr. John Roach is not the only individual who can be a competitor for this contract. I feel the more justified in making that statement because it was made by one of the most determined opponents of this measure, the Senator from Connecticut, and I believe I am not mistaken.

Mr. EATON. I will not interrupt my friend, as he has expressed his wish not to be interrupted, and he has a right to go on.

Mr. EUSTIS. My information is that the Pacific Mail Steamship Company have steamers which would come within the provisions of this law, and consequently would be perfectly competent to enter into competition with Mr. John Roach for this contract. Also the line from Philadelphia to Liverpool have steamers already built, and which are now crossing the Atlantic Ocean, which would fulfill all the requirements of this proposed law, and they are consequently

competent to bid for this contract. How many competitors are we to have? If this measure be meritorious, (I believe it to be so, the Senator from Indiana conscientiously believes it to be otherwise,) are we to arrest meritorious legislation until somebody throughout the country will have on hand steamships of three thousand tons burden, American built? Suppose you have a fourth competitor, will not the same argument be used with equal force that you ought to have a fifth, a sixth, and a seventh, and so on till the end of time, and in the mean while what becomes of legislation which we claim to be necessary and beneficial if that argument can have any force?

Mr. President, it may be easy to charge against the Federal Congress that they engage in subsidy legislation; it may be easy to charge against the Congress of the United States that they engage in personal legislation, so to speak; but will the honorable Senator from Indiana make that charge against the government of England, against the government of France, against the government of Germany, and against the government of Italy, which are known to be the most economical governments on the face of the earth, who never have spent a dollar of their people's money needlessly, and yet who for twenty years have been engaged in what the Senator from Indiana calls this subsidy legislation?

Mr. OGLESBY. I ask the Senator from Louisiana to indulge me, in the generosity of his nature, as he has indulged a great many other Senators to-night, while I make a request of the Senate. I have attended here since eleven o'clock to-day; I have not absented myself from the Capitol; it is now past ten o'clock, and I ask the Senate to grant me leave of absence until twelve o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent that he have leave of absence from the Senate until twelve o'clock to-morrow. Is there objection?

Mr. EATON. I should like to know whether the Senator is paired?

Mr. OGLESBY. Not at all.

Mr. EATON. Then I shall have to object. We cannot spare his good face.

Mr. OGLESBY. I will ask the Senator from Connecticut if he will pair with me?

Mr. EATON. No, sir; we are going to sit this bill out.

Mr. OGLESBY. I am sorry the Senator objects to so reasonable a request.

The PRESIDING OFFICER. The Chair will state for the benefit of the Senator from Illinois that by a vote of the Senate he can have leave of absence, in the judgment of the Chair.

Mr. EATON. Of course, as my friend very well knows, if his absence would not endanger a quorum of the Senate, I should be glad to assent.

Mr. OGLESBY. There is more than a quorum present.

Mr. EATON. But a great many Senators are paired. I have serious doubt whether we have now more than a quorum present who are not paired.

Mr. DORSEY. I hope we can get a vote.

Mr. OGLESBY. I beg pardon of the Senator from Louisiana for interrupting him. He is very indulgent and very kind, and I did not wish to interrupt him so long.

Mr. EUSTIS. I merely wish to state, Mr. President, that this precise legislation which has been proposed is in imitation of the legislation of the most economical and civilized governments on the face of the globe. It is legislation that we are attempting after having learned by sad experience that superior statesmanship and wise economy of those governments had made them prosperous and had made us prostrate. It is by reason of the examples which they have set, and from which we expect to derive great benefits that we propose even at this late period to tread in their pathway and to engage with them for the magnificent prize of commercial and maritime supremacy. And, Mr. President, so far from my objecting to the criticisms which have been made by the opponents of this measure, I will state that their system of legislation, their policy, is in my judgment a policy of perverted economy which will ruin the industries of the American people and degrade the American nation by making it but a tenth-rate maritime power. So far as my vote is concerned, whether it be to erect a public building, whether it be to improve a highway, whether it be to promote any industry, whether it be to subsidize a steamship line, I care not whether any individual be the direct beneficiary of our legislation, for I am looking after the great, grand, and broad result of developing and expanding the commercial interests of this great nation.

I stated that I had felt embarrassed by some of these amendments. I mean by that, sir, that when appeals were made to me to vote for amendments by which it was proposed that the Brazil line should touch at this point and at that point, I was obliged in the interest of this great project and this great scheme to resist that appeal. So far as my individual desires are concerned I would gladly vote for a steamship line to start from New Orleans and go up to Louisville, Kentucky, and Saint Louis, Missouri, and stop all over the country, and then start on its trip for Brazil, if anybody had sense enough to think that could be practicable and successful. But, sir, of the two points from which these lines are to start, one is the great commercial city of New York, which has its commerce extending now throughout the world, and has its shipping almost in every port of the globe. The other is the city of New Orleans, a city that is bowed down with commercial distress, a city upon which has been visited every calamity

and every misfortune and every distress that can possibly be imagined. We who live in that Mississippi Valley, we who know the inexhaustible resources of that country, we who know what prizes are yielded annually to the industry of man, we who know what a future awaits that great country, believe that one of the first steps to develop the industries, the energies, and the wealth of the Mississippi Valley is to establish commercial relations with the South American and Mexican states; and we know that under the subsidizing policy of the great governments of Europe we are not in a position to compete for that commerce; and these, Mr. President, are the reasons why I support this bill.

Mr. MORGAN. Mr. President, may I ask the Senator from Louisiana if he knows of any good reason why these steamships running out of the port of New Orleans to the mouth of the Mississippi should not make one trip by way of Galveston and the next by way of the bay of Mobile and the bay of Pensacola, the bay of Mobile and bay of Pensacola being on the direct route to go to Brazil? Does the Senator know of any good reason why that should not be done? The Senator does not answer.

Mr. EUSTIS. I prefer that that question should be answered by the Senator from Texas.

Mr. MORGAN. I have not appealed to the Senator from Texas. I was appealing to a disinterested party who is intermediate between Galveston and Mobile and Pensacola. The line is shorter from the mouth of the Mississippi River by way of Mobile Bay and Pensacola Bay to Rio than it is by way of Galveston, and hence I thought I might ask this question of my friend from Louisiana, if he knows any good reason why these ships from New Orleans should not pass in alternate trips by way of Galveston and by Pensacola Bay and Mobile Bay. If I am allowed one moment further, I will say that I believe the time is coming when the Gulf of Mexico will be to this continent what the Mediterranean is to Europe. I see no reason why it should not be. The Mediterranean Sea does not furnish such resources of agriculture or of any other description of wealth as the Gulf of Mexico in its surroundings—Mexico, the Central American States, Brazil, and the islands of the Caribbean Sea. I really look to that as one of the most important quarters in which the progress and glory of this American continent are to be developed. I do not look to it in any jealous sense. I do not look to it in any rivalry or competition with any other part of the country; but I think this subject appeals to every American that loves to see developed the resources of these great surroundings of that magnificent sea.

There are few persons who have a proper conception of the resources of this great Mediterranean of this continent. It seems to me that this is almost the initial point of the introduction to the attention of the United States of the possibilities of commercial greatness that will be developed in that magnificent sea and its surroundings. I would like to see the commerce that comes out from the port of New Orleans and from South America pass back and forth to the right and to the left, not that I would deprive Galveston of a part of it, but that I would like Pensacola and Mobile to enjoy a part of it. Now, is not that a reasonable request on our part? Can the Senate deny that to us? Is there any exigency connected with this bill that should compel us to cut off Mobile Bay and Pensacola Bay from the opportunities which are to be afforded by this commercial circuit to be performed under pay by the Government of the United States, not merely for postal facilities but for commercial advantages? I admit that if this was a postal bill truly, if it were not a commercial bill, then we might justly say that Galveston perhaps would furnish more letters and receive more letters than would be received at Pensacola or Mobile; but I understand that not to be the real purpose of this measure. That is the title of the bill; that is the ostensible purpose of it; but everybody knows that is not the substance of the bill. The substance of it is a bill to extend commerce. Well, there is no place in this country that more needs, more deserves, or is more capable of accommodating commerce than the bay of Pensacola, and I might add the bay of Mobile. We have a place to lie at anchor in the bay of Mobile, and lighters can discharge cargo from a vessel readily, whereas at Galveston you may have to put off in a stormy sea to gain safety for your ship. I appeal to the Senate to consider us while they are distributing the moneys they are collecting in the way of taxes from the people of my State. Of course we are not alone in this matter of paying taxes, but ours is a very good State for paying taxes. It has always been a good State for paying tribute of every kind to the Government, and no people in these whole United States pay their taxes with more freedom than the State of Alabama. Now, in distributing these subsidies drawn from the common Treasury, supplied by taxation from different parts of the country, I ask, and I ask earnestly of the Senate, will they not give us in that distribution an equal chance with Galveston?

It is very true, sir, that I have no claim and cannot press any. I have been trying to get the bill in proper shape so that I could support it. I hope the Senate will not cut off the people of Florida and Alabama from the benefits of this measure simply because some of us cannot support it in all its details or in its present shape.

I have not antagonized others; but I have tried to modify the provisions of this bill to make it more reconcilable to my own views of propriety, and because I have had the temerity to do this I hope the Senate will not punish Alabama and Florida by an exclusion from the benefits of this bill.

I do not say that I am going to vote for the bill after you put that in. That question has been put to me; but that is not a fair question. Senators know that it is their right to make the bills which are carried against their convictions, the best bills possible for the country. No one here can do justice to himself who allows a bill to pass that he may be opposed to without trying to make that bill the best possible for the country. I have simply tried to do this. I have not committed myself on the final vote for or against the main proposition, though I have indicated I think twice or three times, as has the Senator from Connecticut, [Mr. EATON,] that this measure could be placed upon grounds and based upon principles on which I could vote for it; but when those grounds and those principles are abandoned, and we are left to be driven about hither and thither with no principle to follow, I think I may do myself the justice of reserving my right to oppose the measure. I propose to be true to principle, and to follow where it leads.

Mr. President, when we are paying a subsidy from the Government of the United States for lines to Brazil, we have a right to claim as an act of justice and right, as an act in the direction of the encouragement of American enterprise, that the ships which sail out of the mouth of the Mississippi shall touch one time at Galveston and the next time on the eastern voyage these great bays of Pensacola and Mobile. Mobile has labored assiduously to build up her commerce; her capitalists have gone to great expense with a view of encouraging the concentration there of traffic from the northern cities, Chicago particularly, and Cincinnati; and I think that port deserves some consideration. I am not forward to claim much in the way of appropriations for my State; I will not while I am in the Senate press any exorbitant claim for my State because I know that her resources are abundant, and her claims to consideration will soon be asserted through those resources, the like of which I think God has not bestowed upon the same area of territory in the world. I need not to spend time upon that. But when you tax the people of my State to contribute money to pay the subsidy to these lines, is there anything but justice in my saying that you should go into a bay which has thirty feet of water as well as one which has fifteen, and then should go to that grand bay of Pensacola where I think at last the naval defense of this continent will be more securely provided for than elsewhere. Give us a fair chance; that is all we ask.

My friend from Florida offered this amendment in good faith, not as antagonizing the bill, but we wanted to see whether there was something in this bill that could not be broken by argument or persuasion or entreaty; we wanted to know whether the friends of this bill intended to stand by it through thick and through thin, and whether they intended to tax all the United States that they might secure for their own States that upon which they are bent. It is for them to say, Mr. President.

Mr. OGLESBY, (at ten o'clock and thirty minutes p. m.) Mr. President, I move that the Senate now adjourn.

The motion was not agreed to.

Mr. JONES, of Florida. Mr. President, the Senate need not be uneasy about my detaining it much longer.

I indorse a great deal of what my friend from Alabama has said in regard to the superior facilities of the port of Pensacola, and yet I say in all candor that the amendment which I have introduced was not put forth with a view of prejudicing in any way the bill now before the Senate.

This subject, when last under consideration, was debated at length. I then presented a similar amendment to the one that I offered a while ago. I am not sure that I would have offered it if the port of Galveston was not specifically designated in this bill. Now, I say very freely that I have no prejudice against the port of Galveston or the great State of Texas, of which she is the outlet. That is a rising commercial point, and anything that I can do at any time to advance its prosperity I shall do most willingly, but it is only the outlet of a single State. The port of Pensacola is the outlet for several States.

Mr. COKE. Galveston is not the outlet for Texas merely; she is also the outlet for the Indian Territory and a number of Northwestern States, way up to Nebraska.

Mr. JONES, of Florida. I do not think we differ in regard to the geographical area of the State territorially. It is an empire; we are all proud of it; no doubt about that; but the fact cannot be disregarded that a vessel going from New Orleans to South America can touch more readily at the port of Pensacola than at the port of Galveston. The one is nearly directly on the route; the other is over three hundred miles out of the course of a direct line. The one harbor is as superior to the other as nature well can make one superior to another. With abundant water, a fine inlet, ships can go into Pensacola readily, and it is the outlet, I may say, of the great State of Alabama, although she has a port of her own, and behind her are the great States of Tennessee and Kentucky, with which we are directly connected by rail. We are in connection with the great provision mart of that section of the country, and I think it is a well-established fact that, after all, the trade of South America is chiefly in provisions, and I know no points for furnishing articles of that kind better adapted than Louisville and Nashville, those points with which we are in direct and daily communication by rail from this great harbor on the Gulf.

I merely present these reasons for offering this amendment to show that you have a harbor, that you have means of commerce, that you

have everything with which to build up a trade which will result to the advantage of several large growing States. While I am perfectly willing that our friends from Texas shall get all they can, I think, in the spirit my friend from Alabama [Mr. MORGAN] manifested a while ago, this favor ought to be distributed a little, and that an alternate trip of one of these vessels touching at the port of Pensacola is not an unreasonable thing to ask.

I say that I offer this amendment in good faith, with the hope that it may be adopted, and not with a view of prejudicing or injuring the bill.

Mr. COKE. Mr. President, the Senator from Alabama asks why the line from New Orleans to Rio is to touch at Galveston. I will answer. The committee has reported the bill as it stands with Galveston as one of the points at which the New Orleans line shall touch. Whatever may be the advantages that would have existed at Pensacola, however great they may be, the advantages at Galveston are unquestionably very great. The fact is that while Galveston lies in the State of Texas, which contains two hundred and seventy-four thousand square miles of territory, it is the outlet of the Indian Territory—I do not remember how many square miles, but it would make a very large State, perhaps two of Kansas, Missouri, and a tier of States still northwest of those. Galveston is the Gulf point for all of them; it is the nearest salt water to all that country and the natural outlet of all that country. It is a country which produces in great abundance wheat, cattle, and hogs—everything in the provision line, just what is to be sent down to Brazil to exchange for coffee and other products. In Texas we can raise wheat which, on account of the dryness of the climate, stands shipment across the sea better than any other wheat raised in the United States, except that raised in California. We can put wheat in the market raised in Northern and Central Texas and have flour ground out of it five weeks before the harvest commences in Virginia or North Carolina or Illinois, and no heavier or better wheat is raised in the world. Texas is engaged largely in wheat-raising, as are the States I have named. These States are in direct communication with Galveston, the entire line by rail. It is from Galveston that the mails from South America would go and reach everybody in the United States sooner than from any other point that these lines might touch on the Gulf coast; and from that point the outgoing mails would carry the latest postal matter. For advantages of furnishing that which we send mostly to South America and for rapid intercommunication between the different sections of the country and South America by mail, Galveston is superior by great odds to any other point on the Gulf coast at which the line would touch. It will accommodate and be convenient to a larger section of country, to an immensely larger population, and a country filling up to such an extent that its present is absolutely insignificant, grand and great as it is, to its future—its future so near that the eye of a prophet is not required to see it.

The port of Galveston is a good port, the honorable Senator from Alabama to the contrary notwithstanding. Large ships arrive at Galveston and depart every day. A million bales of cotton which are raised in Texas are shipped from the port of Galveston to every port in Europe, and there is water at the wharves of Galveston to load to a certain depth, and vessels can cross the bar and finish the loading from lighters. It is a good harbor with good anchorage, and in the terrible storms that sometimes visit the Gulf coast in the fall of the year ships ride in safety and a wreck is rarely heard of. While there is not enough water there now to admit the largest ships, the water is constantly deepening. The Government is expending \$100,000 a year in the improvement of the harbor. The work has been going on there for years, and every year we are getting more and more water, and with each year the prosperity of Galveston is growing and increasing. It does the heaviest trade to-day of any city in America of its size. The honorable Senator from Alabama has not been in Texas. There is no stagnation in Texas; everything is alive. He says Texas is young and growing. Yes; she is a young giantess, and she is growing; she is swallowing up a large proportion of the population of all the States and a great number from Europe.

Mr. MORGAN. Mr. President—

Mr. COKE. I have waited two hours to get in a few words, and I decline to yield.

The honorable Senator indulges in sarcasm toward Texas and her Gulf ports, but I tell him the time will come, and it will come after 1880, when the Senator from Alabama and his constituents in the good little State of Alabama will nestle under the protection of Texas in the National Legislature, and we will see that they are not harmed.

Mr. MORGAN. We have contributed to the growth of the population of Texas, and therefore we have a right to look to Texas.

Mr. COKE. We have a great many good people from Alabama in Texas; in fact, we have the cream of the Alabama population down there, [laughter,] and they still come, and we have room and a welcome for all without missing it. We have there a young, growing, vigorous State, full of energy, full of life and hope, full of enterprise, and everything is moving, and a wiser designation could not have been made on the Gulf coast than that of Galveston as one of the points to touch at, because when commerce is built up upon the New Orleans and Galveston line, I venture the assertion that the largest proportion of it by great odds will be at Galveston.

Mr. President, I am not in the habit of defending my motives for votes that I give. I do not imagine that any gentleman would ques-

tion my motives for the vote I gave on this bill, and if he did, this is not the place I would choose to discuss the question. Therefore I say nothing on that subject and refer to it because of general remarks made by the Senator from Alabama, to which some Senators have taken exception.

But with reference to the trade of South America which this bill is designed to build up, what is it? It amounts to over five hundred millions annually. The United States have the benefit of barely one-fifth of it. About one-fifth of the trade of the countries lying south of the United States upon this continent is all that the United States enjoys, when we ought to have nineteen-twentieths of it. We have failed to get it because England and France and Germany and Italy and the other European powers have monopolized it by paying ships to go there and carry their products and bring back to them the exports from those countries. Our manufacturing, our farming, all our industrial interests are famishing for the want of markets. Everything is depressed. We raise more than we can use and find no sale for the surplus. Look at the present condition of the country and hear the universal demand of our farmers, who are selling their pork at one or two cents per pound and their wheat at fifty cents per bushel, and of our manufacturers who are selling below the cost of production, that we find a market somewhere for the great surplus which is bursting their granaries, their meat-houses, and their warehouses; and where shall we find it?

I am not enamored of some of the features of this bill, as my votes on some of the proposed amendments show; but I believe that the necessity exists and cannot be avoided that we must do something, and I do not know any field half so inviting for American enterprise, for American energy, and for American statesmanship, as this to which these lines lead, from New York and New Orleans and Galveston to South America. If we could secure four-fifths of the South American trade, it would transform the depression now existing in this country into the highest prosperity, and the proposed steamship lines will be an effort to secure it, at least a beginning in that direction.

A distinguished gentleman said to me to-day, "the South American States are our Indies." But we cannot get South American trade without paying for it, without making an effort for it. Take our nearest neighbor, the Republic of Mexico, whose territory abuts our own for two thousand miles, with a narrow, fordable river between. The United States annually sold, twenty-five years ago, to Mexico within \$500,000 of what she sells to Mexico to-day. Our imports from Mexico increased for the last fiscal year \$5,000,000, and our exports decreased. England sells to Mexico more than double what she buys. We buy from Mexico three times what we sell, and the United States is the only nation on the earth that buys from more than it sells to Mexico. So it is in regard to the countries south of Mexico on this continent.

Now, should we not make an effort to obtain that trade for our people? Talk not to me about taxing our farmers! Why, they can afford to be taxed to support a policy which sends their wheat from fifty cents to a dollar a bushel and their pork from two cents to five and six cents per pound. Mr. President, so far as I am concerned, I assume all the responsibility that ought to fall on a man who intends to vote squarely and without apology for this measure. I assume it all, and I will stand up to it; and the people of Texas will indorse it. They are none of your stagnant, half-asleep people; they are wide awake, full of energy, and they appreciate enterprise. They do not ask that other people be taxed and they not. They are willing to bear their portion of the burden, and they do not propose to stand still if they can help it. The railroads are taking into that State a busy, active, intelligent, thrifty, and enterprising immigration on every train. They are raising corn and wheat and cotton, a great deal of wool, a great many cattle. Texas is the third wool-producing State in the Union, and before another half decade will be the first and the greatest producer of cotton and of cattle; and we desire to provide markets for all of these products we are raising, and so do our equally fortunate neighbors back of us in the northwest, and we desire an outlet for them at the port of Galveston and to build up a South American trade there.

I am looking to the interests of Texas and the great country whose natural outlet to the ocean is through Texas ports, and through them to the national interests, for benefits secured to so large a proportion of the national territory and population are of great national importance. I know nothing of John Roach of whom so much has been said. I never saw him in my life that I know of, and while I have no doubt he is a very proper man shall not esteem myself unfortunate if I should never see him. But I do know, or think I do, something of the policy which should be inaugurated by this Government, and believe that for my own southern section especially the pending measure is fraught with incalculable benefits.

I would like to see the city of my friend from Alabama, Mobile, have a line of vessels to any point he desires. If I get a chance I intend to vote, if I can do so justly to other sections of the country, for something for Mobile. I cannot help having a little suspicion that if the city of Mobile had been one of the points named in this bill, we should have lost the eloquence by which for at least an hour and a half we were regaled to-night against this bill. I give the honorable gentleman credit when I believe he would do that which is beneficial to his constituents, when he could find no constitutional objection in

the way. That is the way I act for Texas. I represent the people of Texas to the best of my ability, and I will secure to them all the constitutional benefits I am able to command; and if each one of us will build up his own State and his own section, we will have an aggregate of States and sections constituting the whole country which will be built up. It may be selfish, or, as styled by the Senator from Alabama, "greedy," for a State with a commanding territorial position, a splendid ocean frontage, and an interior support extending far into the fertile prairies of the Northwest, teeming throughout with an enterprising busy population to push her advantages, to assert her powers, to utilize her resources, and compete for commercial and material supremacy; but if it be, then the qualities he so much derides are those which underlie all national prosperity and are the mainspring of all progress and advancement.

That these qualities are possessed by Texas I am proud to know, and when giving them full play feel that the increased prosperity brought to her borders by their operation is an addition made by her to the strength and greatness of the whole country. The States, if there be any, which fail to put forth their energies and develop their capacities for improvement are laggards on the road of progress, and fail to contribute that which is due to the common fund of national greatness. That Texas is not found in this category is to me a source of unmixed satisfaction.

Before taking my seat, Mr. President, I must assure the Senate that it was not my intention at this late hour of the night to consume time so valuable until the line of remark pursued by the honorable Senator from Alabama rendered it an imperative duty to the State I have the honor in part to represent to speak in her defense. I regret that the necessity existed, but will ever discharge with alacrity the duty I have attempted to-night to perform.

Mr. MORGAN. The proposition before the Senate is the amendment of the Senator from Florida that the proposed steamship line from New Orleans to Rio shall make one visit to Galveston and another to the bay of Mobile and the bay of Pensacola; not to the town of Mobile and the town of Pensacola, but the bay of Mobile and the bay of Pensacola. I have been very unfortunate in trying to present before the Senate, and especially before the Senator from Texas, the merits of this proposition. Having tried to do so, I am met now with this theory that Texas is a very great and growing State; that she has great agricultural resources; that she has splendid prospects for the future; that she is rapidly acquiring population not only from my State, but that she is acquiring population from all the other States of the Union; that she is a young giant; that there is nothing to equal her in her rapid spread in all manner of industries, particularly in all the agricultural interests. We are reminded of her wheat, her wool, her cotton; we are told that she is the first cotton-producing State in the Union. We are told also that she is the third wool-producing State in the Union. We are told that her population and agricultural wealth are entirely established. Without having been told in reference to these questions, we know—

Mr. HEREFORD. Mr. President, I rise to a point of order.

The PRESIDING OFFICER (Mr. MITCHELL.) The Senator will state his point of order.

Mr. HEREFORD. I ask the Chair to have Rule 39 read.

The PRESIDING OFFICER. The rule will be read.

Mr. HEREFORD. If we do not enforce the rules none of these bills can be enrolled and become a law.

The PRESIDING OFFICER. The Secretary will report the rule the reading of which is called for.

The Secretary read as follows:

Every Senator, when he speaks, shall address the Chair, standing in his place; and no Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

Mr. MORGAN. I am very sorry that my friend from West Virginia did not think about raising that question sooner, and I am much obliged to him for the courtesy of his intimation.

The PRESIDING OFFICER. Does the Senator from West Virginia insist on the point of order?

Mr. HEREFORD. I do, Mr. President, in view of the fact that unless the appropriation bills are passed promptly, it is a matter of impossibility for them to be enrolled or any of them to become laws.

The PRESIDING OFFICER. The Senator from West Virginia raises the point of order that the Senator from Alabama having spoken twice is not entitled to speak again without unanimous consent. Is there objection to the Senator from Alabama proceeding, the rule to the contrary notwithstanding?

Mr. DORSEY. I object, Mr. President.

The PRESIDING OFFICER. Objection is made.

Mr. DAVIS, of West Virginia. The Senator from Alabama asks for only a moment, and my colleague is willing to grant that.

Mr. DORSEY. I have charge of the bill. The Senator from Alabama has spoken, I think, five or six times to-night, occupying the largest portion of the time of the Senate since six o'clock. I object, if that objection will hold good.

Mr. DAVIS, of West Virginia. He only asks for a moment, and I think that it ought to be accorded.

Mr. PADDOCK. I hope the Senator from Arkansas will withdraw the objection for a moment.

Mr. DORSEY. I desire to say a single word. I move—

THE PRESIDING OFFICER. Will the Senator from Arkansas permit the Chair to make a remark? Rule 39 simply provides that no Senator shall speak more than twice without leave of the Senate. One objection is not sufficient; the Senate by a majority vote can permit a Senator to proceed.

MR. MORGAN. I move an indefinite postponement of the bill, and on that I have the floor.

MR. DORSEY. That is all right.

THE PRESIDING OFFICER. The motion is in order. The Senator from Alabama is entitled to the floor on his motion.

MR. MORGAN. Mr. President, the attempt to apply the gag to Senators on this floor may possibly at last be successful; but if it is successful on a subsidy bill the Senate will simply be disgraced. Liberty of debate is one of the things that I supposed belonged to the American Senate; and while I bow to the will of the Senate and yield to the rules of the Senate, I have never seen the moment when I could consent the gag should be applied to this discussion. Mr. President, I have never attempted to offer an objection to free discussion nor would I ever enter into my mind to undertake to interrupt the current of debate upon a question of so much importance to the American people as this subject.

I was about to say that the proposition of the Senator from Florida was simply a request on the part of the States that lie east of the mouth of the Mississippi River that we have some opportunity of enjoying the benefit of this subsidy which is endeavored to be floated upon this bill. Why that should be denied to us, I am incapable of understanding. Galveston has commerce enough, perhaps, to furnish one steamer every two months with a cargo to ship to Brazil, and something to receive from Brazil; but why she should deny to Mobile and Pensacola a right to participate in these advantages, I am not able to perceive.

I was remarking, when I was interrupted by the call to order of the Senator from Arkansas, upon the strength and the power of Texas as it had been displayed through the eloquent remarks of her representative on this floor. He referred us to her wool-growing and her cotton crop; he referred to the immense acquisitions of population coming to Texas from all parts of this country; and I thought I saw in that exhibit a reason why this subsidy should not be granted out of the money taxed from the people of the impoverished sections of Alabama, Florida, Georgia, and South Carolina, and a reason that we should rather be permitted to have some benefit of these subsidies than this young and growing giant.

When we come to measure this bill by the equivalents of advantages to be bestowed upon those who yield the money out of which this subsidy is to be supplied and those who are to enjoy it, it seems to me that a young and growing and powerful Commonwealth like Texas might, out of charity, if not for other considerations, be willing to bestow at least one-half the advantages upon the eastern part of the Gulf of Mexico.

Now here is a State that has the right under the annexation treaty with that country to divide itself into five States, either one of which will be perhaps two or three times as large as the State of Alabama; it has boundless resources; it has a wonderful climate; it has subtracted from the older States to the south and the east a splendid population. Perhaps there is no population in the United States that has more general intelligence in proportion to numbers than the population of the State of Texas. There is no State in this Union, particularly among the younger States, that is better able to take care of itself. In talent, in ability, in genius, and in enterprise, I do not know the young State in this country that compares with Texas. It has been the experience of this country that those men who have gone to the West, called as they have been from the most enterprising men of the Eastern and older States, have been remarkably sagacious and remarkably intelligent. Texas has its full share of this enterprising, sagacious, and intelligent population. With an area of land that no other State in the American Union has ever enjoyed as a free gift from the American people, Texas has paid nothing for its land. The blood of the people of Alabama, South Carolina, Georgia, Tennessee, Kentucky, Virginia, and North Carolina has been poured out to maintain it, and we in Alabama have paid \$50,000,000 for our lands to the Government of the United States.

We have given to that State its present governor, its chief justice of the supreme court, its many members of the Legislature, and some members in Congress in the other House. We of Alabama have contributed from our State men of great genius and enterprise; we have bestowed upon Texas with that goodness of heart that belongs to the true mother that which has enabled the Senator from Texas to-night to make the boast of her grandeur. The Senator who has spoken to-night is not a native of that State. He is a Virginian, and Virginia ought to feel honored by his presence here. I do not complain that they have drawn this population away from us, because they have done it by the richness of the domain which they have been able to bestow in grants without price upon those who were invited and induced to go there, and in that way they have built themselves up. We share in their greatness and their splendor, and we are sorry at least that we seem to share in their contempt. I represent a State from which the population of Texas has been drained and which has contributed very much to the building up of Texas. But how are we treated?

When we ask that a subsidy granted by the Government of the

United States to a line of steam mail ships shall equally divide its favors between Galveston and Mobile Bay and Pensacola, we find this young and magnificent empire of Texas complaining and desiring to withdraw from us the advantages which we claim under this concession of the Senate of the United States. Mr. President, it is wrong; and without the slightest reproach in feeling or utterance, I will say that it is not worthy that empire that they should be before the Senate of the United States claiming bounty and never willing to divide with those whom they have deprived of their population by their superior inducements. We have lost much and Texas has gained much, and yet they are not satisfied; and when you vote money out of the Treasury of the United States, that our people pay like the rest of the people of the United States, the Senator from Texas is not willing to divide with us, is not willing to say all the shores of the Gulf of Mexico shall be visited by these steamships that pass to and fro distributing the commerce of Brazil, but he desires to absorb all within the domain of his powerful, growing, influential, and rich State.

It is time this subject had been thought of and considered; because if all the measures that come here relating to the Gulf of Mexico are to be regulated by alliances between Texas and the States west of the Mississippi River, and if no State east of the Mississippi River is to have any benefit whatever, then I think it is time that the Senate of the United States had reflected upon this proposition. The Senator from Florida has made a modest appeal to the Senate. We have only asked that these steamships shall sail the one month by Galveston and another month by Mobile Bay and Pensacola Bay. We have got deeper water, a safer anchorage, and better security for the delivery of freights and mail matter than they have got elsewhere on the coast to the west of us.

That is all we have asked. Because we dare to present this modest petition before the Senate of the United States we are assailed here as men who are not willing to see the prosperity of the South. Sir, the South is a broad country; it lies to the east and it lies to the west of the Mississippi River; and while you are taxing money out of them to pay for subsidies we claim a portion of the advantages. We present these considerations to the Senate of the United States in a spirit of amity, without any attack on Galveston, without any attempt to retard the prosperity of Galveston. We claim merely a moderate share in the provisions of this bill, and Senators arise here to exclude us from these provisions, boasting at the same time of that very greatness and power and prosperity of their sections of country. If they be so prosperous; if they have such resources; if they can muster to their own support their own improvement, their own advantages; those large resources of which the Senator boasts, why do they not utilize them in building up their prosperity. Give them to Alabama and she never would come here for assistance. Never would she be here as a petitioner for charity from the Government of the United States.

I have said this much, Mr. President, in justification of my State and without the slightest asperity of feeling toward Texas or the Senators from Texas. In that community I number the best and most valued friends I have in the world and some of my dearest kinsmen; but when measures are presented here which are intended to exclude my section of country from all benefit under this subsidy and to claim the whole of it for this powerful domain of the West, I think the Senate will believe me when I say that I cannot honestly afford to be silent.

MR. WINDOM. Mr. President, I rise to beg the Senate to vote on these propositions. We have been in session now more than twelve hours. Certainly this bill has been discussed all that any gentleman can desire to discuss it. If any Senators intend to talk this bill to death and to prevent the passage of the appropriation bills at this session, I appeal to them to say so and say it frankly and let us go home. If they do not so intend, then I beg them to refrain from further discussion.

Let me remind the Senate again that there are but nine working days left of this session, and that the bills to be yet acted upon are the Army bill, appropriating nearly \$25,000,000; the deficiency bill, some five or six millions; the pension bill for arrears of pensions, \$27,000,000; the legislative, executive, and judicial bill, some \$20,000,000; and the sundry civil bill, some \$20,000,000 more, making over \$90,000,000 of appropriations that must be acted upon within the next nine working days if we are to conclude the public business of this session, an average of some \$10,000,000 a day. I appeal to Senators to consider whether it is possible for us to complete this business if we are to have discussions in this way. All of these bills have to be considered in conference; they must have at least two days for enrollment.

MR. MORGAN. I ask the Senator what is the relevancy of this discussion? Let me say that if the Senator will just cease talking, we can take a vote.

MR. WINDOM. If I can get that pledge from the Senator from Alabama, I shall be certain we shall have a vote. [Laughter.]

THE PRESIDING OFFICER. The pending question is on the adoption of the amendment of the Senator from Florida, [Mr. JONES,] in line 205, after the word "Texas," to insert "and each alternate trip by way of the bay of Mobile and the bay of Pensacola." On this question the yeas and nays have been ordered.

MR. MORGAN. I ask that the Secretary report the context of the amendment, so that the Senate may understand it.

The PRESIDING OFFICER. The Secretary will report the section as it will read when amended, if it should be amended as proposed.

The Secretary read as follows:

By way of Galveston, Texas, and each alternate trip by way of the bay of Mobile and the bay of Pensacola to Rio de Janeiro and return.

The PRESIDING OFFICER. The Chair was mistaken. The yeas and nays have not been ordered on this question.

Mr. MORGAN. Then I call for the yeas and nays on this amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BURNSIDE, (when the name of Mr. ANTHONY was called.) My colleague [Mr. ANTHONY] is paired with the Senator from Vermont, [Mr. EDMUNDS.] If my colleague were here, he would vote "nay." I do not know how the Senator from Vermont [Mr. EDMUNDS] would vote.

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

Mr. CONKLING, (when his name was called.) I am paired with the Senator from Wisconsin, [Mr. HOWE.] Were he here, I should vote "nay."

Mr. FERRY, (when his name was called.) I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "nay."

Mr. BECK, (when the name of Mr. MCCREERY was called.) My colleague [Mr. MCCREERY] is paired on all questions relating to this bill with the Senator from Virginia, [Mr. JOHNSTON.] My colleague, [Mr. MCCREERY], if here, would vote "yea," and the Senator from Virginia [Mr. JOHNSTON] would vote "nay."

Mr. VOORHEES, (when the name of Mr. McDONALD was called.) I wish to say that my colleague [Mr. McDONALD] is paired on all these questions with the Senator from Arkansas, [Mr. GARLAND.]

Mr. OGLESBY, (when the name of Mr. MITCHELL was called.) I am authorized to state that the Senator from Oregon, [Mr. MITCHELL], who is necessarily absent from his seat in the performance of a public duty, and my colleague [Mr. DAVIS] are paired upon this question. The Senator from Oregon, if present, would vote "nay," and the Senator from Illinois, I take it, if he should adhere to his usual custom on this question, would vote "yea."

The PRESIDING OFFICER, (Mr. MITCHELL in the chair.) The Senator from Oregon takes the liberty of stating that he is present.

Mr. OGLESBY. I am advised that he is absent. [Laughter.]

Mr. SHIELDS, (when his name was called.) I am paired with the Senator from Delaware, [Mr. SAULSBURY.] If he were here, he would vote "yea" and I should vote "nay" on this question.

Mr. WHYTE, (when his name was called.) On this subject I am paired with the Senator from California, [Mr. SARGENT.] If he were present, I should vote "yea."

The roll-call was concluded.

Mr. FERRY. For the purpose of making a quorum I vote "yea," as the Senator with whom I am paired would vote.

Mr. PADDOCK. On this question I am paired with the Senator from Vermont, [Mr. MORRILL.] If it is necessary to vote to make a quorum, I vote as he would if he were here.

Mr. WINDOM. The Senator from Rhode Island [Mr. ANTHONY] and the Senator from Vermont [Mr. EDMUNDS] are paired on this question.

Mr. SPENCER, (after having voted in the negative.) I should like to change my vote. I am in favor of this bill and have voted with the Senator in charge of it, but I do not like to vote against a part in Alabama. I will vote "yea."

The result was announced—yeas 20, nays 20; as follows:

YEAS—20.

| | | | |
|------------------|-------------------|------------|-----------|
| Bailey, | Dorsey, | McPherson, | Spencer, |
| Beck, | Ferry, | Merrimon, | Teller, |
| Cameron of Pa., | Hereford, | Morgan, | Voorhees, |
| Conover, | Ingalls, | Oglesby, | Wadleigh, |
| Davis of W. Va., | Jones of Florida, | Paddock, | Withers. |

NAYS—20.

| | | | |
|-----------|---------|------------|-----------|
| Bruce, | Eaton, | Kellogg, | Plumb, |
| Burnside, | Eustis, | Kernan, | Rollins, |
| Butler, | Gordon, | Kirkwood, | Saunders, |
| Cockrell, | Hamlin, | Maxey, | Sharon, |
| Coke, | Hill, | Patterson, | Windom. |

ABSENT—35.

| | | | |
|------------------|--------------------|------------------|------------|
| Allison, | Davis of Illinois, | Johnston, | Randolph, |
| Anthony, | Dawes, | Jones of Nevada, | Ransom, |
| Barnum, | Dennis, | Lamar, | Sargent, |
| Bayard, | Edmunds, | McCreery, | Saulsbury, |
| Blaine, | Garland, | McDonald, | Shields, |
| Booth, | Grover, | McMillan, | Thurman, |
| Cameron of Wis., | Harris, | Matthews, | Wallace, |
| Chaffee, | Hoar, | Mitchell, | Whyte. |
| Conkling, | Howe, | Morrill, | |

So the amendment to the amendment was rejected.

Mr. BECK, (at twelve o'clock and thirty-four minutes a. m.) I move that the Senate do now adjourn.

Mr. DORSEY and Mr. WINDOM. I hope not.

The PRESIDING OFFICER. The Senator from Kentucky moves that the Senate do now adjourn.

Mr. BECK. I call for the yeas and nays, and I wish to say one

word. There is not a genuine quorum here. Gentlemen are breaking pairs—

The PRESIDING OFFICER. Debate is not in order except by unanimous consent. Is there a second to the call for the yeas and nays on the motion to adjourn? Not a sufficient number up.

Mr. BECK. I withdraw the call for the yeas and nays. I merely want to say this—

The PRESIDING OFFICER. Is there objection? Unless the motion is withdrawn debate is not in order.

Mr. BECK. I withdraw it. Gentlemen are compelled to break their pairs and vote the way the gentlemen they are paired with would vote if they were here in order to make a quorum. That is not business. I am willing to stay all night. I am willing to do anything to close this bill. I do not want to delay it one moment; but whenever it comes to an issue, and the final vote is to be taken, there is no genuine quorum here, and to make a quorum pairs have to be broken. Now, either the Sergeant-at-Arms must have an order to compel Senators to come or we ought to adjourn; one or the other; I do not care which. I desire in good faith that business shall be transacted; but it is not being transacted now, as Senators know, because we are making a quorum by breaking pairs.

Mr. DAVIS, of West Virginia. I rise to ask whether there cannot be unanimous consent to fix an hour to-morrow to vote?

Mr. EATON. No.

The PRESIDING OFFICER. Objection is made.

Mr. PADDOCK. I should like to inquire of the Senator from Kentucky if he considers it breaking a pair for a Senator who is paired with another to vote as that other Senator would, thus taking his place and voting against his own convictions in order to expedite the business of the Senate. If that is breaking a pair, it is a most novel way of doing it.

Mr. BECK. I am not reflecting on any gentleman who has done it, but I do say that it indicates when we come to real business that no real business can be done. I assume that no gentleman would do that when real business came to be transacted, and my judgment is that we ought to have a quorum. If the Sergeant-at-Arms can bring Senators here, I am willing to stay till daylight to get them here and close this bill. I agree with the Senator from Minnesota that we have not an hour to lose. The Clerk of the House has said to me that unless we can get the appropriation bills before him in time to enroll them it will be a physical impossibility to have it done. He has said that to me to-night, and I know it myself. We all know the trouble we got into at the close of the last session, and I fear it will be worse now. I am afraid it will be so unless a peremptory order can be made which will give time for the enrollment of the bill. I withdraw the motion I made.

The PRESIDING OFFICER. The motion to adjourn is withdrawn. The question is on the amendment reported by the Committee on Appropriations as amended, covering the question of steamship service.

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

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

Mr. BURNSIDE, (when Mr. ANTHONY's name was called.) My colleague [Mr. ANTHONY] is paired with the Senator from Vermont, [Mr. EDMUNDS.] My colleague [Mr. ANTHONY] if here would vote "yea;" the Senator from Vermont [Mr. EDMUNDS] would vote "nay."

Mr. BARNUM, (when his name was called.) I am paired with the Senator from Delaware, [Mr. BAYARD.] If he were here, I should vote "yea."

Mr. CONKLING, (when his name was called.) On this amendment I am paired with the Senator from Wisconsin, [Mr. HOWE.] If he were here, I should vote "yea."

Mr. FERRY, (when his name was called.) On this question I am paired with the Senator from Maryland, [Mr. DENNIS.] Were he here, I should vote "yea."

Mr. BECK, (when Mr. MCCREERY's name was called.) I am authorized by my colleague [Mr. MCCREERY] to say that on this question he is paired with the Senator from Virginia, [Mr. JOHNSTON.] My colleague, if here, would vote "nay."

Mr. VOORHEES, (when Mr. McDONALD's name was called.) My colleague [Mr. McDONALD] is paired with the Senator from Arkansas, [Mr. GARLAND.] If my colleague were here, he would vote "nay" and the Senator from Arkansas would vote "yea."

Mr. OGLESBY, (when Mr. MITCHELL's name was called.) The Senator from Oregon [Mr. MITCHELL] is paired with my colleague from Illinois, [Mr. DAVIS.] The Senator from Oregon would vote "yea" and my colleague would vote "nay," if present.

Mr. SHIELDS, (when his name was called.) I am paired with the Senator from Delaware, [Mr. SAULSBURY], who would vote "nay," if he were here, and I should vote "yea."

Mr. WHYTE, (when his name was called.) I am paired with the Senator from California, [Mr. SARGENT.] He would vote "yea," if he were present, and I should vote "nay."

The Secretary concluded the roll-call.

Mr. PLUMB. On this question I am paired with the Senator from California, [Mr. BOOTH.] If he were present, I should vote "yea."

Mr. McMILLAN. The Senator from Wisconsin [Mr. CAMERON] is paired with the Senator from Mississippi, [Mr. LAMAR.] The Senator from Wisconsin would vote "nay" and the Senator from Mississippi would vote "yea."

Mr. BAILEY. I announce that the Senator from Massachusetts [Mr. DAWES] is paired with the Senator from North Carolina, [Mr. RANSOM.] The Senator from Massachusetts [Mr. DAWES] if present would vote "yea." My colleague [Mr. HARRIS] and the Senator from Maine [Mr. BLAINE] are paired. My colleague would vote "nay" and the Senator from Maine would vote "yea." The Senator from Delaware [Mr. BAYARD] and the Senator from Connecticut [Mr. BARNUM] are paired. The Senator from Delaware would vote "nay" and the Senator from Connecticut would vote "yea." The Senator from New Jersey [Mr. RANDOLPH] and the Senator from Ohio [Mr. MATTHEWS] are paired. The Senator from New Jersey would vote "nay" and the Senator from Ohio would vote "yea."

Mr. PADDOCK. I am paired with the Senator from Vermont, [Mr. MORRILL.] If he were here, he would vote "nay" and I should vote "yea." In order to make a quorum, however, I will vote as my pair would if he were here. I vote "nay."

Mr. FERRY. In order to make a quorum I vote as the Senator that I am paired with would vote if he were here. I vote "nay."

The roll-call having been concluded, the result was announced—yeas 23, nays 17; as follows:

YEAS—23.

| | | | |
|-----------------|----------|------------|-----------|
| Bruce, | Conover, | Ingalls, | Saunders, |
| Burnside, | Dorsey, | Kellogg, | Sharon, |
| Butler, | Eustis, | Kirkwood, | Spencer, |
| Cameron of Pa., | Gordon, | Maxey, | Windom, |
| Cockrell, | Hamlin, | Patterson, | Withers. |
| Coke, | Hill, | Rollins, | |

NAYS—17.

| | | | |
|------------------|-------------------|-----------|-----------|
| Bailey, | Hereford, | Merrimon, | Voorhees, |
| Beck, | Jones of Florida, | Morgan, | Wadleigh. |
| Davis of W. Va., | Kernan, | Oglesby, | |
| Eaton, | McMillan, | Paddock, | |
| Ferry, | McPherson, | Teller, | |

ABSENT—35.

| | | | |
|------------------|--------------------|------------------|------------|
| Allison, | Davis of Illinois, | Johnston, | Randolph, |
| Anthony, | Dawes, | Jones of Nevada, | Ransom, |
| Barnum, | Dennis, | Lamar, | Sargent, |
| Bayard, | Edmunds, | McCreery, | Saulsbury, |
| Blaine, | Garland, | McDonald, | Shields, |
| Booth, | Grover, | Matthews, | Thurman, |
| Cameron of Wis., | Harris, | Mitchell, | Wallace, |
| Chaffee, | Hoar, | Morrill, | Whyte. |
| Conkling, | Howe, | Plumb, | |

So the amendment was agreed to.

Mr. FERRY. I submit an amendment to come in as an additional section.

The PRESIDING OFFICER. There are some amendments of the Committee on Appropriations not yet passed upon.

Mr. FERRY. I understood all the amendments of the Committee on Appropriations had been acted on. I withdraw it, then, for the present.

The PRESIDING OFFICER. There are two amendments not yet reached.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, in line 220 of section 1, after the word "expense," to strike out "of the international office organized under the provisions of article 15 of the general postal union treaty concluded at Berne, October 9, 1874, payable by the United States," and insert:

Payable by the United States for the maintenance of the international bureau at Berne, Switzerland, under the provisions of the universal postal union convention concluded at Paris, France, June 1, 1878.

So as to make the clause read:

For balances due foreign countries, \$45,000, including the portion of the expense payable by the United States for the maintenance of the international bureau at Berne, Switzerland, under the provisions of the universal postal union convention concluded at Paris, France, June 1, 1878.

The amendment was agreed to.

The next amendment was, in section 2, after the word "million," to strike out "two hundred and fifty" and insert "nine hundred and sixty-seven;" so as to make the section read:

SEC. 2. That if the revenue of the Post-Office Department shall be insufficient to meet the appropriations made by this act, then the sum of \$5,967,376.10, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post-Office Department for the year ending June 30, 1880.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. FERRY. Now I move my amendment. The sections constituting this amendment have been before the Senate. They are the same amendments that were passed by the Senate last June, with the franking privilege stricken out and the clause in respect to the duty on books omitted. Books are left dutiable as the existing law provides. This measure has received the approbation of the conference that was held in New York the last autumn, in which all branches of industry were represented, including the Board of Trade of New York and the Board of Trade of Boston. It has passed several committees of the House, and has the unanimous approval of the Committee on Post-Offices and Post-Roads of the Senate.

Mr. COCKRELL. We do not understand what the nature of it is.

Mr. FERRY. It is a new classification, simplifying the classification of mail matter and regulating transportation upon space instead

of weight. I believe it meets the approval of the Committee on Appropriations.

Mr. BECK. Let it be read.

Mr. OGLESBY. What does the Senator from Michigan state about the franking privilege?

Mr. FERRY. It is stricken out.

Mr. OGLESBY. I have constantly opposed the restoration of the franking privilege. I am now about going out, and I entertain the same opinion. I am willing, however, to defer to the judgment of the Senate.

Mr. FERRY. I will state to the Senator from Illinois and to the Senate that that was one of the points objected to by the House in our amendments to the post-route bill last year. That and the book question were then points of difference. In this proposition both have been stricken out, and it stands now as passed last June, with those two features stricken out. I make that statement in order to have the Senate satisfied that perhaps it is not necessary to read these several sections, and that the amendment may be taken as a whole.

Mr. WINDOM. I ask the Senator if it is exactly the same measure that we passed last year?

Mr. FERRY. It is, with those exceptions.

Mr. BECK. I only desire to say that at the last session of Congress we had this proposition before us. Perhaps it met the approval of a majority of the Committee on Appropriations; but since that time I understand grave doubts have arisen in the Post-Office Department, and it is certainly of sufficient importance to require it to be read.

Mr. FERRY. I will state in answer to the Senator from Kentucky that the measure meets the approbation of the Department. It has been so stated to the chairman of the Committee on Post-Offices and Post-Roads, and is so understood by the committee, and it meets their full approbation. It has been open now nearly two years. The subject-matter was first blocked out by the commission appointed by Congress. It has been submitted to the country, and the papers generally are advocating it. I hold in my hand the New York Tribune of to-day, which has an article urging both Houses to pass the measure as printed. I do not know of any objection. The committee have heard no objection of late. I think it harmonizes all conflicting elements on this question, and I think no measure has received such general approval as the bill embodied in this amendment. At this late hour it is not my disposition to discuss it, and it is for that reason that I have stated this, that the Senate may understand that they are simply adopting what they did last June. With the exceptions I have named, this amendment embodies precisely what was approved then.

The PRESIDING OFFICER. Does any Senator insist upon the reading of the amendment?

Mr. BECK. I really think it ought to be read. It requires a great deal of consideration, and I am not sure but that the Committee on Appropriations have examined it. My recollection is that I favored it, but I would like very much to hear it read again.

The PRESIDING OFFICER. The amendment will be read.

Mr. BECK. I have no desire to delay the Senate, but if we adjourn now and can have the amendment read in the morning with a full Senate I think it would be better.

Mr. FERRY. I have no disposition to debate it, and I hardly think there is any Senator disposed to debate it. It has received the careful and long attention of the Committee on Post-Offices and Post-Roads; it has been discussed thoroughly and meets with their unanimous approval, and, as I understood, met with the approval of the Committee on Appropriations. The Senator from Kentucky, being a member of that committee, can state, of course, how that is, more accurately than I can.

Mr. BECK. I really suppose I examined it and discussed it pretty well with the gentleman who had charge of it last year. I thought many of the features of it were very good, but I was not sufficiently well informed to be able to say that it is all right. To give Senators who have not had the same chance to hear it that I have, now at twelve o'clock at night, I think we had better adjourn. I hardly feel as if I was authorized to call for the reading of it, so that Senators who have not heard it may call for the reading of it or not, just as they please. I believe I am prepared to vote for the amendment.

Mr. FERRY. I would state that it is simplifying the classification; it changes no rates of postage, and it provides as another feature the change of payment for the transportation of mails by rail from weight to space, with the additional good feature of speed. Those are the leading features, with the necessary legislation connected therewith. There is nothing else in the amendment, and it meets the approval of the railroads interested, of the Post-Office Department, and of all the business and publishing interests of the country. I repeat what I stated, that no measure within my knowledge has met with such general approval as the one now submitted.

Mr. DAVIS, of West Virginia. Now, may I ask the Senator a question?

Mr. FERRY. Certainly.

Mr. DAVIS, of West Virginia. If it meets with such general approval all over the country, as well as from all the parties connected with the subject, why has it not been passed during this whole session? Why has it been kept until now and put upon an appropriation bill?

Mr. FERRY. If the Senator will recollect, the simple answer to

that is that the question of privilege arose on this same measure last year raised by the House of Representatives.

Mr. DAVIS, of West Virginia. But I understand the Senator to say he has stricken out everything that gave rise to the question then raised.

Mr. FERRY. That has been done and it has been submitted to the Committee on Appropriations. It has not been before the House in this shape.

Mr. DAVIS, of West Virginia. I ask the Senator why not pass it as a separate measure if it is of sufficient importance. Now, it is one of a good deal of importance, I have no doubt. It has not been read yet.

Mr. FERRY. The Senator knows—

Mr. DAVIS, of West Virginia. One minute, if the Senator pleases, unless he claims the floor.

Mr. FERRY. I do not wish to shut the Senator off. I merely answer by stating to the Senator that it is better that we should pass a measure of this kind when it is of such great importance, and one which has been thoroughly digested, and when it is understood generally that the Post-Office Department desires it.

Mr. MERRIMON. Does the new plan increase or decrease the cost of transportation?

Mr. FERRY. It decreases it about half a million dollars, which is quite an item of saving.

Mr. DAVIS, of West Virginia. But it is an untried plan. My friend says it decreases the cost half a million dollars, but we do not know how it will work until it is tried.

Mr. BECK. That is the estimate of the Department.

Mr. DAVIS, of West Virginia. My friend on my left says it is the estimate of the Department that it will save half a million. You and I, Mr. President, know that every year estimates are made, and when we come to the reality the estimates are exceeded, doubled, and sometimes trebled by the expenditures required. This is not always the case, but it is very often the case. So I would not give much for the argument that it decreases the cost. Of course the argument is worth something.

But one word further. This bill was before us at the last session. The House refused to receive it for some cause. The chairman of the Committee on Post-Offices and Post-Roads now tells us that all the features on which the House refused to receive it have been dropped. If that be so I would ask the chairman of that committee why it was not taken up a month ago, or, if you choose, two months ago, and sent over to the House as a separate bill, instead of attaching it at the closing hours of the session to a bill that is already loaded down so much with legislative features? Does it not endanger the Post-Office appropriation bill, and ought it to go on if that be so?

Mr. FERRY. I answer the Senator from West Virginia that the Committee on Post-Offices and Post-Roads have been diligent in their duty. They have reconsidered this whole measure, and they have stricken out the objectionable features to which the House made exception. They have adopted the usual method of referring this amendment to the Committee on Appropriations. I would remind the Senator that in 1872, 1874, and 1876, just such measures connected with the Post-Office Department were placed on appropriation bills, changing the rates of postage, changing the transportation, embodying even greater features connected with the Department than this measure does, and the Committee on Post-Offices and Post-Roads are not chargeable with any criticism of delay or negligence upon this subject.

Mr. DAVIS, of West Virginia. Mr. President, I did not charge that.

Mr. FERRY. I will state to the Senator from West Virginia—and there are many members of the committee here who are able to vouch for what I say—that the committee have given a great many hours of labor to this subject.

Mr. DAVIS, of West Virginia. There is no question about that. The question I rise to is not at all whether or not the Post-Office Committee have given proper attention to the subject. I believe they have devoted much time to it; but still that does not answer the question why a month ago, or six weeks ago, when we could have had plenty of time to discuss it, the measure was not brought forward as a separate bill. A question has been raised on this very bill whether or not general legislation ought to go upon it. Here comes general legislation in a wholesale way, as much as ever was put on any appropriation bill I suppose. I do not know that I am opposed to it; I have not heard it read. I am a member of the Committee on Appropriations. So far as I am concerned, I have never seen it. I do not know that it was ever before the committee; it may have been, but if so, not when I was present. I see the chairman of the Committee on Appropriations rises. Will the chairman of that committee answer me the question whether or not this amendment has been before the committee at this session?

Mr. WINDOM. It was before the committee at this session and was discussed considerably, but as it was somewhat lengthy the committee, as I understood its action, preferred to report it back to the Senate without making any recommendation. I think the majority of the members of that committee were in favor of it.

Mr. DAVIS, of West Virginia. I now recollect—

Mr. WINDOM. I certainly am in favor of it.

Mr. BECK. It was before the committee but not read in the committee. Just as soon as it was presented to the committee the question was raised there that the Committee on Appropriations had not

time to give it proper consideration, and they referred it back to the Committee on Post-Offices and Post-Roads, reporting that they had a right to offer it in the Senate when the bill came up. I think the chairman of the committee is right.

Mr. FERRY. Mr. President—

Mr. WINDOM. If the Senator will allow me one moment, I think the sentiment of the committee was in favor of it. I gave some attention to it when it was on its passage before in the Senate. I desire to vote for it.

Mr. MERRIMON. Does it increase or decrease the rate of postage?

Mr. FERRY. It does not change the rate of postage; it simplifies the classification.

Mr. BECK. I only desire to say that at the present session of Congress I, as a member of the Committee on Appropriations, did not give the subject much consideration, but that at the close of the last session I did. I discussed it with men who had charge of the matter. I remember that Mr. Hubbard, of Massachusetts, and others with whom I conversed, told me, and I thought, it was a decided improvement on the present system. My recollection, however, differs slightly from that of the chairman of the Committee on Post-Offices and Post-Roads. I thought it increased temporarily, perhaps this year, perhaps next year, the expenses, but gradually diminished them thereafter. The question was presented to us last year. Believing that it is an improvement, after spending several days in examining it, if the other members of the Senate are prepared to vote for it, I am.

Mr. FERRY. My only object was to economize time, it being midnight, and save reading the amendment; but if the Senator from West Virginia desires to have it read, I certainly have no objection. I have remained patiently quiet for two days on this very bill, abiding the decision of the Senate on the Brazilian subsidy, as it is styled, and awaiting an opportunity to offer this amendment. The question comes before the Senate whether, after having spent two days upon the discussion of a postal line between this country and Brazil, the Senate will now refuse to pass a measure that is approved by the Post-Office Department and by the country generally?

Mr. DAVIS, of West Virginia. I ask my friend if we cannot pass this as a separate bill, without attaching it to this appropriation bill?

Mr. FERRY. My judgment is that we cannot.

Mr. DAVIS, of West Virginia. I will state to the Senator that my fears are that it will load the Post-Office appropriation bill down to such an extent that we may not have a Post-Office appropriation bill passed at this session, and if that be so we shall have no mails in the country.

Mr. FERRY. My judgment is that it will improve the Post-Office appropriation bill, for it meets with general commendation. I did not suppose that even the Senator from West Virginia would object to a measure of this character.

Mr. DAVIS, of West Virginia. I have not objected—

Mr. FERRY. The Senator insists on its being read.

Mr. DAVIS, of West Virginia. I have not objected, except in a general way.

Mr. FERRY. Then let it be read.

Mr. DAVIS, of West Virginia. I am much obliged to the Senator for saying that he did not suppose "even the Senator from West Virginia" would object to this proposition. I am very much obliged to him. I think it is hardly fair for the Senator to say that.

Mr. CONKLING. Mr. President, if by raising a question of order, or doing anything else which will not be disagreeable, I can put up a prayer in behalf of those who are sitting here to make a quorum, I should like to do so. If this amendment is to be read why is it not read? If an objection is to be made why do we not hear the objection? In short, why can we not go on in place of sitting here as we have done now more than half an hour in a preliminary debate which does not advance anything one minute?

Mr. DAVIS, of West Virginia. I believe I had the floor when the Senator from New York interrupted.

Mr. CONKLING. I supposed the Senator had finished; I understood the Senator to say so.

Mr. DAVIS, of West Virginia. I do not know to what the Senator from New York refers. Whatever I may have said for general information, and in order to get information for myself, I hardly think the Senator should call other Senators to account because they choose to take five minutes on an important matter.

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

The PRESIDING OFFICER. The Senator from New York will state his point of order.

Mr. DAVIS, of West Virginia. I have the floor, I believe.

The PRESIDING OFFICER. A question of order is raised by the Senator from New York, which he will state.

Mr. CONKLING. Does the Senator from West Virginia allow me to state my question of order? He has been reprimanding me so much that I do not know whether I may be heard on a question of order.

The PRESIDING OFFICER. The Senator from New York will state his point of order.

Mr. CONKLING. I submit that this amendment must be reported, having been offered, if any Senator insists on its being reported, and that debate is not in order until the amendment is reported or its reading is waived. I ask the Chair to rule upon that point.

The PRESIDING OFFICER. The Chair sustains the point of

order. Is there unanimous consent that this amendment shall be acted upon without being read?

Mr. DAVIS, of West Virginia. Now is it in order for any Senator to open his mouth?

The PRESIDING OFFICER. The Senator from West Virginia is entitled to the floor.

Mr. TELLER. I propose to object, and I do object, to any amendment of this kind being put on the bill at this late hour of the night without being read.

The PRESIDING OFFICER. Objection is made, and the Secretary will read the amendment.

The SECRETARY. It is proposed to insert as additional sections the following:

SEC. 3. That the Postmaster-General be, and he is hereby, authorized and directed to readjust the compensation hereafter to be paid for the transportation of the mails on railroad routes, upon the conditions and at the rates hereinafter mentioned, to wit: Each railroad company shall be paid for the mail service performed on each of its trains according to the linear feet of car-space furnished and the average rate of speed maintained by such trains between terminal points, at not to exceed the following rates per mile run, for each linear foot of car, of full-width car-space, used for railway mail purposes, to wit:

Five mills and eighty-two hundredths of a mill for a speed of twenty-three miles per hour and under; five mills and eighty-seven hundredths of a mill, of twenty-four miles; five mills and ninety-two hundredths of a mill, of twenty-five miles; five mills and ninety-seven hundredths of a mill, of twenty-six miles; six mills and seven hundredths of a mill, of twenty-seven miles; six mills and seventeen hundredths of a mill, of twenty-eight miles; six mills and twenty-seven hundredths of a mill, of twenty-nine miles; six mills and thirty-seven hundredths of a mill, of thirty miles; six mills and fifty-two hundredths of a mill, of thirty-one miles; six mills and sixty-seven hundredths of a mill, of thirty-two miles; six mills and eighty-two hundredths of a mill, of thirty-three miles; six mills and ninety-seven hundredths of a mill, of thirty-four miles; seven mills and twelve hundredths of a mill, of thirty-five miles; which shall be in full compensation for such services performed by said railroads, including the transportation of superintendents and officers of the railway mail service, special agents of the Department, and all railway mail employes, while on duty, or going to or returning therefrom.

In no case shall the Postmaster-General pay for a greater amount of linear car-space than is actually necessary for the proper distribution and transportation of the mails: *Provided*, That the linear feet used per day on any railroad shall be gauged according to the daily average weight of mails carried, and not to exceed the following limitations, namely: for two hundred pounds, daily trips, twenty-four linear feet, or for the same weight and more frequent trips, thirty linear feet; five hundred pounds, daily trips, thirty-six linear feet, or for the same weight and more frequent trips, forty linear feet; one thousand pounds, daily trips, forty-four linear feet, or for the same weight and more frequent trips, fifty linear feet; one thousand five hundred pounds, daily trips, fifty-two linear feet, or for the same weight and more frequent trips, fifty-six linear feet; two thousand pounds, daily trips, sixty linear feet, or for the same weight and more frequent trips, sixty-four linear feet; three thousand pounds, daily service, sixty-eight linear feet, or for the same weight and more frequent trips, seventy-two linear feet; four thousand pounds, daily trips, seventy-six linear feet, or for the same weight and more frequent trips, eighty linear feet; five thousand pounds, daily trips, eighty-four linear feet, or for the same weight and more frequent trips, eighty-eight linear feet; and for each addition of two thousand pounds per day not more than fourteen linear feet shall be paid for, except upon the trunk lines carrying the great mails, not exceeding fifty per cent. additional space, may, in the discretion of the Postmaster-General, be paid for.

SEC. 4. The Postmaster-General shall, in all cases, decide upon what trains and in what manner the mails shall be conveyed.

And no road refusing to furnish the facilities and to carry the mails on the trains required shall receive to exceed 50 per cent. of the compensation provided for by this act.

SEC. 5. That all cars or parts of cars used for the railway mail service shall be of such style, length, and character, and furnished in such manner, as shall be required by the Postmaster-General, and shall be constructed, fitted up, maintained, heated, and lighted by and at the expense of the railroad companies.

SEC. 6. That the Department may, on and after the 1st day of July, 1879, deliver the mails to the railroads and receive them at the stations. The railroads shall transport the mails and deliver them to such connecting roads as shall be required by the Department: *Provided, however*, That when the mails are carried in baggage-cars they shall be in charge of the railroad company until delivered to the connecting roads, or to such persons as may be duly authorized by the Department to receive them; and each railroad company shall provide at every station a suitable place on the line of its road, where the mails may be safely stored, in charge of a responsible person, sworn as provided by statute regulating the transportation of mails, whenever they cannot be delivered directly from one post-office employe to another.

SEC. 7. That the Postmaster-General shall deduct from the pay of the railroad companies, for every failure to deliver a mail within its schedule time, not less than one-half of the price of the trip, and where the trip is not performed, not less than the price of one trip, and not exceeding, in either case, the price of three trips: *Provided, however*, That if the failure is caused by a connecting road, then only the connecting road shall be fined. And where such failure is caused by an unavoidable casualty, the Postmaster-General, in his discretion, may remit the fine. And he may make deductions and impose fines for other delinquencies.

SEC. 8. That the Postmaster-General shall request all railroad companies transporting the mails to furnish, under seal, such data relating to the operating, receipts and expenditures of such roads as may, in his judgment, be deemed necessary to enable him to ascertain the cost of mail transportation and the proper compensation to be paid for the same; and he shall, in his annual report to Congress, make such recommendations, founded on the information obtained under this section, as shall, in his opinion, be just and equitable.

SEC. 9. That mailable matter shall be divided into four classes:

First, written matter;

Second, periodical publications under registration;

Third, miscellaneous printed matter;

Fourth, merchandise.

SEC. 10. Mailable matter of the first class shall embrace letters, postal cards, and all matters wholly or partly in writing, except as hereinafter provided.

SEC. 11. That on mailable matter of the first class, except postal cards and drop-letters, postage shall be prepaid at the rate of three cents for each half ounce or fraction thereof; postal cards shall be transmitted through the mails at a postage charge of one cent each, including the cost of manufacture; and drop-letters shall be mailed at the rate of two cents per half ounce or fraction thereof, including delivery at letter-carrier offices, and one cent for each half ounce or fraction thereof where free delivery by carrier is not established. The Postmaster-General may, however, provide, by regulation, for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to their destination, to be paid on delivery.

SEC. 12. That mailable matter of the second class shall embrace all newspapers and other periodical publications which are issued at stated intervals, and as frequently as four times a year, and which have been duly registered as hereinafter provided.

SEC. 13. That publishers of newspapers and periodicals who may desire to have their publications transmitted through the mails as matter of the second class shall submit the same to the postmaster at the place of publication, under such regulations as the Postmaster-General may prescribe, together with the fee required for registration, which is hereby declared to be \$1 per annum, payable at time of registration, and on or before the 1st day of January, for the ensuing year. The publication thus submitted shall be examined, under such regulations as shall enable the postmaster to ascertain its true character; and, if found to be within the conditions named in section 17, a certificate of registration shall thereupon be issued to the publisher by the postmaster at the place where such publication is published, who shall place a duplicate of the same on file in his office, and shall renew the said certificate on its expiration, in the absence of reason to the contrary. A duplicate of such certificate shall also be filed in the Post-Office Department. A temporary permit shall be granted to a publication about to be issued, when a written statement shall be furnished to the postmaster, accompanied by an affidavit from the person intending to publish the same, that it will comply with the conditions named in section 17, and that he will submit the first issue of his publication for examination, as in this section provided. Publications thus registered, or to which a temporary permit has been granted, except as provided in section 29, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall be entitled to transmission through the mails at two cents a pound or fraction thereof, such postage to be prepaid, as now provided by law: *Provided, however*, That no publication shall pass through the mails at the second-class rate unless a certificate of registration has been issued, or a temporary permit granted to it: *Provided, also*, That every publication admitted to the second-class rate shall have printed or legibly stamped upon each issue thereof the words "Registered" (or "Temporary permit granted," as the case may be) "for transmission in the mails," which words of registration or temporary permit shall be evidence to a postmaster at an office other than that of publication that the publication bearing them is entitled to transmission through the mail, at the second-class rate, when presented by a news agent, to be sent to regular subscribers or to other news agents.

SEC. 14. That the certificate of registration granted as in the preceding section shall be revoked by the postmaster in case the publication shall have so changed its character as to make it no longer within the conditions named in section 17.

SEC. 15. That matter of the second class shall be examined at the office of mailing, and if found to contain matter which is subject to a higher rate of postage, such registered matter shall be charged with postage at the rate to which the inclosed matter is subject: *Provided*, That nothing herein contained shall be so construed as to prohibit the insertion in periodicals of advertisements attached permanently to the same.

SEC. 16. That any person who shall print or stamp, or cause to be printed or stamped, upon any issue of any publication, the words designated in section 13, to which publication a certificate of registration or temporary permit has not been granted, or who shall submit, or cause to be submitted, any false evidence to the postmaster relative to the character of such publication, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of competent jurisdiction, shall for every such offense be punished by a fine of not less than \$100 nor more than \$500.

SEC. 17. That the conditions upon which a publication shall be admitted to the privilege of registration are as follows:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively.

Second. It must be issued from a known office of publication.

Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications.

Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers: *Provided, however*, That nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates.

SEC. 18. That foreign newspapers and other periodicals of the same general character as those registered in the United States may be registered, under the direction of the Postmaster-General, on application of the publishers thereof or their agents, and when so registered, and not otherwise, may be transmitted through the mails at the same rates as if published in the United States. Nothing in this act shall be so construed as to allow the transmission through the mails of any publication which violates any copyright granted by the United States.

SEC. 19. That the certificate of registration issued under the provisions of section 13 shall substantially be in the following form, to wit:

POST-OFFICE DEPARTMENT, _____, 18____.

The _____ (name of publication,) published at _____, having been submitted to this office for examination, under the provisions of section 13 of the act of _____, _____, has been examined and found to be within the intentment of section 17 of the same act.

This certificate of registration is, therefore, this day issued to _____, which is hereby entitled to be transmitted through the mails, when properly prepaid and sent from the regular office of publication, or from a news agency, to regular subscribers, at the rate of two cents for each pound or fraction thereof, for _____ months from this date, unless sooner revoked.

Postmaster.

SEC. 20. That publishers of matter of the second class may, without subjecting it to extra postage, fold within their regular issues a supplement; but in all cases the added matter must be germane to the publication which it supplements, that is to say, matter supplied in order to complete that to which it is added or supplemented, but omitted from the regular issue for want of space, time, or greater convenience, which supplement must in every case be issued with the publication.

SEC. 21. That mail matter of the third class shall embrace books, transient newspapers, and periodicals, circulars, and other matter wholly in print, (not included in section 12,) proof-sheets, corrected proof-sheets, and manuscript copy accompanying the same, and postage shall be paid at the rate of one cent for each two ounces or fractional part thereof, and shall fully be prepaid by postage-stamps affixed to said matter. Printed matter other than books received in the mails from foreign countries under the provisions of postal treaties or conventions shall be free of customs duty, and books which are admitted to the international mails exchanged under the provisions of the Universal Postal Union Convention, may, when subject to customs duty, be delivered to addressees in the United States under such regulations for the collection of duties as may be agreed upon by the Secretary of the Treasury and the Postmaster-General.

SEC. 22. That the term "circular" is defined to be a printed letter, which, according to internal evidence, is being sent in identical terms to several persons. A circular shall not lose its character as such, when the date and the name of the addressee and of the sender shall be therein written, nor by the correction of mere typographical errors in writing.

SEC. 23. That "printed matter" within the intendment of this act is defined to be the reproduction upon paper, by any process except that of handwriting, of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual and personal correspondence.

SEC. 24. That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class, which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail-bag, or harm the person of any one engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding four pounds for each package thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or official matter emanating from any of the Departments of the Government, or from the Smithsonian Institution, or which is not declared non-mailable under the provision of section 3933 of the Revised Statutes as amended by the act of July 12, 1876, or matter appertaining to lotteries, gift concerts, or fraudulent schemes or devices.

SEC. 25. That all matter of the fourth class shall be subject to examination and to a postage charge at the rate of one cent an ounce or fraction thereof, to be prepaid by stamps affixed. If any matter excluded from the mails by the preceding section of this act, except that declared non-mailable by section 3933 of the Revised Statutes as amended, shall, by inadvertence, reach the office of destination, the same shall be delivered in accordance with its address: *Provided*, That the party addressed shall furnish the name and address of the sender to the postmaster at the office of delivery, who shall immediately report the facts to the Postmaster-General. If the person addressed refuse to give the required information, the postmaster shall hold the package subject to the order of the Postmaster-General. All matter declared non-mailable by section 3933 of the Revised Statutes as amended, which shall reach the office of delivery, shall be held by the postmaster at the said office subject to the order of the Postmaster-General.

SEC. 26. That mailable matter of the second class shall contain no writing, print, mark, or sign thereon or therein in addition to the original print, except as herein provided, to wit, the name and address of the person to whom the matter shall be sent, and index figures of subscription-book, either written or printed, the printed title of the publication, the printed name and address of the publisher or sender of the same, and written or printed words or figures, or both, indicating the date on which the subscription to such matter will end. Upon matter of the third class, or upon the wrapper inclosing the same, the sender may write his own name or address thereon, with the word "from" above and preceding the same, and in either case may make simple marks intended to designate a word or passage of the text to which it is desired to call attention. There may be placed upon the cover or blank leaves of any book or of any printed matter of the third class a simple manuscript dedication or inscription that does not partake of the nature of a personal correspondence. Upon any package of matter of the fourth class the sender may write or print his own name and address, preceded by the word "from," and there may also be written or printed the number and names of the articles inclosed; and the sender thereof may write or print upon any such articles a mark, number, or letter for purpose of identification.

SEC. 27. That matter of the second, third, or fourth class containing any writing or printing other than indicated in the preceding section, or made in the manner other than therein indicated, shall not be delivered except upon the payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed to such matter; and any person who shall conceal or inclose any matter of a higher class in that of a lower class, and deposit, or cause the same to be deposited, for conveyance by mail, at a less rate than would be charged for both such higher and lower class matter, shall, for every such offense, be liable to a penalty of \$10: *Provided, however*, That nothing herein contained shall be so construed as to prevent publishers of the second class and news agents from inclosing, in their publications, bills, receipts, and orders for subscriptions thereto; but such bills, receipts, and orders shall be in such form as to convey no other information than the name, location, and subscription price of the publication or publications to which they refer.

SEC. 28. That the Postmaster-General may prescribe, by regulation, the manner of wrapping and securing for the mails all packages of matter not charged with first-class postage, so that the contents of such packages may be easily examined; and no package the contents of which cannot be easily examined shall pass in the mails, or be delivered at a less rate than for matter of the first class.

SEC. 29. That publications registered under the provisions of section 13 of this act, one copy to each actual subscriber residing in the county where the same are printed, in whole or in part, and published, shall go free through the mails; but the same shall not be delivered at letter-carrier offices, or distributed by carriers, unless postage is paid thereon at the rate prescribed in section 13 of this act; *Provided*, That the rate of postage on newspapers, excepting weeklies, and periodicals not exceeding two ounces in weight, when the same are deposited in a letter-carrier office for delivery by its carriers, shall be uniform at one cent each; periodicals weighing more than two ounces shall be subject, when delivered by such carriers, to a postage of two cents each, and these rates shall be prepaid by stamps affixed.

SEC. 30. That all mail matter of the first class upon which one full rate of postage has been prepaid shall be forwarded to its destination, charged with the unpaid rate, to be collected on delivery; but postmasters, before delivering the same, or any article of mail matter upon which prepayment in full has not been made, shall affix, or cause to be affixed, and canceled, as ordinary stamps are canceled, one or more stamps equivalent in value to the amount of postage due on such article of mail matter, which stamps shall be of such special design and denomination as the Postmaster-General may prescribe, and which shall in no case be sold by any postmaster nor received by him in prepayment of postage. That in lieu of the commission now allowed to postmasters at offices of the fourth class upon the amount of unpaid letter-postage collected, such postmasters shall receive a commission upon the amount of such special stamps so canceled, the same as now allowed upon postage-stamps, stamped envelopes, postal cards, and newspaper and periodical stamps, canceled as postages on matter actually mailed at their offices: *Provided*, That the Postmaster-General may, in his discretion, prescribe instead such regulation therefor at the offices where free delivery is established as, in his judgment, the good of the service may require.

SEC. 31. That any postmaster or other person engaged in the postal service who shall collect, and fail to account for, the postage due upon any article of mail-matter which he may deliver, without having previously affixed and canceled such special stamps, as hereinbefore provided, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of \$50.

SEC. 32. That the Postmaster-General, in order to secure certainty and uniformity in the construction of this act, and to confine the decision of all questions of its construction to one office, may detail a competent employé of the Post-Office Department to assist the Assistant Attorney-General for that Department, who shall receive and be entitled to a salary of \$2,250 per annum.

SEC. 33. That the Postmaster-General is hereby authorized and directed to take the necessary steps to introduce and furnish for public use a letter-sheet envelope, on which postage-stamps of the denominations now in use on ordinary envelopes shall be placed. And the Postmaster-General is also authorized and directed to introduce and furnish for public use a double postal card, on which shall be placed two one-cent stamps, and said card to be so arranged for the address that it may be forwarded and returned, said cards to be sold for two cents apiece; and also to introduce and furnish for public use a double-letter envelope, on which stamps of the denominations now in use may be placed, and with the arrangement for the

address similar to the double postal card; said letter-sheet and double postal card and double envelope to be issued under such regulations as the Postmaster-General may prescribe: *Provided*, That the appropriation for postal-cards and letter-envelopes for the years ending June 30, 1879, and 1880, shall be available for the purchase of said letter-sheet envelopes, double or return postal cards, and double-letter envelopes: *And provided*, That no money shall be paid for royalty or patent on any of the articles named.

SEC. 34. That sections 3872, 3873, 3876, 3877, 3878, 3879, 3881, 3886, 3897, 3898, 3902, 3903, and 3910 of the Revised Statutes, and sections 5, 7, 8, and 9 of an act approved June 23, 1874, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1875, and for other purposes," and section 15 of an act approved July 12, 1876, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1877, and for other purposes," and all other acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

SEC. 35. That any person who shall use, or attempt to use, in payment of postage, any canceled postage-stamp or postage-stamps, whether the same have been before used or not, or who shall by any means remove, or attempt to remove, or assist in removing, marks from any postage-stamp or postage-stamps, with intent to use the same in payment of postage, or who shall have in his possession any postage-stamp or postage-stamps canceled, with intent to use the same, or from which such cancellation marks have been removed, or who shall sell or offer to sell any such stamp or stamps, or who shall use or attempt to use the same in payment of postage, or who shall remove the superscription from any stamped envelope or postal card that has once been used in the payment of postage, with intent to again use the same for a like purpose, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by imprisonment for not less than six months nor more than one year, or by a fine of not less than \$100 nor more than \$500 for each offense, or by both such fine and imprisonment, in the discretion of the court.

SEC. 36. The provisions of the fifth and sixth sections of the act entitled "An act establishing post-routes, and for other purposes," approved March 3, 1877, for the transmission of official mail matter, be, and they are hereby, extended to all officers of the United States Government, and made applicable to all official mail matter transmitted between any of the officers of the United States, or between any such officer and either of the executive departments or officers of the Government, the envelopes of such matter in all cases to bear appropriate indorsements containing the proper designation of the office from which the same is transmitted, with a statement of the penalty for their misuse. And the provisions of said fifth and sixth sections are hereby likewise extended and made applicable to all official mail matter sent from the Smithsonian Institution: *Provided*, That this act shall not extend or apply to pension agents or other officers who receive a fixed allowance as compensation for their services, including expenses for postage.

SEC. 37. That section 3955 of the Revised Statutes be, and the same is hereby, amended so as to read as follows: "The Postmaster-General, whenever he may deem it consistent with the public interest, may accept or require new surety upon any contract existing or hereafter made for carrying the mails, in substitution for and release of any existing surety."

SEC. 38. Any person performing the duties of postmaster, by authority of the President, at any post-office where there is a vacancy for any cause, shall receive for the term for which the duty is performed, the same compensation to which he would have been entitled if regularly appointed and confirmed as such postmaster; and all services heretofore rendered in like cases shall be paid for under this provision.

SEC. 39. That for the more equitable compensation of letter-carriers, there shall be in all cities which contain a population of seventy-five thousand or more two classes of letter-carriers, to be fixed by the Postmaster-General.

SEC. 40. The salaries of carriers of the first class, who shall have been in service at least one year, shall be \$1,000 per annum, and the salaries of the carriers of the second class shall be \$800 per annum. In all cities containing a population of less than seventy-five thousand there shall be one class of letter-carriers, who shall receive a salary of \$850 per annum.

SEC. 41. Upon the recommendation of the postmaster of any city, the Postmaster-General may establish a third grade of letter-carriers, known as auxiliaries, who shall be paid at the rate of \$400 per annum.

SEC. 42. Appointments of letter-carriers in cities having two or more classes shall be made to the class having the minimum rate of pay, and promotions from the lower grades in said cities shall be made to the higher grades to fill vacancies, after one or more years' service, on certificate of the postmaster to the efficiency and faithfulness of the candidate during the preceding year: *Provided, however*, That at no time shall the number of carriers in the first class receiving the maximum salary of \$1,000 be more than two-thirds or less than one-half the whole number of carriers actually in service in the city in which they are employed: *Provided further*, That no boxes for the collection of mail-matter by carriers shall be placed inside of any building except a public building or railroad station.

SEC. 43. Letter carriers shall be employed for the free delivery of mail-matter as frequently as the public convenience may require at every place containing a population of fifty thousand within the delivery of its post-office, and may be so employed at every place containing a population of not less than twenty thousand within its corporate limits, and at post-offices which produced a gross revenue for the preceding fiscal year of not less than \$20,000: *Provided*, This act shall not affect the free delivery in towns and cities where it is now established.

THE PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Michigan, [Mr. FERRY.] The amendment was agreed to.

Mr. WINDOM. On page 4, line 76, after the word "ink," I propose to insert "or other appliances." The amendment is offered for the purpose of conforming to the section of the statutes to which it refers. The clause reads:

That the sum of \$25,000 is hereby appropriated to enable the Postmaster-General to carry out that portion of the provisions of the first section of an act approved June 20, 1878, entitled "An act making appropriations," &c.

It authorizes the Postmaster-General "to adopt a uniform canceling ink." The words added would make it read "ink, or other appliances," to conform to the statute to which it refers.

The amendment was agreed to.

Mr. BAILEY. By direction of the Committee on Post-Offices and Post-Roads, I offer an amendment, to come in as an additional section at the end of the bill.

THE PRESIDING OFFICER. It will be reported.

The Secretary read as follows:

SEC. —. That the Postmaster-General be, and he is hereby, authorized and directed to readjust the salaries of all postmasters of the third, fourth, and fifth classes, under the classification provided for in the act of July 1, 1861, whose salaries have not heretofore been readjusted under the terms of section 8 of the act of June 12, 1866, who made direct official application or sworn returns of receipts and business for readjustment of salary to the Postmaster-General, the First Assistant Postmaster-General, or the Third Assistant Postmaster-General, such re-

adjustments to be made in accordance with the mode presented in section 8 of the act of June 12, 1866, and to date from the beginning of the quarter succeeding that in which such application or sworn returns of receipts and business was made; and any sums which may be ascertained to be due shall be reported to the next Congress by the Postmaster-General.

Mr. CONKLING. Is this amendment reported by a committee?

Mr. PADDOCK. It comes from the Committee on Post-Offices and Post-Roads, by order of the committee.

Mr. BAILEY. It is directed by the Committee on Post-Offices and Post-Roads to offer it. There is a report accompanying the amendment, which I ask permission to read myself.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. CONKLING. I suggest to the Senator that he can explain it in a moment without reading the report.

Mr. BAILEY. I will read from the report, with the permission of the Senator:

The act of July 1, 1864, instead of compensating them by commissions upon actual receipts, substituted a new system, by which the receipts for two years preceding an adjustment of salaries were to be regarded as the basis, and fixing the date of the act as the initial point, directed that a readjustment should be made every two years thereafter. But in special cases the Postmaster-General was authorized to make readjustments as much oftener as he should deem expedient, with the proviso, however, that changes in any salaries should not take effect until the next quarter succeeding the order of the Postmaster-General directing the change.

The act of 12th June, 1866, amended the last-recited act by adding a direction that when the quarterly returns of any postmaster of the third, fourth, or fifth class should show that his salary was 10 per cent. less than it would have been on the basis of commissions under the act of 1854, the Postmaster-General should review and adjust the salary.

In executing the provisions of the act of July 1, 1864, so far as the regular biennial adjustments were concerned, it was the practice of the Post-Office Department, by an order issued from the office of the First Assistant Postmaster-General, and addressed to all postmasters, to require from the latter a sworn statement of the revenues of their offices from the 1st of July to the 31st of December (inclusive) next preceding the date of the proposed readjustment.

It appears that a great many of these salaries were not readjusted as required by the act of 1866, and have never been readjusted to this day. Although applications were made at the time, they were denied or refused by the Postmaster-General upon the ground that the Post-Office appropriations had been expended. Actions were brought in the Court of Claims by some of the postmasters to recover the salaries to which they were entitled. An appeal was taken to the Supreme Court of the United States, and the court decided that the courts could not control the official action of the Postmaster-General, and these people are left without redress. The amendment simply pays those who made official application for readjustment under the act of 1866.

Mr. DAVIS, of West Virginia. How much is involved, let me ask the Senator from Tennessee?

Mr. BAILEY. In reply to the Senator from West Virginia, I again read from the report of the Committee on Post-Offices and Post-Roads:

It appears from a communication addressed to this committee by the Postmaster-General, that in two States of the Union, namely, Iowa and Kansas, the persons who claim arrears of compensation under the acts referred to number seven hundred and forty-five, and the sum total of their claims is \$55,324. If only one-half the number of claimants shall appear from each of the other States, and only half this sum be claimed by them, the total number will be seventy-one hundred and ninety-two, and the sum \$525,578.

Notwithstanding the magnitude of this claim, your committee are of opinion that the Government should pay the entire amount if justly and equitably due. Yet it should pay no more. They beg leave to submit that where services were rendered with no expectation of compensation, or, at all events, to the extent now demanded, and where public officers were derelict in the discharge of duty, or failed to conform to the reasonable directions of their superiors, and especially where they are prompted to make demands not "*sua sponte*," but by the instigation of other and interested persons, equity does not require a relaxation of the rules of law, settled by the highest judicial tribunal of the country.

But they also submit that such of these claimants as made direct and timely application to the Postmaster-General, or who complied with the orders of the Department by making sworn returns to the officers indicated, for readjustment of salaries, under the act of 1866, have a strong equity.

Mr. DAVIS, of West Virginia. I ask the Senator what years the claims cover?

Mr. BAILEY. From 1866 to 1872.

Mr. DAVIS, of West Virginia. I have no doubt it would require an additional force in the office of the Postmaster-General even to compute these claims. I hope the Senator, as late as it is to-night, will not insist upon the amendment. It will take half a million of dollars, I understand, to pay these postmasters.

Mr. BAILEY. I will state that under the act of 1864 it was directed that where new post-offices should be established, or in regard to other post-offices under the amendatory act of 1866, where the amount of compensation to which the postmaster should be entitled exceeded 10 per cent., as fixed by the act of 1864, the Postmaster-General should readjust the salaries; it was made a matter of imperative duty on his part. Some of these postmasters made application for a readjustment of the salary under the law. The Postmaster-General declined to make the readjustment because the appropriations were exhausted. Some of these parties then brought an action in the Court of Claims against the Government to recover what they were entitled to receive under the law. The Supreme Court of the United States held, when the case reached it, that the courts of the country had no power to compel the Postmaster-General to make that readjustment; and these people were therefore left without a remedy. They are entitled to the salary beyond all question under the law, and they have not received it. But this does not give to all who were entitled

a readjustment, but only to that class who made application for readjustment. It seems to me, and it seemed to the committee, that they are entitled to it. Certainly the Government owes it to them.

I have no personal interest in this measure, Mr. President. There is no person in my section of country who has an interest in it. It belongs to gentlemen in the North and in the Northwest more especially, where injustice, and great injustice as I believe, and as the committee believe, has been done to these parties by the refusal of the Postmaster-General to allow them what they are clearly and justly entitled to receive under the law. It remains for the Senate to determine the question.

Mr. OGLESBY. I think we have sat long enough; it is now after midnight. I move that the Senate adjourn.

Mr. BAILEY. I hope the Senator will withdraw that motion.

Mr. OGLESBY. No; I think we have sat enough hours this day.

The PRESIDING OFFICER. The Senator from Illinois insists on his motion that the Senate do now adjourn.

The motion was not agreed to—ayes 13, noes not counted.

Mr. BAILEY. I do not wish this amendment to be acted upon to-night, for I would rather the Senators should read the report. I have examined the subject, and the most efficient study that I could bring to bear upon it has been devoted to it. I have endeavored to do justice to the constituents of the Senators from Illinois, Indiana, Ohio, Kansas, and Nebraska, and of the Northwest particularly—not one in my State nor in the South. I wish Senators to examine this report, and if they then decide to vote against the amendment let them do so. As an American Senator, as a representative not of my State alone but of the whole country, I am inclined to do justice to those who are strangers to me and for whom and with whom I have no special interest. I have given to the case this investigation. It is no claim that is endeavored at this late hour of the night to be pushed upon the American Senate. I renew the motion to adjourn, and ask that the Senate do now adjourn.

Mr. DORSEY and others. I hope not.

The PRESIDING OFFICER. Does the Senator from Tennessee insist on his motion?

Mr. EATON. There has been no business done since the motion to adjourn made by the Senator from Illinois. Here is a very large expenditure, as I understand, involving a half million dollars.

Mr. BAILEY. From the information I have from the Post-Office Department, my opinion is that the expenditure would not be more than from thirty to sixty thousand dollars. I ask that the amendment be read again. It requires the Postmaster-General to report to Congress at the next session.

The PRESIDING OFFICER. The amendment will be reported.

Mr. OGLESBY and Mr. WINDOM addressed the Chair.

Mr. BAILEY. I ask the Secretary to read the last clause of the amendment. It requires still further action on the part of Congress before the money shall be paid.

The PRESIDING OFFICER. The Senator from Tennessee has asked that the amendment be reported. The Secretary will report the amendment.

Mr. WINDOM. I want to make a proposition to the Senator from Tennessee, to which I think he will agree. This is really a deficiency; it will be in order on the deficiency appropriation bill, which will be brought before the Senate in a day or two, and in the mean time the Senate can examine it. It is more appropriate to that bill than it is to the Post-Office appropriation bill.

Mr. BAILEY. It is not a deficiency in one respect. It requires the Postmaster-General to ascertain what sum is due to these persons and report to the next Congress. It makes no appropriation for the payment of this money, and a future Congress will have to act upon that matter. I have discharged my duty, Mr. President, in regard to this amendment, and I leave it with the Senators who represent the persons who are interested in it.

Mr. WINDOM. It is quite as appropriate upon the deficiency bill, and I appeal to the Senator from Tennessee to withdraw the amendment and offer it on that bill.

Mr. BAILEY. I will not withdraw it, because it seems to me it is appropriate to this bill.

Mr. WINDOM. Then let us vote on it.

Mr. BAILEY. It is a subject for the investigation and examination and report of the Postmaster-General.

Mr. DORSEY. I desire to say a single word. This amendment, I have no doubt, is important and proper in itself. I know something about the facts the Senator from Tennessee has stated. I believe that he is entirely correct in his recommendation of these claims, because, after all, they are claims. But within a day or two the deficiency appropriation bill will be reported. This amendment properly belongs upon that bill, not upon this bill at all. It is not germane to this bill. It is a deficiency that the Government owes these postmasters; and when the deficiency appropriation bill is considered I, as a member of the Committee on Appropriations, shall do whatever I can to place this amendment upon it. I hope the Senator from Tennessee will not press the amendment to-night at this late hour, when we are about closing the consideration of the Post-Office Appropriation bill.

Mr. BAILEY. I am sorry the Senator from Arkansas objects to the amendment. I believe he belongs to the Committee on Post-Offices and Post-Roads.

Mr. PADDOCK. The Senator from Arkansas is not a member of it.

Mr. KIRKWOOD. Mr. President, I have a word to say about this matter. I have the honor of being upon the Committee on Post-Offices and Post-Roads. When this measure was first brought before that committee the chairman of the committee assigned it to me as a subcommittee. I was pressed a good deal with other business, and finding it to be a very important matter, at my request the Senator from Tennessee [Mr. BAILEY] was assigned by the chairman of the committee to assist me in the investigation, and he did so. We pursued the investigation jointly so far that I became thoroughly satisfied that there was merit in these claims. Finding the Senator from Tennessee more industrious than myself, and better qualified than myself to make the investigation, I did shift off upon him, so far as I possibly could, the labor attending the investigation. I have, however, kept track of it so far as to know that the question has been examined with as much care as it would be examined in a court of justice, with the same calmness, the same deliberation, and the same earnest desire to arrive at the exact truth and justice of the matter. Knowing that, I am compelled to say it, and I am compelled to say also what has been so well said by the Senator from Tennessee, that the amendment does not affect him or the region of country in which he lives. It does, however, affect the region of country in which I live. There is scarcely a Northwestern State that is not affected by it. Having said this, I must follow the lead of the Senator from Tennessee in regard to the amendment. If he is willing to transfer this amendment to some other appropriation bill, I am content. If he prefers to have it put upon this bill, I shall vote for it.

Mr. BAILEY. I am perfectly willing to withdraw the amendment, and to leave it to some Senator to offer it to another appropriation bill. It is a late hour of the night, and unless there shall be an adjournment before final action on the bill I prefer to withdraw the amendment, because it seems that Senators do not understand it. I hope, however, they will read the report and acquaint themselves with the facts.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PADDOCK. On page 8, after line 167, I move to insert:

And the work shall be awarded to the Bureau of Engraving and Printing if it shall appear that the same can be done in said bureau and delivered to the Post-Office Department at a less cost than if done elsewhere.

So as to make the proviso read:

That in all propositions for contracts hereafter made for said stamps, bids from the Bureau of Engraving and Printing of the Treasury Department shall be received and acted upon on the same basis as the bids of other parties; and the work shall be awarded to the Bureau of Engraving and Printing, &c.

Mr. DORSEY. I think there is no objection to that amendment.

The amendment was agreed to.

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

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. WHYTE and Mr. VOORHEES called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BARNUM, (when his name was called.) On this question I am paired with the Senator from Delaware, [Mr. BAYARD.] If he were here, I should vote "yea."

Mr. VOORHEES, (when Mr. McDONALD's name was called.) My colleague [Mr. McDONALD] is paired with the Senator from Arkansas, [Mr. GARLAND.] If my colleague were here, he would vote "nay" and the Senator from Arkansas would vote "yea."

Mr. SHIELDS, (when his name was called.) I am paired with the Senator from Delaware, [Mr. SAULSBURY.] I would vote "yea" and he would vote "nay" if present.

Mr. WHYTE, (when his name was called.) I am paired with the Senator from California, [Mr. SARGENT.] If he were present, he would probably vote "yea" and I should vote "nay."

The roll-call was concluded.

Mr. BECK. My colleague [Mr. MCCREERY] is paired with the Senator from Virginia, [Mr. JOHNSTON.] My colleague, if here, would vote "nay."

Mr. BURNSIDE. My colleague [Mr. ANTHONY] is paired with the Senator from Vermont, [Mr. EDMUNDS.] If my colleague were here, he would vote "yea."

Mr. EUSTIS. The Senator from Mississippi [Mr. LAMAR] is paired with the Senator from Wisconsin, [Mr. CAMERON.] The Senator from Mississippi would vote "yea."

Mr. FERRY. I paired with the Senator from Maryland [Mr. DENNIS] on the Brazilian subsidy question. I have kept my pair all through, but finally, on agreeing to the amendment as amended, I voted "nay" in order to make a quorum. I make this statement to place myself right. I feel on the passage of the bill, embracing as it does the amendment of the Committee on Post-Offices and Post-Roads, that I am justified in voting free from my pair. If there is any objection, however, I will still withhold my vote. [A pause.] I vote "yea."

Mr. PADDOCK. I was paired with the Senator from Vermont

[Mr. MORRILL] on the particular amendment relating to the Brazilian line. I did not understand the pair to extend to the whole bill. If he were here I do not know how he would vote, but supposing he might possibly vote "nay," I withhold my vote.

Mr. BAILEY. The Senator from Tennessee, my colleague, [Mr. HARRIS], is paired with the Senator from Maine, [Mr. BLAINE.] The Senator from Tennessee would vote "nay." The Senator from North Carolina [Mr. RANSOM] is paired with the Senator from Massachusetts, [Mr. DAWES.] The Senator from North Carolina would vote "nay." The Senator from New Jersey [Mr. RANDOLPH] is paired with the Senator from Ohio, [Mr. MATTHEWS.] The Senator from Ohio would vote "yea" and the Senator from New Jersey would vote "nay." The Senator from Rhode Island [Mr. BURNSIDE] is paired with the Senator from North Carolina, [Mr. MERRIMON.] The Senator from Rhode Island would vote "yea" and the Senator from North Carolina would vote "nay."

Mr. McMILLAN. The Senator from Wisconsin [Mr. CAMERON] is paired with the Senator from Mississippi, [Mr. LAMAR.] I do not know how the Senator from Wisconsin would vote upon the passage of the bill.

Mr. GORDON. If the Senator from Mississippi were present, he would vote "yea."

Mr. FERRY, (after having voted "yea.") There has been a little intimation that perhaps under the circumstances, as I am paired, I should withdraw my vote. I withdraw my vote.

Mr. DORSEY. I hope not.

Mr. SPENCER. Vote "nay."

Mr. FERRY. I will vote "nay," and then I shall be voting as the Senator from Maryland, [Mr. DENNIS], with whom I am paired, would vote if he were here.

Mr. CONKLING. I paired with the Senator from Wisconsin [Mr. HOWE] on one of the chief sections of this bill, and therefore I do not feel at liberty to vote on the passage of the bill, that section having been adopted. I do not know that he would vote against the bill as a whole if he were here. Still I feel bound to observe my pair.

Mr. PADDOCK. I vote "nay" to make a quorum.

Mr. SHIELDS. To make up a quorum I will cast the vote of the Senator from Delaware [Mr. SAULSBURY] with whom I am paired. I would vote "yea," but I will cast his vote and vote "nay."

The result was announced—yeas 23, nays 15; as follows:

YEAS—23.

| | | | |
|-----------------|--------------------|-----------|-----------|
| Bruce, | Conover, | Hill, | Rollins, |
| Burnside, | Davis of West Va., | Ingalls, | Saunders, |
| Butler, | Dorsey, | Kellogg, | Spencer, |
| Cameron of Pa., | Eustis, | Kernan, | Windom, |
| Cockrell, | Gordon, | Kirkwood, | Withers. |
| Coke, | Hamlin, | Maxey, | |

NAYS—15.

| | | | |
|---------|------------|----------|-----------|
| Bailey, | Hereford, | Morgan, | Teller, |
| Beck, | McMillan, | Oglesby, | Voorhees, |
| Eaton, | McPherson, | Paddock, | Wadleigh. |
| Ferry, | Merrimon, | Shields, | |

ABSENT—37.

| | | | |
|--------------------|-------------------|------------------|------------|
| Allison, | Dawes, | Jones of Nevada, | Ransom, |
| Anthony, | Dennis, | Lamar, | Sargent, |
| Barnum, | Edmunds, | McCreery, | Saulsbury, |
| Bayard, | Garland, | McDonald, | Sharon, |
| Blaine, | Grover, | Matthews, | Thurman, |
| Booth, | Harris, | Mitchell, | Wallace, |
| Cameron of Wis., | Hoar, | Morrill, | Whyte. |
| Chaffee, | Howe, | Patterson, | |
| Conkling, | Johnston, | Plumb, | |
| Davis of Illinois, | Jones of Florida, | Randolph, | |

So the bill was passed.

Mr. CONKLING. I move that the Senate do now adjourn until twelve o'clock to-morrow, Friday.

The motion was agreed to; and (at one o'clock and five minutes a. m., Friday morning, February 21) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 20, 1879.

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

The Journal of yesterday was read and approved.

ORDER OF BUSINESS.

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

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

Mr. WOOD. I ask unanimous consent that to-morrow night be set aside for reports from the Committee of Ways and Means.

Mr. ATKINS. I object.

The SPEAKER. The Chair desires first to recognize the gentleman from Illinois [Mr. EDEN] to rise to correct the RECORD.

CORRECTION OF THE RECORD.

Mr. EDEN. I took no part in the debate yesterday, but a remark is attributed to me which I prefer to correct, although it is not a