

By Mr. J. T. UPDEGRAFF: The petition of D. Mumma and 257 others, citizens of Belmont County, Ohio, for legislation to regulate freight and passenger rates on railroads—to the same committee.

By Mr. VALENTINE: The petition of George W. Holland and 53 others, of Falls City, Nebraska, for the repeal of the law imposing taxes on banks—to the Committee on Ways and Means.

Also, the petition of J. C. W. Kline and 50 others, citizens of Blair, Nebraska, that Congress enact such laws as will alleviate the oppressions imposed upon the people by the transportation monopolies that now control the interstate commerce of the country—to the Committee on Commerce.

Also, the petition of Mrs. A. S. Paddock and 123 others, ladies of Gage County, Nebraska, for the expulsion of George Q. Cannon, a polygamist, from the House of Representatives, and for the enactment of laws to make effective the existing anti-polygamy laws—to the Committee on the Judiciary.

Also, the petition of Nancy Shelton, Nicy Shelton, and Eliza Shelton, for a pension—to the Committee on Invalid Pensions.

By Mr. VAN AERNAM: The petition of 18 citizens of Yorkshire, New York, for repeal of laws requiring stamps on bank-checks—to the Committee on Banking and Currency.

By Mr. VAN VOORHIS: The petition of 25 citizens of Rochester, New York, for an increase of salaries of keepers of life-saving stations upon the great lakes—to the Committee on Commerce.

By Mr. VANCE: Papers relating to the establishment of a post-route from New Found to Marshall, North Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. WALKER: The petition of James R. Mason, for a pension—to the Committee on Invalid Pensions.

By Mr. WATSON: The petition of Benjamin F. Dobson, for arrears of pension—to the same committee.

By Mr. WELLBORN: The petition of M. A. Stamfer and others, citizens of Texas, relative to interstate commerce—to the Committee on Commerce.

By Mr. C. G. WILLIAMS: The petition of citizens of Dakota, for the establishment of a land office—to the Committee on the Public Lands.

By Mr. WILLIS: Papers relating to the claim of H. J. Philpot—to the Committee on Claims.

## SENATE.

WEDNESDAY, January 11, 1882.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

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

CARLILE P. PATTERSON.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution received yesterday from the House of Representatives:

*Resolved by the House of Representatives, (the Senate concurring.)* That the memorial presented in relation to the services rendered to the Government by the late Carlile P. Patterson be referred to a joint committee of three members of the Senate and five members of the House, which joint committee shall have full authority to consider the subject-matter of this memorial and report thereon to the Senate and House in relation to the same.

Mr. PENDLETON. I move that the Senate concur in the resolution; and I ask that the committee on the part of the Senate indicated by it be appointed by the Chair.

The resolution was concurred in.

By unanimous consent the President *pro tempore* was authorized to appoint the committee on the part of the Senate.

### LANDS IN SEVERALTY TO OMAHA INDIANS.

Mr. MORGAN. I present the petition of Kahanumba (Two Crows) and 52 other Indians, praying for a title to land; and inasmuch as the petition is from a new source, and relates to a subject that is somewhat novel and requires really the general attention of the Senate of the United States, and it being short, I ask that the Chief Clerk read it, and I also ask that it be printed.

Mr. DAWES. If the Senator from Alabama will indulge me a moment on the motion to print—

The PRESIDENT *pro tempore*. The Senator from Massachusetts does not object to the reading of the petition?

Mr. DAWES. No, sir.

The PRESIDENT *pro tempore*. The petition will be read, and the Chair will then recognize the Senator from Massachusetts on the motion to print.

The Acting Secretary read as follows:

*To the Senate of the United States:*

We, the undersigned, members of the Omaha tribe of Indians, have taken out certificates of allotment of land, or entered upon claims within the limits of the Omaha reserve. We have worked upon our respective lands from three to ten years. Each farm has from five to fifty acres under cultivation. Many of us have built houses on these lands, and all have endeavored to make permanent homes for ourselves and our children.

We therefore petition your honorable body to grant to each one a clear and full title to the land on which he has worked.

We earnestly pray that this petition may receive your favorable consideration, for we now labor with discouragement of heart, knowing that our farms are not

our own and that any day we may be forced to leave the lands on which we have worked. We desire to live and work on these farms where we have made homes, that our children may advance in the life we have adopted. To this end, and that we may go forward with hope and confidence in a better future for our tribe, we ask of you titles to our lands.

Respectfully submitted.

The PRESIDENT *pro tempore*. The question is on the motion to print the petition.

Mr. DAWES. Mr. President, I have not sought the floor for the purpose either of consuming time or of antagonizing the suggestion of the Senator from Alabama, but rather to express my gratification at the spirit which has prompted and brought to the attention of the Senate a question of so much importance as the allotment of lands to Indians in the manner in which it has been brought to the attention of the Senate this morning by the Senator from Alabama; and further to call attention to the fact that for fifteen years or thereabout it has been the bounden duty of those who have administered the Indian affairs of this country to have accomplished under positive law just what these Indians have petitioned Congress to do to-day. Under a treaty made with the Omaha Indians as long ago as the 6th day of March, 1865, the United States stipulated with the Omahas that they would do precisely that same thing; and nothing has prevented every member of that band of Indians, eleven or twelve hundred in number, from now enjoying the exclusive possession and title each to a farm, supporting himself, and advancing in civilization, and fitting them all to become citizens of the United States, but a lack of disposition on the part of those who have administered the Indian affairs of this country.

I think the Senator from Alabama heard, as I heard, the agent of this same band of Omaha Indians testify that he did not consider it any part of his duty to suggest to any Indian under his administration that it would be wise or proper or beneficial to him to have set out in severalty the land which the United States had stipulated in solemn treaty, fifteen years ago or more, that they would do. He had never suggested to an Indian, he said, that he could have his land in severalty, though he had one or two hundreds of these certificates in his possession at the agency; that when an Indian moved by his own disposition came there and claimed a certificate he was ready to give it to him, but to undertake to impress upon an Indian under his charge that he could find a better life and a better prospect and a better growth by going upon one hundred and sixty acres of land and cultivating it and having it as his own, with no other limitation than that he should convey it to nobody without the consent of the United States, was no part of his duty.

So long as such a spirit pervades and actuates those who administer Indian affairs it is quite useless for philanthropy or the outside public to try to press on the Indian race to a higher and better and a self-supporting life.

In the face of this petition of fifty-two Indians of the Omaha tribe speaking for themselves and of their own motion begging Congress to do this for them, I should like to read from their own treaty what the United States in 1865 bound itself to do for them and see what more they can have if the prayer of their petition here to-day should be granted. The fourth article of their treaty is in these words:

The Omaha Indians being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof in severalty to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the remaining portion of their present reservation shall be set apart for said purposes; and that out of the same there shall be assigned to each head of a family not exceeding one hundred and sixty acres, and to each male person, eighteen years of age and upward, without family, not exceeding forty acres of land—to include in every case, as far as practicable, a reasonable proportion of timber; six hundred and forty acres of said lands, embracing and surrounding the present agency improvements, shall also be set apart and appropriated to the occupancy and use of the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary. The whole of the lands, assigned or unassigned, in severalty, shall constitute and be known as the Omaha reservation, within and over which all laws passed or which may be passed by Congress, regulating trade and intercourse with the Indian tribes, shall have full force and effect, and no white person, except such as shall be in the employ of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the superintendent of Indian affairs, or the agent for the tribe. Said division and assignment of lands to the Omahas in severalty shall be made under the direction of the Secretary of the Interior, and, when approved by him, shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants; and said tracts shall not be alienated in fee, leased, or otherwise disposed of except to the United States or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior, and they shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided for by Congress.

I have troubled the Senate to call their attention to this matter because there seems to be an impression abroad that Congress is derelict in duty in not providing for allotment to Indians of land in severalty for their exclusive occupation and to be owned in fee with such limitation of the right to alienate it as may be necessary for a term of years. Largely among the Indians as well as specifically among these Omahas are existing provisions sufficient, if the spirit of administration accorded with present and existing legislation, to have allotted to Indians as far as they have advanced in civilization sufficient to justify their being put upon land and required to support themselves.

There is a bill pending providing for a general allotment among all Indians. The difficulties in providing such a bill are very large; but here is a provision applicable to a tribe of Indians self-supporting, now taking care of themselves, agriculturists who go every year to market with that which they produce over and above enough to support themselves, and yet they come to Congress of their own motion under the impression that there is no way for them to obtain any right to their lands except by new legislation, when their own treaty fifteen years ago imposed upon the United States the duty of allotting to each and every one of them a farm upon which they would have been at this time respectable, self-supporting citizens of the United States.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion that the petition be printed and referred to the Committee on Indian Affairs.

The motion was agreed to.

#### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The General Assembly of the Presbyterian Church of the United States, in session in Buffalo, New York, last May passed a minute condemnatory of the practice of polygamy as being anti-Christian and anti-republican, representing that it is increasing at the present time in the United States, and memorializing Congress to pass appropriate measures to extinguish it and to prevent the further spread. They present their proceedings to the Senate, which the Chair now lays before it. The memorial will be printed and referred to the Committee on the Judiciary.

The PRESIDENT *pro tempore* presented a memorial of 144 citizens of Illinois, remonstrating against the monopoly at present practiced by railroads; which was referred to the Committee on Commerce.

Mr. JOHNSTON presented the petition of Right Rev. James Gibbons, archbishop of Baltimore, praying that certain property held by him in the city of Washington for the use of the Roman Catholic Church may be relieved from the payment of taxes prior to 1879; which was referred to the Committee on the District of Columbia.

He also presented a petition of citizens of Virginia, praying Congressional legislation on the subject of railroad transportation; which was referred to the Committee on Commerce.

Mr. ALDRICH presented the petition of the Free Evangelical Congregational Church of Providence, Rhode Island, praying for a change of methods in dealing with Indian tribes; which was referred to the Committee on Indian Affairs.

Mr. MILLER, of New York, presented the petition of Thomas Dickson, president of the Delaware and Hudson Canal Company, Brown Brothers & Co., bankers, and other prominent capitalists of New York, praying for the passage of House joint resolution No. 59, now pending before Congress, authorizing the Secretary of War to contract for the Harlem River improvement; which was referred to the Committee on Commerce.

He also presented a petition of citizens of Oswego County, New York, praying that an increase of salary be paid to keepers of life-saving stations on the great lakes; which was referred to the Committee on Commerce.

Mr. LAPHAM presented a petition of citizens of East Bloomfield, New York, praying for the repeal of the taxes now levied upon the business of banks and banking institutions; which was referred to the Committee on Finance.

He also presented resolutions of the Board of Trade of Oswego, New York, in favor of a permanent organization of the Signal Corps, the same as the Engineer and Ordnance Corps; which were referred to the Committee on Military Affairs.

Mr. ANTHONY presented the petition of the Rhode Island State Temperance Union, signed by W. F. Sayles, president, and H. W. Conant, secretary, praying for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Finance.

Mr. MORRILL presented the petition of the Woman's Christian Temperance Union of Vermont, officially signed, representing a thousand members, praying for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Finance.

Mr. CAMERON, of Pennsylvania, presented the petition of the Grand Temple of Honor of Pennsylvania, officially signed, representing 1,000 members, praying for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Finance.

He also presented a petition of citizens of Lehigh County, Pennsylvania, in favor of the passage of a bill regulating railway traffic; which was referred to the Committee on Commerce.

Mr. CONGER presented the petition of the Independent Order of Good Templars of Michigan, officially signed, representing 10,000 members, praying for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Finance.

Mr. BUTLER. I present a petition of the Grand Division Sons of Temperance of South Carolina, officially signed, asking for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia. There is a note accompanying the petition which requests that it be referred to the select committee on the alcoholic liquor traffic.

The PRESIDENT *pro tempore*. There is no such select committee,

the Chair informs the Senator. To the Committee on Finance similar petitions have been referred, and this will take that reference.

Mr. SAULSBURY presented the petition of the Woman's Christian Temperance Union of Delaware, officially signed, with an aggregate membership of 313, asking for an amendment to the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages throughout the national domain; which was referred to the Committee on Finance.

Mr. GARLAND. I present, by request, a similar petition from the Woman's Christian Temperance Union of Forrest City, Arkansas. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. MAXEY. I present a like petition of the Good Templars of Texas, and I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. COKE. I present a like petition of Acton Temple of Honor and Temperance of Hood County, Texas, which I move be referred to the Committee on Finance.

The motion was agreed to.

Mr. MORGAN. I present a similar petition of the Supreme Council Templars of Honor and Temperance, officially signed, representing twenty-six States and 20,000 members, on the subject of the alcoholic liquor traffic. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. GEORGE. I present a similar petition of the Good Templars of Verona, Mississippi. The petition is accompanied by a request that it be referred to a select committee.

The PRESIDENT *pro tempore*. Unless there is a motion made to that effect, the Chair will refer the petition to the Committee on Finance.

Mr. GEORGE. I feel bound to make such a motion.

The PRESIDENT *pro tempore*. The committee to be composed of how many members?

Mr. GEORGE. Of five, I presume.

The PRESIDENT *pro tempore*. The Senator from Mississippi moves that the petition presented by him on the subject of the liquor traffic, which is similar to all that have been presented to-day and referred to the Committee on Finance, be referred to a select committee of five members. All in favor of the motion will say "aye," contrary "no." [Putting the question.] The yeas have it, and the motion is not agreed to.

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

The PRESIDENT *pro tempore*. The Chair is of opinion that the call is too late, the Chair having announced that the motion was lost.

Mr. CONGER. I desire to say that I rose immediately to demand the yeas and nays.

The PRESIDENT *pro tempore*. The Chair will then entertain the call. Is the call for the yeas and nays seconded?

Mr. HOAR. I wish to inquire of the Chair if it be now in order to move to refer the petition to the Committee on Finance with instructions to report a bill establishing a commission in accordance with the prayer of the petition?

The PRESIDENT *pro tempore*. The Chair is of the opinion that the Senator from Massachusetts can move to make that disposition of the case.

Mr. HOAR. I make that motion.

Mr. SHERMAN. That would have to lie over one day.

The PRESIDENT *pro tempore*. It would, if objected to.

Mr. CONGER. The motion of the Senator from Mississippi would not have to lie over one day.

Mr. SHERMAN. That is subject to the same objection. I do not think we ought to interrupt the order of business by the question at this time.

Mr. EDMUNDS. I rise to a point of order. Certainly it cannot be a law of this body that a motion to refer a petition or a bill which is already before the Senate to a committee with instructions must lie over a day. That cannot be the law.

Mr. SHERMAN. A motion to organize a new committee is in the nature of a resolution and must lie over on objection.

Mr. EDMUNDS. That is a different case.

Mr. SHERMAN. You may call it a reference to a select committee or what you choose, but it is in the nature of a resolution that must lie over one day.

The PRESIDENT *pro tempore*. The Chair has not understood any objection to have been made to considering the question to-day. The Chair put the motion to the Senate whether a special committee should be raised, and the Chair declared that it was decided in the negative. The Senator from Michigan [Mr. CONGER] rose and called for the yeas and nays. Nobody has objected to the consideration of the question.

Mr. SHERMAN. The question as to objection was not submitted to the Senate.

The PRESIDENT *pro tempore*. The Chair will now entertain the objection of the Senator from Ohio, so that the subject will go over until to-morrow.

Mr. EDMUNDS. I beg pardon of the Chair, for a moment. Pending the motion for a select committee the Senator from Massachusetts [Mr. HOAR] has done precisely what the rules authorize



him to do, and that is, moved to refer the petition to a standing committee with instructions. That motion is in order and does not go over, and is the pending question. If that is lost, then the question will arise whether a select committee shall be appointed.

Mr. SHERMAN. That is the point I raise.

The PRESIDENT *pro tempore*. But the question before the Senate is the motion of the Senator from Massachusetts, to refer the subject to the Committee on Finance with instructions.

Mr. HILL, of Georgia. What is the subject?

The PRESIDENT *pro tempore*. The instructions will be reported by the Chief Clerk.

Mr. HOAR. I will state my motion again in the hearing of the Senate. I move that the petition be referred to the Committee on Finance, with instructions to report a bill providing for a commission as prayed for in the petition. Of course the Senate will then deal with the question when the bill is before it.

Mr. COCKRELL. There is no commission referred to in the petition.

The PRESIDENT *pro tempore*. The petition presented by the Senator from Mississippi [Mr. GEORGE] will be read.

The Acting Secretary read the petition, as follows:

National constitutional amendment.

To the United States Senate and House of Representatives:

Your petitioners, citizens of the United States, to secure the better protection of the American people from the great evils attendant upon the traffic in intoxicating liquors, and for the promotion of the general welfare, respectfully and earnestly ask you, by an appropriate joint resolution, to adopt and propose to the several States an amendment to the Constitution of the United States which, when ratified, will prohibit henceforth the manufacture, importation, and sale of all alcoholic beverages throughout our national domain.

R. C. CUNNINGHAM,  
W. C. Templar.

Number of members of this lodge, 125.

S. C. SWEN, Secretary.

VERONA, MISSISSIPPI, December 12, 1881.

Mr. HOAR. That is the petition which is now pending?

The PRESIDENT *pro tempore*. It is.

Mr. ALLISON. That ought to go to the Committee on the Judiciary.

Mr. HOAR. I understood the statement to be made that it was a petition praying for a commission of inquiry. My motion will not be applicable to this petition.

The PRESIDENT *pro tempore*. Does the Senator from Massachusetts withdraw his motion to refer with instructions?

Mr. HOAR. Yes, sir.

The PRESIDENT *pro tempore*. The motion is withdrawn. Does the Senator from Ohio insist upon his objection to the consideration of the motion of the Senator from Mississippi?

Mr. SHERMAN. I think I shall enter an objection against considering the appointment of a select committee on the subject, because the very question referred to the Committee on Finance with these petitions is whether a select committee ought to be raised.

Mr. CONGER. The Senate was dividing upon the proposition with reference to the petition of the Senator from Mississippi; the vote had been taken partially; and in furtherance of determining the decision of the Senate, I asked for the yeas and nays. There had been no objection to the proceedings to that stage of it, and the Senate had voted without objection. I submit that the decision of the Senate upon that motion cannot be arrested by an objection made now. The question is undetermined; it is pending before the Senate; and I have a right, as every member here has, pending the decision of a question, to vote as the rules permit. I ask the ruling of the Chair as to whether an objection can be made after acquiescence in the consideration of a motion.

The PRESIDENT *pro tempore*. In strictness the Senator from Michigan is correct; but the practice has been to indulge Senators in a matter of this kind, and to receive an objection at any time before the disposition of the question.

Mr. EDMUNDS. At any reasonable time, whenever attention is called to it by a Senator.

The PRESIDENT *pro tempore*. Yes; whenever attention is called to it by a Senator. The Chair thinks the Senator from Michigan is right in his construction; but simply by common consent Senators have been indulged so that at any time before the disposition of a subject an objection may be entertained.

Mr. CONGER. Then, if in strictness the demand for the yeas and nays is right, I desire to say that by laying aside the rules and the strictness of the rules this proposition has been postponed in the Congress of the United States from day to day and from year to year, so that the question has not been determined whether Congress will appoint a committee of inquiry such as has been requested by thousands and tens of thousands of citizens of the United States. The time, in my judgment, has come when, if there be any rules which will allow us to vote upon that subject, they should be enforced.

The PRESIDENT *pro tempore*. The Chair will submit the question to-morrow, but, according to the universal rule of his predecessors—to receive an objection at any time—he would consider that the objection is made in season; and so the resolution will go over until to-morrow.

Mr. HARRISON. I present the petition of the Grand Lodge of Good Templars of Indiana, representing 3,500 members, praying for

the appointment of a commission of inquiry concerning the liquor traffic; and as this petition does ask for the appointment of such a commission of inquiry, I renew the motion of the Senator from Massachusetts, that it be referred to the Committee on Finance with instructions to report a bill granting the prayer of the petition.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Indiana, that the petition be referred to the Committee on Finance with instructions to report in favor of the prayer thereof.

Mr. COCKRELL. Let the petition be read.

The Acting Secretary read the petition, as follows:

National Commission of Inquiry—Petition.

To the United States Senate and House of Representatives:

Your petitioners, citizens of the United States, respectfully ask that you will provide, by appropriate legislation, for the appointment by the President of the United States of a commission of inquiry concerning the alcoholic liquor traffic, its relations to public revenue and taxation, to crime, pauperism, the public health, morals, education, and the general welfare of the people; and, also, the results of license, restrictive and prohibitory legislation in the several States, and in the District of Columbia and the Territories.

FRANCIS A. FRIEDLY,  
Grand Worthy Chief Templar of the Independent Order of Good  
Templars of the State of Indiana.

JOHN H. WHITSON,

Grand Worthy Secretary of I. O. G. T. of Indiana.

Number of members in the State, 3,500.

NEW ALBANY, INDIANA, December 12, 1881.

Mr. HILL, of Georgia. I think it is very unusual in referring petitions to committees to instruct them to report granting the prayer.

If we are already in favor of what the petition prays for, I do not see why we should refer it to a committee to report a bill. If the Senator presenting the petition is in favor of granting the prayer of the petitioner, he can simply introduce a bill and have it passed. It seems to me the proper way is to refer the petition to a committee for inquiry and let them determine whether they will report for or against it. If they report against the prayer we have a right to disagree with them in the Senate; if they report in favor of the prayer we have a right to disagree with them; but it is an unusual thing to precipitate upon the Senate a question of this gravity and instruct the committee, thus destroying in them all discretion. I think the committee ought to have some discretion, some right to investigate and consider the question. Without saying one word on the merits of the question and merely intending to suggest that the Senate shall observe the uniform practice of this body in referring petitions to committees and leaving them the discretion to determine for or against their prayer, I—

Mr. HARRISON. Will the Senator from Georgia allow me one moment?

Mr. HILL, of Georgia. Certainly.

Mr. HARRISON. I did not intend by renewing the motion of the Senator from Massachusetts to precipitate any debate or consideration, and if it is likely to have that effect I am willing to withdraw the motion.

Mr. HILL, of Georgia. I was going to suggest to the Senator to strike out that part of his motion which instructs the committee to report, and let the petition be referred simply. I think every Senator has petitions on this subject this morning. I have got one that came in here by some way, I do not know how. I am willing to present it—it is my constitutional duty to present it—and have it referred to a committee; but I do not propose that the committee shall be instructed.

Mr. HARRISON. I do not care at all to insist upon that part of the motion. I wish to say for one that no harm can be done by having this inquiry, and that very much valuable information will be given to the country if such an inquiry shall be judiciously conducted by proper persons; but I am willing that the matter shall go over now.

The PRESIDENT *pro tempore*. The motion to instruct the committee is withdrawn, and the petition will be referred to the Committee on Finance.

Mr. HALE. I rise to present a similar petition.

The PRESIDENT *pro tempore*. The Senator from Maine.

Mr. HILL, of Georgia. I had yielded to the Senator from Indiana. I had not given up the floor. If the Chair takes it from me, though, I will let it go.

The PRESIDENT *pro tempore*. The Chair recognized that the Senator from Georgia had the floor upon the presentation of the petition of the Senator from Indiana. The Senator from Georgia was objecting to an instruction to the committee in connection with that petition, and that matter having been disposed of he is not entitled to the floor now.

Mr. HILL, of Georgia. I might have had something to say upon the question of withdrawing the motion; but it is all right.

The PRESIDENT *pro tempore*. The question is disposed of.

Mr. HILL, of Georgia. I simply wanted to offer a petition myself while I was up.

The PRESIDENT *pro tempore*. In one moment the petition will be received.

Mr. HALE. I present a petition of the Woman's Christian Temperance Union of Maine, on the same subject. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. HILL, of Georgia. I present a petition of the same character

of those that have been presented from the Good Templars of Georgia. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. JACKSON. I present a petition of the same character from the Grand Division of Sons of Temperance of Tennessee. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. BROWN. I present a similar petition from the Grand Division of the Sons of Temperance of the State of Georgia. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. GROOME. I present a similar petition from the Christian Union Temperance Association of Baltimore, Maryland. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. DAVIS, of West Virginia. I present a similar petition of the Good Templars of West Virginia. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. PENDLETON. I present a similar petition of the Grand Division of the Sons of Temperance of Ohio. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. GROVER. I present a similar petition of the Grand Lodge of Good Templars of Montana Territory. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. WALKER. I present a similar petition of the Good Templars of Arkansas. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. McPHERSON. I present a similar petition of the Grand Temple of Honor and Temperance of New Jersey. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. PUGH. I present a similar petition of the National Temperance Society. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. JOHNSTON. I present a similar petition of the Good Templars of Virginia. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. HAMPTON. I present a similar petition of the Good Templars of South Carolina. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. VANCE. I present a similar petition of the Good Templars of North Carolina. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. RANSOM. I present a similar petition of the Grand Lodge of Good Templars of North Carolina. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. CAMDEN. I present a similar petition of the Grand Temple of Honor of Maryland and the District of Columbia. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. FAIR. I present a similar petition of the Grand Lodge of Templars of Nevada. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. BECK. I present a similar petition of the Grand Lodge of Good Templars of Kentucky. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. WILLIAMS. I present a similar petition of the Grand Temple of Honor and Temperance of Minnesota. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. VOORHEES. I present the petition of the Grand Division of Sons of Temperance, of Indiana, officially signed, representing 600 members, asking for a commission of inquiry concerning the alcoholic liquor traffic. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. LOGAN presented a petition of the members of the bar practicing in the various United States courts in Chicago, and a petition of the bar of Ottawa, Illinois, praying the passage of the bill known as the Davis bill, for an intermediate court between the trial court and the Supreme Court of the United States; which were referred to the Committee on the Judiciary.

He also presented the petition of the East Texas Mexican Veteran Association of Jefferson, Texas, asking that the survivors of the Mexican war be placed on the pension-rolls; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Illinois, praying for Congressional legislation on the subject of railroad transportation; which was referred to the Committee on Commerce.

He also presented the petition of Major P. T. Turnley, of Illinois, praying to be restored to the retired list of the Army; which was referred to the Committee on Military Affairs.

Mr. LOGAN. I also present a petition of the Grand Division Sons

of Temperance of Illinois, officially signed, similar to those presented heretofore. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. SAUNDERS. I present a similar petition from the Woman's Christian Temperance Union of the State of Nebraska, representing 400 members. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. MILLER, of New York. I present a similar petition of the Grand Temple of Honor and Temperance of the State of New York, and a like petition of the Friends' Temperance Union of New York. I move their reference to the Committee on Finance.

The motion was agreed to.

Mr. DAWES. I present a similar petition of the Massachusetts Temperance Alliance, signed by Rev. A. A. Miner, president, and Charles A. Horey, secretary, on the same subject. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. DAWES. I desire to present the petition of Henry Morris and 366 others, citizens of Springfield, Massachusetts, praying for the enactment of a law providing that the appointments to minor subordinate executive offices by competitive examination be open to all persons. I move its reference to the Select Committee to examine the several branches of the Civil Service.

The motion was agreed to.

Mr. DAWES. I wish to say that these petitioners are of such character and evince such earnestness in their desire to improve the public service that I invoke the earnest and early attention of the committee to the subject-matter of the petition.

Mr. INGALLS. Mr. President, it is difficult for the average mind to comprehend why these temperance petitions were not all presented together instead of being sent around, to the desk of every Senator to be presented, but I wish to contribute my item to the mass by submitting to the Senate a petition of the Grand Division Sons of Temperance of Kansas, signed by the officers, praying for a commission of inquiry concerning the alcoholic liquor traffic. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. SHERMAN. I present a similar petition of the Grand Lodge of Good Templars of Ohio. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. SHERMAN presented a petition of citizens of Ohio, praying for Congressional legislation on the subject of railroad transportation; which was referred to the Committee on Commerce.

He also presented a petition of militia officers of Ohio, praying for an amendment to the militia law; which was referred to the Committee on Military Affairs.

Mr. HILL, of Colorado. I present a petition of the Grand Lodge of Good Templars of Colorado, officially signed, representing 1,593 members, asking for a commission of inquiry concerning the alcoholic liquor traffic. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. SAWYER. I present a petition on the alcoholic liquor traffic from the Woman's Christian Union of Wisconsin. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. ALDRICH. I present a similar petition of the Woman's Christian Temperance Union of Rhode Island. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. ROLLINS. I present a similar petition of the Sons of Temperance of New Hampshire. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. ALLISON presented the petition of the Board of Trade ofavenport, Iowa, in favor of the Hennepin Canal and Mississippi River improvement; which was referred to the Committee on Commerce.

He also presented the petition of W. A. McHenry and others, citizens of Denison, Iowa, praying for the removal of unnecessary taxation on banks; which was referred to the Committee on Finance.

Mr. ALLISON. I also present a petition similar to those presented this morning in reference to the alcoholic liquor traffic. This petition represents the Woman's Christian Temperance Union of Iowa. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. PLUMB. I present the petition of the Grand Lodge of Good Templars of Kansas, officially signed, representing 3,785 members, praying for a commission of inquiry concerning the alcoholic liquor traffic; and inasmuch as a resolution is pending for the creation of a select committee on that question, I move that the petition lie on the table to await the result of that resolution.

The motion was agreed to.

Mr. BLAIR. I present like petitions, which are signed by citizens of my own State, and I ask that they lie on the table in accordance with the suggestion of the Senator from Kansas, [Mr. PLUMB.]

I will say in reference to the suggestion of the other Senator from Kansas, [Mr. INGALLS,] that these petitions strangely enough are in the hands of every Senator, and are all being presented at the same time, that for one I know no reason why they all have appeared at the same precise moment; but I think any Senator will find, on



examination of the petitions he has been requested to present, that they come from his own constituents. And the fact that there is a very general desire for legislation in this direction, and that the petitions come from all parts of the country, is no reason for characterizing this performance as a farce.

The PRESIDENT *pro tempore*. The petitions will lie on the table.  
Mr. FARLEY. To relieve the monotony of the petitions presented here this morning, I present a petition from the Sons of Temperance of California, numbering 1,700 members, officially signed, praying for a commission of inquiry concerning the alcoholic liquor traffic. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. SEWELL. I present a similar petition of the State Temperance Alliance of New Jersey. I move that it lie on the table pending the motion for a select committee.

The motion was agreed to.

Mr. CALL. I present the petition of the president, vice-president, and secretary of the Women's Christian Temperance Union of the District of Columbia, praying for an amendment to the Constitution of the United States prohibiting the liquor traffic. I ask that the petition lie on the table to wait the determination of the motion for a select committee; and I wish to say that I can see no reason why on one day so much respect should be paid to the request of the women of the country on the subject of suffrage and on the next day the request of the women of the country in large numbers on the subject of the alcoholic liquor traffic should be disregarded. Without expressing any opinion upon the merits of the petitions either way, I have deemed it proper to say this much.

The PRESIDENT *pro tempore*. The petition will lie on the table.

Mr. LAPHAM. I present the petition of the Grand Lodge of Good Templars of Western New York, praying for a commission of inquiry concerning the alcoholic liquor traffic. I ask that the petition lie on the table to await the decision of the question of raising a select committee.

The PRESIDENT *pro tempore*. The petition will lie on the table.

Mr. HAWLEY. I have the honor to present the petition of the Connecticut Temperance Union, officially signed, representing the Christian churches of the State, praying for a commission of inquiry concerning the alcoholic liquor traffic; a petition which, in my judgment, ought to be respectfully considered and granted. I ask that it lie on the table.

The PRESIDENT *pro tempore*. The petition will lie on the table.

Mr. PLATT. I desire to present the petition of the Temple of Honor and Temperance of Connecticut, officially signed, representing 2,000 members, praying for a commission of inquiry concerning the alcoholic liquor traffic; and I desire to say, Mr. President, that I am heartily in favor of the appointment of this commission. Whatever may be thought about temperance as a purely moral question, I think it will not be denied that the sale of intoxicating drinks and their uses and abuse is a question which affects our whole national welfare. I think we ought to have this commission. The Parliament of Great Britain appointed such a commission years ago. A great many people in this country desire that the statistics relating to the traffic in intoxicating liquors throughout the nation should be presented in a form which can be relied upon, and I think that such a desire ought to be respected.

The PRESIDENT *pro tempore*. Does the Senator desire that the petition lie on the table?

Mr. PLATT. Let it lie on the table.

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

Mr. EDMUNDS. Mr. President, I have been requested by the officers of the Right Worthy Grand Lodge of Good Templars of the United States, an organization that I am told has a membership of more than three hundred and fifty thousand citizens, to present the petition of that lodge asking for the appointment of a commission of inquiry, and I was requested to move that it be referred to a select committee. I do not think it right to do that part of what I am requested to do, although I present the petition with great pleasure, and am very much in favor of raising the commission substantially as the petitioners desire it to be done. I think it important in a great many ways; but we have carried the idea of special committees—select committees, as they should properly be called—a good deal too far already. I voted for the one yesterday or the day before, on the subject of woman suffrage, not because I believed it to be necessary to have a select committee on that subject, but out of deference to the opinions regarding mere matters of organization and convenience about committees of my fellow Senators. Now, the Committee on Finance is particularly suitable for considering the question of raising a commission of this kind, and I have no doubt that they will report a bill, one way or the other, no matter what their opinion is one way or the other, so that the Senate can act upon it. And therefore, Mr. President, I move that this petition be referred to the Committee on Finance, from whom for one I shall certainly expect a report on the subject at an early day.

The motion was agreed to.

The PRESIDENT *pro tempore*. The morning hour has expired.

Mr. HOAR. I wish to present a like petition, and I ask unanimous consent that the morning hour be extended until all the morning business can be disposed of.

The PRESIDENT *pro tempore*. By unanimous consent the morning

hour will be extended until the morning business is disposed of. The Chair hearing no objection, considers that the morning hour will be announced as closed when the morning business is finished.

Mr. HOAR presented the petition of the Temple of Honor of Massachusetts, officially signed, asking for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Finance.

Mr. MILLER, of California. I present one of the same class of petitions from the Grand Lodge of Good Templars of California. I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. MITCHELL. I present a like petition of Rev. Charles McCaslin and others, citizens of East Bethlehem, Pennsylvania, and move that it lie on the table pending the question of appointing a select committee.

The motion was agreed to.

Mr. MITCHELL presented a petition of citizens of Bradford, Sullivan, and Wyoming Counties, Pennsylvania, praying for legislation to regulate commerce upon railways; which was referred to the Committee on Commerce.

Mr. VEST presented the petition of Henry Fenimore and others, citizens of Cape Girardeau County, Missouri, praying for legislation by Congress on the subject of railway transportation; which was referred to the Committee on Commerce.

He also presented a petition of the Good Templars of Missouri, representing 25,000 members, asking for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on Finance.

Mr. BAYARD presented a petition of the Woman's Christian Temperance Union of Delaware, asking for a commission of inquiry concerning the alcoholic liquor traffic; which was referred to the Committee on Finance.

Mr. COCKRELL. I have been requested by A. M. Powell to present the petition of the Grand Lodge of Good Templars of Missouri, officially signed, representing 21,727 members, asking for an amendment of the Constitution of the United States to prohibit the sale and manufacture of all alcoholic beverages throughout the United States, attested with the seal of the Grand Lodge and certified by the officers, W. D. Crandall, president, and W. F. Snitgler, secretary. I am further requested to ask its reference to a select committee on the alcoholic liquor traffic. I ask that it lie on the table for the present.

The PRESIDENT *pro tempore*. The petition will be received and will lie on the table.

Mr. JONES, of Florida. I present the petition of the Right Worthy Grand Lodge of Good Templars of the United States, officially signed, representing 350,000 members, asking for an amendment of the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages throughout the United States. I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. KELLOGG presented the petition of the National Temperance Society, Hon. William E. Dodge, president, J. N. Stearns, corresponding secretary, asking for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. COCKRELL presented a petition of citizens of Monroe County, Missouri, praying Congressional legislation on the subject of railroad transportation; which was referred to the Committee on Commerce.

Mr. MAXEY presented a petition of citizens of Texas, praying legislation prohibiting unjust discriminations by railroad companies; which was referred to the Committee on Commerce.

Mr. WINDOM presented a letter from the Secretary of State to accompany the bill (S. No. 137) for the relief of William Schuchardt, United States commercial agent at Piedras Negras, Mexico; which was referred to the Committee on Claims, and ordered to be printed.

#### REPORTS OF COMMITTEES.

Mr. ROLLINS, from the Committee on Public Buildings and Grounds, reported a bill (S. No. 789) to regulate the use of the Capitol grounds; which was read twice by its title and recommitted to the committee.

Mr. ROLLINS. I am instructed by the same committee to lay before the Senate a communication from Frederick Law Olmstead, landscape architect of the Capitol grounds, and move that it be printed with the accompanying papers and referred to the committee.

The motion was agreed to.

Mr. CAMERON, of Pennsylvania, from the Committee on Naval Affairs, to whom was referred the bill (S. No. 734) to retire Captain Douglass Ottenger of the Revenue Marine Service, asked to be discharged from its further consideration and that it be referred to the Committee on Commerce; which was agreed to.

Mr. ANTHONY, from the Committee on Naval Affairs, to whom was referred the bill (S. No. 689) to promote the efficiency of the Navy, reported it without amendment.

Mr. HARRISON, from the Committee on Military Affairs, to whom was referred the bill (S. No. 323) for the relief of James M. Bacon, 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. 387) directing the Secretary of War to deliver to the Society of the Army of the Cumberland condemned cannon to aid in the erection of a statue or monument to James Abram Garfield, reported it with amendment, and submitted a report thereon, which was ordered to be printed.

Mr. HOAR, from the Committee on Claims, to whom was referred the petition of Joseph Hertford, praying compensation for services as clerk to the Indian office at the Sac and Fox agency, in Indian Territory, in the year 1879, submitted a report thereon, accompanied by a bill (S. No. 790) for the relief of Joseph Hertford.

The bill was read twice by its title, and the report was ordered to be printed.

He also, from the same committee, to whom was referred the bill (S. No. 184) for the relief of Charles P. Chouteau, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. No. 480) for the relief of Major G. W. Candee, 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. 130) for the relief of Paulina Jones, widow of Alexander Jones, deceased, late of Company E, Second North Carolina Infantry, 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. 296) for the relief of Dr. A. Sidney Tebbs, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. JACKSON. I am instructed by the Committee on Claims, to whom was referred the bill (S. No. 8) for the relief of Warren Mitchell, to report it back with a report adverse to its passage.

Mr. BECK. I desire that that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report, at the request of the Senator from Kentucky.

Mr. BECK. Is there a written report?

Mr. JACKSON. Yes, sir.

Mr. BECK. I desire to have it printed.

The PRESIDENT *pro tempore*. The report will be printed.

Mr. SLATER, from the Committee on Pensions, to whom was referred the bill (S. No. 144) granting a pension to Mary E. Ambrester, reported it without amendment, and submitted a report thereon, which was ordered to be printed.

Mr. GEORGE. I am instructed by the Committee on Claims, to whom was referred the bill (S. No. 201) for the relief of John S. Logan, to report adversely thereon.

Mr. COCKRELL. I ask, until I can have time to examine it, that that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar, at the request of the Senator from Missouri, with the adverse report, which will be printed.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, to whom was referred the bill (S. No. 354) for the relief of Mrs. Caroline Mott, administratrix of the estate of Danford Mott, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. CAMERON, of Wisconsin. I am instructed by the same committee to report back the petition of Caroline A. Nicholson, widow of the late A. O. P. Nicholson, of Tennessee, praying that the balance of salary due her late husband as United States Senator be paid to her, with a recommendation that the prayer of the petition be disallowed.

The PRESIDENT *pro tempore*. The committee ask to be discharged from the further consideration of the petition, the Chair understands.

Mr. EDMUNDS. And the committee recommend that the prayer of the petition be not granted.

The PRESIDENT *pro tempore*. That is the recommendation. If no objection be made, that order will be entered, that the prayer of the petition be not granted.

Mr. CAMERON, of Wisconsin, from the Committee on Claims, to whom was referred the bill (S. No. 250) for the relief of Herbert Joyce, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

#### BILLS INTRODUCED.

Mr. LOGAN asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 791) for the relief of Owen M. Long; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PUGH asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 792) in relation to the district and circuit courts for the northern district of Alabama; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. JOHNSTON asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 793) for the relief of E. H. Lively, postmaster at Williamsburgh, Virginia; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 794) for the relief of George W. Ginn; which was read twice by its title, and referred to the Committee on Claims.

Mr. SLATER asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 795) to allow the construction of a bridge across the Willamette River, at Portland, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GROOME asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 796) to authorize the Washington and Atlantic Railroad Company to extend a railroad into and within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DAVIS, of West Virginia, asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 797) to authorize and direct the Secretary of War to convey by deed to the board of education of the district of Harper's Ferry, West Virginia, a lot of ground, (numbered two, in Block B,) with the buildings thereon, for the use of the common schools thereof; which was read twice by its title, and, with the papers on file in the case, referred to the Committee on Public Buildings and Grounds.

Mr. VOORHEES asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 798) to repeal the land-grant of the Atlantic and Pacific Railroad Company; which was read twice by its title, and referred to the Committee on the Judiciary.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 799) in relation to the Venezuela awards; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. GEORGE (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 800) for the relief of Lewis D. Allen; which was read twice by its title, and referred to the Committee on Claims.

Mr. FARLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 801) authorizing claimants to the Rancho de Napa, in Napa County, California, to prove up their title; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 802) granting a pension to Mrs. Cornelia F. White; which was read twice by its title, and, with the papers on file in the case, referred to the Committee on Pensions.

Mr. BECK asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 803) for the relief of Amelia B. Caldwell, administratrix of John H. Caldwell, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. MILLER, of New York, (by request,) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 804) for the relief of John F. Clancey; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. INGALLS. I have been requested by citizens of the District of Columbia to offer a bill.

By unanimous consent, leave was granted to introduce a bill (S. No. 805) to incorporate the Board of Charities of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HALE asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 806) granting a pension to Lydia Dawnel; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ROLLINS asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 807) to extend the jurisdiction of justices of the peace in the District of Columbia and to regulate proceedings before them; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. WINDOM asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 808) granting a pension to John Masters; which was read twice by its title, and referred to the Committee on Pensions.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 809) for the relief of citizens who were engaged in the suppression of the Sioux Indian war in Minnesota in 1862; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HAWLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 810) granting a pension to James Cooper; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 811) to provide for the appointment of official stenographers for the circuit and district courts of the United States, for the several Territorial courts, and for the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. ANTHONY asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 812) providing for the retirement of any person who has been employed fifty years and upwards in the service of either House of Congress; which was read twice by its title, and referred to the Committee on the Judiciary.

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. JONAS, it was

Ordered, That the papers in the claim of George F. Brott be taken from the files of the Senate and referred to the Committee on Naval Affairs.



## PACIFIC HARBOR OF REFUGE.

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

*Resolved*, That the Secretary of War be directed to send to the Senate, for its use, a copy of the report of the engineers heretofore required to examine and report upon the location of a harbor of refuge on the Pacific coast.

## SUFFRAGE IN UTAH.

Mr. MORGAN submitted the following resolution for consideration; which was ordered to be printed and lie on the table:

*Resolved*, That the Committee on the "Extension of Suffrage to Women, or the removal of their disabilities" be directed to examine into the state of the law regulating the right of suffrage in the Territory of Utah, and report a bill to set aside and annul any law or laws enacted by the Legislature of said Territory conferring upon women the right of suffrage.

## SELECT COMMITTEES.

The PRESIDENT *pro tempore*. The Chair, in connection with this subject, announces the members of the committee on the subject of woman suffrage authorized by a resolution heretofore adopted, namely: Mr. LAPHAM, Mr. ANTHONY, Mr. FERRY, Mr. BLAIR, Mr. GEORGE, Mr. JACKSON, and Mr. FAIR.

The PRESIDENT *pro tempore* also announced the appointment as the committee on the part of the Senate on the memorial presented in relation to the services rendered to the Government by the late Carlile P. Patterson: Mr. PENDLETON, Mr. HALE, and Mr. CAMERON of Pennsylvania.

## THE CALENDAR.

Mr. ANTHONY. I offer the following resolution to be printed and laid on the table:

*Resolved*, That at the conclusion of the morning business for each day, unless, upon motion, the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar, and continue such consideration until half past one o'clock; and bills that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings; and this order shall commence immediately after the call for "concurrent and other resolutions," and shall take precedence of the unfinished business and other special orders.

The PRESIDENT *pro tempore*. The gentleman from Rhode Island asks that the resolution be printed and lie over. That order will be made.

## CLERKS FOR SENATORS.

Mr. BROWN. I submit the following resolution:

*Resolved*, That each Senator who does not as chairman of a committee have a clerk be and is hereby authorized to employ a clerk at a salary of \$1,200 per annum, said salaries to be paid out of the contingent fund of the Senate. And in case the clerk of any chairman of a committee now receives less than \$1,200 per annum, the salary of such clerk shall in future be \$1,200 per annum.

I ask the immediate consideration of the resolution, and with the indulgence of the Senate I shall be glad to submit a few remarks.

Mr. SHERMAN. I think that had better lie over until to-morrow. If the Senator prefers to make his remarks to-day rather than to-morrow, I have no objection; but I think the resolution had better lie over until to-morrow. That resolution involves a considerable sum, and I think it had better be printed.

Mr. BROWN. Then I will submit now, with the consent of the Senate, the few remarks I desire to make, and then the resolution may take such direction as Senators desire.

Mr. SHERMAN. If the Senator prefers to speak now, I will not object.

Mr. BROWN. I will occupy but a few minutes.

Mr. President, I have not had the honor to occupy a seat in the Senate for anything like the length of time that many other Senators have been here, but I have been a member of the Senate long enough to become somewhat acquainted with the mode of transacting business here, with the duties of a Senator, and the labors connected with the position, and I have no hesitation in stating that no Senator upon this floor can discharge properly the duties of his position and attend properly to the wants and interests of his constituents without the aid of a clerk. It is simply a physical impossibility. I care not how robust or vigorous he may be, or how attentive he may be, he cannot give the attention which he ought to give to his duties in the Senate, attend to his duties on the committees, attend properly to the interests of his constituents in matters sent up for examination before the Departments, and answer respectful letters received from those who are entitled to a reply, without the aid of a clerk or without some aid.

There are Senators here representing States much larger in point of population than my own, where they have more diversified and varied interests to look after, who, I apprehend, find this difficulty more serious than I have found it, and I have found it an utter impossibility for me to attend to these duties without the employment of clerical aid; indeed, I have found that I cannot discharge them as it ought to be done, and reply to all respectful communications deserving reply, and attend properly to my duties in the Departments, and in the committees, and in the Senate, without employing two clerks, which I do now employ.

Let it be borne in mind that each State is represented here by two Senators only. No matter how burdensome the duties may be, there can be no division of the labor except between the two.

As was well observed the other day by my colleague, it is not so in the other House. There each member represents a district, and he is not

expected to look to the duties of Representatives of other districts or parts of the State. Many of the States have two or over thirty Representatives. Here each Senator, in connection with his colleague, represents the entire State, and it comes simply down to this: that with the present salaries many of the Senators must leave undone much that should be done and fail to discharge many duties that they ought to discharge, or they must employ a clerk that they are really not able to employ. There are some Senators in this Chamber who have the means to employ any clerical aid they may need; others are not so fortunate; and if matters remain as they now are, we shall soon reach a period when no one but a man of wealth can properly represent a State in the Senate, because without clerical aid he cannot discharge the duties required of him properly; and because the salary paid is not sufficient to maintain him and his family in anything like respectability and employ the necessary clerical aid. If he attempts it he fails, because it is a physical impossibility. And his constituents condemn him because he does not answer their letters and attend to their requests.

Now, have we reached a point where our people are unwilling to appropriate such necessary sums of money as are required to enable Senators to discharge properly the duties incumbent upon them? Do the people require physical and mental impossibilities? I think not. We shall never reach that period. We are very often behind our people on matters of this character. They are opposed to extravagant appropriations; they are opposed to the misapplication of the public funds, but they are willing to appropriate whatever is necessary to enable Representatives or Senators faithfully to discharge their duties and to attend properly to the public business. I have never been afraid of the people on the subject of salaries. They are always willing to pay faithful public servants adequate and just compensation, and to allow all the clerks and other aid necessary to the faithful discharge of duty by public functionaries. When I had the honor to occupy the executive chair in my own State there was at one time a bill passed reducing salaries. I thought it wrong and I vetoed it; and I was sustained by the people. On another occasion a bill was passed increasing the salaries of the judges of the State. There was a provision in the constitution of the State at the time that the salary of no judge should be increased during his then term in office. The bill was passed, and I invited every judge in the State to resign, and I would reappoint him without any regard to political differences or anything else, that each might have his increased salary; and all but one or two of them availed themselves of the benefits, and there was no clamor among my people about it. They saw the necessity, they saw it was proper, and they sustained me, they sustained the judges who had resigned to get the increased salary, and sustained all who stood by the right in the matter.

There is no difficulty about this case. The people recognize the necessity of having all Senators in this Chamber placed upon a footing of equality. The rich who are able to employ clerks now have greatly the advantage of those of limited means who need the aid and cannot employ it. And there is no reason why we should hesitate about it, or why this state of things should continue. I am satisfied the people will sustain it, because it is right. There are many cases during the session of each Congress when there are ten times the amount that it would take to pay these few salaries wasted in appropriations of a character that are of no value to the people. We had better look a little more closely to appropriations of that kind, and where it is really necessary, as in this case, not hesitate. To make it is not so much a matter of interest to the Senator as to his constituents. When they write to him on business of interest to them they expect a reply, and they have a right to a reply. Probably he gets twenty to fifty letters a day. Without a clerk it is impossible for him to reply to all. Those who receive no reply feel disappointed and censure the Senator. But it was not possible for him to do more than he did, and in doing what he did he probably exhausted his strength till he was not in a proper condition to attend to his legislative duties, in which all his constituents and the whole country are vitally interested. To deny him a clerk is to trifle with public interests of the gravest character. It is to require of him the discharge of comparatively unimportant clerical duties to the neglect of most important senatorial duties.

I hope, Mr. President, there will be no opposition to this resolution. I believe every Senator who hears me sees and feels the necessity of it, and recognizes the importance of it. It may be suggested that it would be better to raise the salary of Senators and then let each employ his clerk; but I apprehend Senators all understand that it is not possible to do that without raising the salaries of the members of the other House. I think all of them ought to be raised; but as it is not likely we can do that, and as the necessity for having these clerks exists here to a much greater extent than it does in the other House, it seems to me the better course is to vote an appropriation to give each Senator a clerk whose salary shall be paid out of the contingent fund of the Senate. As matters now stand there is great inequality. Each Senator who is chairman of a committee has a clerk. But all cannot have chairmanships. The result is that every possible pretext is seized for the appointment of a select or special committee on some particular subject, so as to provide a chairmanship for some Senator whose duties are so laborious that he cannot discharge them. Let us put a stop to this practice, and place all Senators upon an equality by giving to each the aid so indispensable. As I have not employed my

clerks at the expense of the Government, I trust my motives will not be misunderstood.

I believe these are all the remarks that I care to submit on this question. To my mind, the resolution is so obviously proper that I trust there will be no serious opposition to it, and unless the Senator from Ohio still prefers that it shall go over until to-morrow, I should like to have a vote upon it.

Mr. SHERMAN. I think this question will cause considerable controversy, and therefore it ought to go over. I wish to get at the regular order as soon as possible.

The PRESIDENT *pro tempore*. The regular order will be called as soon as the morning business is over. This resolution will be printed and lie over.

#### EULOGIES ON DECEASED SENATORS.

Mr. ANTHONY. I give notice that on Thursday of next week I propose, immediately after the reading of the journal, to ask the unanimous consent of the Senate to consider resolutions which I shall then offer in respect for the memory of my late colleague, Ambrose E. Burnside.

Mr. CAMERON, of Wisconsin. Mr. President, I wish to give notice at this time that on the 25th of this month, two weeks from to-day, I shall ask unanimous consent of the Senate to consider certain resolutions which I will offer, commemorative of the life and services of my late colleague, Mr. Carpenter.

#### THE CIVIL SERVICE.

Mr. PENDLETON submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That the usual number of the bill (S. No. 133) to regulate and improve the civil service of the United States be printed for the use of the Senate.

Mr. PENDLETON. I ask unanimous consent at this time to take from the table the bill (S. No. 133) to regulate and improve the civil service of the United States, and the bill (S. No. 134) to prevent extortion from persons in the public service and bribery and coercion of such persons, and refer them to the Committee on Civil Service and Retrenchment.

The PRESIDENT *pro tempore*. These bills will be taken from the table and so referred if there be no objection. The Chair hears none.

#### LANDS IN FORT HALL RESERVATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read and referred to the Committee on Indian Affairs:

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of the Interior, with draught of a bill and accompanying papers, in reference to an agreement by the Shoshone and Bannock Indians with the United States for the disposal of certain of their lands in the Fort Hall Indian reservation, in Idaho, for the use of the Utah and Northern Railway. The matter is commended to the careful consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, January 11, 1882.

#### TARIFF AND TAX COMMISSION.

Mr. WILLIAMS submitted an amendment intended to be proposed by him to the bill (S. No. 22) to provide for the appointment of a commission to investigate the question of the tariff and internal-revenue laws; which was ordered to lie on the table and be printed.

#### THREE PER CENT. BONDS.

The PRESIDENT *pro tempore*. The morning hour has closed, and the Chair lays before the Senate the unfinished business, which is Senate bill No. 46.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 46) to provide for the issue of 3 per cent. bonds.

Mr. VEST. I ask that the amendment I have offered be read.

The Acting Secretary read the amendment, which was to add to the bill the following:

From and after the 1st day of July, 1882, the 3 per cent. bonds authorized by this act shall be the only bonds receivable as security for national-bank circulation, or as security for the safe-keeping and prompt payment of the public money deposited with such banks: *Provided*, That the Secretary of the Treasury shall not have issued all the bonds herein authorized, or so many thereof as to make it impossible for him to issue the amount of bonds required: *And provided further*, That no bond upon which interest has ceased shall be accepted or shall be continued on deposit as security for circulation or for the safe-keeping of the public money; and in case bonds so deposited shall not be withdrawn, as provided by law, within thirty days after the interest has ceased thereon, the banking association depositing the same shall be subject to the liabilities and proceedings on the part of the Comptroller provided for in section 5234 of the Revised Statutes of the United States: *And provided further*, That section 4 of the act of June 20, 1874, entitled "An act fixing the amount of United States notes, providing for a redistribution of the national-bank currency, and for other purposes," be, and the same is hereby, repealed; and sections 5159 and 5160 of the Revised Statutes of the United States be, and the same are hereby, re-enacted.

Mr. VEST. Mr. President, I shall make no apology for addressing the Senate for a very short time in regard to the provisions of this bill and the amendment which I have had the honor to submit.

There can be no question ever presented to an American Congress more worthy of the consideration of every statesman and the earnest and devoted attention of every patriot. It was said by a great author, "Let me make the songs of a country and I care not who makes its laws." Sir, there is something which can purchase all the delights of music, the fascination of woman, the honesty and integrity of men. Let me make the money of a country, and I will make

its laws, its institutions, its political, almost its religious life. Take the history of the world; and where monuments erected by the genius and intellect of men have crumbled to ruins it has been done in almost every instance by "luxury's contagion vile," created by a vicious monetary system. Take the scenes when the French *assignats* caused riot to reign in the streets of Paris; take the picture of our own country in the fierce revels after the war, when these Halls almost became bacchanalian in their orgies, when these streets were filled with political adventurers, when men were bought with gold like sheep in the shambles, when money purchased votes in the market. Give me the power to make the money of a country, and I care not who cast the ballots, so far as political effect is concerned.

I propose to make this no political or partisan debate; but what has been the effect of money upon the political complexion of this country? But a few short months have passed since the President of these United States, with the greatest of living soldiers presiding over the banquet, with the greatest living preacher to bless the luxurious viands, toasted a certain distinguished patriot, an ex-Senator, now connected with the star-route cases, because he had carried the Democratic State of Indiana for the Republican ticket—with what? With soap! One of my predecessors on this floor (Hon. Thomas H. Benton) was wont to say that salt was the great preservative of nature; but salt must hide its diminished head before soap. Soap is the article which controls the politics of the United States; and the plaudits of the distinguished bearers of the present Republican President, both profane and ecclesiastic, hailed that enunciation as to the influence of soap on the votes of the American people with enthusiastic applause.

Mr. President, I do not stand here to-day to attack the national banks because the money of the country is aggregated within their vaults. I have no sympathy with that communism which would array the poor against the rich, and which would strike a man who owns bank stock or national bonds simply because in the providence of God he has become wealthy while another has become poor; but I have a right to speak in regard to the influence of the aggregated capital of the national banks of the United States upon the legislation of Congress and the political complexion of the country. Once in this country a like evil was attacked by one to whose name I give all praise, the pride of American manhood, the President who was not afraid of the capital of banks or of corporations of any kind at any time or in any place. Andrew Jackson deserved the everlasting gratitude of the American people when he took by the throat the old United States Bank with a capital of \$35,000,000. But to-day we have twenty-one hundred national banks, with an aggregate capital of \$600,000,000; and this aggregation of capital, not satisfied with influencing the business of the country, takes this Government by the throat and compels it to do as it pleases.

Mr. President, at the last session of Congress we passed an act known as the funding law. By that act we saved to the people of the United States \$15,500,000 annually in interest alone. We said to the banks "You are the creatures of the Government; you are the fiscal agents of the Government of the United States, and it is your duty to come forward and bear your proportion of funding the national debt; we have made you rich; we have made you powerful; we have given you the most valuable franchise ever given to any corporation in any civilized community; now come forward and bear your portion of the common burden." We appealed to them to do it. The Democratic party in both Houses of Congress was met then—I will not say the Democratic party, because there were some Republicans who stood with us in that terrible contest—but we were met then with the assertion "You have no right to coerce the national banks; they are private enterprises." Ah! Chief-Justice Marshall did not think them private corporations, and in the case of *McCulloch vs. The State of Maryland*, if the Supreme Court decided anything, it decided that the United States Bank was a fiscal agent of the Government, and that under the Constitution Congress had no right to establish a banking corporation for private gain or profit.

That decision remains to-day unchallenged; yet when we undertook to make the national banks, our creatures, our servants, conform to the law of the land as we made it, they took the Government by the throat and shook out of the President a veto which nullified the will of Congress. That is all of it in a nutshell. The national banks coerced the Congress of the United States. In one day they retired eighteen millions of currency in New York; they produced a panic in the money market, and then we had the frightful specter of financial ruin! The bondholders and the capitalists of the country surrounded the White House, and the Secretary of the Treasury and the President of the United States said that the national banks must be protected at all hazards and to the last extremity.

Mr. President, I am not here to assail the national banks because they are monetary corporations. I am here to attack the terrible power put in their hands, by which they contract and expand the currency of the country at their own will.

I would not give to any set of men whom God ever created upon this earth the power to control absolutely the volume of currency in this country. I would not tempt the purest man that has ever lived, whose whole life was an example of purity, honesty, and integrity, with a power so monstrous and so vast as that. Much less would I place that power in the hands of men whose appetites are sharpened by greed, men whom the Senator from Indiana [Mr. VOORHEES] elo-



quently said were given up to avarice, the most debasing passion in the heavens above, the earth below, or beneath the earth. Yet that power-to-day is vested in the national banks of the United States.

I know it has been said that the Democratic party, to which I belong, I am proud to say, is devoted to the national bank system in this country. In the name of the State which gives the largest Democratic electoral vote in this Union, I deny the truth of that assertion. Never were the Democratic party pledged to the national banking system as it now exists; never was there a day or an hour in which the Democracy of this Union have not protested against the power of the national banks to control by their own will and in their own way the volume of currency of the United States, as is provided in section 4 of the act of June 20, 1874, which my amendment repeals.

We have been told by the Republicans, in every political editorial for the last fifteen years and in every political speech, that there should be stability of currency and stability of values in this country; and yet we find upon the statute-book ever since 1874 a law giving to the national banks the power to increase the currency at their own will or to destroy it. They have had absolutely within their hands the power to control the whole financial wealth of the country by their ability to create panics when they pleased, to furnish or not furnish money, to produce inflation or contraction at their pleasure.

Mr. President, I know that there are prominent members of the Democratic party who do not agree with me in regard to this question. We heard yesterday from the distinguished Senator from New Jersey [Mr. McPHERSON] startling propositions. Not the rain, not the sunshine, not the dew, not the strong arms and brave hearts of a great people—not these, with the blessing of God upon their labors, have given prosperity to this country, but, according to the Senator from New Jersey, it has been the national banks. They are the authors of all this prosperity; they have brought about this golden era. Not the industry of the people; not the resources of a continent stretching from ocean to ocean and a population equal to all the emergencies of life—not to these, but to twenty-one hundred corporations do the Government and people of the United States owe their eternal gratitude!

Mr. President, I deny it. I deny that the national banking system has given prosperity to this country. They have fattened on the increase of the people. I defy contradiction here when I say that their dividends are larger than the dividends of any other banks known in the civilized world. They made in ten years, including all the years from 1870 to 1880, 8.4 per cent. upon their capital and their surplus funds—8.4 per cent. net profits.

I will not indulge much in statistics, but let us see what the Government of the United States has done for the national banks. I call the attention of the Senator from New Jersey to this. I want him to see what the people have done for these institutions that he lands as having carried the Government through its moments of peril and extremity. I take the figures I shall now present from the Comptroller's report. In 1881 there were 2,100 national banks in the United States. Their capital is \$458,934,485. Just think of it. Jackson was afraid of a bank with \$35,000,000 capital; and yet here is a bank (for it is really one bank) with a capital of \$458,934,485. Their surplus—now think of it—the money laid by for the stockholders is \$127,238,394, more than one quarter of the capital. These are the gentlemen whom we took by the throat in our funding bill last spring, as we were told, whose interests we were appealed to by gentlemen on the other side of the Chamber not to destroy. "Do not oppress the national banks," oh, no!—\$127,238,394 of surplus.

But that is not all. The dividends from September 1, 1869, to September 1, 1881, were \$517,825,392. In other words, in twelve years they laid away the comfortable sum of \$127,000,000 and some odd hundred thousands as surplus, and they more than doubled the capital invested besides. Five hundred and odd millions of dollars were divided in dividends among their stockholders.

Mr. President, I put it to every man within the sound of my voice who believes in Republican institutions and in the will of the people governing, the free, untrammelled, and unbiased will of the people represented through the Congress of the United States, whether such results should not attract our attention.

But, sir, we were told when the funding bill of last spring was presented to Congress that if it was passed we should not only rob these banks, but that they were actually desirous of going out of existence, because the rate of interest was then too low. We were told that if that bill passed it would prostrate the energies and resources of the people of the United States and produce a general panic. Now, what show the figures in contradiction of the assertion that these banks were not then making any money because the rate of interest was so low and that the proprietors were considering the propriety of withdrawing their capital and going into another form of corporate business? Never in our history have the national banks increased so rapidly as in the fiscal year just closed. They have increased, according to the report of the Comptroller of Currency, more than two hundred in number. Although they were making no money, although they were thinking of surrendering their charters, they have increased more in the last year than in any other year since they went into existence.

But we were told that we were robbing these banks of their property; we were told that if we passed a bill funding the debt at 3 per

cent., as \$200,000,000 is proposed now to be funded, we were destroying the profits of the banks; and the former President in his veto message sent to Congress declared as one of the reasons for vetoing that bill that we were reducing the profits so low that the banks could not profitably continue business in any such state of case as we proposed to inaugurate. This was one of the statements made in the veto message which I have before me.

Now, Mr. President, permit me for a single minute to look to the truth in regard to that matter. I take now a bank depositing 4 per cent. bonds, and how does the case stand?

Interest on \$100,000 United States bonds, at 4 per cent.	\$4,000
Circulation issued on bonds	90,000
Deduct premium on bonds	14,000

That was the premium on 4 per cent. bonds at the time we passed the funding bill last spring. If there is any flaw in this calculation, I shall be obliged to the Senator from Ohio if he will correct it. The 4 per cent. bonds were then worth 14 per cent. premium.

Circulation issued on bonds	\$90,000
Deduct premium on bonds	14,000
Deduct reserve	4,500

Making

Loanable capital, \$71,500, at 6 per cent., which is the lowest amount; and in the State of Missouri they get 10 and never below 8 per cent. Putting it at 6 per cent., and the amount would be \$7,309 net receipts.	18,500
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The capital loaned direct, \$100,000 at 6 per cent., would yield \$6,000, being a difference in favor of circulation of \$1,309. We proposed in that bill to fund this debt at 3 per cent. Now, I will give the calculation at 3 per cent. and see how much it left these national banks and see if the reason given by the President was the real reason for vetoing that bill.

Bank depositing 3 per cent. bonds.	
Interest on \$100,000 United States bonds at 3 per cent.	\$3,000
Circulation issued on bonds	\$90,000
Add capital not invested in bonds	14,000

Total	104,000
Deduct reserve	4,500

Loanable capital	99,500
Interest on \$99,500 at 6 per cent.	5,970

Total interest received	8,970
Deduct 1 per cent. tax	900
Deduct cost of redemption	81

	981
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Net receipts	7,989
Loaned direct, \$100,000, at 6 per cent.	6,000

Difference in favor of circulation	1,989
or \$680 in favor of a 3 per cent. bond.	

This is a calculation made and embraced in the speech of Hon. JOHN G. CARLISLE, who originally offered the amendment which I offered yesterday to the Senate. I have gone over that calculation, and I challenge any gentleman to criticise it or prove that it is not correct. I say there is \$680 in favor of a 3 per cent. bond such as was offered the national banks at the last session of Congress; yet we were told we were robbing the banks; and we were also told we had no power to pass the bill, and this in the teeth of the decision of the Supreme Court in *McCulloch vs. The State of Maryland*. All these propositions and statements were false; and I come now to the real gist of this whole matter.

We stand to-day in the face of the most serious problem in finance ever presented to an American statesman. The time has come when we must join issue as to whether the debt of this country shall be perpetual, or whether the people shall be relieved of the burdens inflicted upon them by the war. There is no escape from the proposition; one thing or the other must be done. It is not a question of funding \$200,000,000. That is not the real object; I say it respectfully to the Senator from Ohio. He who is one of the financial leaders of the country knows too well that the time has come when we must determine the question whether this debt is to be perpetual or not. The real meaning of funding this debt is, that the national debt shall be *esto perpetua*, and with it the national banks, for the national banks are based upon the national debt. Take away the national debt and you destroy the national banks; and you hear now everywhere in the Republican press, "Do not pay the bonds; we are paying them too fast; do not let the people pay; keep upon them this enormous burden of indebtedness." Why? That the national banks may be kept in existence—that and that alone.

Yesterday the Senator from New Jersey, [Mr. McPHERSON,] after an eloquent tribute to the national banking system, after he had put that system in place of the Deity itself, in lieu of the sunshine and the rain and the dew—after he had done this, he said a national debt is a national curse; it is a curse to the industries of the people. I ask that Senator now if the national banks were not established on the national debt, and I ask him what he proposes to do with them after this national debt, which is a national curse, shall be wiped out? What is the basis of the national banks? How does the Sen-

ator reconcile the two propositions? You might as well put together fire and water, you might as well put together the food that sustains life and the poison that destroys it, as to tell me that you can pay the national debt and get rid of the national banks. There is the secret of this contest; there is the real germ and essence of the battle now going on. For one I array myself now, as I have always done, against the aggregated capital which has seized the interests of this country by the throat and now proposes to ride on to enormous wealth through the coming ages until the end of time. Why, sir, if this debt is to be continued now, when is it to stop? Do you think the national banks, strengthened by age, strengthened by money, with more stockholders, with an unlimited power of perpetuating themselves according to law, for capitalists can establish just as many as they have money to buy the bonds of the country with—do you think the time will ever come when they will surrender their charters? When, then, will you take away the basis of these banks?

Mr. President, the issue is upon us; the question is presented to the Congress of the United States, Will you pay this debt, or will you perpetuate the debt and perpetuate the national-bank system with it?

Now, sir, what do these banks cost the people of the United States? I beg the attention of gentlemen, especially of my friend from New Jersey, to what he proposes for the people of the United States in all the future if his proposition is correct that the national banks are a great national blessing.

Mr. McPHERSON. Will it interrupt the Senator if I should ask a question at this time?

Mr. VEST. No, sir.

Mr. McPHERSON. I will in connection with the question I ask simply ask the Senator to read from the context the statement which I made, and perhaps that will be all the answer required.

Mr. VEST. I think I stated the proposition of the Senator. I will read his exact words:

A national debt is a never-satisfied sponge, forever absorbing and always eating up the substance of the people; it is a curse, the prolongation of which beyond a reasonable period of payment would be as utterly indefensible as any effort to force its immediate liquidation by onerous taxation would be unnecessary and unjust. As the ratio of our population increases the ratio of the burden decreases. We have reduced the debt to a sum and to a condition of public credit which relieves it from any necessity of becoming either oppressive or durable.

I endorse every word of that; but I ask the Senator, How does he reconcile that with the former statement in his speech? And now permit me to read also from these same remarks:

National banks are established institutions.

Yes, established on this country!

The whole business of the country is identified with them. For seventeen years they have conducted the finances and the currency of the whole country with safety and success.

Yes, they have paid  $8\frac{1}{2}$  per cent. and \$127,000,000 surplus, with \$548,000,000 of dividends divided among the stockholders. If that is not eminent success, I should like some gentleman to make it out. That is the way they have conducted the business of the country with eminent success.

They have exercised a marked influence on the wonderful progress and development of our resources. There is not a considerable town, village, city, or county in the whole empire of our industries that is not more or less dependent upon and directly interested in their stability and in their continued existence. Their officers, stockholders, and depositors are among the most intelligent, substantial, and respected citizens of the United States. To impair their strength, to throw doubt on their duration, or to weaken public confidence in their stability as sources of business support, is to strike directly and dangerously at the very source of our internal exchanges and business credits. These banks have carried us through the calamities of war, through the prosperities of peace, through the gloom and disasters of the crisis of 1873.

Yes, they did. They carried us through—

Mr. McPHERSON. Go on.

Mr. VEST. I will read it all if you wish:

When bankruptcy and loss and doubt stopped the fires in our furnaces, the spindles in our factories, the hammers in our forges; when three millions of our laborers were idle from necessity, hungry from want, and desperate from despair; and yet during all these mutations of business, of production, and of credit they stood firm, reliant, and reliable, the support and the aid of every legitimate enterprise.

Yes, sir; "firm, reliant, and reliable," and distributed their dividends reliably among their stockholders.

Mr. McPHERSON. If I do not interrupt the Senator I wish to call his attention to the fact that I advanced many propositions in the short speech I made, occupying but a very short time, as reasons why I opposed the prolongation of the public debt; but I do not believe this to be the proper time to pay it. I simply think this in regard to the national banks: that until some suitable substitute is provided for the national banks it is the duty of Congress to do everything in their power to sustain and support the existing financial institutions of the country. I am altogether too conservative a man to believe in the policy of doing anything toward upsetting or overturning the institutions on which the business of the country is based, and especially undertaking to do it in this way until some suitable substitute is adopted. Had I been in Congress at the time of the inauguration of these banks, I never would have voted for that system; but I for one am very well satisfied that the system has been a success.

Mr. VEST. The Senator from New Jersey does not show how he can get rid of the national debt, the burden that he speaks about,

and at the same time maintain the national banks. If you do away with the national debt, you destroy the national banks; and what are you going to do with the burden? Are you going to keep it? That is the question. If you keep it, you keep the national banks. If you take off this burden from the people, you get rid of the national banks. A man who eulogizes the national banks, eulogizes the perpetuity of the national debt. It is the logical sequence and you cannot escape from it. I have here before me, in an editorial from the New York Sun, the key-note of this whole proposition, and we have the same thing in the report of the Secretary of the Treasury, who tells us that we must not pay off the national debt because if we do we destroy the national banks. The Sun goes on with figures to show that there is no necessity for paying the national debt:

The abolition of the system involves, of course, a corresponding maintenance of the existing tariff; not, indeed, preserving its defects and inequalities, but reforming them; yet still keeping the aggregate of the revenue it yields undiminished.

Abolish the internal-revenue taxes, refund instead of paying off the public debt, cut down the pension list, and make such changes in the tariff as will simplify it and improve its practical working; this is a programme which we think all wise and patriotic statesmen may safely adopt.

The Senator tells us that we must have another system before we attack this sacred Palladium of American liberty, the national banking system. Another system! Mr. President, this country to-day can without expense have the best money on the face of the earth, the money most acceptable to the people, the money that they would rather have than any other, and at the same time get rid of this monstrous incubus, this monopoly of the currency of the country which is now incorporated by act of Congress. We can have a circulation unequaled on the American continent, and that has never been equaled anywhere by any paper money. There can be a dollar in silver bullion in the vaults of the Treasury for every paper dollar issued. If the Senator wants to know what to put in the place of national banks, I will tell him. Seven hundred and twenty-eight of these banks go out of existence in 1885, and there is no necessity for a panic on the subject. There is no necessity for national-bank currency. We have now within our control five hundred and forty odd millions of the Windom or  $3\frac{1}{2}$  per cent. bonds. We can pay them off in four years. We can issue silver certificates. Remonetize silver, take off the ban you have put upon it, let it be, as it was, a full legal tender, and all will go well. In the days of Abraham, in the twilight of antiquity, we are told that Abraham was rich in silver and in gold. It was the money of the apostles and the patriarchs; the money to-day of the East; but you struck it down and butchered it, and you are anxious to bury it forever out of sight for all time to come. Remonetize silver; let silver certificates take the place of these national-bank notes. Gradually and easily the change can be made. For every dollar of national-bank money that comes back to the Treasury put out a silver certificate. Let the Government purchase all the silver that comes from our mines; it is the great American production, the silver bullion of the Rocky Mountains; issue your paper money upon it, and a currency will be established stable in value, easy of transportation, and commanding the full confidence of the people.

But, Mr. President, I proceed to show what my friend from New Jersey logically proposes to fasten on the people of this country. I mean by the perpetuity of the national-bank system, for he has yet failed to point out to me when that system is to terminate. I challenge attention to these figures. I assume now that we fund this debt and that national banks remain in existence. Now what does the national-bank system cost the country? Two hundred and forty-one million three hundred and seventy-six thousand one hundred and fifty dollars bonds at  $3\frac{1}{2}$  per cent.; \$31,981,650 at  $4\frac{1}{2}$  per cent.; \$92,005,800 at 4 per cent. are held by the banks. On these the United States pays to these banks an interest annually of \$13,728,483. A tax is paid to the United States by the banks upon capital, upon circulation, and upon deposits amounting to \$8,493,552. Subtract that, and the annual cost to the people of the United States for keeping these institutions in existence is \$5,234,936, and we are to pay that for all time to come. That is the amount it costs the people of the United States for this blessing of a national banking system.

But, Mr. President, I have already shown to the Senate what we saved by the funding bill of the last session. As I said a few moments ago, when that bill was offered to Congress it was assailed in the first place because we had no power to pass it; second, because it robbed the banks; third, because it was without precedent in the annals of American legislation. The Senator from Ohio stated the other day that he had offered a similar bill to my amendment at a time when the finances of the country were much deranged, and that there was no necessity for adopting any such legislation at the present hour. The Senator from Ohio is the author of a bill which beggared in its coercion the amendment which I offer to-day, and which he now opposes. He offered in 1870 a bill to compel the national banks to take the 4 per cent. bonds, not only for subsequent increase, or for the establishment of new national banks in the future, but he told them, "If you do not take these bonds in twelve months we will take away every cent of your circulation." That was the bill offered by the Senator from Ohio in 1870. I refer to it not to convict that honorable Senator of inconsistency. That is not worthy of the Senate or of this occasion. I refer to it to answer the Republican party in its argument that the amendment offered by Mr. CARLISLE in the House and by me here is an outrage on the national banking system of the country. I say we learned the lesson from the great premier of the



last Administration, the distinguished minister of finance now on this floor, the Senator from Ohio. We not only learned, but profited by it. Here was the section the Senator then offered:

SEC. 8. *And be it further enacted*, That on and after the 1st day of October, 1870, registered bonds of any denomination not less than \$1,000, issued under the provisions of this act, and no other, shall be deposited with the Treasurer of the United States as security for notes issued to national banking associations for circulation under an act entitled "An act to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June 3, 1864; and all national banking associations organized under said act, or any amendment thereof, are hereby required to deposit bonds issued by this act, as security for their circulating notes, within one year from the passage of this act, in default of which their right to issue notes for circulation shall be forfeited—

There the Senator from Ohio absolutely took away their circulation if they did not take his own terms—

and the Treasurer and the Comptroller of the Currency shall be authorized and required to take such measures as may be necessary to call in and destroy their outstanding circulation, and to return the bonds held as security therefor to the association by which they were deposited in sums of not less than \$1,000: *Provided*, That any such association now in existence may, upon giving thirty days' notice to the Comptroller of the Currency, by resolution of its board of directors, deposit legal-tender notes with the Treasurer of the United States to the amount of its outstanding circulation and take up the bonds pledged for its redemption.

Upon the question of retaining that feature of the bill, the vote in the Senate was yeas 33 to nays 10, thereby enacting a far more coercive measure than the amendment which gentlemen regard with holy horror to-day, and which excited their righteous indignation last spring. It passed the Senate by a vote of 33 to 10; and now I propose to give the reasons of the Senator from Ohio for that proposition. He said:

Mr. President, the three remaining sections of this bill apply to the national banks. That is much too great a theme for me to enter upon at this stage of the debate; but I will explain in a very few words the theory of those sections. The national banks are mere creatures of law. They hold their existence at the pleasure of Congress. We may to-morrow, if it promotes the public interests, withdraw their authority. The franchise has been valuable to them.

I should think so.

We think it right they should aid us in funding the public debt. They hold of our securities \$346,000,000. Nearly all of these bear 6 per cent. interest in coin. We will not deprive them of any of them; we will not take from them the property they enjoy; we will not deny them even the payment of 6 per cent. gold interest as long as they are the owners of these bonds. But they hold the franchise of issuing paper money guaranteed by the United States, and which constitutes the circulation of our country; and we say that, enjoying this franchise, we now stipulate with them for the reduction of interest on the bonds they hold. The provisions of this bill are not arbitrary.

That is different from what we heard here last spring.

They are not harsh; they do not take from the national banks any right which they enjoy except one confessedly at our pleasure. If they are not content to enjoy their franchise on the terms proposed, they can retire.

The Democratic party only proposed a milder enactment last spring, and immediately the shout went up from every one of the New York papers and from the entire country "the rebel Democracy have proclaimed war on the moneyed institutions of the country." They simply proposed that the national banks should obey the laws of Congress or retire their circulation. The Senator said further:

As to new banks which may be organized under the free-banking section, it is easier for them to engage in banking under this bill than under the old law, because they can go to the Treasury and buy bonds at par in currency and upon these receive circulating notes, and a corresponding amount of legal tenders is then canceled. The new banks may issue in circulating notes four-fifths of the amount of their bonds under the terms and conditions of the banking act, while if they are now required to go into the money market to buy bonds with which to start new banks they would be compelled to pay a premium of from 10 to 20 per cent. for the existing bonds, and then could only issue 90 per cent. of the amount of the principal of the bonds.

This is what the Senator said on March 10, 1870. I could hardly present a better argument for my amendment:

What do we give them in exchange? We give them upon purchasing these bonds the right to issue four-fifths of them in money, and we give them the monopoly of that right.

That is what the Republican party meant. That is what they have always meant, to strike down the greenback circulation, to strike down the Government paper, and let the national banks of this country have a monopoly of the currency, and, as the Secretary of the Treasury says, "issue all the money the country needs."

We are about to withdraw from circulation the greenbacks of the country.

And they would have been withdrawn if the Democratic party in the providence of God had not come in and stopped that little game of the Senator from Ohio and his compeers. They commenced to retire them; they commenced to destroy them and they did destroy them down to \$360,000,000, and then the Democratic Congress sent here by the people put their veto on it and said, "Thus far shalt thou go, and no farther; and here shall your destruction of the greenbacks of the country stop." Further:

We are about to retire and cancel our notes by the provisions of this act. We are about to give them the monopoly of the circulation of this country, the sole and exclusive privilege of issuing paper money. We have destroyed the State banks. And now what do we require in return? That they shall join us in reducing the burdens of the public debt; that they shall bear some little of their share of the loss of income which every holder of the public securities must suffer.

Sir, national banks would be very unwise indeed to make issue on this question. If any man here is a friend of the national bank system, I can claim to be. I was here at its cradle, introduced the original banking bill and advocated it, and also introduced the amendment to it, conducted it, and saw it passed. But if I believed now that the banks of the United States were unwilling to aid us in reducing the rate of interest on the public debt to the extent of the limited sacrifices they are called upon by this bill to make, I should certainly change very much my opinion of them and of the whole system.

I want the Senator now to change his opinion. They defeated his bill, as he afterward said; they came into the Halls of Congress, according to the Senator from Ohio, took the Representatives of the people by the throat, and defeated this very legislation. Has he changed his opinion about the system? Is he willing to-day to make good what he then said? If they would not come in and make this limited sacrifice to help us to diminish the interest, he said he would change his opinion of the whole system, and further:

I do not believe there is any practical difficulty in the way. Nor do they lose by it if five percents are worth par in gold. What do they lose by taking one-third of these bonds at 5 per cent., another third at  $4\frac{1}{2}$  per cent., and another third at 4 per cent.? They possibly lose one-half of 1 per cent. of the interest on the bonds; that is all.

Afterward a vote was taken, and this bill was defeated in the House of Representatives. The Senator from Ohio delivered a wail of lamentation in regard to this action in the lower House of Congress, and he served a notice and put upon record his opinion of the national banks of the country and their failure to come to the rescue of the people in diminishing the interest on the public bonds. He said after the bill had failed:

I wish now to record my deliberate judgment that in this conclusion to which we have been compelled to arrive by the action of the House we are doing the national banks a great injury, which will impair their influence and power among the people, and that the opposition of the national banks to this provision which would have required them to aid in the funding of the public debt, will tend more to weaken and destroy them than anything that has transpired since their organization. I do not see how we can go before the people of the United States and ask them to lend us gold at par for our bonds, when we refuse to require agencies of our own creation to take them; when we even refuse to require new banks not yet organized to take these new bonds, and when we refuse to require old banks, which have made on the average from 15 to 20 per cent. annually upon the franchise—

Think of that, 15 and 20 per cent. annually upon the franchise—derived from the United States, to aid us to this extent in funding the national debt.

But, sir, the vote of the House shows the power of the national banks.

There was the statement of the Senator from Ohio. The vote of the House shows the power of the national banks.

It is so great, at least in the House, that in order to secure a funding bill we have been compelled to abandon all provisions in regard to the national banks; but I give notice that in the future I for one shall be prepared at all times to require the national banks to take that class of bonds which we propose in this bill, and I have no doubt this will be the result. But for the present, in deference to the wishes of the House, we have withdrawn the section in regard to national banks.

That was in 1870; and then, according to the report of the Secretary of the Treasury, they had about one-half the money and power they have now; and even then they were able to go into the House of Representatives and strike down the provision offered by the Senator from Ohio. They came here at the last spring session of Congress and again repeated it, and took the Government by the throat, and told the representatives of the people, "We will have none of this legislation; we defy you to enact it; we will pull down the temple about our ears, and bury us and ourselves in one common ruin before you shall enact any such bill as you have proposed." That is the whole of it.

Now, I ask the representatives of the people, do you propose to submit to this thing? Do you propose that any power shall exist in this country greater than the Government itself—a power which attacks us here in the citadel of the people's rights and says to us, the representatives of the people, "You shall make legislation which suits us and our interests or else we will destroy the financial prosperity of the entire country?"

Mr. President, I have intimated, in answer to the Senator from New Jersey, what I think the Congress of the United States should do. I have no concealment in regard to it. If the power remained in my hands to-day I would discontinue every note of every national bank in the Union. I would repeal section 4 of the act of 1870, which gives them the right to contract or to expand the currency at their own pleasure. I would remonetize silver. I would let the Government purchase all the silver bullion which it could purchase, and upon that bullion I would issue silver certificates to take the place of the national bank circulation until gradually a currency would be established in this country beyond criticism and beyond reproach.

As I said, the alternative is put before us. This is no new proposition. It commenced in 1869, and never for one single instant has the Senator from Ohio and his party ceased in their attempt to strike down silver, to strike down greenbacks, and to have gold and the national bank circulation as the only money upon this continent. That has been their intention, and they have never wavered, for the Republican party turns neither to the right nor to the left. They fix their eyes upon a certain object and march straight to it. The intention has always been to destroy silver, to destroy greenbacks, and to give us gold and national bank notes; and in the language of the Secretary of the Treasury in his last report, "the national banks will furnish the people with all the money they need," giving it when they please and taking it away when they please.

In 1869, under the pretense of strengthening the public credit, hundreds of millions of dollars were added to the indebtedness of the people. They then made the bonds of the Government which were payable in lawful money; in other words, in greenbacks; payable in coin according to the language of the act. But that was not enough for the national banks. That was not enough for the corporations. Coin included silver. Coin included the money which

from the days when the world was created down to now has been the money of the people. The Senator from Ohio, when a commissioner to Paris in 1867, announced the proposition that, to use his own language, it was impossible for this country to have a double standard. Gold was to be the standard.

In 1869, as I say, they made the bonds payable in coin, and the next thing was to strike out from coin the silver of the country. In 1873 they demonetized silver. They were determined to make coin mean gold. They were determined to make the bonds of the country payable in gold, and therefore in 1873 they passed the act which struck down the silver dollar, and strange as it may seem, the act was passed years before the people found out that this outrage had been perpetrated upon them.

I listened with inexpressible pleasure to the eloquent speech of my distinguished friend from Indiana [Mr. VOORHEES] upon this question. It burned the very paper upon which it was printed. Would to God it could burn itself into the hearts of the American people! If the people could understand the objects of the Senator from Ohio and his party there would be no trouble in regard to this whole question. They demonetized silver, and the people for five long years suffered and bled and toiled and labored without knowing the outrage perpetrated upon them. Distinguished members of Congress voted for that bill and were as innocent as children of what they had done. The President of the United States who signed it did not know that it demonetized silver. It was known only to a few. The Senator from Ohio himself seems not to have known it three years afterward. I quote now from the CONGRESSIONAL RECORD of debates in the Senate in 1876. If there ever was on this floor a Senator—and I say it now in his absence; I say it in justice to him whether he is here or whether he is absent—if there ever was a Senator in this Chamber who watched with the eye of a hawk over the legislation enacted, it was the distinguished Senator from New York who by the vicissitudes of politics is now a private citizen. In 1876 Mr. Conkling said:

Will the Senator allow me to ask him. [Mr. SHERMAN,] or some other Senator, a question? Is it true that there is now by law no American dollar—

The dollar had been struck out in 1873, not only struck out by an act of Congress but struck out afterwards by a clause in the Revised Statutes which specified certain coin that should circulate and left out the American dollar. Mr. Conkling, continuing, said:

And if so, is it true that the effect of this bill is to be to make half dollars and quarter dollars the only silver coin which can be used as a legal tender?

He referred to the bill offered by my predecessor, Mr. Bogy. Mr. SHERMAN replied:

I will answer the Senator from New York, that since the law of 1853 the use of the silver whole dollar has been discontinued and none has been issued. That has been so since 1853.

Mr. Conkling, going still further, asked:

Is there power to issue it?

That is, to issue the silver dollar.

Mr. SHERMAN. There is no power and has been none.

That is, since 1853.

Mr. Bogy. The power to issue existed from 1853 to 1873; but since 1873 I think there has been no power.

The Senator from Ohio was mistaken just twenty years.

Mr. SHERMAN. There has been no silver dollar issued since 1853, and my impression is that the law of 1853 did not confer the power to issue it. The Senator thinks it did confer the power; but the law of 1873 cut off the power, in my judgment, it existed.

Then Mr. JONES, of Nevada, (whom I am sorry to see is not now in his seat, the champion of silver, who in two days in May, 1876, exhausted this whole silver question, and who revolutionized, if any man could have revolutionized, the public sentiment of the country upon the silver question,) settled the whole debate in this language:

The law of 1853 authorized the coinage of the silver dollar, and it was never demonetized until February, 1873; but it needed no law to prevent people from coining such a dollar for use in business when there was another dollar to be got 3 or 4 per cent. cheaper. The people did, in 1853 and up to 1873, have an option that, if gold should become dearer, they could fall back on the silver dollar. In 1873 that privilege was taken away.

That was the record made in 1876. General Grant signed that act in February, 1873. In October, 1873, General Grant, the very President who signed the act, wrote the following letter to Mr. Cowdrey, a broker:

I wonder that silver is not already coming into the market to supply the deficiency in the circulating medium. \* \* \* Experience has proved that it takes about \$40,000,000 of fractional currency to make the small change necessary for the transaction of the business of the country. Silver will gradually take the place of this currency, and, further, will become the standard of values, which will be hoarded in a small way. I estimate that this will consume from \$200,000,000 to \$300,000,000 in time—

He certainly did not mean fractional currency to take up \$200,000,000 or \$300,000,000—

of this species of our circulating medium. \* \* \* I confess to a desire to see a limited hoarding of money. It insures a firm foundation in time of need. But I want to see the hoarding of something that has a standard value the world over. Silver has this.

The world over it has a standard value.

Our mines are now producing almost unlimited amounts of silver, and it is becoming a question, "What shall we do with it?" I suggest here a solution that will answer for some years, to put it in circulation, keeping it there until it is fixed, and then we will find other markets.

Yet that came from the President of the United States in October, 1873, six months after he had signed the act of February, 1873, demonetizing and striking out of the currency the silver dollar, or "dollar of the fathers" as it is popularly termed. Afterward Mr. Garfield, the late lamented President of the United States, who voted for this law, declared publicly that he never knew there was any such provision in it. Mr. KELLEY, of Pennsylvania, another leading member of the House who voted for it, declared the same thing. Yet Mr. Garfield, whose death I lament as much as any of his political adherents, declared afterward in the House of Representatives, when the Democratic party proposed to remonetize silver and did partially remonetize it by an overwhelming majority, that the bill remonetizing it was "a swindle so immense that it made the achievement illustrious." General Grant, who comes forward here as the advocate of silver, who says that it has a standard value all over the world, wrote from Smyrna, when he was making his celebrated tour, to a friend of his, Judge Long, of the city of St. Louis: "I see that Congress is about to remonetize the silver dollar. If I possessed the power which I held for the last eight years as President of the United States, I would advise every business man throughout the country to make all his contracts payable in gold alone." In other words, he, the great leader of the Republican party, the most illustrious soldier of the age, so great was his hatred to silver and the silver dollar that he himself declared that he would advise the business men and merchants of the United States to make their contracts in future payable in gold alone—to defeat the will of the people as expressed in Congress and make this silver money as the mud beneath our feet, instead of making it what he was willing to make it in October, 1876, the basis and criterion of all business on this continent.

Mr. President, the whole Republican party to-day is banded together to strike down the value of the silver of the country. We are told now by the Secretary of the Treasury that the silver certificates must be discontinued. He admits in his report that \$66,000,000 of silver certificates are now upon the country paid for in gold, as Mr. Benton used to say, "in hard, red gold." The people are willing to come forward with gold, the most precious of all precious metals, and pay for silver certificates and put them in circulation; but, says the Secretary of the Treasury, silver certificates must be discontinued. Has there been any refusal to take them? Has there been any complaint about them? Is not the country prosperous? Listen to his own language. I have not the strength to read from his report, but he says that he has so much money on hand now that he does not know what to do with it and he calls upon Congress to stop the taxes. He says there is a surfeit of money, a surplus of money, and he proposes to take away \$135,000,000 of internal-revenue duties, all of which, except \$11,000,000, are taxes upon whisky, beer, and tobacco.

For one I am opposed to taking off any such tax. If there is anything in this country that can stand an excise tax it is whisky, beer, and tobacco. I am opposed to putting a tax upon the necessities of life. I am opposed to an excise tax upon what the poor men of the country need to sustain life, but I am opposed to taking the tax from whisky, beer, and tobacco. I say let these articles pay and pay liberally.

I repeat, and I cannot say it too often, that I do not attack the national banks because they represent the capital of the country. I know the abuse which is hurled at the Senator from Indiana and those of us who believe with him in regard to the national banks. We are called Greenbackers. Mr. President, I am a Greenbacker. I have never seen the time since I understood what the greenback currency was, that I was not in favor of its continuance. I have never seen the time that I was willing to put in the hands of the national banks the power to expand or contract the currency of this country. I am not, nor is the Senator from Indiana, if he will permit me to speak for him, a National Labor Reform Greenbacker, as they term themselves now in their platform adopted at Chicago upon which they nominated for the Presidency Mr. Weaver, of Iowa.

I remember very well when two years ago abuse was heaped without stint on the Democratic party because they had formed a coalition in the State of Maine with what was called the Greenback party of that State. I recollect how the Republican papers of the country came out with double-leaded articles containing Hancock's dispatches of congratulation to Mr. Plaisted upon his election as governor of that State. We were told then that the Greenback party had entered into a coalition with the Democratic party, and that the party of hard money had contaminated itself by political affiliation with the fiat-money party in the State of Maine. Mr. President, in the last canvass I fought day and night against the coalition of the Republican party and the fiat-money party in the State of Missouri. It was an open and notorious affiliation, every Republican paper in the State advocating the cause of the Greenback candidates. Four members were sent to the Lower House from the State of Missouri who were life-long Republicans. One of them, lately the candidate for speaker of the so-called Greenback party, upon his first appearance in the House of Representatives, paired with a Democrat, Mr. BLAND, from the State of Missouri, upon all questions except those in regard to the finances. He is a Republican to all intents and purposes in regard to the theory of this Government, the construction of the Constitution, and the cardinal points at issue between the two great parties. Four of these gentlemen were sent to the House of Representatives by an open coalition



between the Greenbackers, so called, and the Republican party, and to-day in Missouri we are threatened with an attack similar to that which succeeded a few weeks ago in the State of Virginia.

To-day the Democratic party stands for silver, gold, paper money payable in coin. To-day that is the policy of our party, declared in its platform at Cincinnati; but in Missouri and all the Western States the Greenbackers, so called, and the Republicans stand upon a platform having but one plank, and that political success, without reference to principle or honest political sentiment.

In 1878, when this National Greenback Labor Reform party met in the city of Sedalia, in the State of Missouri, they adopted a platform in favor of absolute fiat money, simply "\$5, U. S.," and that should be a United States five-dollar bill payable to nobody, at no time, and in no thing, and at no place—perpetual financial motion.

The Republican party went into the canvass and voted for the fiat-money candidates. Anything to beat the Bourbon Democracy and to obtain power!

During the late Presidential canvass, the Labor Greenback Reform party met in Chicago, and, besides a platform, adopted resolutions declaring for "free land, free water, free air, and that no man should have more land than he was entitled to;" and they also resolved in favor of woman suffrage. All this went down easily with the Republicans of Missouri. They supported the Greenback Labor Reform candidates for Congress upon these principles, and esteemed it a great privilege to camp with such allies.

In Mississippi the same coalition was made during the last summer, but I am glad to say that it has signally failed.

I can account for the extraordinary affection existing between the Republican and Greenback parties upon no other hypothesis than their mutual hatred to silver, as exhibited in the dark years between 1873 and 1878, when the Democratic party was the only friend to the silver circulation.

In the Greenback platform of 1876, upon which Peter Cooper was nominated for President, is the following:

We further protest against the sale of Government bonds for the purpose of purchasing silver to be used as a substitute for our more convenient and less fluctuating fractional currency, which, although well calculated to enrich owners of silver mines, yet in operation it will still further oppress in taxation an already overburdened people.

Not satisfied with the demonetization of the silver dollar, done in 1873, this reform party desired also to do away with even fractional silver.

That is my answer to the charge that we coalesced in the State of Maine with Greenbackers. As I said before, I am a Greenbacker, in favor of the greenback money now in circulation in the country, but opposed to the heresies, opposed to the moonshine theories, of the allies of the Republican party in all the Western and Southern States.

But what, as I said, are the resources of this country, looking again to the business aspect of this proposition? According to the Secretary of the Treasury the bonded debt of the country is \$579,560,050 at 3½ per cent. or Windom bonds; \$250,000,000 of 4½ per cent. bonds payable in 1891; \$738,480,550 of four percents payable in 1907. Every dollar of the Windoms can be paid off in four years. We then come to 1891, and there is an indebtedness of \$250,000,000 of 4½ percents, and then to 1907, and there is an indebtedness of \$738,000,000 of four percents.

What are the resources of the country? The sinking fund, according to the report of the Secretary of the Treasury, in 1882 is \$43,386,645, and ranging on through the successive years of 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, and gradually increasing, until in 1891 it reaches the amount of \$61,752,724. The aggregate of the sinking fund from 1882 to 1891 is \$520,904,707. In addition to that there are \$135,000,000 of internal-revenue taxes, and a surplus from the customs duties of the country amounting to fifty-odd million dollars a year, and still we are in the condition of a people who must fund our public debt!

Who is so blind to-day that he cannot see the object of this or any other funding bill? Who does not see to-day that it is not necessity, but choice? It is not a disposition to serve the people. I charge here to-day before the American people that the object is to perpetuate the national debt, to perpetuate the national banks. That is the whole object of it, and gentlemen cannot escape the conclusion. Here we are with a surplus next year, according to the Secretary of the Treasury, of \$105,000,000. Apply \$50,000,000 of that to the arrearages of pensions—apply \$75,000,000 to the arrearages of pensions—and by the increase of the resources and industries of the country there will be from \$75,000,000 to \$80,000,000 in any contingency to apply to our national indebtedness. Yet we are piling up, according to the Secretary of the Treasury, mountains upon mountains of gold, mountains upon mountains of money, until he comes to us pathetically and says, "What shall I do with it?" Was such a thing ever heard of before? In the language of Saint Paul he asks, "Who will deliver me from the body of this death?" Who will relieve me of this money? Will not Congress do something? I have no place to put it. My coffers are full; my vaults are plethoric. Yet the Senator from Ohio says fund it. To fund it is the remedy. That is the panacea for all our woes. More interest upon the debt, more bonds, more national banks, until down through the ages will be heard simply the refrain of a national debt and national banks.

Mr. President, that is the logical and mathematical conclusion. I

do not choose to go into all the details and specialties of the acts passed from time to time in regard to the debt to show how it has come into its present condition. It is enough that we find ourselves in this condition, and it is enough that we find the country so prosperous that there is a plethora of money in the National Treasury. But if I could go further and compare the situation as met by us at the last spring session of Congress and that of to-day, what is the result? If I am asked why did I then vote for a funding bill, my answer is simply this: Then the bonds of the Government which we were called upon to meet paid an interest of 5 and 6 per cent. We were compelled at that time either to allow this abnormal interest—because the interest of the country was certainly not above 3½ per cent. at that time, and it is so conceded on all sides—we were compelled to allow these bonds to run at that abnormal interest or else to pass a funding bill in order to bring them down to the real interest in the market. Under the funding bill which we passed and which the national banks caused Mr. Hayes to veto in their interest, we would have saved to the country \$15,500,000 of interest annually. The Senator from Ohio proposes to-day, putting the most favorable construction on his bill, to save this country one million dollars annually. His proposition is to fund this debt at 3 per cent. It stands to-day in the hands of the bondholders at 3½ per cent. The funding bill of the Senator from Ohio saves \$1,000,000 annually; and in lieu of that million dollars, or rather in consideration of that legislation, we give up the privilege of paying \$200,000,000 at our own option, and we fasten this debt upon the people for seven years at least. I say seven years because, while the bill itself makes this debt payable at the end of five years, the Senator from Ohio will not pretend to say that he proposes to pay \$200,000,000 at the end of five years. He would not expect to pay more than \$100,000,000 a year, so that in seven years, and not before, this country will get rid of the debt that he proposes to fund.

I shall not detain the Senate by reading the calculation; my friend from Kansas [Mr. PLUMB] will give it to the Senate; but I say that the funding bill proposed to-day by the Senator from Ohio will cost this country more money by \$6,000,000 than if we allow the debt to remain as it is at 3½ per cent. controllable by the Government itself; and the calculation will show it. More than \$6,000,000 would be lost to the people by the passage of this bill.

The amendment which I have proposed simply says to the national banks: "You are our fiscal agents, and"—I quote from the Senator from Ohio—"you have made in ten years 8.4 per cent. upon money which we have allowed you to issue. It is not our money. We issue to you blank bills and you fill them up with the names of your officers and put them in circulation, and we hold the bonds in trust for the payment of that circulation. We have enriched you. In dividends among stockholders from September 1, 1869, to September 1, 1881, you have paid \$517,825,392. You have \$458,934,485 of capital. And now we say to you, come forward and bear your proportion of the public burden. Come forward and help us to bear this incubus placed upon us by the results of an unfortunate war." I know what they will say, and I undertake to speak for them this hour and this minute. They will tell you—they have already told you through the columns of the New York papers—that if this amendment is passed by Congress they will take the Government again by the throat and prostrate the financial system of the country.

Senators of sovereign States, is that a safe power to put in the hands of mortal man? Is it a safe power to put in the hands of corporations, without soul, without blood, without passion, without feeling—the cold, hard, stubborn slaves of avarice itself? "Oh," say gentlemen, "they will not use it." When did they fail to use it? When have they failed to refuse to come to the assistance of this country in its hour of need? The Senator from New Jersey told us that they have stood by this country in its hours of dire necessity. Did they stand by this country in 1870, when the Senator from Ohio called on them to bear their portion of its burdens? Did they stand by the country then? They went to the Halls of Congress, and by influences known only there, I presume, they struck down the will of the people and the legislation adopted by their servants. Did they stand by this country last spring, when we undertook to say to them, "Fund this debt at 3 per cent. and take these bonds?" Did they stand by the country in 1873?

Mr. President, never while I live and have a vote in this or any other public body will I be willing to leave this power in the hands of any set of men, whether in a corporate capacity or otherwise. Never will I be willing to say to the people of the United States that the great attribute of sovereignty, the power of making money, the power of regulating the money of the country, shall be farmed out to national banks for their own profit and their own greed.

Sir, I cannot better close the remarks I have made than to quote from the great man who announced the principles of my party and the correct principles of legislation for this country now and for all time. Said General Jackson, in his veto message of the United States Bank bill:

It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth cannot be produced by human institutions. In the full enjoyment of the gifts of Heaven and the fruits of superior industry, economy, and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages artificial distinctions, to grant titles, gratuities, and exclusive privileges; to

make the rich richer and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government. There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me there seems to be a wide and unnecessary departure from these just principles.

Nor is our Government to be maintained, or our Union preserved, by invasions of the rights and powers of the several States. In thus attempting to make our General Government strong, we make it weak. Its true strength consists in leaving individuals and States as much as possible to themselves, in making itself felt, not in its power, but in its beneficence; not in its control, but in its protection; not in binding the States more closely to the center, but leaving each to move unobstructed in its proper orbit.

Experience should teach us wisdom. Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of government by our national Legislature and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by acts of Congress. By attempting to gratify their desires we have, in the results of our legislation arrayed section against section, interest against interest, and man against man, in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and if possible revive that devoted patriotism and spirit of compromise which distinguished the sages of the revolution and the fathers of our Union. If we cannot at once, in justice to interests vested under improvident legislation, make our Government what it ought to be, we can at least take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our Government to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy.

What to-day is the great fundamental principle of our American Government? Freedom to all, protection to all, exclusive privileges to none. That is the great corner-stone of this American fabric of equal rights and constitutional Union. Every man should be free, free in the pursuit of happiness, free in the accumulation of wealth, without governmental monopoly or interference; as free, under God,

As the torrents which leap our mountain sides,  
And plow our valleys without asking leave.

I am now, henceforth, and forever against this and all other monopolies. I am against every scheme that puts into the hands of a few the power to enrich themselves at the expense of the many, and by piling up millions upon millions of corporate wealth at last be able to seize the Government itself by the throat, and in the name of protection to the capital of the country strike down the liberties of the people. [Applause.]

Mr. SHERMAN. Mr. President—

Mr. GARLAND. Does the Senator prefer to proceed now? It is getting late.

Mr. SHERMAN. I prefer to proceed, because I hope to reach a vote on the bill to-day. I shall speak but a very short time.

I have listened with great pleasure to the eloquent speech of the Senator from Missouri [Mr. VEST] and would have liked it better had more of it related to the bill under consideration. His speech has taken a very wide range. The humor in it I enjoyed. The quotations that he honored me by reading from an old speech of mine made in 1870 revived recollections of a very long and trying struggle, which led to the passage of the funding act of that year, an act that was not very cordially approved by the Democratic party, but an act which, by the common judgment of all men, has contributed as much to the present financial strength and power of the Government as any other act upon the statute-book. I refer to the funding act of 1870. What I said upon that act I stand by now. That measure was very actively opposed; it was only carried after a three years' contest in both Houses of Congress; yet under that act the interest on the debt has been reduced from 6 per cent. to 3½ per cent., and it is now proposed to complete the work by reducing a part of it to 3 per cent. In the very speech from which the honorable gentleman quoted I stated that if the bill as it passed the Senate should become a law the time would come when the debt would melt away rapidly by its gradual payment, but still more by the reduction of the interest under the operations of that law, first to 5, then to 4½, then to 4 per cent. I said, also, the time would come within our lives when some of it would be reduced to 3 per cent., and I am glad to say that that prophecy of mine will be made good if by the passage of this bill the opportunity is offered to the people of the United States to take the bonds of the United States at 3 per cent.

These funding acts from the beginning have always been opposed on various grounds, but there never was one which contemplated the reduction of interest on the public debt that was of such benefit to the people as the act of 1870, which struck off one-third of the burden on the people; and that was the measure upon which I made the remarks quoted by the honorable Senator.

The Senator from Missouri has discussed a great many questions that have no connection with this bill. What is the use of reviving the controversy of one year ago? This very amendment now offered by the Senator from Missouri was urged and forced upon the Senate and at once alarmed the national banks. He says that the national banks throttled the Government. Did the national banks throttle this Government? Never, sir. There is no power in this Government of ours so weak and feeble as that of a bank or a system of banks. Capital is always cowardly, and cowardice never won a battle. It is very easy to talk against a bank and to abuse a bank. It has always been the habit of a portion of the American people to abuse a corporation, to strike at a bank. A bank is too weak an enemy for the Senate of the United States to attack. Money wherever invested

is always cowardly. It shrinks from a contest. If a contest is invited, it runs like a coward.

So, when an amendment was made to the bill, passed a year ago, declaring that the national banks should take 3 per cent. bonds and no other, whether they would or not, and that unless they did so they must retire their circulation, some of the banks at once became alarmed. A few of them, not many, retired their circulation to the amount of sixteen millions. They became frightened; they thought that all the threats which had been uttered in this Chamber and the other were about to be executed and that they would be deprived of their rights and franchises. Only 5 per cent. of them became timid and began to draw in their circulation. They ran from the first blast of the enemy, as they always do. But what was done to counteract that movement? I happened at that time, as the Senator said, to be Secretary of the Treasury. As rapidly as they retired their notes, by depositing United States notes in the Treasury, other notes were paid out of the Treasury to an equal amount and applied to the purchase of bonds. Thus by the action of the Treasury business was not disturbed, except by the groundless fears of men who ran from an adversary.

The idea that the national banks coerced the President of the United States to send in the veto message is a very far-fetched idea, let me tell my friend from Missouri. The national banks never coerced anybody in anything. The President vetoed that bill for the reason stated by him in his veto message, and it was a fortunate thing for this country that he did veto it. If that bill had become a law as it passed the Senate we would this day be paying 6 per cent. and 5 per cent. on \$550,000,000; there can be no doubt about it. Does the Senator deny that? Does he say that these banks which he hates so much would have come forward and taken the bonds at 3 per cent. when they were retiring their circulation in wild haste because, forsooth, Congress threatened that they should take them? Oh, no, sir. If that bill had become a law the result would have been that the funding operations would have been suspended, or, to use a favorite expression of my friend, throttled, taken by the throat; and we would this day be paying 5 and 6 per cent. on \$550,000,000. By the defeat of that bill, a wise act of statesmanship, the late Secretary of the Treasury, Mr. WINDOM, was enabled, by the voluntary agency of these very money kings so much disliked by my friend from Missouri, by their consent, to reduce the interest on the debt from 6 and 5 per cent. down to 3½ per cent.; and now we are in a position to offer to those who choose—not those who must, but those who choose—our 3 per cent. bonds at par in coin.

But my friend, with the ingenuity of a lawyer and with a natural aptitude to seize upon some charge of inconsistency, says that I proposed to do the same thing eleven years ago. So I did, Mr. President. I am glad to see my friends following my precepts, although I should prefer a great deal that they would follow me when I acted more wisely than perhaps I did in that case. I then tried the experiment here and was defeated. The section that I was then contending for with all the vehemence possible was to compel the national banks to take what? Not a 3 per cent. bond, but to take first a 5 per cent. bond, then a 4½, and then a 4 per cent. bond. That was the subject then under discussion. It was at a time when our paper money was below par, when our bonds were below par; and it was at a time when the burden of debt weighed upon the people so greatly that many shrewd and anxious men all over the country feared that the effort of a certain class to repudiate the debt might succeed, because the burdens were heavy. Then it was that pending the passage of the funding act of 1870 I desired by the voluntary co-operation of the people to reduce the interest, and I said that the banks must come in and do their part.

The circumstances now are greatly changed. We are now under no necessity or compulsion to ask any man to take our bonds. They are now in a very favorable condition. The magnitude of the question of funding is now small as a mouse; then it was as great as a church. We were then dealing with \$1,700,000,000, and now we are dealing with \$200,000,000. We were then dealing with bonds bearing 6 per cent. interest; now we are dealing with bonds bearing 3½ per cent. interest. The circumstances are widely different; but the arguments I then made and the appeals I then uttered to the Senate to stand by this proposition were voted down. The bill went to the House and they refused to agree to it; and as a matter of course I was somewhat angered because I could not have my own way. Well, I uttered what I said then, and I stand by it now. These banks are the creatures of our law. They are subject to our will. They exercise powers only while we as the representatives of the people consent; but when the Senator talks about the banks as being a great power that throttles the Government I think of a pigmy throttling a giant. A bank is the weakest factor of a party. That was known to General Jackson, the brave old man, and it will be known to my friend from Missouri.

Now, sir, let him pummel away (if I may use that word) at the banks; let him talk about the money power. It is not the money power that rules this country; it is not the banking power that rules this country; the railroads have more power in this country than all the banks or all the money in banks or banking in the United States. There are other powers in this land; there are powers of finance and powers of demagogism, and in nine cases out of ten demagogism will prevail in the first instance when you are dealing with money questions.

Nor is it necessary to bring into this debate the silver question.



My friend from Missouri talks glibly about the act of 1873, which he says demonetized silver. What were the circumstances? That was an act simply codifying existing laws and making some few changes. It was an act that had been debated over for two years, revised, rewritten, sent all over the country. It was one of those bulky bills that excited no attention. For part of the time it was under my charge in the Senate. It was an act embodying many provisions and containing many pages. But it is said that that act demonetized the silver dollar. How did it do that? For twenty-odd years no silver dollar had been coined in the United States; only \$8,000,000 in silver dollars had been coined from the foundation of the Government, and not a dollar of silver had been coined since 1853. By the act of 1853, which was a Democratic measure favored by Tom Benton—excuse me for calling the honored predecessor of the Senator by his first name, because that was the name he loved to go by—an act that he approved, an act that was supported and maintained and advocated by Mr. Hunter, of Virginia, silver was for the first time in this country so far demonetized that it ceased to be a full legal-tender. It was only a legal tender for the limited amount of \$5, and it was reduced in value so that it could not be exported. The silver dollar did not circulate and had not been issued for twenty years before the act of 1873. Not only that, but in 1873, when the act was passed, the silver dollar was worth one hundred and three cents, when the gold dollar was worth only one hundred cents. The silver dollar was driven out because for fifty years scarce any of them had been issued, and for twenty years new coins, half dollars and quarters, had taken their place and filled the vacancy. It was by the act of 1853 that the silver dollar was demonetized.

It was urged in 1873 in Congress that the Mexican dollar was more valuable than the old silver dollar, and therefore was the standard in the China trade, and that it would be wise to provide some coin which would take the place of the Mexican dollar in that important trade. Thereupon, on the motion and at the urgent request of the Senators from California—I do not remember whether it was introduced in the House or Senate, but at any rate it was on the urgent request of the Representatives of California—what was called the trade-dollar was provided for the purpose of supplying a coin to take the place of the Mexican dollar. The Mexican dollar contained 417½ grains. We fixed the trade-dollar at 420 grains, which was worth then in money about 105 cents, in order to give to our merchants in California some kind of coin or token to be used in the trade with China. As this trade-dollar was provided for, the other dollar was dropped out. It had not been coined for years and years.

This act of legislation is called an act demonetizing silver. Well, Mr. President, whatever may have been the purpose or motive of that act, it is perfectly clear that there never was any intention in framing that bill to affect a question that had not arisen for fifty years in American politics; that is the importance of having a silver dollar as a standard of value.

My friend speaks of the silver dollar as the only standard of value. Why, sir, ever since the foundation of the Government the gold dollar has been always the standard of value, and for more than forty years—yes, ever since 1837—the gold dollar of 25½ grains of standard gold has been the dollar of account, upon which all accounts have been rendered. Silver advanced above that, and therefore silver was not the dollar of account; it was out of market; out of use, because it was more valuable than the gold dollar, and commerce and trade rested upon the gold dollar, and all transactions were based upon it. When, in 1873, we were dealing with this question of coinage our paper dollar was far below par. So then, as to the talk about demonetizing silver, there is not a Democrat in either House of Congress but voted for that act, and voted for it for the same reasons and upon the same arguments that Republicans voted for it. It is absurd to revive a fallacy that has been so often answered.

But there are two or three other matters that my friend introduced. He talks about opposition to national banks. That is a question that may become a political question. I hope it will not. When some bill is before the Senate of the United States which will tend to decide the question as to whether national banks shall be continued as the financial agents of the people of the United States, then most of the address of the honorable Senator from Missouri would be exactly in order. That is a question which we ought to approach slowly and deliberately; and let me tell my Democratic friends that when they come to debate that question they will have to debate it before a people who are pretty well informed upon all these questions; they will not go off at a tangent; they know the advantages of the national-bank system, they know how it gives them a money of equal value in all parts of the United States; they remember the evils of the old currency with its depreciated standard, making it necessary to sell it at every cross-road, with its innumerable counterfeits, with its insufficient security. They know that they have now enjoyed for nearly twenty years a system under which no man has ever lost a single dollar by a bad bill; they know that they have a system under which the money issued by that system can be carried anywhere in the United States of America without care for what bank issued it, and it may now be carried all over the world equal to the best gold coin ever issued from any mint; they know that they have a system which furnishes money which has not and cannot be counterfeited, because all the guards of the law, all the powers of the Government are wound around about it. They know that every dollar of that money is secure; they know that its issue is no monopoly. When I spoke ten or

twelve years ago it was a monopoly. I said then it was a monopoly. It was then because the amount of circulation was limited; now it is not. By the act of 1875 banking was made free, and to-day banking is as free as blacksmithing. Any man who has money or bonds and who will give the requisite security can start a bank in any town of the United States, just as easily as he can start a store or any other kind of ordinary business. The idea of talking about this thing as a monopoly is absurd!

But it is said they made profit. So they did. So everybody made profits ten or thirteen years ago. During the wild expansions of the war, and the years following, in the rapid advance of prices, everybody made money; 10, 20, 30 per cent. profit was common in any kind of business in which a man might embark. But now a different state of affairs exists. The banks are not making so much money. They cannot make money when they have to buy bonds at 3 or 3½ or even 4 per cent. interest. The profits have disappeared. They cannot loan their money at such rates as they formerly could, because the reviving industries of the people, the wise financial legislation, and careful training, not under Democratic administrations, either, have brought us back to a position where values have resumed their normal proportion.

Mr. President, to denounce this system as a monopoly is a contradiction in terms. What is a monopoly? It is a right exercised by one man that no other man can exercise upon the same conditions. You may say that a blacksmith's trade is a monopoly because all mankind have not the sturdy arm and the power to hammer that is necessary for a good blacksmith. You might say that store-keeping is a monopoly because every man cannot start a store, because he has not money enough or credit enough to start a store upon. And so a bank is no more a monopoly than any other business.

If Senators want to engage in a political discussion about national banks, I am ready to meet them. I am not wedded to the system particularly. I do not care for it except as it promotes the public good; I have no such interest in it that I would be disturbed by its overthrow; but I say as a Senator that the national banking system as it now stands in the United States of America gives us the wisest and best form of paper money that has ever been devised by man. I can show you that such is the opinion of economists in Europe. French and English and German statesmen are looking to our system as a proper system to be adopted in those great countries. Japan, the wisest nation of the East, the islands of the Orient, have adopted our national banking system in *haec verba*. That system which you now attack is about to receive the crowning glory of approval by every commercial nation of the world.

Go on, gentlemen. If you want to make the attack you will not meet cowardly money-lenders, but you will meet a people who are satisfied with what is good and will hold on to that until they can find something better; a people who know that as long as they have paper money they want it good, and that they have got it now. Gentlemen, when you want to make that contest, let it come. But is that the question before us now? If my honorable friend from Missouri wanted simply to make a political speech for the benefit of his constituents, or even to show us how beautifully he can orate, how eloquently he can speak, how humorous he can be, how diversified and broad may be the scope of his argument, he succeeded admirably; but what has that to do with this case?

What is the question before us? I for one always like to do that which I undertake to do directly and one thing at a time. There are \$550,000,000 of outstanding 3½ per cent. bonds. They are due now at our pleasure. The only question is, shall we extend \$200,000,000 of these bonds for five years at 3 per cent. That is all there is in this case. The bill has in it nothing about banks, no machinery, nothing except an ordinary proffer to the people who desire to take this \$200,000,000 of 3 per cent. bonds.

But they say we were opposed to 3 per cent. bonds last year, and they were all in favor of them. These gentlemen talk about inconsistency, and arraign me because ten or twelve years ago I talked one thing and they say I now act another. They last year voted to issue \$400,000,000 of the very kind of bonds that are proposed by this bill; and now when a person on the other side comes and says "Well, by our agent, the Secretary of the Treasury, we have reduced a great part of this debt, all of it that bore 5 and 6 per cent. interest, to 3½; but we can still make a little more saving, we can now try without danger the experiment that you proposed a year ago." What is the response? It may be that under favoring circumstances, with no pressure of debt behind, with good times and a vast accumulation of capital in this country, we may be able to sell a portion of the amount that you proposed a year ago at 3 per cent. interest. Let us try it.

Are we inconsistent when we make that offer? Not at all. We travel with the time; we do what can be done. If your bill had passed, it is as demonstrable as any proposition in Euclid that it would have throttled our public credit and compelled us, forsooth, to continue to pay 5 or 6 per cent. interest. But that difficulty has been happily disposed of by a Republican Secretary of the Treasury without any new law, and now we have only to deal with the question of \$200,000,000. Now we come in and say, "Gentlemen, well we will try this experiment that you wanted us to try on a wholesale scale last year; we will try it now on \$200,000,000 and see how it will work."

We even come and tell you that we believe now these bonds will be taken; we take you at your word and now ask you to vote for a

proposition to enable anybody that will to take the kind of bonds that you voted for only a year ago, the identical bonds; and you say, "Oh, no; you, Mr. SHERMAN, eleven years ago advocated some such provision as this one that defeated the bill of last year." Well, suppose I did, what has that to do with this argument?

Now, Mr. President, let us examine the pending proposition. What motive, what good can the adoption of this amendment do? If the banks want these bonds they will take them, and we are under no compulsion to demand that they shall take them. I would treat the bank as I would the humblest citizen. I would treat the poor woman who comes with her scanty savings of \$50 and offers to take our 3 per cent. bonds because they are sure and always reliable precisely as I would a bank demanding a million of dollars of these bonds to file as security for the redemption of its notes. I would not compel either bank or woman to take our bonds at any price or at any rate.

Why offer this amendment? Why embarrass this bill with it? Here is a bill that every Senator ought to vote for unless he believes that, on the whole, it is necessary to retain the power to redeem all the \$550,000,000? Why embarrass it with an amendment that was offered a year ago, and which then defeated an important measure, when there can be no good to come from it? The amendment says the banks shall take the 3 per cent. bonds, and if they do not you are going to do so and so; they shall not issue any paper circulation; if you call in the bonds that they hold now they shall not put in anything but the 3 per cent. bonds; they shall not increase their circulation; men shall not start new banks; they shall not do anything until they take the 3 per cent. bonds. Why? What is the motive? We want no compulsory legislation.

But the Senator now offers this as an amendment, and he asks a vote of the Senate upon it. He has given no reason why it should be voted for. No argument has been advanced why this incongruous amendment should be put on here. There is nothing about banks in this bill; we have not said a word about banks in the bill; we never thought about banks in the whole discussion; the banks have never been alluded to. My friend who wants to pummel the banks introduces the bank question and goes for the national banks and lugs in the silver question. That is not the question. The only question in this bill is whether it is wise on the whole to extend for five years the time of payment of a portion of these bonds. That I stated at the outset, and I do not care to repeat.

In my judgment there ought to be some reduction of taxes. There will be a large increase of expenditures, the arrears of pensions act will make a large increase; our importations are falling off in comparison with our exportations to some extent; and we cannot expect as much surplus revenue as we have had. I have seen in my public life very rapid changes in financial matters. I remember in 1857 that we commenced repealing taxes broadcast and paid off \$17,000,000 of the bonds at that time at a large premium. When we came back here the next year we had to borrow money to pay our salaries. That was after the panic of 1857. I remember that in 1872-73 we were wild in our appropriations, reckless in expenditures, repealed taxes by the million, and when we came back here after the panic of 1873 our sinking fund could not be maintained. Yes, sir; in 1871 we paid off at the rate of \$100,000,000 a year of the public debt, just as we are doing now, and yet when we came back here in 1873-74 we had to cut off from the sinking fund, and for three or four years we did not preserve the public faith pledged to the payment of the sinking fund. You must expect these changes; you must look for them. I do not say they will come now, because I see nothing but brightness and prosperity in the position of our country. Here and there it is true there has been a failure of the crops; here and there some drawback has occurred; here and there some disturbance has arisen; but on the whole I have the brightest view of the future. Still we do not know what may come. We have been blessed by Providence with overflowing crops; we have been favored as no nation ever was before in the history of mankind; we have grown with marvelous rapidity; and yet we are but weaklings in the hands of a greater power. We do not know what will come; we can only reason for the future from the past. I say reasoning from our policy is to gradually reduce taxes. Whenever a tax pinches or is burdensome, take it off, repeal it; be careful of your expenditures; do not go too far. If by this policy we can pay off \$350,000,000 within five years we will do well. That is as much as we ought to pay.

I do not believe that a public debt is a public blessing. I believe that the best thing to do with the debt is to pay it off, but not to pay it off with unreasonable rapidity; not to grind the poor by oppressive taxes; not to do anything that may tend to disturb the business of the country; but gradually lessen the taxes and pay off the debt. The law now fixes a rate of payment of between \$40,000,000 and \$50,000,000 a year. That will pay off \$250,000,000 in five years. Allow \$100,000,000 more to be added to the legal sinking fund and we shall still have \$200,000,000 to provide for in five years. If while reserving for payment the sum of \$350,000,000 within five years we can now arrange for the payment of \$200,000,000 at the end of five years at 3 per cent. instead of 3½ per cent., are we not making a provident operation? Is it not a wise thing? It is not so great as some others we have accomplished. As I said a while ago, it is not so great as a church; but it is a saving of a million dollars a year, and I have seen the time when a million dollars a year would make a great rumpus in either House of Congress, when the suggestion of

the saving a million or the loss of a million would have been considered a very important question.

Sir, this is a simple measure of economy by which we propose to save to our people \$5,000,000 in five years, and shall thus be enabled to pay \$1,000,000 more annually of the public debt by the saving of interest on the \$200,000,000 of deferred bonds. That is all there is in the case.

Now, Mr. President, I am sorry to have detained the Senate so long. I think my friend from Missouri in his excellent speech has led me wandering all over the settled and buried issues of the past few years, carried me further than I intended. The bill is simple, and there is no reason why every Senator should not vote for it.

Mr. GARLAND. I desire to submit a few remarks on the amendment offered by the Senator from Missouri. I am not particular as to when I shall do so, however.

Mr. MCPHERSON. I should like to have a moment's time, as I wish to ask the Senator from Ohio a question in connection with the remarks he has made.

Mr. GARLAND. I yield to the Senator from New Jersey.

Mr. MCPHERSON. The Senator from Ohio made use of an expression which to me is so extraordinary that I cannot permit it to go to the country without challenge. I voted one year ago for the 3 per cent. funding bill and believing it to be for the best interests of the Government and the people; but I find the honorable Senator from Ohio stating to-day that were it not for the veto of the President we would to-day be paying interest at 5 or 6 per cent. on the bonds.

Mr. SHERMAN. I said that.

Mr. MCPHERSON. I wish to know what the Senator's means of information are in respect to the conditions existing at that time to justify him in making so extraordinary a statement. Still further, while I am on my feet—

Mr. SHERMAN. I should like to answer that now. There has not been a day since that bill was vetoed when the state of the money market as indicated by the sale of 4 per cent. bonds made it possible to sell a 3 per cent. bond at par under that act. That is the ground on which I made the statement, and I think it will not be denied by any man accustomed to this kind of business.

Mr. MCPHERSON. Mr. President, the every-day transactions in the money market have indicated to my mind very clearly that a 3 per cent. bond could have been floated at par. The statement made by the honorable Senator from Missouri I think justifies the statement that a bank desiring to use Government bonds as security for bank circulation would much prefer a 4 per cent. bond without a premium to a 4 per cent. bond bearing a high rate of premium. He showed that banking institutions can be conducted more cheaply and more profitably with a 3 per cent. bond. The honorable Senator again states that had it not been for the veto of President Hayes, his successor, the late Secretary of the Treasury, Mr. WINDOM, would not have succeeded in continuing the bonds.

Mr. SHERMAN. No; I did not say that. I said that he could not have sold the 3 per cent. bonds upon the terms stated in the act which the President vetoed. That is shown by the money market, the 4 per cent. bonds never having reached that point—that is 119—when a 3 per cent. bond could have been sold at par.

Mr. MCPHERSON. The honorable Secretary of the Treasury, Mr. WINDOM, succeeded in funding \$560,000,000 of bonds at 3½ per cent., or rather continuing them. Two hundred and twelve millions of those bonds, which were the five and six per cents continued, are still held to-day as security for bank circulation. The remaining \$350,000,000 of bonds were held by the public at large.

What particular influence was exerted upon the public by the national banks that caused the public to continue at 3½ per cent. a bond that they could have held at 5 or 6 per cent.? I think the national banks had but little influence on that subject. The people were aware then that at this session of Congress some new legislation would be attempted to fund the national debt at 3 per cent., and they preferred to fund their bonds at that time in 3½ per cent. interest-bearing bonds.

But the honorable Senator forgets also to state another fact in that connection, which is this: that the continued bonds bear a time more favorable to the Government, if we are to believe all we hear on all sides to-day, because it enables the Government to pay them at any time within ninety days after call. And now the honorable Senator himself introduces a bill to fund a portion of this debt at 3 per cent., payable after five years from the date of issue. I do not understand and cannot understand upon what ground he bases the statement that were it not for the Presidential veto we should have yet been paying 5 and 6 per cent., when the people have shown such alacrity in coming forward and taking a 3½ per cent. bond, which the Government has a right to call in at any time on ninety days' notice.

Mr. SHERMAN. I wish to make a little clearer that point, and perhaps in speaking of these matters I am sometimes not clear enough in explaining my meaning. The equivalent between a 3 per cent. payable in five years and a 4 per cent. bond due in 1907 would make the 4 per cent. bonds stand in the market at about 119½, by the computations made by the most skilled men, and the 3 per cent. at par. If a 4 per cent. bond was in the market at 119½, that would make a 3 per cent. of the kind described in the bill at par. It so happened that never from the time of the veto until now has the 4 per cent. bond ever reached that premium, interest off.



The Senator confounds another thing. He says about the operation of the 3½ per cents that if the bill of last session had been approved by the President and had been signed it would by its terms have prevented the operation that was carried out as to the 3½ per cent. bonds, because—

Mr. McPHERSON. It would have actually established a 3 per cent. bond, which would have been sold at par, and the debt all funded in that.

Mr. SHERMAN. I have tried to show to the Senate that by the evidence on which we must judge that bond could not be sold at par, because there was no time when the 4 per cent. bond bore such a rate in the market as would have justified or shown that a 3 per cent. bond would have sold at par.

Further than that, the passage of that bill, while it would have arrested funding operations, would have prevented the very operation that the Secretary of the Treasury did succeed in after the bill was defeated. If the law had provided for the issue of a 3 per cent. bond and no other, he would have been forbidden by your law from doing what he has done without any law, except the old law on the statute-book, and you would have throttled him, (to use my friend's phrase,) taken him by the throat, and prevented him from reducing this interest from 5 and 6 per cent. to a bond that he could not sell on the terms proposed by the law. I think I have made myself clear.

Mr. McPHERSON. As a distinguished financier, one who I think perhaps understands all the methods of finance as well as any man in the Senate Chamber or out of it in this country, I wish to ask the honorable Senator this question: In his opinion which would the public prefer, a 3 per cent. bond with a date fixed for payment five years from the date of the issue and purchase of the bond, or a 3½ per cent. bond subject to call?

Mr. SHERMAN. My impression is that here and there there will be a good many who would prefer the 3 per cent. bond because it gives them five years' certainty; but I do not think this bond will be taken so very rapidly. My impression is—and I have no doubt that was the confident expectation of all who voted for the bill of a year ago—that the bonds will be taken; and to some extent they will be taken now, and they will be taken now more readily at par than they would have been a year ago, because all the holders of the 5 and 6 per cent. bonds would then have struggled in every way possible to prevent a state of the money market that would have made the 3 per cent. bonds salable at par.

Mr. McPHERSON. There is another point I wish to make. I find by reference to the financial market of New York that since the first day of November last money has borne 6 per cent. interest and a premium almost every day. That has been so since the first day of November in all kinds of financial operations in Wall street, and I suppose we must take Wall street as our guide in monetary affairs. The previous year, from the 1st day of November up to the time and even after the time of the passage of the 3 per cent. refunding bill, there were not five days when you could realize 3 per cent. upon any sum of money, great or small, in Wall street.

Mr. SHERMAN. On call.

Mr. GARLAND. Mr. President—

Mr. LOGAN. The Senator does not desire to go on this evening, I believe.

Mr. GARLAND. I am at the disposition of the Senate.

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

Mr. SHERMAN. If the Senator from Arkansas desires to speak tomorrow, I have no objection, but I should like to get through with this bill as soon as we can.

The PRESIDENT *pro tempore*. The Senator from Illinois moves that the Senate proceed to the consideration of executive business.

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

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 11, 1882.

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

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

### APPOINTMENTS OF COMMITTEES.

Mr. ORTH. I ask unanimous consent to offer a resolution of inquiry for reference, to which I presume there will be no objection.

The Clerk read the resolution, as follows:

*Resolved*, That the Committee on Reform in the Civil Service is hereby instructed to inquire into the expediency of providing a mode different from the present for the appointment of the committees of the House, with leave to report at any time.

The SPEAKER. The resolution will be referred to the Committee on Rules.

Mr. ORTH. Mr. Speaker, I object to the reference of the resolution to that committee. It is simply a resolution of instruction to the Committee on Civil Service Reform.

The SPEAKER. The Chair has no discretion in the matter. This is a proposition to change the standing rules of the House, and under the rules would be referred to the Committee on the Rules.

Mr. ORTH. I beg pardon; the resolution proposes simply an inquiry by the Committee on Civil Service Reform into the propriety of providing a different mode of appointing committees. If that committee should report a proposition changing the rules, then I grant the report would go to the Committee on Rules.

Mr. ATKINS. If the gentleman from Indiana [Mr. ORTH] is giving a reason to the House, we would like to hear him. Over here we do not hear him at all.

The SPEAKER. There is nothing before the House at this time.

Mr. ORTH. I object to the reference of my resolution to the Committee on Rules.

The SPEAKER. The Chair has decided that this resolution involves a change of the rules of the House and under the rules must be referred to the Committee on Rules. But the Chair suggests to the gentleman from Indiana that by a motion to refer to a different committee he can take the opinion of the House as to whether the resolution refers to the subject-matter of changing the rules.

Mr. ORTH. Mr. Speaker, upon your suggestion I move that the resolution be referred to the Committee on Civil Service Reform.

Mr. ROBESON. I raise the point that it requires a two-thirds vote to do that.

Mr. ORTH. I received the unanimous consent of this House to offer this resolution; it is before the House for its action.

Mr. DUNNELL. Let it be again read.

The Clerk again read the resolution.

The SPEAKER. The Chair holds that the resolution of the gentleman from Indiana which has just been read is a proposition to change the standing rules of the House, and therefore under the rules should be referred to the Committee on Rules. The gentleman from Indiana moves to refer the resolution to the Committee on Reform in the Civil Service. The Chair understands that such a motion simply calls upon the House to determine the question whether the resolution relates to the matter of the rules—whether it is not in its character a motion to change the rules. Therefore a majority vote will determine the reference. The motion to refer simply takes the opinion of the House as to whether or not the subject-matter of the resolution relates to the rules.

Mr. ROBESON. Then the question before the House is whether the proposition to change the mode of appointment of committees under the rules is a proposition to change the rules or not.

The SPEAKER. The question of reference on a motion of this character is not debatable.

Mr. SPARKS. Is not the question before the House whether or not the decision of the Chair referring the resolution to the Committee on Rules is correct or not—is not that the proposition?

The SPEAKER. In the opinion of the Chair that is the effect of it. However, in all these matters of reference any member may make a motion to take the opinion of the House on the subject as to whether under the rules the Chair has referred the resolution or the bill to the proper committee.

The question now is on the motion of the gentleman from Indiana, which is that the resolution offered by him shall be referred to the Committee on Reform in the Civil Service.

Several members demanded a division.

The House divided; and there were—ayes 55, noes 87.

Mr. ORTH. In order that this question may be regarded as a test question, I demand the yeas and nays on my motion.

Mr. CALKINS. Let the proposition be again reported.

Mr. ATKINS. This is simply an inquiry—nothing more than an inquiry, as I understand it.

The SPEAKER. It is a proposition as the Chair understands it from the reading—and the proposition will be again read—to report a change in the rules in relation to the matter of appointing committees of the House.

The resolution was again read.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 86, nays 141, not voting 65; as follows:

### YEAS—86.

Armfield,	Fulkerson,	Martin,	Shackelford,
Atkins,	Geddes,	Matson,	Sherwin,
Beach,	Gibson,	McCook,	Simonton,
Blanchard,	Hall,	McMillin,	Singleton, Jas. W.
Bland,	Hardy,	Mills,	Singleton, Otho R.
Briggs,	Haseltine,	Money,	Skinner,
Burrows, Jos. H.	Hatch,	Mosgrove,	Smith, A. Herr
Caldwell,	Hawk,	Moulton,	Springer,
Chalmers,	Hepburn,	Neal,	Stockslager,
Clardy,	Herbert,	Oates,	Tillman,
Clark,	Herndon,	Orth,	Turner, Henry G.
Clements,	Hewitt, Abram S.	Peelle,	Turner, Oscar
Cobb,	Hoge,	Pierce,	Upson,
Colerick,	Holman,	Phelps,	Van Aernam,
Cook,	House,	Phister,	Warner,
Cox, William R.	Hubbell,	Reagan,	Washburn,
Cravens,	Jones, George W.	Rice, Theron M.	Wellborn,
Davidson,	Jones, James K.	Richardson, Jno. S.	Whitthorne,
De Motte,	Klotz,	Robinson, Wm. E.	Wise, George D.
Dibrell,	Ladd,	Rosecrans,	Wood, Benjamin.
Dunnell,	Latham,	Seales,	
Flower,	Marsh,	Seoville,	

## NAYS—141.

Anderson,	Dibble,	Lacey,	Ryan,
Barr,	Dingley,	Leedom,	Scranton,
Belford,	Dowd,	Le Fevre,	Shallenberger,
Belmont,	Dugro,	Lewis,	Shelley,
Beltzhoover,	Dwight,	Lindsey,	Shultz,
Bingham,	Ellis,	Lord,	Smith, Dietrich C.
Black,	Ermentrout,	Manning,	Smith, J. Hyatt
Blackburn,	Errett,	Masson,	Sparks,
Bliss,	Evins,	McClure,	Spaulding,
Blount,	Finley,	McCold,	Speer,
Bowman,	Fisher,	McKenzie,	Spooner,
Brewer,	Garrison,	McKinley,	Steele,
Browne,	Grout,	McLane,	Talbot,
Brumm,	Gunter,	Miles,	Taylor,
Buchanan,	Hammond, John	Moore,	Thomas,
Buck,	Hammond, N. J.	Morey,	Thompson, P. B.
Buckner,	Hardenbergh,	Muldrow,	Townsend, Amos
Burrows, Julius C.	Harmer,	Mutchler,	Townshend, R. W.
Butterworth,	Harris, Benj. W.	O'Neill,	Tyler,
Calkins,	Harris, Henry S.	Parker,	Urner,
Campbell,	Haskell,	Payson,	Valentine,
Candler,	Heilman,	Pettibone,	Vance,
Cannon,	Henderson,	Pound,	Van Voorhis,
Carpenter,	Hewitt, G. W.	Prescott,	Wadsworth,
Caswell,	Hiscock,	Ranney,	Walker,
Chapman,	Hoblitzell,	Ray,	Watson,
Converse,	Horr,	Reed,	West,
Cox, Samuel S.	Houk,	Rice, William W.	White,
Crapo,	Humphrey,	Rich,	Williams, Chas. G.
Crowley,	Jacobs,	Richardson, D. P.	Williams, Thomas
Culbertson,	Jadwin,	Ritchie,	Willis,
Cullen,	Jones, Phineas	Robertson,	Willits,
Davis, George R.	Joyce,	Robeson,	Wilson.
Davis, Lowndes II.	Kelley,	Robinson, Geo. D.	
Dawes,	Ketcham,	Ross,	
Deering,	Knott,	Russell,	

## NOT VOTING—65.

Aiken,	Darrell,	Jorgensen,	Stone,
Aldrich,	Deuster,	Kasson,	Strait,
Allen,	Dezendorf,	Kenna,	Thompson, Wm. G.
Atherton,	Dunn,	King,	Tucker,
Barbour,	Farwell, Chas. B.	Miller,	Updegraff, J. T.
Bayne,	Farwell, Sewell S.	Morrison,	Updegraff, Thomas
Berry,	Ford,	Morse,	Van Horn,
Bragg,	Forney,	Murch,	Wait,
Cabell,	Frost,	Nolan,	Ward,
Camp,	George,	Norcross,	Webber,
Carlsle,	Godshalk,	Pacheco,	Wheeler,
Cassidy,	Guenther,	Page,	Wise, Morgan R.
Chace,	Hazelton,	Paul,	Wood, Walter A.
Cornell,	Hill,	Randall,	Young.
Covington,	Hooker,	Rice, John B.	
Curtin,	Hubbs,	Robinson, James S.	
Cutts,	Hutchins,	Stevens,	

So Mr. ORTH's motion was disagreed to.

During the roll-call,

Mr. TALBOTT said: I wish to announce, Mr. Speaker, that my colleague, Mr. COVINGTON, is absent on account of sickness.

On motion of Mr. MCKINLEY, by unanimous consent, the reading of the names was dispensed with.

The SPEAKER. Under the rule the announcement of pairs will now be read.

The Clerk read the announcement of pairs, as follows:

Mr. WISE, of Pennsylvania, with Mr. HAZELTON.

Mr. RICHARDSON, of South Carolina, with Mr. RICHARDSON, of New York.

Mr. RICHARDSON, of South Carolina. I voted under the impression that I was not paired; but I find I am paired with Mr. RICHARDSON, of New York, and I withdraw my vote.

The SPEAKER. The Chair will state that Mr. RICHARDSON, of New York, is recorded as having voted.

Mr. RICHARDSON, of South Carolina. Very well, then; let my vote stand.

The Clerk proceeded with the reading of pairs, as follows:

Mr. HARRIS, of New Jersey, with Mr. WEST, of New York.

Mr. HARRIS, of New Jersey. That pair was until the 10th of January, and has expired.

The SPEAKER. It will be withdrawn.

Mr. ELLIS with Mr. HARMER, until further notice.

Mr. BINGHAM with Mr. ERMENTROUT, until further notice.

Mr. HARMER. That pair has expired, and Mr. ELLIS and myself have both voted.

The SPEAKER. The pair will be withdrawn.

Mr. BINGHAM. Whatever my pair may have been with Mr. ERMENTROUT, it is now out and I have voted.

The SPEAKER. It will be treated as withdrawn.

Mr. MILLER. I wish to have my vote recorded.

The SPEAKER. Under the rules it cannot now be done.

Mr. MILLER. Cannot I have unanimous consent?

The SPEAKER. That cannot be done at this time.

Mr. MILLER. I would have voted "no."

Mr. DARRELL, on all political questions, with his colleague, Mr. ROBERTSON.

Mr. ROBERTSON. I have voted, as the pair with my colleague was only during the holidays.

The SPEAKER. The pairs are read because they do not indicate on their face all which may be included in the original arrangement. The pair will be considered as withdrawn.

Mr. ROBESON with Mr. CARLSLE on all political questions, until further notice. Mr. NEAL, of Ohio, and Mr. PHISTER, of Kentucky, are paired on all political questions until further notice.

Mr. NEAL. That pair is out, and the gentleman from Kentucky and myself have voted.

The SPEAKER. The pair will be considered as withdrawn.

Mr. COX, of North Carolina, with Mr. HUBBS, on all political questions, during his absence in consequence of domestic affliction.

Mr. CONVERSE with Mr. HUBBS.

Mr. CONVERSE. That pair was filed some two or three weeks ago and is now out.

The SPEAKER. It will be withdrawn, as it appears Mr. HUBBS is paired with two gentlemen.

Mr. COX, of North Carolina. The pair is out with the gentleman from Ohio as well as with myself.

Mr. BAYNE with Mr. FROST.

Mr. COX with Mr. BELTZHOVER, on all political questions.

Mr. BELTZHOVER. That pair has terminated, and my colleague and myself have voted.

Mr. WAIT with Mr. FORNEY, on all political questions.

Mr. FORNEY. I withdraw my vote, as I understand Mr. WAIT is not present and has not voted.

The SPEAKER. Mr. WAIT has not voted.

Mr. NOLAN with Mr. CORNELL.

Mr. AIKEN with Mr. WARD, on all questions, for this day.

Mr. JORGENSEN with Mr. WISE of Virginia.

Mr. WISE, of Virginia. I do not understand that binds me while Mr. JORGENSEN is in the city. It is to bind us while either is absent from the city, and as my colleague is in the city I thought I had the right to vote. This is not a political question, and I have voted.

The vote was then announced as above recorded.

The SPEAKER. The resolution will be referred under the rule to the Committee on Rules.

## QUALIFICATIONS OF DELEGATES.

Mr. HASKELL. I rise to a question of privilege, and send to the Clerk's desk to be read a statement of privilege, accompanied by a resolution, and move the adoption of the resolution, and on that demand the previous question. I desire the Clerk to read the article which I have marked.

Mr. RANDALL. Let it be read for the information of the House.

The SPEAKER. The article will be read.

The Clerk read as follows:

Whereas polygamy has been for many years and is now practiced in some of the Territories of the United States, in contravention of the laws thereof, [see section 5352 of the Revised Statutes:] and

Whereas there has been admitted to former Congresses of the United States a Delegate from the Territory of Utah, who has served in the House of Representatives as such while sustaining polygamous marital relations—

[See the following testimony in the contested-election case of Cannon vs. Campbell now on record in this House:

In the matter of George Q. Cannon contest of Allen G. Campbell's right to a seat in the House of Representatives of the Forty-seventh Congress of the United States, as Delegate from the Territory of Utah.

I, George Q. Cannon, contestant, protesting that the matter in this paper contained is not relevant to the issue, do admit, that I am a member of the Church of Jesus Christ of Latter-day Saints, commonly called Mormons; that in accordance with the tenets of said church I have taken plural wives, who now live with me, and have so lived with me for a number of years, and borne me children. I also admit that in my public addresses as a teacher of my religion in Utah Territory I have defended said tenet of said church as being, in my belief, a revelation from God.

GEORGE Q. CANNON.]

Now, therefore,

*Be it resolved*, (as the fixed and final determination of this House of Representatives of the Forty-seventh Congress,) That no person guilty of living in polygamous marital relations, or guilty of teaching or inciting others so to do, is entitled to be admitted to this House of Representatives as a Delegate from any Territory of the United States.

Mr. HASKELL. Now, Mr. Speaker, upon that resolution I wish to say—

Mr. RANDALL. Mr. Speaker, I submit to the consideration of the Chair that this proposition does not come within the range of the rule as a matter of privilege. That if it ever did so, the House has, in effect, parted with the consideration as to who is entitled to the seat as a Delegate from the Territory of Utah by its action of yesterday; and that therefore, so far as the House is involved, it may be considered as a question *res adjudicata*. I submit that the question of privilege may possibly pertain to this subject in permitting the Committee on Elections to report at any time to the House touching the right of a Delegate from that Territory to a seat upon the floor. If, on the other hand, this be a question of polygamy, then it does not apply, I submit, to that committee, but belongs to the Committee on the Judiciary.

Mr. HASKELL. Now, Mr. Speaker, upon the point of order (as I stated when I sent the paper to the Clerk's desk to be read) I raise for the consideration of this House I have appended a resolution to certain preparatory declarations. The resolution itself is a general one, and does not refer to Utah in particular, nor to this election, nor to the right of the Delegate claiming to hold authority under that election. The resolution I ask adopted is a general one concerning all Territorial Delegates, and concerning all persons who may be guilty of violating the laws of the United States in the manner set forth in the question of privilege which I now present.

Now, Mr. Speaker, that this is a question of privilege I think no man will deny when Rule No. 9 is read and considered.

Mr. SINGLETON, of Illinois. I desire to call the attention of the gentleman from Kansas to the fact that I propose to make an additional point of order, to which I wish to call the attention of the House.



Mr. HASKELL. Let me conclude what I have to say first. Rule No. IX declares that—

Questions of privilege shall be, first those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.

It has been charged, Mr. Speaker, in the public press of this country, from Maine to California, that "Gentile polygamists" were in jail, but that Mormon polygamists were seated upon the floor of Congress. This is the charge made which I claim is one affecting the dignity of this House, and affecting the dignity of both Houses of Congress. Until this formal declaration of this particular Delegate here made, and which I have caused to be read for the information of the House, it was denied that any polygamist was permitted to hold a seat upon this floor. But I have cited a declaration which was made in open court, by a gentleman who comes here claiming a seat, and who admits thereby that he is living in polygamous marital relations against and in contravention of the laws of the United States to which I refer.

Therefore, since we have been charged with that offense as a body, and since this same gentleman, if you go to that question, has been placed upon the roll of the Clerk of the House as a member of this body to an extent and in a certain degree, I claim that the dignity of the House is affected, and I have introduced the resolution which has been read upon the subject.

The question of privilege affecting the House of Representatives is to the House as a body precisely what a question of personal privilege is to an individual member. Whatever, therefore, is declared to be against the dignity and honor of the House is to be taken cognizance of as a question which affects the House collectively, and is placed first in the rule to which I have referred. It has been the habit, Mr. Speaker, for individual members who have been assailed by the press to stand upon the floor of the House and demand as a question of personal privilege the right to be heard and the right to a full consideration of their cases. How much more, then, and how much more clearly does the rule recognize it as a question of high privilege when the honor and dignity of one of the co-ordinate branches of the law-making power of this Government is attacked for seating continuously men who violate the law? And on this matter I desire that the House shall purge itself; and for that purpose I have written and presented the resolution that at least sets forth my own views on this question. I ask a vote upon the resolution. I do not seek to coerce anybody else in following my example, but I ask to be recorded upon that resolution. I ask for the consideration of it as a question of privilege because it belongs there. I do not care how we arrive at the sense of the House. I am willing to take it in one form or the other, but I want the House to act upon this question—not evade it, not seek to dodge it by questions of order—not seek to evade it by postponement, but to meet it like men. We were told upon the floor of this House yesterday by honorable gentlemen in debate that they earnestly desired the suppression of this great crime. Let them deliberately say so, then, upon the records of this House.

Gentlemen put themselves in the category of men who are earnestly in favor of a law, but are just as earnestly opposed to the enforcement of it. If, therefore, this House believe that a man with a multiplicity of wives (so called) should not be seated on this floor, let them say so clearly. This is a question of privilege of the highest order, and I leave it for each individual member of the House. I commend it to the attention of the Speaker that in the eyes of this whole country he may meet this question of order and decide it as it ought to be decided—a question of the greatest privilege.

Mr. SINGLETON, of Illinois. I rise to a point of order. The resolution offered by the gentleman from Kansas provides that this House alone shall prescribe the qualifications of a Delegate. This House alone can declare the qualifications of its own members, but the qualifications of a Delegate are prescribed by statute, and this House cannot change that statute; therefore the resolution of the gentleman from Kansas is one on which the House has no power to act. It attempts to do what this House has no power to do. Under the Constitution the House has control of the qualifications of its own members. A Delegate is not a member. He comes here by an act of Congress as an agent of a Territory, permitted to speak only on this floor, and no action of the House without the concurrence of the Senate can take from him the right which is secured to him by the act of Congress regulating the Territory.

Mr. REAGAN. It is possible that in attempting to get relieved from one evil threatening the American people we may commit another affecting the right of representation. We are asked to determine here that one alleged to be guilty of polygamous practices is not to be admitted to a seat on this floor. We assume, sir, upon a question of privilege, according to my understanding of this resolution, to determine a legal disqualification from membership of this House, and without judicial investigation and determination of the fact of guilt to pronounce sentence upon a resolution relating to the privileges of this House.

Mr. HASKELL. Will the gentleman yield to me?

Mr. REAGAN. Certainly; for a question.

Mr. HASKELL. The resolution is all that I ask to have adopted by the House, and the resolution passes no sentence upon any person. It is in general terms and relates to nobody in particular. It is a general declaration merely of the opinion of the House.

Mr. REAGAN. I will ask that the resolution be read again with a view to a better understanding of it.

The resolution was again read.

Mr. REAGAN. I submit, Mr. Speaker, that the resolution is more objectionable than I had originally understood it. It assumes to declare a principle of exclusion from membership of this House on an assumed state of facts not apparent even on the face of the resolution. How is it, sir, that we are to make a general declaration, based upon the privileges of the House, of exclusion from membership for facts not ascertained either by an investigation by the House or by judicial determination?

Now, sir, I do not wish to be misunderstood. I will join cheerfully and heartily with any one who will attempt to provide a legal means for arresting and putting to an end polygamy in the Territories. But I do not wish in attempting to do this to transcend our duties, and to do anything which might be invoked as a precedent to give us trouble hereafter, and which, it seems to me, is a clear violation of principle in itself. If a member has done anything that disqualifies him for a seat in this House, and that fact is made to appear by a judicial decision or by an investigation by this House, then we have a predicate upon which this House can base its action. But here, sir, it seems to me, we are declaring a principle that applies itself to nothing. If this means anything at all it means that we are to pass an abstract resolution which shall unseat a Delegate elected to this House without reference to the question of the fairness or the legality of the election. Such a course, it seems to me, ought not to be adopted.

However much we may object to the practices of individual men, it ought to be remembered, and those like my friend from Kansas who have read the comments of the learned Mr. Story upon the Constitution will remember, that we are not here to exclude men from participation in legislation or from the rights of citizenship because of differences of opinion on politics or law or religion. But we stand here all alike under the protection of the law. I do not mean in saying this to assume that a man guilty of a violation of the law may not have his rights abridged to the extent of that guilt; but that must first be ascertained by judicial decision or by an investigation of this House.

This resolution is sprung upon us suddenly, without our having time for reflection; but it seems to me we are safe in taking the ground that the resolution proposes to proceed in an improper way. And I assume, sir, that it cannot be held to be a privileged question. I assume that there is no privilege in a resolution on the part of this House to declare a general proposition to unseat members generally. If there were a particular reason as to a particular Member or Delegate for his being unseated, that reason set out and established by the rules of the House or by the rules of law might warrant action; but certainly a general declaration of this kind cannot be received as a privileged question.

Mr. SPEER. I share in all that has been said by gentlemen on both sides of this House in the expression of the abhorrence of the crime of polygamy. But still, sir, it is clear to my mind that the question as presented by this resolution does not properly call for an expression on the part of the House with regard to this offense against society. Is there a member of this House or a Delegate in this House who is a polygamist? If not, the privileges of the House embrace no such person.

Is Mr. Cannon a member or Delegate of this House? He is not. The question whether he shall be admitted as such is now before the Committee on Elections. If the question be raised when he may become a Member or Delegate, then, I take it, the proper method of reaching the alleged offense would be on a motion to expel him upon the ground that he is guilty of conduct unworthy a member of the House of Representatives of the American people.

Why may not the gentleman as well introduce a resolution that no burglar should be admitted to this House, that no assassin should be admitted to this House? If he proposes to prescribe a new disqualification, if he proposes to regulate the question of the qualifications of Members and Delegates, that proposition would not go to the Committee on Elections, but to the Committee on the Judiciary. So in no possible way can this offense be reached as a question of privilege. The fact that Mr. Cannon is not a member of this House and not a Delegate takes it clear out of the purview of a privileged question.

The SPEAKER. The Chair desires to state that the only question now before the House is the point of order raised by the gentleman from Pennsylvania, [Mr. RANDALL.]

Mr. RANDALL. I desire to have read, for the information of the Chair, a paragraph from Cushing's Manual of Parliamentary Law, which I have marked.

The Clerk read as follows:

The most frequent proceeding, after a bill is committed, is to instruct the committee. Instructions are of two kinds, enabling or mandatory; the first authorizes the committee to do that which otherwise it could not do in virtue of a reference of the bill to it; the other requires the committee to do the particular thing which is the subject of it. Enabling instructions may embrace any subject whatever, within the power of the House to legislate upon, whether relating to the bill referred to the committee or not. But as the introduction of any wholly independent topic of legislation in this manner would be in effect to overleap all the proceedings previous to the commitment, that is to say, leave for the bill, and the first and second readings, an instruction of this sort, though not objectionable in the point of form, would not be likely to receive the favor of the House, except under extraordinary circumstances. Enabling instructions, which propose to give the committee power to do what they are already authorized to do, are wholly unnecessary, and therefore objectionable; but it is for the House to decide, in each individual case, whether the instruction moved is or is not of this description.

Mr. RANDALL. I do not mean to permit myself to discuss the question of polygamy. That is really not involved in the issue before

the House. But I do not want any member of this House to be led astray by supposing that it is involved in the point of order now before the House.

The fact is, however, that the issue joined as to the right of the Delegate from Utah to a seat in this House is as to his citizenship. This proposition, even if it was in order, goes further, and proposes to establish a qualification or to set up a disqualification not now embraced in the laws of the United States, and which can only be reached by statute enactment, and therefore has no reference or connection whatever with the question now before the Committee on Elections.

Mr. MILLS. Every proposition seeking to change the laws of the United States must be, under the general rules of the House, referred to some committee of this House. This House cannot take jurisdiction of any measure to change any existing law except it come before it by the recommendation of one of its committees or is privileged under the rules.

The gentleman from Kansas [Mr. HASKELL] claims that this proposition which he has brought before the House is privileged under Rule IX, because it pertains to the preservation of the dignity of this House. And he recites in his preamble that whereas a certain objectionable person has been a member of former Congresses, &c. Now, I beg to assure the gentleman from Kansas that this House is not charged with the vindication of the dignity of any former House of Representatives. Everything pertaining to the rights and privileges and dignities of the members, singly or collectively, of a former House of Representatives belonged alone to it. It was sovereign in that respect to take care of its own dignity, and we are not charged to see that its dignity was preserved.

If it is charged that this House must look to its own dignity, then I hold that the fact upon which this resolution is based does not exist, because there is no such person now a member of this House. There is no person charged with polygamy who is a member of this House. This House, therefore, cannot take charge of this question as a question of privilege and investigate it, because the party who is charged is to-day undergoing investigation before one of the committees of this House, and these facts can be brought out only by that committee.

Therefore, upon neither of the grounds presented by the gentleman from Kansas can this House take cognizance of this matter as a matter of privilege. The only way it can take cognizance of it is first to submit it to the inspection of one of its committees, and upon their report this House can then take cognizance of the question and change the law through the modes prescribed by its rules.

Mr. CANNON. Business coming before the House should come under the rules. It is claimed this resolution is a question of privilege by the gentleman from Kansas, [Mr. HASKELL,] and the gentleman from Pennsylvania [Mr. RANDALL] makes the point that it does not permit a question of privilege. I think the point is well taken. The resolution does not come within the ninth rule. When a resolution is considered and adopted by the House its adoption should bear fruit. No Delegate from Utah has a seat upon this floor. If the resolution is held in order and should be adopted, it does not unseat any one, and if defeated it does not seat any one. Nor does it bind this or any future House, and the fact that if the resolution is considered and defeated that we are precisely in the same condition as if it was considered and adopted, is conclusive that it is not in order. This is a body that legislates. This whole question should be dealt with by legislation. I am ready to vote for the passage of a bill making one guilty of polygamy ineligible to hold the office of Delegate or any other office, but see no point to be gained by the passage of non-fruitful resolutions.

Mr. HASKELL. Mr. Speaker, just one word in reply to the objections which have been urged. No man understands better than myself that it takes a law of Congress to prescribe qualifications. I do not propose any law. I do not propose any qualifications. I simply ask this House to express its opinion on this question of polygamy; that is all. I do not propose to bind this House in any regard.

Why, sir, suppose a gentleman rises on this floor to a question of privilege—personal privilege—and says, "I have been denounced as a thief." The gentleman from Texas [Mr. MILLS] gets up and says that if the man charged with being a thief is not a thief, then there is no question of privilege. Why, sir, the very reason he takes the floor in self-defense is because he is not a thief. Now this House has been charged in the public press of the country with being willing to seat polygamists. I deny that the House is willing to seat polygamists; and I want to put upon the records of this House the declaration of its members that they do not want to seat polygamists. I want the House to deny the declaration that it is in favor of seating polygamists. I want to deny the statement of that newspaper when it declares that "Gentile polygamists are in jail, and Mormon polygamists are in Congress." I want this House on this great question of privilege to declare that it does not propose to seat either Gentile or Mormon polygamists.

Mr. SINGLETON, of Illinois. I call the gentleman from Kansas to order. He is discussing the merits of the resolution on a point of order.

Mr. RANDALL. The gentleman is discussing polygamy, which is not a question of privilege at all. [Laughter.]

Mr. HUMPHREY. It always has been a question of privilege thus far in this House.

The SPEAKER. The Chair will read the rule of the House relating to questions of privilege. It is Rule IX:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions, except motions to fix the day to which the House shall adjourn, to adjourn, and for a recess.

Mr. CALKINS. Is the Chair about to decide the question of order. The SPEAKER. The Chair was about to decide. Does the gentleman from Indiana desire to be heard?

Mr. CALKINS. I only wanted to say one word on this question.

The SPEAKER. The Chair will hear the gentleman.

Mr. CALKINS. It occurs to me that if the gentleman from Kansas will examine his resolution for a moment, he himself will agree that in its present form it ought not to be adopted by the House, because it precludes the committee to which this whole subject has been referred from examination and report upon one of the questions necessarily coming within the scope and jurisdiction of that committee under the reference. This resolution states in terms that it is—

The fixed and final determination of this House of Representatives of the Forty-seventh Congress that no person guilty of living in polygamous marital relations, or guilty of teaching or inciting others so to do, is entitled to be admitted to this House of Representatives as a Delegate from any Territory of the United States.

This resolution proposes to pass a judgment upon a supposititious case, after we have referred to a committee for investigation a case involving the very same question. It does occur to me that when the gentleman from Kansas studies the phraseology of his own resolution he will either withdraw it or will so modify it as to provide that this matter shall be a subject of inquiry by the committee to whom the whole subject has been referred. Then certainly it will be proper.

Mr. HASKELL. Will the gentleman allow me a word in reply?

Mr. CALKINS. Certainly.

Mr. HASKELL. Precisely what the gentleman says is in the resolution, precisely what he says is its effect, is precisely what I deliberately wrote there. I want an expression of opinion from this House. I do not care whom it cuts or what committee it may preclude, I want to know whether the American House of Representatives of the Forty-seventh Congress is willing to vote squarely upon the proposition in that resolution.

Mr. CALKINS. I only rose to get the gentleman from Kansas, if I could, to so modify his resolution that the subject would become a legitimate subject of inquiry by the committee to whom the whole question has been referred. Let them report the facts to the House; and let the House then take action; let us not make the battle on the skirmish-line.

Mr. RANDALL. I submit that the gentleman who introduces this resolution frankly states that his object is to have an expression of opinion from the House on a particular subject. Now, surely that cannot be embraced within the scope of the rule as read at the desk.

The SPEAKER. The Clerk will read an extract, not from the Rules, but from the Manual.

The Clerk read as follows:

Whenever the Speaker is of the opinion that a question of privilege is involved in a proposition, he must entertain it in preference to any other business, such opinion, of course, being subject to an appeal. And when a proposition is submitted which relates to the privileges of the House, it is his duty to entertain it, at least to the extent of submitting the question to the House as to whether or not it presents a question of privilege.

The SPEAKER. The Chair regards it as its duty to submit this question of order to the House. The resolution in form proposes to declare the opinion of the House as to the eligibility of any person living in polygamy. Whether this is strictly a question of privilege involved in the rules or not, the Chair will not undertake to decide. It will submit the question of order to the House, which is, whether or not the resolution of the gentleman from Kansas involves a question of privilege.

Mr. BROWNE. I was not present when the resolution was read, and I am not prepared to vote on it until I know exactly what it is.

The SPEAKER. It has been printed in the RECORD this morning, but it will be again read.

The resolution was again read.

Mr. RANDALL. Whether it involves such a question of privilege as to bring it within the scope of the rule?

The SPEAKER. Undoubtedly. The question for the House is whether it is a question of privilege under the rules of the House.

Mr. RAY. Mr. Speaker, I regard the pending resolution as a question of the highest privilege. The subject-matter of the resolution, to my mind, very clearly relates to "the rights of the House, its safety, dignity, and the integrity of its proceedings" within the scope of Rule IX. While I do not claim sufficient knowledge of the rules of this body, or experience under them, to presume to instruct others touching their duty in the premises, I desire, Mr. Speaker, to state briefly the views which will control my vote. I regard the resolution simply in the light of an instruction to the Committee on Elections, whenever a contest is made by a Territorial Delegate, enabling and authorizing that committee to investigate and report whether or not any such Delegate is guilty of polygamy or of aiding and abetting others in the commission of that crime against the laws of the United States. The resolution proposes to try nobody in advance, nor at all, except before the committee in case of a contest. It unseats nobody, but in effect prescribes a rule for the Elections Com-



mittee whereby the House upon consideration of a report from that committee may by a majority vote prevent a Delegate guilty of felony from taking his seat. A Delegate once seated can probably be expelled only by a two-thirds vote, the same as a regular member. A point of order has been made by the honorable member from Pennsylvania [Mr. RANDALL] that we ought to proceed regularly by statutory enactment to remedy the grievance here complained of; that this resolution, under the rules of the House, is not a privileged question. As before suggested, it appears to me to be a question of the highest privilege; and judging from past experience and from unchallenged statements made by gentlemen on the floor of the House, laws of the United States enacted against polygamy in the Territories do not seem to amount to much in Utah. A refusal by the House to admit a Delegate from any Territory guilty of practicing or preaching polygamy in my judgment will certainly tend to discourage the commission of that offense. I am under obligation to my friend from Kansas [Mr. HASKELL] for introducing this resolution, and shall cheerfully vote for its adoption if opportunity occurs.

Mr. HAWK. I demand the regular order of business.

The SPEAKER. The point is made and the Chair must decide that we have not reached the stage of the question when discussion is in order.

Mr. RAY. I wish to inquire whether debate on the question of order is not in order?

The SPEAKER. It will be in order at the proper time.

Mr. RAY. I have only a few words to say in addition to the remarks I have already submitted, and hope there will be no objection to my doing so—

The SPEAKER. Debate is objected to. The Chair will submit the question to the House. As many as are of opinion that the resolution offered by the gentleman from Kansas involves a question of privilege under the rules will vote in the affirmative; those opposed, in the negative.

Mr. HASKELL. I demand the yeas and nays on this question, as we might as well settle it at once.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 109, nays 139, not voting 44; as follows:

## YEAS—109.

Aldrich,	Hammond, John	Smith, A. Herr
Barr,	Harmer,	Smith, Dietrich C.
Bayne,	Harris, Benj. W.	Smith, J. Hyatt
Belford,	Haskell,	Spooner,
Beltzhoover,	Hawk,	Steele,
Bowman,	Heilman,	Strait,
Brewer,	Henderson,	Thomas,
Briggs,	Hepburn,	Thompson, Wm. G.
Brown,	Hill,	Townsend, Amos
Brumm,	Hiscock,	Tyler,
Buck,	Horr,	Updegraff, J. T.
Burrows, Julius C.	Houk,	Urner,
Candler,	Humphrey,	Valentine,
Chace,	Jacobs,	Van Aernam,
Crapo,	Jadwin,	Van Horn,
Cullen,	Jorgensen,	Van Voorhis,
Davis, George R.	Lacey,	Wait,
Dawes,	Lewis,	Walker,
Deering,	Lindsey,	Ward,
De Motte,	Lord,	Webber,
Dezendorf,	Marsh,	West,
Dingley,	Mason,	White,
Errett,	McClure,	Williams, Chas. G.
George,	McCoid,	Willits,
Godshalk,	McCook,	Young,
Grout,	McKinley,	
Guenther,	Miles,	
Hall,	Miller,	

## NAYS—139.

Aiken,	Culberson,	Hoge,	Ross,
Anderson,	Darrell,	Hofman,	Scales,
Armfield,	Davidson,	Hooker,	Seoville,
Atherion,	Davis, Lowndes H.	House,	Shackelford,
Atkins,	Deuster,	Jones, George W.	Shelley,
Barbour,	Dibble,	Jones, James K.	Shultz,
Beach,	Dibrell,	Jones, Phineas	Simonton,
Belmont,	Dowd,	Joyce,	Singleton, Jas. W.
Berry,	Dugro,	Kelley,	Singleton, Otho R.
Bingham,	Dunn,	Klotz,	Sparks,
Black,	Dunnell,	Knott,	Spaulding,
Blackburn,	Dwight,	Latham,	Speer,
Blanchard,	Ellis,	Le Fevre,	Springer,
Bland,	Ermentrout,	Manning,	Stocklager,
Blount,	Evins,	Martin,	Talbot,
Buchanan,	Farwell, Sewell S.	Matson,	Taylor,
Buckner,	Finley,	McLane,	Thompson, P. B.
Butterworth,	Flower,	McMillin,	Tillman,
Caldwell,	Ford,	Mills,	Turner, Henry G.
Calkins,	Forney,	Morrison,	Turner, Oscar
Campbell,	Garrison,	Mosgrove,	Updegraff, Thomas
Cannon,	Geddes,	Moulton,	Upton,
Carpenter,	Gibson,	Mutcher,	Vance,
Chalmers,	Gunter,	Oates,	Wadsworth,
Clardy,	Hammond, N. J.	Phelps,	Warner,
Clark,	Hardenbergh,	Phister,	Washburn,
Clements,	Hardy,	Randall,	Wellborn,
Cobb,	Harris, Henry S.	Reagan,	Wheeler,
Colerick,	Haseltine,	Rice, Theron M.	Whitthorne,
Converse,	Hatch,	Rice, William W.	Williams, Thomas
Cook,	Herbert,	Richardson, Jno. S.	Willis,
Cox, Samuel S.	Herndon,	Ritchie,	Wilson,
Cox, William R.	Hewitt, Abram S.	Robertson,	Wise, George D.
Cravens,	Hewitt, G. W.	Robinson, Wm. E.	Wood, Benjamin.
Crowley,	Hoblitzell,	Rosecrans,	

## NOT VOTING—44.

Allen,	Covington,	Kasson,	Nolan,
Bliss,	Curtin,	Kenna,	Paul,
Bragg,	Cutts,	Ketcham,	Rice, John B.
Burrows, Jos. H.	Farwell, Chas. B.	King,	Robinson, James S.
Cabell,	Fisher,	Ladd,	Stephens,
Camp,	Frost,	Leedom,	Stone,
Carlisle,	Fulkerson,	McKenzie,	Townsend, R. W.
Cassidy,	Hazelton,	Money,	Tucker,
Casswell,	Hubbell,	Morse,	Watson,
Chapman,	Hubbs,	Muldrow,	Wise, Morgan R.
Cornell,	Hutchins,	Murch,	Wood, Walter A.

So the question was decided in the negative.

During the roll-call the announcement of the following additional pairs was made:

Mr. KENNA with Mr. HAZELTON, until further notice.

Mr. WISE, of Pennsylvania, for this day, with Mr. FARWELL, of Illinois.

Mr. KETCHAM with Mr. MONEY, for two days.

The vote was then announced as above recorded.

Mr. TURNER. As I understand the rules, Mr. Speaker, these pairs are only to be announced once during the day.

The SPEAKER. That is so, but the pairs which have just been read are additional pairs, which, under the rule, are to be read at this time.

The House has decided that the resolution offered by the gentleman from Kansas is not a question of privilege, and it is therefore not before the House for consideration.

## ORDER OF BUSINESS.

Mr. NEAL. I demand the regular order of business.

Mr. BURROWS, of Michigan. I hope not.

Mr. BOWMAN. Yes; we want the regular order of business.

Mr. BURROWS, of Michigan. I hope it will not be demanded just now.

## TARIFF.

Mr. KELLEY. I hope the demand will be so far withdrawn as to permit me to submit the customary resolution for printing from the Committee on Ways and Means.

There was no objection.

Mr. KELLEY. I am instructed by the Committee on Ways and Means to submit the following resolution for consideration at this time:

*Resolved*, That the Committee on Ways and Means be authorized to have printed and bound for the use of said committee any papers or documents which the committee may deem necessary in connection with subjects being considered by them relating to the public revenues and the public debt.

Mr. ATKINS. I hope that resolution will be again read, as I do not see just now its full scope.

Mr. KELLEY. It is the customary resolution.

The resolution was again read.

The resolution was adopted.

Mr. KELLEY moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## MAIL SERVICE.

Mr. BINGHAM. I desire, Mr. Speaker, to present a privileged resolution.

Mr. NEAL. I demand the regular order.

The SPEAKER. The gentleman from Pennsylvania rises to submit a privileged resolution.

Mr. BINGHAM. I have been directed by the Committee on the Post-Office and Post-Roads to report back a resolution, which was presented by the gentleman from Texas [Mr. URSON] and referred to that committee, and ask for its immediate passage.

Mr. NEAL. Let us hear if this is a privileged question or not.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

*Resolved*, That the Postmaster-General be instructed to make out and transmit to the House of Representatives, if not incompatible with the public interest, at the earliest day practicable, a list or detailed statement of all mail-routes on which transportation service has been discontinued, decreased, curtailed, changed, restored, increased, expedited, or established since the 4th day of March, 1881, specifying the time, cause, and extent of the same, and upon whose recommendation, petition, report, or suggestion granted, and the nature thereof, giving the name, length, and termini of each of said routes, the character, kind, amount, and cost of such service on each route, respectively, and the name and residence of each and every contractor therefor.

Mr. BINGHAM. On that resolution I demand the previous question.

Mr. BOWMAN. I call for the regular order.

The SPEAKER. The regular order is called for, but the Chair is of opinion that this resolution is in order. It is a report from the Committee on the Post-Office and Post-Roads reporting back a resolution of inquiry which the committee is required, in pursuance of Rule XXIV, to report back within one week after its reference. The committee is now executing one of the standing orders of the House.

Mr. DUNNELL. Before the previous question is insisted upon, I wish to suggest to the gentleman from Pennsylvania a change in the resolution, which I think might properly be made; or, if necessary, to submit an amendment for that purpose, namely, to strike out the words "or established." The House would not probably desire to have a report from the Department of the number of post-routes that

have been established during the past year, because they have been established by provision of law, and the object of the resolution is not at all subverted by requiring a report of all the routes which have been established. The gentleman will concede, I am sure, that to carry out that portion of the resolution would entail upon the Post-Office Department a great amount of clerical labor, and require a considerable additional clerical force. If necessary, I make the suggestion as an amendment.

The SPEAKER. The appeal of the gentleman from Minnesota must be to the gentleman from Pennsylvania, charged by the committee with the duty of reporting this resolution.

Mr. DUNNELL. Then I move it as an amendment. Is it not open to amendment? Certainly it is. The resolution is before the House for consideration, and the previous question has not been seconded. Therefore I move to strike out from the resolution the words "or established."

Mr. UPSON. Let the resolution be read as it is proposed to be modified.

Mr. ROBINSON, of Massachusetts. Allow me to ask the gentleman from Minnesota who presents this amendment whether there may not be after all, and I suggest the matter to him, an error in his proposed amendment. It strikes me that he has in mind the statute establishing post-roads. Of course the language of the resolution, as I understand it, would not cover that. The post-roads are not established by the Post-Office Department. This resolution refers to *post-routes*, and is an inquiry as to what routes mail service has been ordered upon, and in that respect may be a proper subject of inquiry for the House. Therefore, I suggest to the gentleman from Minnesota that perhaps his objection is not well founded, and that it may cover more than he really contemplates.

Mr. CANNON. I would like to hear the resolution read again.

The resolution was again read.

Mr. ROBINSON, of Massachusetts. The resolution, as I understand from the reading of it, asks for a statement of those routes upon which service was established since the 4th of last March.

Mr. CANNON. I desire to submit an amendment which I think the gentleman will accept, by inserting before the word "routes" the word "star."

Mr. BINGHAM. I am not authorized or instructed by the committee to accept any amendment, but simply to report the resolution as it has been read.

Mr. CANNON. Is not the resolution open to amendment and debate?

The SPEAKER. Unless the amendment which the gentleman from Illinois offers be an amendment to the pending amendment, it will not be in order at this time.

Mr. DUNNELL. In reply to the gentleman from Massachusetts, I desire to say that my object in offering the amendment which I have presented is to lessen the amount of clerical work that will be necessary to carry out that portion of the resolution. I venture to say that it will take twenty clerks sixty days to comply with that demand.

Mr. SPRINGER. I think not.

Mr. DUNNELL. And it is not necessary that the House should know upon what routes service has been rendered, substantially by act of Congress, since the 4th of March. There is no dispute as to the propriety of these routes at all, and it will add largely to the work of the Department. It is a difficult thing for the Department, now crowded, as we all know, with work, to keep up with the demand of the office, and with the appropriation less than the demands of the service.

The SPEAKER. The amendment of the gentleman from Minnesota is pending.

Mr. UPSON. Let the amendment be reported again.

The amendment was again read.

Mr. BINGHAM. I now call for the previous question upon the original resolution and amendment.

Mr. PAGE. Before the previous question is called I would like to add an amendment to the resolution, calling for a report upon all fines imposed for failure to perform service, either upon railroads, steamboats, or star routes during that time.

Mr. BINGHAM. I insist upon the previous question.

Mr. TOWNSHEND, of Illinois. I desire to ask the gentleman from Pennsylvania in charge of the resolution if he will not extend the time further back than to the 4th of March. Why not extend it back to embrace the last four years? Will the gentleman entertain a motion to that effect?

Mr. BINGHAM. I must insist upon the previous question.

The previous question was ordered.

The SPEAKER. The question is upon the amendment.

The amendment was not agreed to.

The resolution was agreed to.

Mr. BINGHAM moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### REPRINT OF BILL.

Mr. BOWMAN. I call for the regular order.

Mr. RANDALL. I desire to ask an order of the House for the reprinting of a bill.

Mr. BOWMAN. If it will give rise to no debate, I shall withhold the call for the regular order to enable the gentleman to make that request.

Mr. RANDALL. I ask that House bill No. 1380, to redeem and refund portions of the bonded debt of the United States, be reprinted, the first print being exhausted.

There was no objection, and it was so ordered.

#### ORDER OF BUSINESS.

Mr. BOWMAN. I now insist on my demand for the regular order. The SPEAKER proceeded, as the regular order, to call committees for reports.

#### FINAL EXPENSES OF TENTH CENSUS.

Mr. HISCOCK, from the Committee on Appropriations, reported a bill (H. R. No. 2775) making appropriations for the payment of the final expenses of the tenth census; which was read a first and second time.

Mr. HISCOCK. I ask that the bill be printed, and that it be referred to the Committee of the Whole on the state of the Union; and I give notice that I shall move to go into Committee of the Whole on the state of the Union for the consideration of this bill to-morrow morning immediately after the reading of the Journal.

Mr. HOLMAN. I reserve all points of order on the bill.

Mr. RANDALL. I ask the chairman of the Committee on Appropriations to take the trouble between now and to-morrow to obtain information showing what the taking of former censuses has cost.

The bill was referred to the Committee of the Whole on the state of the Union, and ordered to be printed.

#### JOHN H. AND ROBERT F. SHUGART.

Mr. SPARKS, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. No. 224) for the relief of John H. Shugart and Robert F. Shugart; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

#### KEEPERS OF LIFE-SAVING STATIONS.

Mr. HARRIS, of Massachusetts. I am instructed by the Committee on Naval Affairs to report back the petitions of certain keepers of life-saving stations for increase of pay, and to move that the committee be discharged from the further consideration of the same, and that they be referred to the Committee on Commerce.

The SPEAKER. These petitions can be referred to the appropriate committee through the Clerk's box. For the information of the House in relation to this matter, the Chair directs the Clerk to read paragraph 2 of Rule XXII.

The Clerk read as follows:

2. Any petition or memorial excluded under this rule shall be returned to the member from whom it was received; and petitions which have been inappropriately referred may, by direction of the committee having possession of the same, be properly referred in the manner originally presented.

The SPEAKER. The petitions will be placed in the box for reference to the appropriate committee.

#### MARINE HOSPITAL SERVICE.

Mr. THOMAS, from the Committee on Naval Affairs, reported back the bill (H. R. No. 72) to increase the efficiency of the Marine Hospital Service; and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee on Commerce.

The motion was agreed to.

#### E. J. GURLEY.

Mr. BOWMAN, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. No. 1670) for the relief of E. J. Gurley; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

#### THEOPHILUS P. CHANDLER.

Mr. BOWMAN also, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. No. 699) for the relief of Theophilus P. Chandler; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had agreed to the resolution of the House of Representatives, referring the memorial in relation to the services rendered to the Government by the late Carlile P. Patterson to a joint special committee of three members of the Senate and five members of the House, and had appointed Mr. PENDLETON, Mr. HALE, and Mr. CAMERON of Pennsylvania as such committee on the part of the Senate.

#### H. V. PHILPOTT.

Mr. MILLS, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. No. 1671) for the relief of H. V. Philpott; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

#### SIDNEY P. LUTHER.

Mr. RAY, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. No. 1024) for the relief of



Sidney P. Luther; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

JOSEPH CONRAD.

Mr. HOUK, from the Committee on War Claims, reported back the bill (H. R. No. 921) for the relief of Joseph Conrad, and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee on Military Affairs.

Mr. BROWNE. Let the bill be read.

The bill was read.

The motion of Mr. HOUK was agreed to.

JOEL RYAN.

Mr. HOUK also, from the Committee on War Claims, reported back the bill (H. R. No. 2133) for the relief of Joel Ryan, father of C. P. Ryan, and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee on Military Affairs.

The motion was agreed to.

GARFIELD MEMORIAL HOSPITAL.

Mr. GARRISON, from the Committee on the District of Columbia, reported back with amendments the bill (H. R. No. 1278) to incorporate the Garfield Memorial Hospital; and the same was referred to the House Calendar, and the accompanying report ordered to be printed.

DISTRICT MUNICIPAL CODE.

Mr. NEAL, from the Committee on the District of Columbia, reported back the bill (H. R. No. 1295) to establish a municipal code for the District of Columbia; and the same was referred to the House Calendar, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. NEAL. I wish to give notice that as soon as it is in order I shall move that the House proceed to the consideration of the bills which have been reported this morning from the Committee on the District of Columbia.

The call of committees for reports was completed, no further reports being presented.

WOOD'S HOLL, MASSACHUSETTS.

Mr. PAGE, from the Committee on Commerce, reported back the following resolution; which was read, considered, and adopted:

*Resolved*, That the Secretary of War be directed to transmit to the House any information in his Department relating to the construction of a pier and breakwater in the great harbor of Wood's Holl, in Massachusetts, including estimates of the cost of the work.

Mr. PAGE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

QUALIFICATIONS OF TERRITORIAL DELEGATES.

Mr. BURROWS, of Michigan. There has been such an ardent wish expressed by our friends on the other side of the Chamber, and by gentlemen on all sides, both in the debate of yesterday and the debate of this morning, to support some measure having for its purpose the crippling and the ultimate extinction of polygamy, that I feel constrained to hasten to gratify that desire by asking unanimous consent for the present consideration and passage of the bill which I send to the Clerk's desk. A similar bill has once passed the House of Representatives, and I think there will be no objection to it.

The SPEAKER. The bill will be read, after which the Chair will ask for objection.

The Clerk read as follows:

A bill defining the qualifications of Territorial Delegates to the House of Representatives.

*Be it enacted, etc.*, That no person shall hereafter be a Delegate in the House of Representatives from any of the Territories of the United States who shall not have attained the age of twenty-five years and been seven years a citizen of the United States, and who shall not when elected be an inhabitant of the Territory in which he shall be chosen. And no such person who is living in bigamy or polygamy shall be eligible to a seat in the House of Representatives as such Delegate.

Mr. BURROWS, of Michigan. The bill which has just been read is in the language of one that passed the House in, I think, the Forty-third Congress.

Mr. SPRINGER. What is the time of citizenship?

Mr. BURROWS, of Michigan. Seven years.

Mr. SPRINGER. Then I object to the bill. I do not see why a man should be seven years a citizen before he can be a Delegate.

Mr. McLANE. Move an amendment to the bill; do not object to it.

Mr. BURROWS, of Michigan. That is the time fixed by the Constitution for members of the House. I will yield to the gentleman from Illinois [Mr. SPRINGER] to move an amendment if he desires.

Mr. ARMFIELD. I move that the bill be referred to the Committee on the Judiciary.

The SPEAKER. The gentleman from Michigan [Mr. BURROWS] asks unanimous consent for the present consideration of the bill.

Mr. ARMFIELD. I object.

Mr. RANDALL. I asked the gentleman from Michigan to allow the bill to be referred to the Committee on the Judiciary, with privilege to report it back at any time.

Mr. BURROWS, of Michigan. If there is objection to its present consideration, and I have been mistaken in the temper of the other

side of the Chamber as exhibited in the debate of yesterday, I withdraw the bill.

Mr. ATKINS. The gentleman has no right at all to speak about "the other side."

The SPEAKER. Objection having been made to its present consideration, the bill is not before the House.

C. W. COOMBS.

Mr. BROWNE. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWNE. When is it in order under the rules to introduce a simple House resolution; for instance, a resolution authorizing the employment of an additional clerk or page or other employé of the House?

The SPEAKER. The Chair is of the opinion that the rules make no special provision for resolutions of that character.

Mr. BROWNE. I ask consent to submit a resolution of that kind at this time. And as I am admonished that there will be objection to its present consideration, I will ask that it be read and referred to the Committee on Accounts.

The Clerk read as follows:

*Resolved*, That the Doorkeeper of this House is hereby directed to place on his roll the name of C. W. Coombs as Department messenger for the members of this House, at a salary of \$1,200 per annum, to be paid out of the contingent fund of the House, and that he be furnished desk-room in the folding department for his use, said Coombs to be in addition to the present force of the Doorkeeper.

There being no objection, the resolution was received and referred to the Committee on Accounts.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House, by Mr. PRUDEN, one of his secretaries.

JOHN MOUSLEY.

Mr. WARD, by unanimous consent, introduced a bill (H. R. No. 2776) granting a pension to John Mousley; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COMMERCE AMONG THE STATES.

Mr. WARD also, by unanimous consent, introduced a joint resolution (H. R. No. 90) providing for a commission to consider and report what legislation is needed for the better regulation of commerce among the States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CENSUS TABLES—APPORTIONMENT.

Mr. PRESCOTT. I ask unanimous consent to introduce for consideration at this time a resolution to provide for printing additional copies of the tables relating to apportionment which we had printed for the use of the last Congress. Upon inquiry I find that there are no copies to be had for the use of members of this Congress.

The Clerk read as follows:

*Resolved*, That 600 copies of Tables A and B of Executive Document No. 65, third session Forty-sixth Congress, be printed immediately for the use of the House.

Mr. SPRINGER. I suggest to the gentleman to modify his resolution so as to provide for the reprinting of these tables, which will give us the usual number.

Mr. PRESCOTT. I will accept the suggestion of the gentleman, and modify my resolution accordingly.

The resolution as modified was adopted.

Mr. PRESCOTT moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

IMPROVEMENTS AT FALLS OF OHIO.

Mr. WILLIS. Mr. Speaker, I ask for the present consideration of the resolution which I send to the Clerk's desk. A similar resolution was unanimously passed by the House last week in regard to Saint Mary's Falls. The necessity for immediate information to go before our Committee of Commerce will be seen by the House when I state that during high water the ascending navigation of the river at the falls is now an impossibility. During the past summer a wing-dam has been built by the Government which, it is feared, is an obstruction to navigation by deepening and making more swift and dangerous the channel of the river. The object of this resolution is to secure an official statement of the facts and a suggestion as to the remedy. This resolution is of vital importance to all the States of the Ohio Valley, and I know, if understood, will meet with no opposition. I would say to the Speaker that this is the same resolution which I asked permission to submit last Monday, but was prevented by the call of States.

The Clerk read the resolution, as follows:

*Resolved*, That the Secretary of War be, and he is hereby, directed to inform this House what, if any, additional works are necessary at the Falls of the Ohio River to complete the improvement thereof in a manner to serve the interests of the commerce of the Ohio Valley; and that he state the reasons why such additional works, if any, are necessary, and also submit an estimate of the cost of the same.

There being no objection, the resolution was considered and adopted.

Mr. WILLIS moved to reconsider the vote by which the resolution

was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### DISEASES OF SWINE, ETC.

Mr. LE FEVRE, by unanimous consent, submitted the following resolution; which was referred to the Committee on Printing:

*Resolved by the Senate and House of Representatives, etc., That there be printed 100,000 additional copies of special report No. 34 of the Commissioner of Agriculture, containing the reports of the veterinary surgeons appointed to investigate diseases of swine and infectious and contagious diseases incident to other classes of domesticated animals; of which 60,600 copies shall be printed for the use of members of the House, 24,000 copies for the use of members of the Senate, and 15,400 copies for the use of the Commissioner of Agriculture.*

#### PROSECUTION OF CLAIMS IN PENSION BUREAU.

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

*Resolved, That the Secretary of the Interior be requested to furnish to this House at his earliest convenience the names of all business firms and persons, and the name of each member composing said firms, located in the District of Columbia, together with the business or occupation each is engaged in who prosecute claims in the Pension Bureau.*

Mr. COBB moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### EDWARD M. ADAMS.

Mr. SPAULDING, by unanimous consent, introduced a bill (H. R. No. 2777) for the relief of Edward M. Adams; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### JACOB S. LOWERY AND GEORGE A. GRAY.

Mr. BUTTERWORTH, by unanimous consent, introduced a bill (H. R. No. 2778) for the relief of Jacob S. Lowery and George A. Gray; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### FORFEITURE OF LAND GRANTS TO RAILROADS.

Mr. ROBESON. I ask unanimous consent to introduce a joint resolution for reference to the Committee on Public Lands.

The Clerk read the title of the joint resolution, as follows:

Joint resolution to declare certain lands heretofore granted to railroad companies forfeited to the United States, and to restore the same to the public domain and open the same to settlers.

The SPEAKER. If there be no objection this joint resolution will be considered as read a first and second time, will be referred to the Committee on Public Lands, and ordered to be printed.

Mr. ATKINS and others called for the reading of the joint resolution.

The Clerk read the joint resolution as printed in a subsequent part of the proceedings.

Mr. DUNNELL. Let the schedule referred to in the joint resolution be read.

Mr. ROBESON. The schedule contains, I believe, the name of every railroad that has had a land grant given to it.

The SPEAKER. Is the reading of the schedule insisted upon?

Mr. SPRINGER. If it is long, the reading might be waived, as the gentleman from New Jersey states that it includes all railroad companies that have received land grants.

Mr. HOOKER. I ask for the reading of the schedule. I want to know to what the resolution refers.

The SPEAKER. Is it understood that the schedule is part of the joint resolution?

Several MEMBERS. Oh, yes.

Mr. HOOKER. The resolution is meaningless unless we understand to what railroads it refers.

The SPEAKER. If the object of the gentlemen in calling for the reading of the schedule is to have it printed in the RECORD, perhaps a request for the printing had better be made.

Mr. SPRINGER. If it be in order, I would ask that the committee have leave to report this resolution at any time. This is a very important measure, and I would not like to see it get into the meshes of our new rules, under which it is impossible for committees to make reports except at certain times. I would like the committee to have the privilege of reporting this resolution at any time.

The SPEAKER. In the absence of objection the schedule, together with the joint resolution, will be printed in the RECORD.

There was no objection. The joint resolution (H. R. No. 91) and the accompanying schedule are as follows:

Joint resolution to declare certain lands heretofore granted to railroad companies forfeited to the United States, and to restore the same to the public domain and open the same to settlers:

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the grants of public lands heretofore made to certain railroad companies and to certain States to aid in the construction of roads and railroads for the benefit of certain corporations named in the schedule hereto appended, so far as the same have not been earned by the fulfillment of the conditions of said grants, be, and the same are hereby, declared forfeited and shall revert to the United States and be open to settlement, as are other public lands.*

SEC. 2. It shall be the duty of the Secretary of the Interior, within \_\_\_\_\_ days from and after the passage of this act, to cause public notice to be given by advertisement that the reservations made for the benefit of said companies, as in the said schedule hereunto affixed, be, and the same are, vacated, withdrawn, and annulled, and that said lands are open to settlement, and that entries thereof and therefor will be received at the land offices in the several districts in which said lands are located on the terms and conditions prescribed by law.

Name of railroad.	States in which located.	Grant by act—			Grant to—	Alternate sections within—	With indemnity within—	Extended by act—			Estimated quantity of lands granted.
		Approved—	Statutes.					Approved—	Statutes.		
			Volume.	Page.					Volume.	Page.	
Gulf and Ship Island.....	Mississippi.....	Aug. 11, 1856	11	30	State.....	6 miles...	15 miles...				<i>Acres.</i> 652,800.00
Alabama and Florida.....	Alabama and Fla.	May 17, 1856	11	15	States....	6 miles...	15 miles...				419,520.00
Coosa and Tennessee.....	Alabama.....	June 3, 1856	11	17	State.....	6 miles...	15 miles...				132,480.00
Mobile and Girard.....	do.....	June 3, 1856	11	17	do.....	6 miles...	15 miles...				840,880.00
Coosa and Chattanocga.....	do.....	June 3, 1856	11	17	do.....	6 miles...	15 miles...				150,000.00
Alabama and Chattanooga, formerly Northeast and Southwest Alabama, and Wills Valley Railroads.....	do.....	June 3, 1856	11	17	do.....	6 miles...	15 miles...	Apr. 10, 1869	16	45	897,990.00
Pensacola and Georgia.....	Florida.....	May 17, 1856	11	15	do.....	6 miles...	15 miles...				1,568,729.87
Florida, Atlantic and Gulf Central.....	do.....	May 17, 1856	11	15	do.....	6 miles...	15 miles...				183,153.99
North Louisiana and Texas, formerly Vicksburg, Shreveport and Texas Railroad.....	Louisiana.....	June 3, 1856	11	18	do.....	6 miles...	15 miles...				610,880.00
New Orleans, Baton Rouge and Vicksburg.....	do.....	Mar. 3, 1871	16	579	Company.....	20 miles...	30 miles...				3,800,000.00
Saint Louis and Iron Mountain.....	Missouri.....	July 4, 1866	14	83	State.....	10 miles...	20 miles...				640,000.00
Little Rock and Fort Smith.....	Arkansas and Missouri.....	{ Feb. 9, 1853	10	155	States....	6 miles...	15 miles...	}			1,009,296.34
		{ July 28, 1866	14	338	do.....	10 miles...	20 miles...				
Detroit and Milwaukee.....	Michigan.....	June 3, 1856	11	21	State.....	6 miles...	15 miles...				355,420.00
Houghton and Ontonagon, formerly Marquette and Ontonagon.....	do.....	{ June 3, 1856	11	21	do.....	6 miles...	15 miles...	June 18, 1864	13	137	} 552,515.24
North Wisconsin, formerly Saint Croix and Lake Superior and branch to Bayfield.....	Wisconsin.....	{ Mar. 3, 1865	13	521	do.....	10 miles...	20 miles...	May 20, 1868	15	252	
Wisconsin Central, formerly Portage, Winnebago and Superior.....	do.....	{ June 3, 1856	11	20	do.....	6 miles...	15 miles...	} May 5, 1864	13	66	1,408,455.69
		{ May 5, 1864	13	66	do.....	10 miles...	20 miles...				
Saint Paul and Pacific, Saint Vincent extension, formerly branch to Red River of the North.....	do.....	May 5, 1864	13	66	do.....	10 miles...	20 miles...	Apr. 9, 1874	18	28	1,800,000.00
Saint Paul and Pacific, Brainerd branch, formerly branch to Lake Superior.....	Minnesota.....	{ Mar. 3, 1857	11	195	Territory.....	6 miles...	15 miles...	Mar. 3, 1873	17	631	} 2,000,000.00
		{ Mar. 3, 1865	13	526	State.....	10 miles...	20 miles...	June 22, 1874	18	203	
	do.....	{ July 12, 1862	12	625	do.....	6 miles...	15 miles...	Mar. 3, 1873	17	631	} 1,475,000.00
	do.....	{ Mar. 3, 1865	13	526	do.....	10 miles...	20 miles...	June 22, 1874	18	203	
Hastings and Dakota.....	do.....	July 4, 1866	14	87	do.....	10 miles...	20 miles...				550,000.00
Oregon Central.....	Oregon.....	May 4, 1870	16	94	Company.....	20 miles...	25 miles...				1,200,000.00
Atlantic and Pacific.....	Various.....	July 27, 1866	14	292	do.....	Various					42,000,000.00
Texas Pacific.....	do.....	{ Mar. 3, 1871	16	573	} do.....	do.....					18,000,000.00
Northern Pacific.....	do.....	{ June 22, 1874	13	365		do.....	do.....				47,000,000.00

\*And subsequent acts and resolutions.



Mr. DUNNELL. As much of the joint resolution as refers to land-grants made to Pacific railroads, it seems to me, should be referred to the Committee on Pacific Railroads. Such has been the action heretofore. There are resolutions now with the Committee on Pacific Railroads, referred last Monday, forfeiting the grants to those railroads.

The SPEAKER. The Chair doubts the right of the House to divide a joint resolution for reference. As this seems to relate to several subjects which might properly go to either of several committees, the Chair, as he has usually done, has allowed the gentleman offering it to give direction to its reference. Therefore it will be referred to the Committee on the Public Lands unless some motion is made to the contrary.

Mr. BUTTERWORTH. I do not desire to have any portion of the bill referred to the Committee on Pacific Railroads which does not properly belong to that committee. The peculiar phraseology of it would certainly warrant its reference, or a part of it, to the committee designated by the gentleman from New Jersey; but I insist that the part which refers to land grants to Pacific railroads shall go to that committee, and so I move.

Mr. SPRINGER. And I move that it be referred to the Committee on the Judiciary.

The SPEAKER. The Chair holds that a motion is not in order to refer any portion of a bill or joint resolution to one committee and another portion to another committee.

Mr. ROBESON. It is impossible to divide the proposition.

The SPEAKER. But a motion is in order to refer it to another committee than the Committee on the Public Lands.

Mr. ROBESON. The Committee on the Public Lands is the only committee having jurisdiction of the whole subject.

Mr. BUTTERWORTH. I do not understand it has been the custom of the House to refer bills or joint resolutions of this character to the Committee on the Public Lands. Land grants in the main have been made to the Pacific railroads, and a reference to the Committee on Pacific Railroads would certainly be the proper one. I therefore move, Mr. Speaker, that it be so referred.

Mr. SPRINGER. Was my motion entertained to refer to the Committee on the Judiciary?

The SPEAKER. It was.

Mr. ROBESON. I desire to make a point of order on that motion; and it is that it is impossible to divide the bill.

Mr. RANDALL. That is clear.

Mr. ROBESON. Or to divide its reference.

Mr. RANDALL. That is also clear.

Mr. ROBESON. It refers to all railroads, and includes questions which, under the rules, cannot go to the Committee on Pacific Railroads. Under the rules it can only go, Mr. Speaker, to that committee which has jurisdiction of the entire subject-matter—the Committee on the Public Lands.

Mr. RANDALL. And in addition, as I understand it, this joint resolution relates to forfeited lands. The Committee on Pacific Railroads has no jurisdiction over that subject, and the joint resolution should therefore properly be referred to the Committee on the Public Lands, which has such jurisdiction.

Mr. TOWNSHEND, of Illinois. A bill of a like nature was introduced on last Monday by the gentleman from Nevada and referred by the House to the Committee on the Public Lands. I ask whether that does not settle the question?

The SPEAKER. The Chair cannot decide that as a point of order, but it will state to the gentleman from New Jersey that it has refused to entertain a motion made by the gentleman from Ohio to refer a part of the joint resolution to the Committee on Pacific Railroads. The gentleman from Ohio, however, now makes the motion to refer the whole subject involved in the resolution offered by the gentleman from New Jersey to the Committee on Pacific Railroads, and that the Chair entertains as a proper motion of reference.

Mr. SPRINGER. My motion, then, is in order to amend by referring it to the Committee on the Judiciary, and I make that motion. I desire to state that this is a reference of the question—

The SPEAKER. The question of reference is not debatable.

Mr. CRAVENS. If there is any possibility of the motion of the gentleman from Ohio being adopted, there ought then to be a further amendment dissolving the Committee on the Public Lands.

Mr. CHALMERS. I desire to move as a substitute for the other motion that the joint resolution be referred to the Committee on Railways and Canals, which has jurisdiction of the whole subject-matter, for this is not a question in regard to land, but a question in regard to the rights of railroads. There can be no reason why it should not be referred to that committee.

Mr. SPRINGER. There is an important legal question involved here.

The SPEAKER. Debate is not in order on the motion of reference.

Mr. HUBBELL. Pending that, I move the House do now adjourn.

The SPEAKER. The Chair desires before the House adjourns to have time to submit some important messages and executive communications to the House, and if the gentleman insists on his motion to adjourn the Chair will ask unanimous consent at this time for that purpose.

Mr. ROBESON. I understand my joint resolution as it now stands is referred to the Committee on the Public Lands?

Mr. SPRINGER. Not at all; but it is now pending on the question of reference.

Mr. ROBESON. Very well.

The SPEAKER. The resolution is pending, but not referred. The action of the Chair in making a reference is merely an expression of opinion, which, when acquiesced in, has the effect of reference; but whenever a member desires to take the opinion of the House by a motion, giving reference to a bill or joint resolution, that leaves the question still pending before the House and undischarged.

Mr. PAGE. How did the gentleman from Michigan take the gentleman from New Jersey off the floor? He has not yielded the floor. The gentleman from New Jersey holds the floor, and no gentleman can take him off by the motion to adjourn.

Mr. ROBESON. I presented a resolution and was about to speak upon it when other gentlemen arose, and out of courtesy I allowed them to occupy the floor. But I maintain that I still hold the floor in my own right.

The SPEAKER. The question of reference is not debatable. The motion of the gentleman from Ohio was a question of reference and is not debatable.

The Chair thinks the motion of the gentleman from Michigan is in order and will entertain the motion. The Chair asks consent of the gentleman from Michigan who makes the motion to adjourn to be allowed at this time to submit certain messages and accompanying documents and other papers received from the Executive Departments of the Government to the House for reference to appropriate committees. Is there objection?

There was no objection.

#### MESSAGE FROM THE PRESIDENT.

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

*To the Senate and House of Representatives:*

I transmit herewith a communication from the Secretary of the Interior, with draught of a bill and accompanying papers, in reference to an agreement by the Shoshone and Bannock Indians with the United States for the disposal of certain of their lands in the Fort Hall Indian reservation, of Idaho, for the use of the Utah and Northern Railway. The matter is commended to the careful consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, January 11, 1882.

The SPEAKER. The message and accompanying papers will be referred to the Committee on Indian Affairs and printed.

#### CONTINGENT EXPENSES OF THE TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a statement of expenditures under the appropriation for contingent expenses of the Treasury Department for the fiscal year ending June 30, 1881.

Mr. SPRINGER. Will the document accompanying that letter be printed?

The SPEAKER. The letter will be referred to the Committee on Expenditures in the Treasury Department. The accompanying statements, the Chair believes, cover a great deal of matter and would involve a very large expenditure for printing. The Chair is also informed that the subject of the printing of these statements is left to be determined by the committee. The accompanying statement, therefore, will not be printed in the absence of an order to that effect.

Mr. SPRINGER. It is usual to print these documents, and I therefore submit a motion that it be printed.

Mr. TOWNSHEND, of Illinois. The statement ought to be printed, and I move that it be printed.

The SPEAKER. The Chair was under the impression that the document was a much more lengthy one than it appears to be on examination, but will submit the motion to the House that it be printed.

The motion was agreed to.

#### OUTSTANDING ACCOUNTS, TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Treasurer of the United States transmitting copies of accounts immediately to be settled with the First Comptroller for the fiscal year ending June 30, 1881.

The SPEAKER. This is the document which the Chair had reference to when he suggested that the printing would involve a large amount of money. The letter and document will be referred to the Committee on Expenditures in the Treasury Department.

Mr. SPRINGER. I suggest, if this be a question of printing, that it should be referred to the Committee on Printing to determine that point.

The SPEAKER. That is not the question now.

Mr. TOWNSHEND, of Illinois. I move that the matter be printed.

The SPEAKER. The Chair is of the opinion that it will involve the expenditure of more than \$500, and an order of the House would be necessary after the matter had been reported by the Committee on Printing. The papers will be referred without printing. The question of printing will necessarily have to be determined by the Committee on Printing.

#### SAINT MARY'S FALLS CANAL.

The SPEAKER also laid before the House a letter from the Secretary of War, relative to the navigation of the Saint Mary's Falls Canal,

in the State of Michigan; which was referred to the Committee on Commerce, and ordered to be printed.

#### REPORT OF NATIONAL BOARD OF HEALTH.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting the report of the National Board of Health for the fiscal year ending June 30, 1881; which was referred to the Committee on the Public Health, and ordered to be printed.

#### EXPENDITURES OF THE NATIONAL BOARD OF HEALTH.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report of the expenditures of the National Board of Health for the quarters ending March 31 and September 30, 1881; which was referred to the Committee on the Public Health, and ordered to be printed.

#### A. M. SAWYER.

The SPEAKER also laid before the House a letter from the Secretary of War, relative to the compensation of A. M. Sawyer for an improvement in canister shot; which was referred to the Committee on Patents.

#### COAST AND GEODETIC SURVEY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a statement of expenditures on account of the Coast and Geodetic Survey for the fiscal year ending June 30, 1881; which was referred to the Committee on Appropriations, and ordered to be printed.

#### NATIONAL SOLDIERS' HOME.

The SPEAKER also laid before the House the annual report of the board of managers of the National Home for Disabled Volunteer Soldiers; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### CLERK HIRE IN POST-OFFICES.

The SPEAKER also laid before the House a letter from the Postmaster-General, relative to appropriations for clerk hire in post-offices in the United States for the fiscal year ending June 30, 1882; which was referred to the Committee on Appropriations, and ordered to be printed.

#### INDIAN SERVICE SUBSISTENCE FUNDS.

The SPEAKER also laid before the House a letter from the acting Secretary of the Interior, transmitting a statement of the diversion of Indian service subsistence funds under the act of March 11, 1880; which was referred to the Committee on Appropriations, and ordered to be printed.

#### GRADE OF ARMY OFFICERS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a petition for the passage of an act giving Army officers up to and including rank of lieutenant-colonel, after fifteen years in any one grade, rank and pay of next higher grade; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### WAR OF THE REBELLION.

The SPEAKER also laid before the House a letter from the Secretary of War, recommending that an additional one thousand copies of the War of the Rebellion be furnished to the Executive Departments; which was referred to the Committee on Printing, and ordered to be printed.

#### COLONEL GRIERSON.

The SPEAKER also laid before the House a letter from the Secretary of War, relative to the correction of the record of Colonel Grierson; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### ADDITIONAL CLOTHING FOR INDIAN SERVICE.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting statement of the disposition of additional clothing purchased for Indian service under the act of May 11, 1880; which was referred to the Committee on Indian Affairs, and ordered to be printed.

#### NEW BUILDINGS AT FORT APACHE.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting plans, &c., for new buildings at Fort Apache, in Arizona Territory; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PRIVATE JAMES F. O'NEILL.

The SPEAKER also laid before the House a letter from the Secretary of War, relative to the claim of Private James F. O'Neill; which was referred to the Committee on Claims.

#### SPRINGFIELD ARMORY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a statement of expenditures, &c., in the Springfield armory; which was referred to the Committee on Expenditures in the War Department, and ordered to be printed.

#### TRANSPORTATION OF AGRICULTURAL EXHIBITS.

The SPEAKER also laid before the House a letter from the Commissioner of Agriculture, asking an appropriation for packing and transporting agricultural exhibits presented to the Agricultural

Department; which was referred to the Committee on Agriculture, and ordered to be printed.

#### POLYGAMY.

The SPEAKER. The Chair also has a memorial from the General Assembly of the Presbyterian Church of the United States, which has been presented to the Chair by a distinguished committee appointed by that body. It is their desire that the memorial be laid before the House, and that it should be read to the House and go into the RECORD. In the absence of objection, the memorial will be read and will be printed in the RECORD.

There was no objection, and the memorial was read and ordered to lie on the table. It is as follows:

NEW YORK, January 7, 1882.

Extract from the minutes of the general assembly of the Presbyterian Church in the United States of America, in session at Buffalo, New York, May 26, 1881.

The standing committee on bills and overtures presented a report on overtures Nos. 8 and 9 from the presbyteries of Chicago and Logansport, praying the assembly to take further action on the subject of polygamy. Your committee would respectfully offer the following for adoption by the assembly:

Action condemnatory of polygamy has been taken at several recent meetings of the assembly. Yet, as the practice of this vice continues not only unsuppressed, but unabated, within the bounds of our national territory, and since a recent decision of the Supreme Court of the United States makes the attempt to strike it more difficult than before, the assembly feels that silence on the subject would now be inexcusable. This enormous wickedness has gradually grown through a period of years, organizing itself into a government for its own defense, under the eye of the national Government, until it has gained sufficient force to defy the legislative and executive power of the nation. It now stands more haughty and resolved than ever. Its efforts to strengthen itself by immigration of the weak and ignorant from Europe and by despotic suppression of liberty among its votaries and victims are systematically exerted. For its own fortification it is forcing its way from its original stronghold into adjacent territory, where, unobserved, it may take root and fasten on the land by finding quiet recognition in local laws.

Its spirit grows, with age, no less hostile to the law of Christianity, to the instincts of morality, to the essential principles of civilization, and to the existence of liberty for the people. It is condemned alike by the Church, by the State, by the family, and by the individual conscience. It is abhorred by God. It seems all the more detestable because it hides its crime for shelter under the garb of religion. It is growing, as slavery grew, from infancy to maturity of grasp upon the national life. The terrible conflict required for the extermination of the one should sound timely warning as to the latent perils of the other. The Territories in which polygamy yet exists are under the control of the President and of Congress, i. e., of the national Government. The nation, as such, is therefore responsible for its continuance. The Christian citizens of the nation bear their share in this common responsibility.

Should these Territories become States, with polygamy maintained, the difficulty of reaching it would be vastly heightened. They are rapidly increasing in wealth and in population, and will soon be knocking for admission as States at the national door. Efficient action for its obliteration must then, if taken at all, begin without delay.

1. We, therefore, as an assembly, solemnly protest, before God and before men, against this heinous and abominable crime, as a foul blot on the face of our country, for the existence of which God will hold the nation to account, and for which He will surely call it into judgment, except the evil be speedily abated.

2. We rejoice in the determination of the President of the United States, as expressed in his inaugural address, to deal vigorously with this iniquity. And we assure him of our sympathy and support in all lawful and just efforts for its extinction, praying him not to withhold his hand.

3. We reiterate our hearty approval of the stand taken by Governor Murray, of Utah, and his counselors, and by the United States courts of the Territory, in hostility to polygamous marriages.

4. We respectfully memorialize the national Legislature to enact whatever laws may seem most wise and most efficient for the utter obliteration of this vice, whether as an organized system or as an individual practice.

5. And we urge our own members, without respect to party lines, zealously to exert their influence, in every lawful method, for the enactment of an amendment to the national Constitution that shall forever prohibit the existence of polygamy in the nation.

Your committee would also recommend that a copy of this action be officially laid before the President of the United States and the presiding officers of the two Houses of Congress, as conveying the unanimous sentiment of the ministry and membership of the Presbyterian Church in the United States.

The recommendations of the committee were adopted.

A true extract from the minutes.

EDWIN F. HATFIELD, Stated Clerk.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows: To Mr. CABELL, for the remainder of the present week; and To Mr. MONEY, for two days, on account of important business.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. HASKELL, by unanimous consent, leave was given to withdraw from the files of the House papers in the case of John Burkhardt, there being no adverse report thereon.

#### ORDER OF BUSINESS.

Several members called for the regular order.

The SPEAKER. The pending question is the motion of the gentleman from Michigan, [Mr. HUBBELL] that the House do now adjourn.

Mr. ROBESON. I rise to a parliamentary inquiry. I ask what would be the status of the motion to refer my joint resolution if the House should now adjourn?

The SPEAKER. It would come up to-morrow as unfinished business.

Mr. HUBBELL. I withdraw the motion to adjourn.

The SPEAKER. The question now before the House is the motion of the gentleman from Ohio, [Mr. BUTTERWORTH], to refer the joint resolution introduced by the gentleman from New Jersey, [Mr. ROBESON], to which motion the gentleman from Illinois [Mr. SPRINGER] offered an amendment, and to that amendment the gentleman from Mississippi [Mr. CHALMERS] offered an amendment.

Mr. SPRINGER. Is that in order, being in the third degree?



The SPEAKER. The motion of the gentleman from Illinois was to amend the motion of the gentleman from Ohio.

Mr. SPRINGER. And that was to amend the motion of the gentleman from New Jersey.

The SPEAKER. The motion of the gentleman from Ohio was an original motion. The gentleman from New Jersey made no motion on the subject of reference, but merely made a suggestion, which the Chair indicated; and no motion was pending at the time the motion was made by the gentleman from Ohio.

Mr. ROBESON. I then move now, as an amendment to the substitute, that the joint resolution go to the Committee on the Public Lands under the rule.

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

The question being taken on Mr. HAZELTON's motion there were—ayes 101, noes 73.

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

On the question of ordering the yeas and nays there were ayes 17—not a sufficient number.

So the yeas and nays were not ordered.

The motion to adjourn was agreed to; and accordingly (at three o'clock and twenty-five minutes p. m.) the House adjourned.

#### PETITIONS, ETC.

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

By Mr. BARBOUR: The petition of Samuel Hall, late of the United States Army, for relief—to the Committee on Naval Affairs.

By Mr. BELMONT: The petition of Sidney N. Raynor and others, citizens of Suffolk County, New York, for increase of the pay of employes of the Life-Saving Service—to the Committee on Commerce.

Also, the petition of Peter Pearsall and others, citizens of Queens County, New York, of similar import—to the same committee.

Also, the petition of Daniel K. Hall, jr., and others, citizens of Glen Cove, Queens County, New York; of J. Frederick Hegeman and others, citizens of Hemstead, New York; of John Cook and others, citizens of Syosset, New York; of Richard W. Smith and others, of Little Neck, New York; of Elbert H. Bogart, of Roslyn, New York; and of Isaac Hicks and others, citizens of Old Westbury, New York, for the repeal or modification of the Revised Statutes so as to permit the use of alcoholic spirits in manufacturing vinegar—to the Committee on Ways and Means.

By Mr. BOWMAN: The petition of sundry citizens, that the alley in Washington, District of Columbia, known as O Street northwest, be closed—to the Committee on the District of Columbia.

By Mr. BROWNE: The petition of Warren L. Fish, for an extension of a patent, &c.—to the Committee on Patents.

By Mr. BUTTERWORTH: The petition of 300 employes of the Census Office, for an appropriation to pay for services rendered by them since June 15, 1881—to the Committee on the Census.

By Mr. CHAPMAN: The petition of George Calvert, for compensation for damage done his ferry at Nottingham, Maryland, during the late rebellion—to the Committee on War Claims.

By Mr. CULBERSON: The petition of A. M. Richardson and others, citizens of Hunt County; of F. H. Allen and others, citizens of Hopkins County; of J. G. Hamilton and others, of Hunt County; and of James H. Horgan and others, citizens of Hopkins County, State of Texas, for legislation to control railroad transportation—severally to the Committee on Commerce.

Also, the petition of James G. Naylor, for relief—to the Committee on the District of Columbia.

Also, the petition of W. B. Moses, for pay for furnishing room for use of the orphan's court—to the same committee.

Also, papers relating to the claim of Alfred H. Brooks—to the Committee on the Judiciary.

Also, papers relating to the claim of George W. Rogers—to the Committee on Naval Affairs.

Also, papers relating to the proposition to abandon a portion of Rock street in the city of Georgetown—to the Committee on the District of Columbia.

By Mr. DARRELL: The petition of letter-carriers of New Orleans, Louisiana, for an increase of salary—to the Committee on the Post-Office and Post-Roads.

By Mr. DE MOTTE: Papers relating to the pension claim of Jonas Myers—to the Committee on Invalid Pensions.

By Mr. DEZENDORF: One hundred and seventeen petitions, for the abolition of the marine-hospital tax—to the Committee on Commerce.

By Mr. DIBRELL: The petition of Colonel William Clift, for services rendered and expenses incurred in recruiting—to the Committee on War Claims.

By Mr. DOWD: Two petitions, for the establishment of post-routes in North Carolina—severally to the Committee on the Post-Office and Post-Roads.

By Mr. ERRETT: Papers relating to the claim of Samuel M. Freeman—to the Committee on Military Affairs.

Also, papers relating to the claims of certain citizens of Allegheny County, Pennsylvania—to the Committee on Claims.

By Mr. S. S. FARWELL: The petition of citizens of Jones County, Iowa, for repeal of law imposing taxes on banks and stamps on bank-checks—to the Committee on Ways and Means.

By Mr. FINLEY: The petition of sundry citizens, to establish a

postal route between Saint Lucie, Brevard County, and Fort Bassinger, Manatee County, in the State of Florida—to the Committee on the Post-Office and Post-Roads.

By Mr. HARDENBERGH: The petition of letter-carriers of Philadelphia, for an increase of pay—to the same committee.

Also, the petition of the synod of New Jersey, representing 45,000 communicants of churches and 150,000 adherents, for the suppression of polygamy—to the Committee on the Judiciary.

By Mr. B. W. HARRIS: The petition of B. C. Sparrow, superintendent of life-saving stations of the second district of Massachusetts, that increased pay be allowed employes of life-saving stations—to the Committee on Commerce.

Also, the petition of Asa Weeks, for compensation for services rendered and expenditures made in perfecting system of torpedo warfare—to the Committee on Naval Affairs.

By Mr. PHINEAS JONES: The petition of citizens of New Jersey, for the repeal of taxes imposed on national banks, State banks, trust companies, and private bankers of the country—to the Committee on Ways and Means.

By Mr. LADD: Two petitions of citizens of Penobscot County, Maine, for legislation to compel railroad corporations to furnish adequate facilities for travel and transportation at reasonable rates—to the Committee on Commerce.

By Mr. LINDSEY: The petition of William True, for a pension—to the Committee on Pensions.

Also, papers relating to the claim of the trustees of the Mount Savage Iron Company—to the Committee on War Claims.

By Mr. MANNING: Papers relating to the claim of Henry P. Gorman, Walter Gorman, and Maggie Brown—to the same committee.

By Mr. MARTIN: The petition of James Raymond and others, for an increase of compensation to employes of the Life-Saving Service—to the Committee on Commerce.

By Mr. MASON: The petition of the Board of Trade, of ship-owners and ship-masters, and of citizens of Oswego County, New York, for an increase of pay of employes in the Life-Saving Service—to the same committee.

By Mr. MCKENZIE: The petition of J. H. Baize, of Ohio County, Kentucky, for relief—to the Committee on Invalid Pensions.

By Mr. MCKINLEY: The petition of sundry citizens, for the establishment of a post-road from Canfield to Youngstown, Ohio—to the Committee on the Post-Office and Post-Roads.

By Mr. MOREY: Papers relating to the claim of Thomas Worthington—to the Committee on Military Affairs.

Also, papers relating to the claim of Thomas Worthington—to the Committee on War Claims.

Also, papers relating to the pension claim of Thomas Worthington—to the Committee on Invalid Pensions.

By Mr. PELLE: Papers relating to the claim of Captain Robert G. Smither, Tenth United States Cavalry—to the Committee on Military Affairs.

By Mr. RAY: The resolutions of the Portsmouth Board of Trade, for increase of salaries of the employes of the United States Life-Saving Service—to the Committee on Commerce.

By Mr. REED: The petition of Samuel Sweetser and 94 others, citizens of North Yarmouth, Maine, for the regulation of railroad rates by law—to the same committee.

By Mr. D. P. RICHARDSON: Memorial of Hon. Edward Haight and 42 others, citizens of New York, for the passage of the joint resolution now before the House of Representatives authorizing the Secretary of War to contract for the Harlem River improvement—to the same committee.

By Mr. ROBERTSON: Papers relating to the contested-election case of Robertson vs. Nash—to the Committee on Elections.

By Mr. ROBESON: The petition of citizens of New Jersey, for legislation to prevent extortion and discrimination by railroad corporations—to the Committee on Commerce.

By Mr. ROSS: The petition of employes of the Life-Saving Service for increased pay—to the same committee.

By Mr. SCOVILLE: Two petitions from citizens of New York, for the repeal of the law imposing taxes on banks, bankers, and trust companies, and stamps on bank checks—severally to the Committee on Ways and Means.

By Mr. STONE: The petition of Jabez Marchant, jr., and other employes of the Life-Saving Service, for increase of pay—to the Committee on Commerce.

By Mr. TALBOTT: The petition of A. M. Templeton, for relief—to the Committee on War Claims.

By Mr. URNER: The petition of Jane C. Dyer, for compensation for property taken and used by the United States Army during the late rebellion—to the same committee.

By Mr. VAN HORN: Papers relating to the claim of James N. Hill—to the same committee.

By Mr. WADSWORTH: The petition of citizens of East Bloomfield, New York, for the repeal of taxes on banks and bankers and stamps on bank-checks—to the Committee on Ways and Means.

By Mr. WILLIS: The petition of George W. Wicks & Co., of Louisville, Kentucky, for reimbursement for loss sustained by reason of seizure of tobacco, &c., by United States internal-revenue officers—to the same committee.

Also, the petition of S. W. Price, late postmaster at Lexington, Kentucky, for relief—to the Committee on Claims.