

New Jersey, for an appropriation for the erection of a public building in said city—to the Committee on Public Buildings and Grounds.

By Mr. HUBBELL: The petition of F. M. Wilcox and others, citizens of Rochester, Oakland County, Michigan, against the passage of the bill to authorize the Commissioner of the General Land Office to sell certain overflowed and unsurveyed lands in Saint Clair County, Michigan—to the Committee on the Public Lands.

By Mr. KING: The petition of citizens of Vidalia, Louisiana, and Natchez, Mississippi, for the improvement of the harbors of Vidalia and Natchez, respectively—to the Committee on Commerce.

By Mr. LACEY: The petition of H. J. Day, A. A. McConoughey, and others, citizens of Marshall, Michigan, for legislation for the suppression of polygamy—to the Committee on the Judiciary.

By Mr. MAGINNIS: Three petitions, signed by officers of the United States Army, in relation to the restoration of officers who have been dismissed by court-martial—severally to the Committee on Military Affairs.

By Mr. MORSE: The petition of Joseph Frye and others, for the passage of the French spoliation claims bill—to the Committee on Foreign Affairs.

By Mr. MULBROW: The petition of J. Russell and others, citizens of Zion, Lowndes County, Mississippi, for the restoration of fractional currency—to the Committee on Banking and Currency.

Also, the petition of C. A. Sullivan, of Mississippi, for an appropriation for testing a patent for aerial navigation—to the Committee on Military Affairs.

By Mr. NOLAN: The petition of Cebra Quackenbush and 30 others, citizens of Albany, New York, for a reduction of the duty on sugar to a rate not exceeding 25 per cent. ad valorem—to the Committee on Ways and Means.

By Mr. O'NEILL: The petition of the Vessel-Owners' and Captains' Association of Philadelphia, Pennsylvania, for an appropriation for the improvement of the Delaware River—to the Committee on Commerce.

By Mr. POUND: The petition of George Woodhull and 229 others, citizens of Marinette and vicinity, in the State of Wisconsin, praying Congress to adopt rigorous and efficient measures for the suppression of polygamy—to the Committee on the Judiciary.

Also, the petition of citizens of Superior, Wisconsin, and certain railway officials, for an adequate appropriation to improve the Superior harbor—to the Committee on Commerce.

By Mr. TALBOTT: Papers relating to the claim of Leif & McKee—to the Committee on Claims.

By Mr. VANCE: The affidavit of Robert L. Fox, in relation to the claim of James Washington Brank, late Second North Carolina Mounted Infantry—to the Committee on Military Affairs.

By Mr. WARD: The petition of the Vessel-Owners' and Captains' Association of Philadelphia, Pennsylvania, relative to the improvement of the Delaware River—to the Committee on Commerce.

The petition of Joshua Johnson was reported by Mr. HENDERSON from the Committee on Military Affairs, under clause 2 of Rule XXII, and referred to the Committee on War Claims.

## SENATE.

THURSDAY, March 23, 1882.

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

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

### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in compliance with law, a full and complete inventory of all property belonging to the United States in the buildings, rooms, offices, and grounds occupied by that Department and under its charge; which was ordered to lie on the table and be printed.

### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of the Independent Order of Good Templars of Illinois, representing 15,000 members, praying for an amendment of the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages through the national domain; which was ordered to lie on the table.

Mr. GARLAND presented the petition of Joseph Cossart and others, citizens of Clark County, Arkansas, praying for an appropriation for the improvement of the Ouachita River in that State; which was referred to the Committee on Commerce.

Mr. FERRY presented a petition of citizens of Emmet and other counties in Michigan, interested in vessel property, praying for an appropriation for the survey and improvement of Cross Village Harbor, on the coast of Lake Michigan; which was referred to the Committee on Commerce.

Mr. KELLOGG presented a memorial of the board of health of Louisiana, in favor of the erection of a United States marine hospital at New Orleans; which was referred to the Committee on Commerce.

Mr. TELLER presented a petition of the Woman's Christian Temperance Union of Colorado, praying for an amendment of the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages throughout the national domain; which was ordered to lie on the table.

Mr. BROWN. I present the petition of Hon. T. J. Simmons, judge of the superior courts of the Macon circuit, Georgia, and a number of other prominent citizens of Bibb County, Georgia, praying for an adequate appropriation for the improvement of the harbor of Savannah in that State; which I move be referred to the Committee on Commerce.

The motion was agreed to.

### REPORTS OF COMMITTEES.

Mr. WINDOM, from the Committee on Foreign Relations, to whom was referred the bill (S. No. 799) in relation to the Venezuela awards and the bill (S. No. 893) in respect to the Venezuela claims and awards, submitted an adverse report thereon; which was ordered to be printed, and the bills were postponed indefinitely.

Mr. VANCE. I am directed by the Committee on the District of Columbia, to whom were referred the bill (S. No. 1410) for the relief of Albert T. Whiting, and the bill (S. No. 1373) for the relief of Thomas Evans, to report a substitute for them. As they are both for the same object, they are incorporated into one bill.

The bill (S. No. 1561) for the relief of Albert T. Whiting and Thomas Evans was read twice by its title.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. No. 1440) relating to the registration of trade-marks, reported it without amendment.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. No. 881) for the relief of Lieutenant Edward S. Farrow, United States Army, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. GEORGE, from the Committee on Agriculture, to whom were referred the bill (S. No. 302) to establish a department of agriculture and commerce, and the bill (S. No. 958) to make the Agricultural Department an Executive Department, and to enlarge its duties and powers, reported a bill (S. No. 1562) to constitute the Department of Agriculture an Executive Department and enlarge its duties and powers; which was read twice by its title.

Mr. MAHONEY, from the Committee on Agriculture, to whom was referred the bill (S. No. 593) for the establishment of a bureau of animal industry, to prevent the exportation of diseased cattle and the spread of infectious or contagious diseases among domestic animals, reported it without amendment.

### BILLS INTRODUCED.

Mr. JOHNSTON asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1563) for the erection of a public building at Lynchburg, Virginia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1564) for the relief of E. T. Pilkenton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. FRYE asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1565) to provide for the formation and admission into the Union of the State of Washington; which was read twice by its title, and referred to the Committee on Territories.

Mr. MITCHELL asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1566) for the relief of the heirs of Jacob Cramer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1567) to provide for the compensation of registers and receivers for selling Osage Indian lands; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. VAN WYCK asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1568) to establish a board of review of pension and bounty land-warrant claims rejected under existing laws, and to prevent fraud or injustice in the granting of pensions or bounty land-warrants; 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. 1569) making an appropriation for continuing the improvement of the channel of Cochecho River, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Commerce.

### AMENDMENT TO APPROPRIATION BILL.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the general deficiency bill; which was referred to the Committee on Appropriations, and ordered to be printed.

### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. CAMERON, of Wisconsin, it was

Ordered, That the papers relating to the claim of Eliza H. Powers be taken from the files and referred to the Committee on Claims.

## TEXAS NORTHERN BOUNDARY LINE.

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

*Resolved*, That the Committee on Printing be instructed to ascertain and report the cause of delay in printing the communication of the Secretary of the Interior ordered to be printed, as appears of record of January 24, 1882, in response to the following resolution adopted January 6, 1882.

*Resolved*, That the Secretary of the Interior be, and he is hereby, instructed to furnish the Senate with the report, if any, of the survey of the United States and Texas boundary commission, made under the provisions of the act of Congress approved June 5, 1858, and if no final report of said commission was made, he will report that fact, together with the maps, surveys, and report of the work so far as it was prosecuted.

## THE MISSISSIPPI OVERFLOW.

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

*Resolved*, That the Secretary of War be directed to transmit to the Senate the following information: What amount of supplies, tents, and transportation has been furnished by his Department to the several States for the relief of the sufferers by the overflow of the Mississippi River; and what further supplies, tents, and transportation will be necessary to afford all necessary relief to said sufferers, together with an estimate of the cost of the same.

## ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there be no further morning business—

Mr. BAYARD. The other day the bill (S. No. 813) appropriating ground in the city of Philadelphia for public purposes was passed over without prejudice, the bill retaining its place on the Calendar. I therefore call it up now for consideration. It is a bill of importance, in regard to the mint in Philadelphia, reported from the Committee on Finance, and meeting the unanimous favor of the committee. I think it will lead to no debate.

Mr. CONGER. I hope the Senator will not press any bill until we get the Life-Saving Service bill disposed of. That is standing in the way of all other business, and I myself and others desire to have it disposed of to-day.

Mr. BAYARD. I will say to my friend that I think there will be no debate on the bill I have indicated. It is for the purpose of obtaining additional land surrounding the present mint in Philadelphia for the purpose of having an extension made.

The PRESIDENT *pro tempore*. If there be no objection, by unanimous consent the bill can be taken up.

Mr. MILLER, of New York. I understood that the bill was not to be considered at this time. I object to its consideration.

The PRESIDENT *pro tempore*. The Anthony rule is absolute.

Mr. BAYARD. There was no understanding that the bill was not to be taken up.

The PRESIDENT *pro tempore*. No, sir; but when there is no further morning business the Anthony rule is operative.

Mr. BAYARD. When will the bill come up?

The PRESIDENT *pro tempore*. The first bill on the Calendar must be called under the Anthony rule. The Chair will inform the Senator from Delaware that the bill he refers to was passed over without prejudice, but there is a bill pending before the Senate as the first bill on the Calendar under the Anthony rule. When that bill is disposed of the Senator from Delaware can ask to take up his bill.

Mr. BAYARD. I would not ask that the regular order be displaced.

Mr. MORGAN. I would inquire of the Chair at what time resolutions on the Calendar are in order.

The PRESIDENT *pro tempore*. The Chair has left it for any Senator to call up a resolution he desires to have considered during the morning hour; and that of course is in order now under the Anthony rule.

Mr. MORGAN. As soon as resolutions are disposed of then the Anthony rule becomes operative?

The PRESIDENT *pro tempore*. Yes, sir.

## RECIPROCITY TREATY WITH MEXICO.

Mr. MORGAN. I desire to call up the resolution I offered some days ago in reference to our treaty relations with Mexico. I do not propose to submit any remarks on the resolution now, but to ask the Senate to adopt it, for the reason that in some remarks I made a few days ago on the tariff-commission bill I discussed the substance of the resolution; and I suppose there will be no dissent from its principles. I desire the Senate to take action upon the resolution now.

The Senate proceeded to consider the following concurrent resolution, submitted by Mr. MORGAN on the 6th of February:

*Resolved by the Senate, (the House of Representatives concurring), That the increasing commercial intercourse between the people of Mexico and of the United States, and the relations of friendship and good-will between the two great Republics now so happily existing and so gratifying to the people of both countries, make it proper that the trade and commerce of the two countries, whether on overland routes or by sea in the ships owned by citizens of either country, should be regulated by a treaty of reciprocity mutually advantageous to both countries.*

Mr. MORGAN. This is a concurrent resolution of the two Houses. The Congress of Mexico meets about the first of April, and it seemed to me it would be very proper for us at this time to give some Congressional expression upon this subject on our part, so that the Congress of Mexico may also prepare their government for such measures as may be necessary to have a treaty of reciprocity or some arrangement of reciprocity for mutual traffic between the two countries.

Mr. SHERMAN. I think the resolution ought to be referred to a

committee. The question whether we shall make any reciprocity treaty has always been a debatable question, and certainly won't lead to long debate now. I have no objection to the Senator having the resolution referred to the Committee on Foreign Relations, the Committee on Commerce, or the Committee on Finance, to either of which it might be properly referred. Perhaps the Committee on Foreign Relations would be the more appropriate committee.

Mr. MORGAN. I had no expectation that there would be any opposition to the resolution in the Senate, otherwise I should have had it referred.

Mr. SHERMAN. There is opposition on both sides of the House to all reciprocity treaties. The Senator will find it very strong indeed. It was so years ago, and we have repealed every reciprocity treaty that ever was made except the Sandwich Islands treaty, I believe.

Mr. MORRILL. And that we are trying to repeal.

Mr. SHERMAN. And that there is an effort to repeal.

The PRESIDENT *pro tempore*. Does the Senator from Ohio move to refer the resolution?

Mr. SHERMAN. I would move to refer it to the Committee on Foreign Relations, but the Senator from Alabama may have it referred to any committee he desires. I do not wish to designate the committee.

Mr. MAXEY. Living in a State bordering upon Mexico it has been my duty to investigate very closely and thoroughly this question of a treaty with Mexico. In addition to the great question of reciprocity, now so important, in addition to the great purpose which the Government ought to have in view to secure to the people of the United States the trade of Mexico, if possible, there are other and many reasons why a treaty should be made. The question of extradition comes in, the question of the Zona Libre, and the question of the present boundary, which, according to the treaty of 1848, is the main channel of the Rio Grande. That river is constantly changing its position. The effect of that is that a pocket, or "bolsa," as they call it, is cut off from Mexican territory and thrown on our side, and in like manner the territory that belongs to the United States is cut off by the changes of that river and thrown onto the Mexican side. In all the troubles we have had down there, smugglers and others, citizens of Mexico, could come over on their own soil lying on our side of the river and prepare their raids upon our people. That question should be taken into consideration.

Again, the question of the equitable partition or division of the waters of the Rio Grande above navigation for irrigable purposes ought to be taken into consideration; extradition, and many questions which should be taken into consideration in addition to the question of reciprocity.

So far as a new treaty with Mexico is concerned I think there can be no question that it has become an actual necessity. What may be the result of that treaty in respect to reciprocity, whether the Mexican Government will agree to make a treaty of reciprocity upon such terms as will be acceptable is a question to be tried. The present minister from Mexico, Señor Romero, is probably the best diplomat of that country, and equal, I imagine, to any that we could send upon our part. They are natural diplomatists, and I have never known that we have got any advantage of them in any treaty we have ever made. On the contrary, I think every treaty will show that they have taken care of their side of the question admirably well.

Therefore I most heartily concur in the proposition of the Senator from Alabama. I hope the Senate will take this matter up and at all events give the opportunity of making a new treaty, and upon report, should a reference to the Foreign Relations Committee be made, the reasons can be given for the treaty, to the entire satisfaction, as I think, of the Senate, the Executive, and the country.

Mr. MORRILL. Mr. President, this subject is an important one, and I was pleased to listen to the speech of the Senator from Alabama [Mr. MORGAN] day before yesterday, who presented a great many facts, from which it was obvious that the greatest difficulty about our commerce with Mexico is, that while we admit nearly all the articles from that country free, we are taxed when we send articles there a very high rate, almost prohibitory.

I think this is a matter eminently deserving of discussion, and especially in regard to the Free Zone that exists between Mexico and the United States, where any amount of smuggling has been carried on for years. But it clearly is a question that ought to be referred to some committee.

As for a treaty of reciprocity, I do not myself believe that the Senate and the President of the United States have any constitutional power to usurp the prerogatives of the House of Representatives in originating revenue bills; but this question is a wide one. I hope, therefore, the resolution will be referred either to the Committee on Foreign Relations or the Committee on Commerce.

Mr. COKE. Mr. President, I have had occasion on this floor more than once to refer to different matters that ought to be the subject of treaty negotiation between Mexico and the United States. Very recently, in discussing the tariff question, I went somewhat into that subject.

There is one question particularly which is liable to produce trouble between the two countries if not adjusted, and that is the question of boundary. There are to-day large tracts of land in Texas, as the Rio Grande runs, that formerly were in Mexico; and *vice versa*,



large bodies of land in Mexico that formerly were in Texas. The Rio Grande is a shifting river; it frequently changes its bed. Under the latest treaty with Mexico the middle of the Rio Grande River is the boundary between the two countries. While I was governor of Texas I had troublesome questions to deal with, growing out of the fact that the bed of the river was changed, throwing citizens of Texas into Mexico, and again throwing people of Mexico into Texas. The local courts on the Rio Grande have to deal with these questions, and find them very troublesome. They ought to be settled by the National Government in a way that would preclude further trouble.

Again, there is the Zona Libra, a breeding nest for smugglers. It promotes smuggling upon that border to an extent that is not known, not appreciated, not believed by those who are distant from that country. That matter should be attended to in treaty negotiations.

Mr. MAXEY. If my colleague will allow me, I happen to know that there was agitated not long ago in Mexico the question of extending this Zona Libra, which is only one hundred and sixty miles now, clear on up to El Paso, about a thousand miles. It has been proposed that the Mexican Congress should extend it there, which would be a curse to our entire frontier.

Mr. COKE. I am fully aware of the facts stated by my colleague and made representations during the last summer to the Secretary of State upon that subject, and had correspondence with him, and he brought it to the attention of the Mexican Government. The question is an exceedingly important one to both Texas and the United States. It should be insisted on that the establishment of the Free Zone upon the opposite bank of the Rio Grande is detrimental to the interests of the United States in every possible way. When the State authorities of Texas had so much trouble on the Rio Grande with marauders from Mexico it was produced almost entirely by the congregation of desperate and bad men in the Zona Libra who were congregated there for smuggling purposes and who made their raids into Texas from there.

There is another question which should be attended to by treaty negotiation. Citizens of the United States should be enabled to hold land for commercial purposes within the border leagues of Mexico, which they now cannot do; and merchants, traders, and business men of the United States should have better guarantees of protection for person and property when in Mexico for business or commercial purposes, either transiently or permanently.

The insecurity of person and property in Mexico heretofore has been such as virtually to exclude our people from the commerce of that country. We are now establishing intimate relations with Mexico. Our railroad system is penetrating that country, and it becomes necessary that we should have a new agreement with Mexico in order to adapt our relations to existing and changing conditions. These and other things should be attended to by the National Government at once. The great commerce of Mexico, which is to be developed by a railroad system traversing that country is one that we should make every effort to secure. We should prepare now for it by amicable treaty negotiations laying the proper predicate for more intimate social and commercial intercourse. I hope the resolution of the Senator from Alabama will be adopted.

Mr. MORGAN. I have no objection, if the Senate desires it, to have this resolution referred to the Committee on Foreign Relations. I wish merely to say that I do not mean by reciprocity that we should undertake by the treaty-making power to deal with any settled system of revenue which may be adopted by the two Houses of Congress; but I think that the executive governments of the two countries ought to come to some agreement among themselves as to what would be a proper commercial policy, and then go before each of the Congresses of the two republics with their recommendations so as thereby to bring us nearer together than we are to-day.

The discrepancies in the tariffs of Mexico and the United States, as contained in the appendix to the remarks I made the other day, are so great that they must attract the attention of the people of both countries. I have great hope that the Mexican Congress will modify their tariff system and bring it down at least to something like the basis on which we are taxing products of foreign countries; and besides there is a tax on exports there, especially on bullion, which is prohibitory. I shall make no objection to the reference to the Committee on Foreign Relations, because I desire to get all the influence I can in favor of this proposition.

Mr. MAXEY. I only want to say to the Committee on Foreign Relations that if the resolution goes there I trust that it will come back promptly. I introduced a resolution myself in 1877 for the same purpose; subsequently my honorable friend on my right, the Senator from Tennessee, [Mr. HARRIS,] introduced a like resolution. These resolutions were plain, simple resolutions asking the appointment of commissioners to negotiate a treaty with Mexico. From them we had no reply. Subsequently the House of Representatives passed a resolution for the appointment of commissioners to negotiate a treaty. That went to the Committee on Foreign Relations, and we never had a report. Now, I do hope, because this is a great question—no greater question can be presented to Congress—the committee will promptly act, and then when the resolution comes back here the Senate can fully discuss the question, and bring to the attention not only of the Department of State but of the whole country the importance of a new treaty with Mexico.

Mr. MORGAN. It is my duty, as a member of the Committee on Foreign Relations, to state to the Senator from Texas that although the committee did not agree to the resolution referred to by him originating in the other House, we did recommend an appropriation of \$25,000 to enable the State Department to send an extraordinary embassy to Mexico to take all these subjects into consideration, not desiring to prejudice the question in any way.

The PRESIDENT *pro tempore*. It is moved that the resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

#### LIFE-SAVING SERVICE.

The PRESIDENT *pro tempore*. The bill (H. R. No. 1049) to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck, which came over from yesterday, is first in order.

Mr. MORGAN. I desire to inquire whether a bill taken up in the Senate after the hour for the Anthony rule has expired has the right of way? This bill was taken up by the consent of the Senate yesterday and debated. I want to know whether it has not lost its place on the Calendar under the Anthony rule by that action?

The PRESIDENT *pro tempore*. The Chair thinks not. This bill was taken up under the Anthony rule, and its consideration is not completed. It went on further by unanimous consent, and was considered when there was nothing else before the Senate yesterday. The Chair does not think it has lost its place under the Anthony rule.

Mr. MORGAN. I desire to call attention to the fact that we discussed this bill yesterday at large in the Senate and without any limitation of time. Various remarks were made by gentlemen, to some of which there may be some necessity for a reply. When we get the bill back under the Anthony rule we are limited to five minutes' debate. The gentleman in charge of the bill is limited to five minutes, and we are all limited to five minutes. The period of time devoted to this bill yesterday was taken, in other words, from the daily transaction of business here under a rule which operates as harshly in the Senate as the previous question does in the House, and quite as harshly as the proposed *cloture* does on the British Parliament by which they are shut out entirely from all opportunity to debate a question and consider it. All the consideration we can give to a bill under the Anthony rule is simply to sit down and think about it and prepare for a vote, not to hear what somebody has to say in explanation.

Now, this bill having been once in the Senate taken up, not under the Anthony rule but outside of it, and put upon a footing with all other bills that the Senate has been considering, it seems to me that it is entirely incompatible that we should now proceed to its consideration under the Anthony rule where debate on the bill is limited to five minutes after we have had the opportunity in the Senate of debating it at large. I merely suggest that.

Mr. HARRIS. The Senator from Alabama will remember that by the unanimous consent of the Senate the tariff-commission bill was informally laid aside yesterday, and the Senate proceeded to consider the Life-Saving Service bill. Now, it is very clear that at the close of the morning hour this morning the Life-Saving Service bill will not be the unfinished business of the day. By the unanimous consent of the Senate the tariff-commission bill is the unfinished business, and if the view of the Senator from Alabama is maintained the Life-Saving Service bill has no place; it cannot be called in the morning hour; it is not the unfinished business. Hence, I think it dropped back on the Calendar when the Senate ceased to consider it yesterday evening, and it is the first thing in order this morning under the Anthony rule.

Mr. MORGAN. I have no remedy left, I understand, except to object to the present consideration of this bill this morning, which I do.

The PRESIDENT *pro tempore*. The Senator from Alabama objects to the further consideration of the bill this morning, and it will go over unless the Senate by a majority vote determine to consider it.

Mr. CONGER. I move to postpone all prior orders and take up the bill under the Anthony rule.

The PRESIDENT *pro tempore*. The Senator from Michigan moves, notwithstanding the objection, to proceed with the consideration of House bill No. 1049.

The question being put, a division was called for, and the ayes were 28.

Mr. MORGAN. I do not wish to detain the Senate; I withdraw the objection.

The PRESIDENT *pro tempore*. The objection is withdrawn, and the bill (H. R. No. 1049) to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck is before the Senate as in Committee of the Whole. The pending question is on an amendment to section 4, line 30. The Senator from Georgia [Mr. BROWN] moved to strike out "\$2,500" as the salary for the superintendent of the ninth district and insert "\$1,500." The Senator from Maine [Mr. HALE] moved to amend the amendment by inserting "\$1,800." The question is on the amendment to the amendment.

The amendment to the amendment was agreed to, there being on a division—ayes 30, noes 11.

The PRESIDENT *pro tempore*. The question now is on the amendment as amended.

The amendment as amended was agreed to.

Mr. BROWN. In the fourth section, line 33, I move to strike out "\$2,500" and insert "\$1,500" as the salary of the superintendent of the tenth district. The present salary is \$1,000.

Mr. CONGER. I move to amend the amendment by inserting "\$1,800," so as to make it as the other \$2,500 districts named in the bill have been fixed by the Senate.

The PRESIDENT *pro tempore*. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BROWN. I make the same motion as to the eleventh district by striking out "\$2,500" and inserting "\$1,500." The present salary is \$1,000.

Mr. CONGER. I move the same amendment as in the other case, to insert "\$1,800." This is one of the \$2,500 class in the bill.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BROWN. In reference to the twelfth district, I have no motion to make, because the Senate has voted a salary of \$1,800 to several of the other districts where the coast is not near so extensive, and the committee only reports \$1,800 in this case, the same as the Senate has given in others. Hence I make no motion in reference to it.

Mr. HALE. As the Senate has completed the districts, I now ask unanimous consent to go back to the first district, that of Maine and New Hampshire, and that the salary of its superintendent be made \$1,500 like the others, so that the classification shall be preserved. I think the Senator from Georgia will not object to that. That will leave them all at \$1,500 and \$1,800, as the Senate has fixed.

Mr. BROWN. I have no objection to going back at this time and taking the vote on that question.

The PRESIDENT *pro tempore*. The Chair will inform the Senator from Maine that the easier way to reach it will be when the bill shall have been reported to the Senate.

Mr. HALE. I resorted to this method because I shall be called away, and I do not wish to let this matter go. The Senate has in all these cases put the salary at \$1,500 or \$1,800; and the coast of Maine is a long coast, hard to be managed, with many stations upon it, and surely its superintendent should have the same salary as the Senate has fixed for the others of the same class. I would be very glad to have the question taken now if it can be.

Mr. BROWN. I think the Senator from Maine is right about it. While I was not willing to fix the salaries so high, as all the others have been fixed at at least \$1,500, I think his should be, and I ask unanimous consent that it be done.

Mr. HALE. I hope there will be no objection.

The PRESIDENT *pro tempore*. It can be done by unanimous consent.

Mr. BROWN. I ask unanimous consent that the Senator's request be granted, so as to put the superintendent of the first district on an equality with the others.

The PRESIDENT *pro tempore*. The only other way is by a reconsideration being moved by some one who voted in the majority. Is unanimous consent given to inserting \$1,500 as the salary of the superintendent of the first district, embracing the coast of Maine and New Hampshire? The Chair hearing no objection, it will be so ordered.

Mr. BROWN. I now move, in section 5, line 5, to strike out the word "eight" and insert the word "six." The section now reads:

That the Secretary of the Treasury is hereby authorized to fix the annual compensation of the several keepers of stations and houses of refuge at such rate as he may deem just and proper: *Provided*, That the compensation of any keeper shall not exceed \$800 per annum.

The present salary in the case of all these keepers is \$400 per annum. The proposition is to double the salary, and there are one hundred and eighty of these keepers of stations beside the number we have added in this bill. There will probably be over two hundred after this bill passes. The proposition, if carried out, will increase the salaries from eighty to ninety thousand dollars on these offices alone. It seems to me that 50 per cent. is surely enough to add to the compensation of these keepers. They have been serving for years at \$400 each. I have heard of no resignations. We have been told that they are very efficient and very faithful, and that they have done the service well. It shows, then, that we can get good men at \$400 per annum. If we can I see no reason why we should double the salaries, amounting to a draft upon the Treasury for increased salaries as I have already stated of eighty or ninety thousand dollars. I do not know how many are added by this bill, and therefore I do not know exactly the increase that there will be. It seems to me that it is unreasonable to double these salaries, and that \$600 each is sufficient for officers of this rank, or persons having only the duties that they have to perform.

Mr. CONGER. I am informed that something over 20 per cent. of the whole number of keepers have already resigned their commissions as captains of the boats' crews and keepers of the stations. In one district every keeper tendered their resignations, and were only prevailed upon to retain their positions at the request of the Depart-

ment, with some hope held out to them that the salary would be increased. I think there is a general feeling of discontent among the keepers at the small amount of their salary.

Mr. BROWN. Will the Senator permit me to ask him what district it is where they have all resigned?

Mr. CONGER. I did not say that all had resigned in any district, but that in one district they had all proposed to resign, and had kept their places in the hope that Congress would increase their salary.

Mr. BROWN. Then nobody has yet resigned?

Mr. CONGER. Yes, sir; 20 per cent. of all have resigned, I am informed.

Mr. FRYE. Superintendent Richardson has informed me that every keeper had given him notice that he should resign forthwith.

Mr. CONGER. I have only this to add: if the regulation of these salaries is left to the Secretary of the Treasury without limitation, in some cases undoubtedly they will be increased \$200, in others up to \$800, but I think we may safely leave to the Department charged with this business the assignment of the salaries according to the necessities of the various cases. I hope this amendment will not prevail.

Mr. BROWN. As I understand it, (though I have not looked to the law, but I have heard another Senator remark that it is the law now,) the Secretary has a right to fix these salaries provided he does not go over \$400. I find by looking at the Official Register that in every single instance they are fixed at \$400. Therefore I take it, acting upon the same rule, if we say now that he is to fix the salaries at not exceeding \$800, there will be reasons given to his satisfaction in every case, and each will get \$800. I have no doubt of that. The Senator knows that is always apt to be the practice; where we fix a certain maximum sum that sum is usually given by the officer who has charge. To say that he may in his discretion fix the salary at a sum not exceeding \$800, is equivalent in practice to saying that it shall be fixed at \$800.

Mr. CONGER. My own opinion is that \$800 is small enough salary for the service these men render, although I am willing to have the discretion of the Secretary provided for.

Mr. BROWN. Before I take my seat I desire to remark, in reply to a statement made by the Senator, that at one station or in one district—I do not remember which—the keepers have all threatened to tender their resignation. That is rather a threat, I would respectfully submit, held over the Senate that I cannot be influenced by. They have not tendered them. It may be that they did say, about the time Congress was going to assemble, "If you do not raise the salary we will tender our resignations." I think we make a very decided concession when we propose to put the salaries up 50 per cent. That is my proposition. I think we should not go 100 per cent.

Mr. FRYE. Mr. President, the Senator from Georgia is mistaken about the present law. The law fixes the salary now at \$400, and it is not in the power of the Secretary of the Treasury to reduce it. That accounts for all the salaries being \$400.

The Senator proposes an increase of pay of 50 per cent. These keepers are the captains of the crews, and when there is a wreck upon a coast like the Maine coast or the Jersey coast in the winter time and there are hundreds of lives in peril, this captain has to take the whole responsibility of the lives of his own crew as well as the other lives that are in peril, and the idea that \$600 or an increase of 50 per cent. is ample for a man who is obliged to take these terrible responsibilities to himself seems to me utterly absurd. Why, Mr. President, the Senate of the United States pays for six months' service of a man to sit on a cushioned chair and once in a while, when he gets sufficient energy, open a door to let a Senator go through, from \$1,200 to \$1,600 a year, and here is a discussion whether or not a man who perils his life all through six months' time on our terrible coast in the winter storms to save human life shall have a salary of \$800.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia, [Mr. BROWN.]

Mr. BROWN. I desire the yeas and nays on that question.

The yeas and nays were ordered and taken.

Mr. PENDLETON, (when his name was called.) I am paired with the Senator from Connecticut, [Mr. HAWLEY.]

The roll-call having been concluded, the result was announced—yeas 9, nays 46; as follows:

#### YEAS—9.

Beck,  
Brown,  
Cockrell,

Davis of W. Va.,  
Garland,

Harris,  
Jackson,

Morgan,  
Plumb.

#### NAYS—46.

Aldrich,  
Allison,  
Anthony,  
Bayard,  
Blair,  
Call,  
Camden,  
Cameron of Wis.,  
Coke,  
Conger,  
Davis of Illinois,  
Dawes,

Fair,  
Farley,  
Ferry,  
Frye,  
Gorman,  
Hale,  
Hampton,  
Harrison,  
Hill of Colorado,  
Hoar,  
Johnston,  
Jonas,

Jones of Florida,  
Kellogg,  
McMillan,  
Mahone,  
Maxey,  
Miller of Cal.,  
Miller of N. Y.,  
Mitchell,  
Morrill,  
Platt,  
Pugh,  
Rollins,

Saunders,  
Sawyer,  
Sewell,  
Sherman,  
Slater,  
Teller,  
Vance,  
Vest,  
Williams,  
Windom.



## ABSENT—21.

Butler,  
Cameron of Pa.,  
Edmunds,  
George,  
Groome,  
Grover,

Hawley,  
Hill of Georgia,  
Ingalls,  
Jones of Nevada,  
Lamar,  
Lapham,

Logan,  
McBill,  
McPherson,  
Pendleton,  
Ransom,  
Saulsbury,

Van Wyck,  
Voorhees,  
Walker.

So the amendment was rejected.

Mr. BROWN. I desire to call the attention of the Senate to the fact that there are between three and four hundred miles of Atlantic coast on the borders of Georgia and South Carolina. This bill does not provide for a single life-saving station on the coast of either State. We have been so utterly ignored that the coast of neither State is embraced in even a district. There is a very large commerce conducted now through the ports of Savannah and Charleston especially. There are between eight and nine hundred thousand bales of cotton a year going out of the port of Savannah. The port of Brunswick is now doing a very large lumber business. At the Doboy entrance, on the coast of Georgia, there is an immense exportation of lumber. Probably six or seven hundred vessels a year enter and clear on the coast of Georgia. At the Cumberland Sound, which is on the line of Georgia and Florida, there is also an entrance where there is quite a commerce. There is no provision whatever made by the bill for a single station off any of these points, where there is so large and so growing a commerce. I do not speak for South Carolina—the honorable Senator from that State has that matter under charge, and of course will represent it ably and faithfully and according to his own judgment—but I do say that the bill is very unequal and unjust as it now stands. I propose, therefore, after the word "recommend" in line 26 of section 1, to insert the following:

Also a life-saving station at or near Tybee Island, at the port of Savannah, Georgia; one near Brunswick; one near Doboy; and one on or near Cumberland Island, near the line of Georgia and Florida; each of said four stations to be located at such point as the General Superintendent of the Life-Saving Service may select.

Mr. HAMPTON. I can corroborate fully the statement of the Senator from Georgia that there is great need of protection on that southern coast; and the South Carolina coast especially needs it. I therefore propose to offer an amendment to the amendment of the Senator from Georgia establishing stations on that coast. I move to add to his amendment—

Also three life-saving stations on the coast of South Carolina, to be located by the general superintendent, near the ports of Georgetown, Charleston, and Beaufort.

Mr. CONGER. Mr. President, wherever there is any necessity for a life-saving station, or wherever there have been shipwrecks, or wherever there is navigation to warrant it, I have no objection to inserting such a place in this bill as a site of a station. There has been no application to the Department for a life-saving station at any of these points up to this time. There is no number of wrecks or loss of life on that coast that seems to require life-saving stations. If there were such a case made out I should desire at once that a life-saving station might be established there. Gentlemen who remember the particular character of the coast will know that between Cape Lookout and the Florida line the coast recedes from the point of shipment. There have never been wrecks there to any extent that demanded a life-saving station, as I have found by looking over the list of wrecks. The line of travel for the coasting trade, except what comes into and out of these ports and harbors, is remote, far out in the ocean. In fact, on the Florida coast, when the Vera Cruz was lost, which has been referred to in this debate, the loss occurred thirty miles from the shore, beyond the reach of any life-saving station whatever, and that is the only important case of loss of life by shipwreck even down on the Florida coast, where the danger is greater because the coast is nearer the line of travel.

Now, if the Senator from Georgia or the Senator from South Carolina has any knowledge that there has ever been an application for a life-saving station from anybody along these coasts, or that there is any pressing necessity for a life-saving station at any one of the places named in the amendments, or at all of them, let the amendments be inserted. We desire to extend this service wherever it is necessary. I am informed that there never has been an application for a station at any point from Cape Lookout down to the Florida coast, and therefore none has been established or asked for in former bills.

I want to make another remark. A distinguished gentleman from the South—and I make this statement in reference to what has been said about sectional legislation—Mr. REAGAN, has for six years, I think, been chairman of the Committee on Commerce of the House, having almost supreme control of such matters which a chairman might exercise; and if there has been any lack in establishing life-saving stations in any part of the South it has not been for any sectional or political reason, and could not have been.

I may say here that in the last section of this bill, in order to deprive it as far as possible by legislation of any partisan action, Senators will find inserted a provision that the appointments made of keepers and surfmen shall be without regard to party affiliations. I agreed to that in preparing this bill and those who joined with me.

Mr. BROWN. The bill is not so as to superintendents.

Mr. CONGER. No, sir; it is not, but it is as to all the other hundreds of officers and employees in this service.

Mr. BROWN. Why was it not made so as to the superintendents? Mr. CONGER. There are something over fifteen hundred men to whom it applies, but there are twelve districts to the superintendents of which this does not apply. If a law of Congress can effect any thing, it is attempted here to deprive the appointment of 1,500 men of all party affiliations and influences; and gentlemen may at least give me the credit and those who aided in preparing this bill for having attempted in that direction to separate this system from party appliances and affiliations, because it is a question of life and death, because it is a question of humanity, and because such considerations need not and in my judgment should not enter into the selection of those men who are employed as keepers and surfmen in this service.

Now, I say again, if the Senator from Georgia has any knowledge that would warrant the incorporating in this bill of one or more or all of the stations he has recommended on account of danger or because of former shipwrecks, or because even the people of that region desire any such thing, I will make no objection. So as to the Senator from South Carolina; let him select those places where there has been danger, and I certainly shall not oppose their introduction here as stations.

Mr. BROWN. In making the motion—

The PRESIDENT *pro tempore*. The Senator may proceed by unanimous consent. He has spoken already.

Mr. BROWN. I simply made a very short explanation of my amendment. I have not made a speech on it.

The PRESIDENT *pro tempore*. The Chair begs pardon. The Senator from South Carolina has moved an amendment to the amendment.

Mr. HARRIS. Is this bill under the Anthony rule? It seems to me that by postponing the Anthony rule that was superseded.

The PRESIDENT *pro tempore*. The objection to the consideration of the bill was withdrawn, and the Senator from South Carolina has moved an amendment to the amendment; the Senator from Georgia may speak on that.

Mr. BROWN. I will say a few words on the amendment of the Senator from South Carolina, then.

The PRESIDENT *pro tempore*. The Senator is in order in speaking on any amendment he pleases.

Mr. BROWN. I do not pretend to charge on the Senator from Michigan anything partisan in this bill—

Mr. MORGAN. Will the Senator from Georgia allow me a moment? I desire to say that on this side of the Chamber there is a misunderstanding of the position of this question before the Senate. I understood that the Anthony rule and all pending orders were postponed for the consideration of this bill.

The PRESIDENT *pro tempore*. The Chair did not put any such question.

Mr. BROWN. While that question is being settled my time must not run.

The PRESIDENT *pro tempore*. Of course not. The Senator from Alabama objected to the further consideration of this bill under the Anthony rule, and then the Chair put the question on the motion of the Senator from Michigan whether the Senate would consider it notwithstanding the objection, and then the Senator from Alabama withdrew the objection.

Mr. MORGAN. I understand then—

The PRESIDENT *pro tempore*. Objection may be interposed at any stage of the proceedings "unless on motion the Senate otherwise order;" and the Senate has otherwise ordered by proceeding with the bill.

Mr. MORGAN. The point I make is not what the Chair supposes. I understood the Senator from Michigan to move to lay aside all pending orders and take up this bill.

Mr. CONGER. Under the Anthony rule; I mentioned expressly "and proceed under the Anthony rule."

Mr. MORGAN. We did not hear on this side that the Senator so stated, and therefore were in error about it.

The PRESIDENT *pro tempore*. The Chair distinctly stated it at the time. Debate is limited to five minutes.

Mr. BROWN. When interrupted I was remarking that I was not charging the Senator from Michigan with anything sectional or partisan in this matter, and I trust I may be able to say at the end of the debate that his votes have shown all the way through that he does not intend that there shall be anything sectional in it.

I have stated that South Carolina and Georgia have between three and four hundred miles of coast on which there is not a single life-saving station. I have stated the extent of the commerce there, which is very growing. Formerly there was not such commerce there. Now there is a great deal and a rapid growth. There have not been as many shipwrecks there as there have been on some other parts of the coast; but if it is necessary to have about forty stations on the coast of New Jersey and from thirty to forty on Long Island and Rhode Island, and it does seem to me, if we are not to have anything sectional in this matter, that the coast of South Carolina and Georgia might have half a dozen.

The Senator is wrong again in reference to the wrecks off Florida. His statement is that the line of the steamers is a long way from the coast, and that the last wreck—

Mr. CONGER. Will the Senator permit me—

Mr. BROWN. I cannot permit you to interrupt me out of my time.

The Senator says the last wreck was some twenty or thirty miles from the shore. I do not so understand it. It was very near the shore. General Torbert, who was formerly consul-general at Cuba and then I believe held the same position at Paris, was on that vessel and was drowned there. His body was washed on the shore not a great way from the steamer. I was in Florida in 1875 a few months after a large steamer there had been washed ashore and wrecked and almost everybody upon it lost—I believe, indeed, everybody. The ocean is very boisterous, and many a time it throws the wrecks on the shore, though the path of the ships may be at some considerable distance from there.

There are the four prominent outlets and inlets named in my amendment on the coast of Georgia. I am sure that if they were situated just as they are there upon any one of the coasts of the northern States there would not be a moment's hesitation in granting life-saving stations there; and I appeal to my friends who say there is nothing sectional in this matter to give us the same protection on the southern coast that they have in other parts of the Union.

Mr. CALL. I offer the following amendment—

The PRESIDENT *pro tempore*. A further amendment is not now in order.

Mr. CALL. I offer it as an amendment to the amendment of the Senator from Georgia.

The PRESIDENT *pro tempore*. The Senator from South Carolina has offered an amendment to that amendment. The question is first on the amendment to the amendment.

Mr. MORGAN. I heard the Senator from Michigan say that no application had been made for life-saving stations on the coast of the South, and that that was the reason why we had not got any. I do not know of any form of application that the law requires, nor do I know the person by whom the application is required to be made. I take it that an application by a Senator in the nature of an amendment offered to a bill is sufficient, and if it be sustained by facts the Senate ought not hesitate to adopt the amendment of the Senator from Georgia or the amendment of the Senator from South Carolina.

We commenced this Life-Saving Service in 1854 by the establishment of certain stations on the coast of Long Island and New Jersey. We then went on from year to year extending the number of life-saving stations on the northern coast of the United States. In 1878 the subject seems to have undergone a more careful examination. The Committee on Commerce, then having before them the statistics of the Life-Saving Service, showing the number of wrecks that had occurred on different parts of the coast of the United States, set about to establish by positive enactment a number of life-saving stations on different parts of the coast of the United States. In that they gave to Texas five stations, none to Louisiana, none to Mississippi, none to Alabama, and none that I can find in this statute to Florida, and, I suppose, the life-saving stations that heretofore have existed on the coast of Florida must have been created under the general regulation which enabled the Secretary of the Treasury to establish such life-saving stations as he might deem proper, not exceeding a certain number, wherever upon the coast of the United States he thought they would be advisable.

Now, I desire to call attention to the statistics upon which that committee acted in 1878. During the decade, the period of ten years preceding the making of that report, I find that there were one hundred and fifty-two wrecks on the coast of Florida and the Gulf of Mexico as far west as the Rio Grande, and that committee with one hundred and fifty-two wrecks before them did not think it was necessary to establish life-saving stations anywhere except upon the coast of Texas, which was given five, and Florida, I believe, then had four, Georgia none, South Carolina none.

Mr. JONES, of Florida. Florida on the Gulf had none. On the Florida coast on the Atlantic there were a few, but none on the Gulf.

Mr. MORGAN. Three on the Atlantic coast, and I say I cannot find that they were established by positive law. Some of these arrangements for the safety of human life, whether by saving a ship or not, are called houses of refuge; I have not had an opportunity of finding the precise character of the stations that were established there; but I desire to call attention to the fact that this report itself shows that there were one hundred and fifty-two wrecks on the coast of the Gulf of Mexico at the very time they omitted to provide a single life-saving station except five on the coast of Texas and a few houses of refuge in Florida. That is a palpable, plain fact, and now the complaint is that we have not come here and asked for anything!

Why, Mr. President, who was to ask? What was everybody's business was clearly nobody's business. These coasts have been neglected, and ships have been cast away there, and numerous lives have been lost and a vast amount of property destroyed without the Government of the United States having contributed almost anything at all to the safety of either ships or crews.

I merely desire to call the attention of the Senate to that fact. The demand by the Senator from Georgia and the Senator from South Carolina comes late, but it is certainly well sustained by the facts.

Mr. SHERMAN. These amendments, to be followed by others, show what I alluded to yesterday, the danger and the folly of this

kind of legislation, making a bill of this kind without sufficient information.

Now, what sectionalism is there in settling where a light-house or a life-saving station shall be located? What interest have the people of the particular community in the establishment of that light-house or life-saving station? None at all. The employment of five or six men is certainly nothing that the locality ought to take an interest in. The interest in the question is by the commerce of the United States, and four-fifths of the vessels engaged in that commerce unfortunately are foreign, entirely manned by foreigners, the vessels owned by foreigners, the goods owned by foreigners. I say, then, there is no sectionalism in such a matter.

Now, I am told the explanation of what is here complained of is that there has never been any demand by either commercial agents or by shippers or by any persons interested in commerce for life-stations along the coast from Cape Hatteras to the coast of Florida.

Why? Because—

Mr. BROWN. Will the Senator permit me to ask him—

Mr. SHERMAN. I have but five minutes.

Mr. BROWN. Has there been a demand in every case for the one hundred and eighty stations on the northern coast?

Mr. SHERMAN. I am told they have not been established except as applications came from merchants or vessel-owners or from the Light-House Service. Many of these applications are made by the Light-House Service, and the Life-Saving Service has stations where there are lights established sometimes. The law now authorizes the Secretary of the Treasury to establish a life-saving station where there is a light-house, without any other provision.

Mr. President, I have no doubt that if the representatives of any of the Southern States or any merchants engaged in business there lay the proper information before the proper officer of the Treasury Department a survey would be made, and this service and a light-house station would be established wherever commerce needs them. It is not possible for us to legislate on the information given to us by Senators founded upon mere general observation and the fact that we have a long line of coast on the Atlantic. It is better a great deal to pass the bill as it is. I think it would have been better to have left out all special legislation and leave the location of the stations to the officers who have charge of the subject. I hope we shall not load the bill further.

Mr. BROWN. The Senator has spoken of light-houses.

Mr. SHERMAN. Sometimes where a light-house is established, that is the reason for establishing a life-saving station.

Mr. BROWN. There is a light-house at each of the points where I ask for a station.

Mr. SHERMAN. They may be merely to facilitate the entrance of vessels into the local harbors. The Life-Saving Service is needed for the general commerce of the country, commerce passing between distant ports, as from New York to New Orleans, not for a local vessel going out of a local port and coming back the same day.

Mr. BROWN. I will state to the Senator that there is a line of steamers from Savannah to New York running three or four times a week. That is not foreign commerce.

Mr. SHERMAN. There will be no difficulty if a proper application is made, or if information is given so that a survey may be had, in establishing these life-saving stations wherever commerce demands them, and therefore it is unwise for us to legislate by piecemeal upon insufficient information in this way.

Mr. BROWN. If you will strike out the local stations here provided, and leave them all the way the Senator suggests, I am willing to do it; but if you put in northern stations by law, then put in southern stations.

Mr. SHERMAN. There are five or six new stations for Florida, I believe, in this bill.

Mr. JONES, of Florida. I confess, Mr. President, there is much force in what the Senator from Ohio has said as to the character of this question. It is not at all local, but at the same time in looking over the record, if I may so term it, it is a most remarkable one when you come to reflect that the general interests of commerce are supposed to have been considered. The last report I have here is that of 1880, and it appears that there were one hundred and thirty-nine stations on the Atlantic, thirty-four on the Lakes, and six on the Pacific, and not one single station in our great Mediterranean, the Gulf of Mexico, at that time. I speak of this not because of any objection to it from a sectional stand-point, but because the interests of the country require that attention should be drawn to it.

This report goes on to show that the entire amount of property lost during the year preceding was \$2,616,340. I have here an extract taken from McCulloch's Commercial Dictionary, volume 2, page 47, showing that in one year the loss of property almost in sight of Key West was \$2,844,070, from ships and cargoes, amounting to nearly the entire loss in all the other districts of the United States. Still there was not a station at or near Key West or on the Gulf of Mexico. The statement goes on to show that from 1848 to 1857 the total number of vessels lost was four hundred and ninety-nine; the aggregate amount of property \$16,266,427, an amount that puts into insignificance everything else that can be shown on the lakes, and still there is not a life-saving station to-day from the capes of Florida to the Perdido River, along the whole coast. I do not complain of it on



account of its local importance, but because of its importance to the necessities of the commerce of the country.

A few years ago I stood on the island of Key West and saw a magnificent ship go on shore over the reef and one hundred lives in peril with not a hand to extend aid except what might be done by voluntary help. At the same time, in the midst of a gale, I saw a little tug stranded within a few miles of the same point, and ten lives in one night were lost, and they might have been saved had there been a helping hand to save them. I say this not alone because Florida is concerned in it, but humanity and the country demand a change in this system.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from South Carolina [Mr. HAMPTON] to the amendment of the Senator from Georgia, [Mr. BROWN.]

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question now is on the amendment as amended.

Mr. CONGER. I want to make a statement. I have spoken in regard to one of these amendments, but not the other; so that I have a right to speak now. I have copied from the record all the losses for ten years, and all the stranding of vessels for ten years on the coast of Georgia. If I have got the places right neither of the places where any such accident has occurred, or at least not more than one of them, is named in the amendment of the Senator from Georgia. In ten years at eleven places there have been eighteen vessels stranded and not a life lost on that whole coast for ten years in the eighteen casualties referred to. Before that there were no reports of any wrecks of vessels or losses of life on that coast.

Mr. BROWN. I desire to ask the Senator if it does not frequently occur on other coasts that there are wrecks without lives being lost. The fact that lives were not lost is no reason why there should not have been assistance there to help them.

Mr. CONGER. I have the records of these places, and at one of them there were four vessels stranded. That was at Ossataw, which is not one of the places mentioned in the Senator's amendment. Another place where there were four strandings was Sapelo Shoals; there were four casualties there, and I think that is not one of the places mentioned. Another is Stone Horse; there were two casualties there; but no lives were lost at either of these, and I believe that is not one of the places mentioned. At each of the other places there was but one case, namely, at Coffee Island, Cumberland Island, Jekyll Island, Johnson Point, Little Cumberland Point, Saint Simon's Bar, Saint Vincent's, and Spectacle Island, and I think none of these are mentioned in the amendment.

Mr. BROWN. I hope the Senator will permit me to remark that he does not seem to be at all familiar with the geography of my State. Cumberland Island is one of the very places I have mentioned for a station where one of the wrecks he mentioned occurred, and that is right at Brunswick.

Mr. CONGER. That I spoke of. There was one of those I remembered and perhaps there are others. At Cumberland Island there has been one wreck in the past ten years; and before that not any.

As I have said, I have no objection to establishing stations at any of these places if they are places where the Senator believes there ought to be a life-saving station, for wherever there was necessity for it I would ask that there might be a station.

Mr. BROWN. Will the Senator permit me to ask him one question? Of the one hundred and eighty-odd stations we have put down in the Official Register are there not two-thirds where there has not been a wreck in twenty years?

Mr. CONGER. No, sir.

Mr. BROWN. A large majority of them are so, I venture to say.

Mr. CONGER. No, sir; not one of them; and the stations inserted in this bill are all places where the greatest number of wrecks have occurred. That has been the rule in making recommendations. At some of these places there are a great number of wrecks.

That is all I desire to say.

The PRESIDENT *pro tempore*. The question is on the amendment as amended.

Mr. CONGER. Then I ask on this proposition, which embraces the two, the yeas and nays.

The yeas and nays were not ordered.

Mr. CONGER. I feel bound to say that, giving my most earnest attention to this bill, I am unable to hear the propositions stated by the Chair, and it is possible that other gentlemen may be in the same position.

The PRESIDENT *pro tempore*. The Chair thought his voice was sufficiently strong to fill the house. The question is on the amendment of the Senator from Georgia as amended on the motion of the Senator from South Carolina.

Mr. CONGER. I withdraw the call for the yeas and nays, although I think the amendment should not be added to the bill.

Mr. CALL. I ask the Senator from Georgia to consent to insert after the words "Cumberland Island," the words "or Fernandina, Florida."

Mr. BROWN. There is only a channel between Cumberland Island and Fernandina. I have said "on or near Cumberland Island," leaving it to the general superintendent to locate the place, but I have no objection to saying "on or near Cumberland Island or Fernandina."

The PRESIDENT *pro tempore*. By unanimous consent that change

may be made. It is so made. The question is on the amendment as amended.

The amendment as amended was agreed to; there being on a division—yeas 25, noes 18.

Mr. BROWN. Now, Mr. President, as the coast of South Carolina and Georgia is not annexed to any one of the districts under a superintendency, I move to insert, after the word "Florida," in line 25 of section 4, the words "and the coast of Georgia and South Carolina;" so as to make the clause read:

For the seventh district, embracing the eastern coast of Florida and the coast of Georgia and South Carolina, &c.

Mr. CONGER. There is no objection that I can see to that.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Georgia.

The amendment was agreed to.

Mr. CALL. I offer the following amendment, to come in on the twenty-fourth line, section 1:

And three life-saving stations on the Atlantic coast of Florida, and three on the Gulf coast in Florida, at such places as the superintendent of the life-saving stations may select.

I wish to say in regard to this amendment but a few words. Whatever may be said in regard to other portions of the coast, it cannot be denied that the record shows a great loss of life and property upon the coast of Florida as in any other portion of the United States. The coast of Florida is nearly 1,400 miles long. Nearly all the commerce of the Gulf of Mexico passes around and alongside the coast of Florida on the Gulf and Atlantic side. The Atlantic side of the coast is a place of great danger. There have been two wrecks there within the last few months that have been reported to the Department here. There is never a year in which there are not hundreds of vessels, large and small, lost upon the coast of Florida, mostly upon the Atlantic coast; but the records here show in the last five years upon the Gulf coast of Florida a loss of a great many vessels and a large amount of property; but the Atlantic coast is notorious for the great danger to which ships are exposed in every storm. The equinoctial storms that come with great certainty every year strand whenever they occur from twenty to thirty large ships with valuable cargoes from the Mississippi River, from the coast of Texas, from the West Indies, and from Europe. I remember some four years ago in one storm there were thirty large vessels lost upon the coast, and many lives and nearly all their cargoes were lost for the want of proper appliances for their rescue. I will say that you cannot traverse the Atlantic coast of Florida without finding the bones of dead men, women, and children who have perished and been washed up by the waters, and some of them died for the want of succor after getting on land.

Now, this bill provides for three additional houses of refuge. Each of these is a small house, with a keeper attached to it, where provisions and supplies are stored, with which to rescue famishing and faint men, women, and children who may be thrown up from the waters or get ashore by some chance. The coast is about four hundred miles long, separated from the mainland by a large inlet from three to four miles wide, and when these vessels strand and the passengers and crew get ashore they find themselves upon this reach of four hundred miles without any means of communicating with the mainland, and unless some refuge is provided for them by the Government they are lost, they perish. Even with the addition of three additional houses of refuge and three life-saving stations the provisions of the bill for that coast will be entirely inadequate.

Now, Mr. President, the safety of the ship and the cargo may often be assured by the proper use of the appliances of the Life-Saving Service. It is true that vessels often are lost some distance out at sea, but not so far that they are not within hearing, not so far that signals of distress may be communicated to the shore and to life-saving stations, and there ought to be appliances in the shape of boats of every description, storm-boats, wrecking-boats, or vessels that could go out some distance into the ocean to rescue these ships when they are in distress. Now, I have to say that in any enlightened system of administration—

The PRESIDENT *pro tempore*. The Senator's five minutes are up.

Mr. JONES, of Florida. Mr. President, I think it important that the amendment should be adopted. The coast of Florida, especially the southern portion of it, is an extremely perilous coast. It is well known that a chain of islands bends around the southern point of Florida in a southwesterly direction from Cape Florida to Tortugas Island, a distance of two hundred miles. About eight miles outside of these islands, and running parallel with them, lies the Florida Reef, a coral formation, upon which at times there is from one to twenty feet of water. The Gulf Stream is felt more sensibly there than anywhere else. It flows with a velocity of from two to four miles an hour. It is so uncertain in its course that it has led navigators astray, and the most skillful men have been unable to calculate against it. In the best weather vessels have been carried on to this reef, which is not open to observation by the naked eye, and there at times they lie and go to pieces.

It is true that there is a class of persons engaged in the wrecking business there who have rendered invaluable service to the property and the lives of the American people; but inasmuch as the General Government is establishing a system looking to the protection of life and property on the high seas I see no reason, even with the system

there to co-operate with them, why it should not extend its benefits to that portion of the United States where property and life are more exposed than in any other part of the country.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Florida, [Mr. CALL.]

There were on a division—ayes 23, noes 11; no quorum voting.

Mr. JONES, of Florida. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. The morning hour is just expiring, and this matter had probably better stand over until to-morrow, so that there would be a full Senate to consider it. The morning hour is just expiring. The Chair will lay before the Senate the unfinished business.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed a joint resolution (H. R. No. 170) to provide for printing certain documents relating to customs revenues for the use of Congress; in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. No. 4440) to establish a railway bridge across the Mississippi River, extending from a point between Wabasha and Read's Landing, in Minnesota, to a point below the mouth of the Chippewa River, in Wisconsin; and it was thereupon signed by the President *pro tempore*.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 22d instant, approved and signed the act (S. No. 353) to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes.

#### MILITARY LAND-WARRANTS.

Mr. PLUMB. I desire to give notice that on Monday next, after the morning hour, I shall move, unless an appropriation bill shall be in the way, to take up the bill (S. No. 67) to authorize the Secretary of the Interior to ascertain and certify the amount of land located with military warrants in the States described therein, and for other purposes.

The PRESIDENT *pro tempore*. The Senator will bear in mind, of course, that there may be unfinished business on that day.

#### TARIFF AND TAX COMMISSION.

Mr. BAYARD. I now call for the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 22) to provide for the appointment of a commission to investigate the question of the tariff and internal-revenue laws.

Mr. SAULSBURY. The Senator from Nebraska [Mr. VAN WYCK] is entitled to take the floor on the pending bill, but not desiring to occupy it at this time, and the Senator from Arkansas [Mr. GARLAND] having consented to yield his right to the floor, I avail myself of this opportunity to submit a few remarks on the bill now before the Senate.

The bill under consideration proposes the creation of a commission to be known as the "tariff commission," and to be composed of nine commissioners appointed from civil life by the President of the United States. The duty devolved upon this commission is simply to take into consideration and investigate the various questions relating to the great leading industries of the country so far as in their judgment such investigation is necessary to the establishment of a "judicious tariff," or the revision of the existing tariff and the existing system of internal revenue. The duty of the commission is simply one of investigation—investigation into various questions relating to the agricultural, commercial, mercantile, manufacturing, mining, and industrial interests of the country. It has no other duty to perform except to report the results of its investigation and the testimony taken from time to time to Congress.

It is not authorized to establish a new tariff or to revise the present tariff—for Congress could confer no such authority upon it—nor indeed is it authorized to make any suggestion upon the subject. It is simply an investigating committee, required to ascertain facts and report them to Congress. The facts which this commission may ascertain would doubtless be valuable for many purposes, and might add to the general stock of knowledge on the various questions claiming its attention. But of what practical use such a commission will be in the establishment of a proper revenue system I am at a loss to conceive. Every fact which it will ascertain is either already known so far as they are necessary to the adjustment of a proper tariff or are easily accessible without the intervention of a commission. In my opinion a more useless appendage to the machinery of government was never thought of, unless it was the electoral commission, which managed to defeat the purpose for which it was appointed. The proposition to appoint this commission is itself an admission that the present tariff is an injudicious one and needs revision. No one is now so bold as to claim that our revenue laws are just in their operations upon the various interests of the country or their maintenance in their present form necessary to furnish the requisite revenue to the Government.

It is well known to every member of the Senate that we are col-

lecting a much larger amount of taxes from the people than is necessary, and that we could safely reduce the duties on customs at least one-third, and abolish all internal taxation except on spirits, malt liquors, and tobacco, and still have revenue to meet every want of the Government and provide for the payment of the public debt within a reasonable time. We are collecting under the present tariff customs duties to the amount of nearly \$200,000,000, with the certainty that under present rates this amount must be annually increased in the ratio of the increase of population and the consequent increase in importations. The value of foreign importations during the last fiscal year was something over \$650,000,000. The value of the goods upon which duties were paid was about \$450,000,000, and of non-dutiable goods about \$202,500,000, so that revenue to the amount of nearly \$200,000,000 was collected on merchandise but little more in value than double the value of the duties paid. The averaging rate of duty is about 43½ per cent. on the value of the goods upon which it was levied, with the heaviest rates imposed on many of the articles entering most largely into general consumption and indispensable to the comfort of the poor as well as the rich. No one pretends that there is now any necessity for taxing the people of the country so heavily in order to defray the expenses of the Government or maintain its credit.

Why, then, should the people be longer required to pay unnecessary taxes? Why should the Government take from their pockets by taxation money which is not needed to defray its expenses or maintain its credit? I assert here that such exactions are not only unwise and unjust, but that they are unwarranted by the letter and spirit of the Constitution; are subversive of the rights of the people and lead to extravagance and corruption in the administration of government. The men who formed and adopted the Constitution never intended to confer upon the General Government an unlimited power of taxation, but restricted the authority of Congress to lay and collect taxes, &c., to the objects specified in the Constitution. It was not dreamed at that time that the power granted would be exercised for any other purpose than to pay the debts of the Government, provide for the common defense, and promote the general welfare by the due exercise of the powers with which the Government was invested by the Constitution. The people of the colonies had felt and complained of the arbitrary power of taxation by the mother country, and had resisted its exercise first by remonstrance and argument, and finally by an appeal to arms. When they formed their own government they sought to guard against the unlimited exercise of the taxing power by restricting it to certain objects specified in the Constitution. They did not intend to confer upon Congress the authority to lay and collect taxes, &c., for every conceivable purpose or to an unlimited extent for any purpose, nor can any such authority be found in any rational construction of the language in which the taxing power is granted to Congress. The fact is the power to lay and collect taxes, direct or indirect, is the power to take private property for the use of society, and can be justified to no greater extent than is absolutely necessary for the public good. Government has no just right to exact one dollar from any citizen more than is necessary for its legitimate wants and necessities, and when it goes beyond that and takes from the pockets of the people more money than is needed it is oppression and tyranny, nothing more and nothing less.

Every member of society is morally and should be legally bound to pay his just share of taxes necessary to support the government under which he lives, but no man is morally or should be legally required to do more. It seems to me we are losing sight of the purposes for which taxation may be rightfully imposed upon the people, and are regarding the exercise of the taxing power as legitimate for every purpose whatsoever, neither limited in the objects for which it is imposed nor the extent to which it may be exercised. We have to-day a revenue system which takes from the people of the country and puts in the public Treasury not less than \$75,000,000 in taxes which is not required by any present or prospective wants of the Government, and much of which is wasted in unwise and unnecessary appropriations by Congress. If, however, this was all the exactions made by our taxing system, unjust and unnecessary as it is, it might be endured. But the \$200,000,000 paid into the Treasury in the duties collected on imported goods is but a very small portion of the amount exacted from the people of the country by our tariff laws. I do not know the relative value of foreign and domestic goods consumed in the country, but it is safe to assume that the value of the domestic merchandise consumed in the country is at least fourfold the value of foreign goods imported upon which duties are paid. If the proportions named are correct, then consumers pay to the American manufacturers in the increased price of domestic goods a much larger sum than they pay in taxes to the Government. In other words, while they pay into the Treasury \$200,000,000 for duties on foreign merchandise imported, they pay to the manufacturers of domestic goods consumed not less than \$300,000,000 more than the same goods would bring in the market but for the tariff which enables the manufacturers to advance the price of their product.

The operation of our tariff laws is not simply to compel consumers to pay a higher price for all imported goods upon which duties are charged, but to enhance the cost of domestic goods also, so that while the people of the country pay a large amount in taxes to the Treasury, they also pay a greater amount to the home manufacturers in the increased price of the goods which they buy. No one, I suppose,



can or will deny that this is true; and, if the statement is correct, it shows the necessity, in justice to the great body of the people, the consumers of the products of others which they are compelled to buy, to reduce the tariff to the lowest point where it will insure the necessary revenue to the Government.

I am not in favor, Mr. President, of stinting the Government in its revenues, but I am in favor of an economical administration of public affairs and a reduction of taxation, especially indirect taxation, to the wants and necessities of the Treasury. The relief from taxation which would be afforded the people of the country by a reduction of the tariff to the actual wants of the Government should prompt to an immediate revision of our revenue laws. There can be no excuse or justification for continuing a system of taxation which takes from the people money which they need for their own comfort and the maintenance of their families and which the Treasury does not need. By reducing the revenues to the actual wants of the Government there would be not only a saving to taxpayers of the money now collected in excess of that amount, but, as I have already said, a much larger sum which they are now paying to the manufacturers whose products they are compelled to use.

This, however, is not the only reason why there should be a prompt revision of the tariff. A reference to the schedule of rates will show that on many articles of prime necessity, such as enter into general consumption and are indispensable to all classes, a much higher rate of duties is imposed than is necessary. With less duties an equal or greater amount of revenue would be obtained, while the cost of the goods to the consumer would be less. Not only is this true but in some instances the lower class of goods such as are used by persons in moderate circumstances are taxed at higher rates according to value than the classes of goods which are consumed by persons and families in better circumstances. This is a discrimination against that portion of society least able to bear the burdens of government, and who should be favored instead of oppressed in the adjustment of our revenue system.

I have not the time to enter into an examination in detail of the duties imposed by the tariff, but those who will take the trouble to look over the schedule of rates will see that on many articles of food and on clothing of every description, as well as on every description of furniture and almost every implement of trade and business in all the various branches of industry, very onerous duties are imposed and not infrequently heavier duties are levied upon the cheaper classes of goods according to value than on the finer and more costly goods of the same kind. An illustration of this fact will be found in the duties on woolen and cotton goods as well as upon many other kinds of merchandise. My purpose is not, however, to review the tariff rates, but to call attention to some of the prominent features of the system in order to show the necessity for its revision and modification at the present session of Congress. The present tariff system was adopted during the war when the Government needed all the revenue it could derive from every source. Hence not only very high rates were imposed but everything was subjected to taxation which promised to add to the revenues of the country.

There have been some slight reductions in the duties on certain articles since the enactment of the tariff acts passed during and soon after the war, but these reductions have been limited to few articles and much less in amount than they should have been. Some articles also have been placed upon the free list, but with the exception of tea and coffee they have generally been such as are required by manufacturers in the production of their fabrics and are not such as are needed by the great body of consumers. We still have a very comprehensive list of dutiable goods, embracing it is said not less than two thousand articles, many of which might very properly be placed on the free list, and on most of which excessive rates are charged. A cursory examination of the catalogue of the articles enumerated in the list of goods subject to duties, with the tariff rates charged thereon, would furnish amusement if it did not excite disgust. It seemed to be the purpose in the formation of the tariff to tax everything which the imagination could suggest without reference to its value or the revenue it would pay. Among the articles included in the list are ants' eggs, which pay a duty of 10 per cent. ad valorem and yield a revenue of \$24.50. I know but little of the purposes for which ants' eggs are required, or what in fact is covered by that term, but I find them included in the list of dutiable goods. Infants' food is also included in the list and subjected to a duty of 20 per cent. ad valorem. I am not sufficiently familiar with the wants of the nursery to know just what is included in that term or just the kind of food infants require at a very early age, but I protest that the man who would levy a tax on babies' diet must be anxious to secure the greatest possible amount of revenue to the Government. I have heard it said that our revenue system taxes everything that is used by man from his cradle to the grave, and when I find upon the list of dutiable goods infants' food, I am inclined to believe the statement if not literally true at least approximately correct.

Mr. President, I have referred to some of the features of the tariff, and the amount of revenue we are deriving from it, to show the necessity of its revision and modification at the present session. It is unjust in its operation upon the various industries of the country, and upon different classes in society. It extorts more money from the people than is required and is therefore unnecessarily burdensome. It is incongruous and absurd in many of its provisions, and

its execution therefore difficult and uncertain, and often unjust and oppressive. It ought, for every reason, to be modified, and especially that the taxpayers may have relief from all unnecessary burdens which it imposes. This duty is imperative on Congress at the present session, and can neither be properly evaded nor postponed. The people can only obtain relief through the action of their representatives in Congress, and we shall be derelict in duty if we disregard their wishes or neglect their interests.

The Republican party has a majority both in the Senate and House of Representatives, and controls the legislation of the present session. The Republicans have a majority on the committee that must incept and bring forward any reforms in our revenue system, and will be responsible to the people of the country for any unnecessary delay in reducing the tariff and granting the relief which they demand. They cannot escape that responsibility by the appointment of a commission such as is proposed in this bill. I now call upon the Senator from Vermont, who brought forward the bill and opened this debate, to do his duty to the country by inducing his party friends in Congress to take up the tariff and reduce the taxation which he and they have imposed and unnecessarily maintain upon the people. The proposed commission will do no good. It cannot touch the tariff; it can correct no wrong nor remit a single tax which the tariff imposes. Why should it be appointed? Why should the delusive hope of relief be held out to the people of the country when the only effect by the appointment of the proposed commission will be to postpone indefinitely a redress of grievances.

I am opposed to the appointment of this commission because in the first place it is unnecessary. The only object contemplated in its appointment is an investigation into questions relating to the various industries of the country. These may be very proper questions to investigate for general information, but a knowledge of the facts which may be ascertained is not necessary to enable Congress to revise the present revenue system and grant relief from unnecessary taxation, and if necessary, is as accessible to Congress as any commission.

Congress knew how to levy the duties which the tariff imposes, and it knows how to reduce taxation and bring it down to a revenue standard if there was any disposition to do it. Congress is not so ignorant that it cannot, if it will, strike off the shackles which it has imposed upon various industries of the country and relieve the people from unnecessary and oppressive burdens. Do we need a commission to tell us that the duty on sugar is too high and ought to be reduced? Do we need a commission to tell us that the tariff on iron and steel might be reduced without loss to the Treasury and with advantage to the general business of the country? Do we need a commission to tell us that the tariff duties on cotton and woolen goods are too high and take from every household in the land more money than they should? Do we need a tariff commission to tell us that it is wrong to continue the discrimination in the present tariff against persons whose circumstances compel them to use cheap goods, upon some of which there is a higher duty according to value than on the more costly goods consumed by persons in better circumstances? No, sir; we know our duty, but we do it not. If Congress is so ignorant that it cannot correct the acknowledged wrongs of the present tariff system, then the members of Congress ought to resign and let men come here who can and will perform their duty.

Tell me that Congress cannot remedy the errors in the present revenue system, with all the experience which the country has had in dealing with the question of a tariff, without the enlightenment of a commission appointed by the President! I do not believe it. For nearly one hundred years the Government has been deriving a great part of its revenue from duties on importations, and we have the experience of a century to aid us in the adjustment of a scale of duties which will insure sufficient revenue to the Treasury and equalize the burden of taxation upon the people. Congress passed the existing tariff laws without the aid of any such commission, and every tariff which has existed in the country was established by Congress without the assistance of a commission appointed by the President of the United States. James Madison did not wait for information upon the various subjects which this proposed commission is required to investigate before introducing, in 1789, within forty-eight hours after the meeting of the first Congress under the Constitution, the first tariff measure ever proposed in the House of Representatives. Sir, I am unwilling to admit that this Congress has fallen so far below those which have preceded it in general information or in the requisite knowledge for the performance of the duties required of it as not to be able, with the experience of the past before it, to revise the present revenue system and adjust it to the necessities of the Government, with proper regard to every interest to be affected by it. I am opposed to putting Congress in commission, and insist that it shall neither abrogate its power nor shun the responsibility devolved upon it.

I am opposed to this bill for another reason: it will postpone and delay the establishment of a proper tariff and embarrass and complicate the question hereafter. It is reasonable to suppose that the commission if appointed will be composed of persons holding different opinions on the question of a tariff. Each member will view the questions which the commission are to investigate from his own stand-point, and his conclusions upon facts will be colored by his previous opinions upon the general subject upon which they are to bear.

We will be sure to have two or more reports taking antagonistic views of the subjects to which they relate. We have had commissions before, one of very recent date charged with a much higher duty than that proposed for this commission. I refer to the electoral commission. We know the result. The conclusions of Senators and judges were the expressions of preconceived opinions, and if we pass this bill it will be the same old story of eight to seven. These reports will bring back the question of tariff revision at the next session when there is no time to consider it, and defeat action until the next Congress. Two years will expire before it can be taken up with any hope of disposing of it or reducing the burden of taxation now unnecessarily imposed upon the country. I am opposed to this delay. I want to see a reduction of the tariff, and believe we ought to remain in session until this is accomplished. I do not say that this proposition is intended for delay or to defeat action on the tariff at the present session.

I am sure that some who favor this bill and some of the committee that reported it would gladly see an early modification of the tariff and the people relieved of all unnecessary burdens which it imposes. I speak only of the effect of the measure, not of the motives that have prompted it. They perhaps regard it as the best if not the only means of securing proper action on the subject. I differ with them, and cannot believe that it can have any other result than to postpone, if it does not defeat, any early change in existing tariff rates. I cannot, Mr. President, consent by my vote on this bill to furnish any excuse for deferring or neglecting to reduce the tariff at the present session. Delay means continued exactions from the taxpayers of the country, who have since the close of the war paid into the Federal Treasury more than \$5,000,000,000, and paid a larger amount in the enhanced price of domestic goods consumed to the manufacturing interests of the country. No people were ever more heavily taxed than have been the American people within the last twenty years, and nothing but the vast resources of the country has enabled them to bear the heavy drain upon them. It is time that the burden was lifted from their shoulders, or a respite at least given from all unnecessary taxation. It is not alone the rich and the men in comfortable circumstances that pay tariff duties. Men in humbler circumstances—mechanics, tenant-farmers, and laborers—bear more than their full share of the burdens of government. They are taxed on all they wear, on much they eat, and on almost every implement of their various occupations in life.

Delay in reducing the tariff rates means more than continued unnecessary taxation, it means continued extravagance and waste in the appropriations of Congress and in the administration of government. All experience proves that an overflowing treasury leads not only to liberal but unwise and extravagant appropriations of the public money. Postpone a reduction of taxes and the inventive genius of the lobbyist will devise schemes for the depletion of the Treasury in the shape of subsidies and aids to various projects—in increased and expedited star-route service and various other "ways that are dark" but not always "vain" for the accomplishment of these purposes.

There is no denying the fact that a full Treasury leads to extravagance on the part of all connected with the Government and renders the servants of the people less careful of their interests and more prodigal of their substance. We can render no greater service to the American people at the present session than to reduce the tariff so as to produce only sufficient revenue to meet the wants of the Government and provide for the gradual payment of the public debt. I do not know, Mr. President, that this will be done, but I cannot vote for the proposed commission because it will be made the excuse for postponing a duty so plain and imperative and retard if it does not prevent any reduction of the tariff in the near future.

Mr. President, I have already said that I am in favor of reducing the tariff to the lowest average rate that will produce sufficient revenue with internal taxation on spirits and tobacco to meet the wants of the Government and provide for the gradual payment of its debt. I do not believe that there is any authority in Congress to levy taxes upon the people for the purpose of fostering or protecting any particular industry or business in the country. Tariff duties on foreign importations do, however, protect, to the extent of the duties levied, American manufacturers of the articles imported and subject to duties. This is what is termed incidental protection, or protection to American goods arising out of the imposition of duties on foreign merchandise. With the revenue we require from import duties the average tariff rates cannot fall much below 30 per cent., and this will furnish protection to American manufacturers to that amount. To this no one objects. I am certainly in favor of giving to our own industries any advantage which such incidental protection can afford. With such protection as a revenue tariff will give, our manufacturers ought to be satisfied. There is no reason why any interest in this country should be fostered by taxation levied upon the people solely for its benefit. There is no reason why the farmer, the mechanic, the man who lives by his daily toil, or anybody else in this broad land should be compelled to pay higher prices for the goods which he consumes than is necessary in order that the producers of those goods may receive greater profits upon their production. Such a proposition is contrary to reason, to justice, to common sense, and common honesty. For one, sir, I am willing that the manufacturer shall enjoy the advantage which a revenue tariff will

afford him, but I am unwilling to see the great body of the American people subjected to unnecessary burdens for his benefit. The present tariff, so far as it relates to many articles of general consumption, is not only protective in the duties which it imposes to a greater degree than is required for revenue but by reason of the high rates of duty imposed is partially prohibitory, and consumers are therefore compelled to pay tribute to the producers of the goods they need. To this I am opposed, and desire to see the duties reduced to the lowest point consistent with the necessities of the Treasury for revenue.

I do not hope, however, Mr. President, to see the proper reduction made in the tariff at an early day. The men who are enjoying the benefit of the present high tariff and have grown rich under its operations will resist by every means in their power any reduction of duties. Some of them are advocating this proposed commission with the hope that it will defeat action on the tariff at the present session, if not for years to come. All who advocate this measure are not actuated by any such motive or governed by any such desire. Nor perhaps are all manufacturers who realize heavy profits by reason of the high duties paid on imported goods averse to a proper and reasonable reduction of rates. But the men who are controlled by selfish considerations and who desire to fill their coffers at the expense of others, who favor protection for the sake of protection, will not fail to obstruct and hinder every attempt to revise and modify the tariff. They will favor large and extravagant appropriations of public money in order to create a necessity for high taxation. No scheme however unnecessary and visionary will meet with opposition from them. No subsidy to corporations or individuals but will have their approval and support. This is not all, they will favor a repeal of all internal taxation in order that the revenues of the Government may be derived solely from customs duties and an excuse be kept up for a high tariff. Already the papers advocating protection and opposing a reduction of duties are insisting on a repeal of the tax on whisky and tobacco. Their object is manifest. They see that the Treasury is in receipt of a greater amount of revenue than is required, and they know that the people of the country will insist on a reduction of duties. They do not want a reduction of the tariff, and therefore favor a repeal of internal taxation. If the friends of tariff reform are wise they will oppose all unnecessary and extravagant appropriations of the public money, all subsidies and aids to visionary projects, the repeal of the tax on spirituous and malt liquors, and leave no excuse for the continuation of the high duties exacted by the present tariff.

Mr. GARLAND. Mr. President, in view of the long delay, about three months now, since this subject came into the Senate, I am very much disposed to come to a vote upon it in some shape or other, and I believe the sentiment of the Senate generally is that way. The two antagonistic theories of the tariff have been discussed and elaborated by gentlemen in the Senate within that time sufficiently I suppose for the commission that is to be raised to go to work with all the light at least that the Senate can throw upon the subject.

Soon after the bill was reported, on or about the 12th of December last, I had the honor to make a speech to the Senate upon the proposition, in which I gave my general views upon the subject of the tariff, and I do not care to repeat them to the Senate or to elaborate them to any extent to-day. Those views have been elaborated much better by others, the Senator from Texas, [Mr. COKE,] the Senator from Kentucky, [Mr. BECK,] the Senator from Kentucky who now occupies the chair, [Mr. WILLIAMS,] the Senator from North Carolina, [Mr. VANCE,] the Senator from Oregon, [Mr. SLATER,] the Senator from Ohio, [Mr. PENDLETON,] and the Senator from Alabama, [Mr. MORGAN,] as well as the Senator from Delaware [Mr. SAULSBURY] who has just spoken. That theory is that a tariff is nothing more nor less than an act of Congress levying a tax upon foreign goods imported into this country and that tax is called a duty. That is all that is meant by a tariff, and the power to levy that duty is found, as gentlemen of our school contend, in the first clause of section 8 of article 1 of the Constitution, which gives power to Congress to lay and collect taxes, imposts, excises, &c., for the purpose of paying the public debt and providing for the general welfare of the country.

I never could see in my reading and understanding of the Constitution how Congress could proceed to collect a tax except for the purpose of revenue to meet the exigencies of the Government. I believe as sincerely as I believe anything that a connected argument upon that subject from the first breath of Hamilton on through Madison down to the present time, taking all the public men of the past, could be established beyond any question to show that the sole and the only power is to levy that tax or tariff, and that it is the sole and the only purpose of its levying. I would not at this day undertake to detain the Senate by reading from the declarations of Hamilton and Madison, made when they were arguing the importance of adopting the Constitution, and upon this very feature, to show that it was for revenue, and for revenue only, that this levy should be made. I say I would not detain the Senate at this time by reading the declarations of those men who were arguing the importance of this very feature of the Constitution before the people then, a feature of the Constitution that was combated as much as any other, and it required more effort at the hands of those eminent men to establish it in the confidence of the people than did any other section of the Constitution.



Nor shall I undertake to detain the Senate by stating, and by reading to corroborate that statement, what even Mr. Clay, who was called the father of the protective system, said, that it wanted only three years in order to put our industries upon their feet and make them self-sustaining, and put them beyond the necessity any further of such aid from the Government. Nor will I detain the Senate by reading what Mr. Webster said in 1824, that our manufacturers had already gone beyond the point of competition; that they no longer needed the fostering hand of the Government. If those things were true then, how is it at this late day and time when we have absolutely outgrown and gone beyond the time when it was necessary to feed these infants? Because it is necessary sometimes to strap the infant with hip-bands and diapers, it is certainly unnecessary to keep them upon him after he becomes a grown man.

The first tariff bill that was introduced, said to have been prepared by Hamilton himself, was entitled a bill to raise revenue, but it went on to add that it was to protect American industries, &c. The explanation of that is simply that the Constitution had just passed through the ordeal of a severe contest for its establishment in the confidence of the people, and taxation is of all things the most odious, because a tax is an evil; let it come in the very best shape it may it is an evil, but it is sometimes a necessary evil, and that pill of taxation had to be sugar-coated with the idea of protecting American industry. That was the reason for affixing the appendix to the title of that bill.

Nor will I undertake to show, which can be shown, that protection, as it is called, is not properly speaking protection; that when protection is afforded to one industry it is but quasi robbery of other industries. I will not undertake to show, which can be shown also, that when you speak of the industries of this country you mean those industries the bottom of which are the plow, and the sickle, and the scythe, and the shovel, and the hoe, the representatives of which stand in this country at least as seven to one compared with the manufacturers, and through whose industry, and through whose energy, and through whose intelligence at last all the wealth we have and all the wealth we boast of comes and must come.

When the commission about to be raised shall make its report, or, if no commission be raised, when the subject-matter comes legitimately before the Senate on a bill coming to us from the other House, (for we must not forget that all tariff bills originate in the House of Representatives under article 1, section 7, clause 1 of the Constitution, because they are revenue bills,) then I shall undertake to go into this matter somewhat more at length than I have heretofore. It can be established beyond any question (as the Senator from Kentucky [Mr. BECK] indicated the other day, and read some authorities to show the common doctrine in all the States) that it is not within the power of a State to loan money or to incur any indebtedness or any responsibility on account of enterprises that are not public in their very nature and in their very essence. I shall then undertake to add to those decisions, and show by the highest authority in the land that if that is true as to the States it is for a much stronger and better reason true as to the United States Government.

That is all that I care to utter at this time in reference to the theory upon which I think the tariff investigation should be had. When we get the result of that investigation, or, if we proceed without an investigation, I shall elaborate these views a little more extensively.

Believing that we have come to the time when we should vote upon these measures, and supposing that the Finance Committee have the bill they have reported in the shape that they want, I will offer, and I ask to have it considered as now offered, the bill that went before the committee which I introduced as a substitute for their bill; that is, to strike out all after the enacting clause and insert the bill which the committee reported back adversely, and which went upon the Calendar with their bill. It is Senate bill No. 86. I suppose, not hearing from the chairman of the Committee on Finance or the Senator who has this bill in charge, that the pending bill is in the shape that they prefer it. If that be so then it is in order for me to move the amendment which I have in my hand in the nature of a substitute.

The necessity of an investigation is pretty generally conceded. The honorable Senator from Delaware [Mr. SAULSBURY] who has just taken his seat, however, objects to one, and he says that the present tariff was enacted and was placed before the country without an investigation of this character. That, I think, is one of the very best arguments in favor of the establishment of a commission at this time, for I sincerely believe if the facts as to the relative industries of the country at that time had been placed fairly before the Senate and the House no such unjust tariff as that would have been put upon the country. I take that utterance of the Senator from Delaware as furnishing the very best argument in favor of a commission.

The present tariff was made at a time when in its very nature it was a war measure. It was made in time of war, for the purposes of war, and necessarily, according to the sentiment then prevailing, it had to be unjustly discriminating toward certain interests and certain industries. The very tariff that the Senator from Delaware complains of is the burden upon us now that we seek to remove, or, at least, that we seek to modify in many respects, and I want no stronger argument to show the necessity of a commission than the very existence of this tariff itself.

The distinctive feature of difference between the two bills, the bill of the committee and the bill that I offer as a substitute, as I have stated before, not to-day, however, is that the commission under my amendment is to be a mixed commission, composed of members of the Senate and of the House, with three outsiders, making nine in all. The purpose of that is simply that when the result of the investigation returns to Congress, vast and complete as I hope it may be, there will be upon the floor of each House gentlemen already trained, already tutored to explain it to other gentlemen who were not upon the commission, and that we shall not have to wait for these experts to come before the committee which has the matter in charge, or before the Senate, if permitted, or the House, to explain their action upon this, that, or the other matter.

This proposition is verified and established by one of the most successful enterprises of the sort that has ever occurred in this country; I refer to the silver commission, which was originated by a joint resolution of the two Houses April 15, 1876. That was a commission modeled after the style that I am now trying to frame for this commission, and it was a commission which did vast and important work, which gave invaluable information to the country, gave it in good and in apt style, and upon which Congress, I think profitably, enacted wholesome legislation.

Having that precedent in favor of the measure that I propose, I think it is not asking too much that upon this important subject we shall shape an investigation something after that order. The amendment I move proposes that the commission shall go forward at the earliest practicable day in this investigation, and lay this whole subject-matter before us, having members of each House upon the floor to explain the action thus reported.

When the Senator from Delaware [Mr. BAYARD] who has charge of the bill reported it, if I recollect correctly, (I have not referred to the RECORD recently,) in making a statement in its favor, he asked the question how would all these laboring people, these men of the scythe, and the plow, and the sickle, to whom I have alluded, be represented, or how could they be represented? and he said they had not been represented heretofore in this investigation. If I am not very much mistaken these experts entirely outside of Congress would be much further removed from these laboring people than members of the House and members of the Senate. The members of the House are sent directly, a great majority of them, by the vote of those classes of people, and the members of the Senate are sent here indirectly by their votes, but who sends these nine outsiders to investigate for them? A President of the United States by and with the advice and consent of the Senate. Is the security any better that the laboring people of whom the Senator from Delaware spoke would be represented in that respect than it would be to leave it to the representatives of the people in the Senate and in the House? It seems to me not. It seems to me that the custodians, the guardians, of the interests of these laboring people would be better selected from the Senate and the House than by the President of the United States by and with the advice and consent of the Senate. If it is true, if it must be so, that all the nine persons must be selected by the President, and they are to be the custodians of the interests of these laboring people, who are to be the custodians of the custodians, who are to be the watchers of the watchers? That is a very pertinent question. I have no predictions to make as to the character of the gentlemen who will be selected by the President of the United States and their names sent to the Senate, and yet I assert as a principle founded in common sense that the Senate and the House can better select representatives of the laboring classes than the President of the United States can, and those men then would select the three outsiders to co-operate with them, precisely as the silver commission did.

What I am after is a fair and open investigation into the operations of the tariff upon all conceivable plans and upon every particular branch of the industries of the country, so that when we come to make a tariff, having in view the revenue standard, we may make it advisedly; we may know just exactly what amount of tariff we need and what requires protection and what not, because there is no concealing the fact that as every tax is discriminating in its nature, which cannot be helped, so every tariff effort is to a certain extent protection, and it is the extent of that protection that it is as important to recognize and is to be ascertained in this investigation as anything else connected with the tariff. The aim should be to prevent, if possible, the Government from fostering any enterprises with which she has no national, no Federal concern, for the sake of the improvement or the bettering of private conditions and private fortunes.

As a matter of course, if protection follows the action of Government necessary to raise revenue, that cannot be avoided. When under the commerce clause of the Constitution the Government undertakes to build railroads, and by the very building of a railroad improves my land or your land which is contiguous to the railroad, it cannot be said that she has built a railroad for the purpose of improving your land or my land and bettering our condition; but still protection comes to us, and that is legitimate, because she is exercising the power under the Constitution to carry on her commerce, to carry on her postal system. So when this commission returns to us a report, and says that upon this article and upon that article it is necessary to levy a tax or to levy a tariff in order to raise revenue

for the Government, then we shall have the fact before us, and we shall see what is necessary in that respect to be done, but not to embark in the enterprise of protecting private adventures for the sake of bettering them.

Therefore, Mr. President, with all due deference to the Senator from Delaware, [Mr. BAYARD,] as well as the Finance Committee, who have made the report in favor of the pending bill, the amendment that I offer as a substitute gives more security for protection to the great interests of the country, the interests that are to bear these burdens, the interests that are to raise this revenue, than the bill which they have reported. Of course, yielding to the Senator from Delaware his right to close the debate upon his bill, or upon the two bills, I hope we may come to a vote to-day and close this subject. Otherwise, if it is not done in a very short time, the time will be too limited for us to hope for a revision of the tariff at the next session of Congress.

Mr. FRYE. Mr. President, I desire to call the attention of the Senate to the utter recklessness of certain statements which have been made in the progress of this debate, and first by the Senator from Kentucky, [Mr. BECK,] who I am sorry to see is not in his seat. In undertaking to show that the profits of the protected industries are perfectly immense, monstrous, he takes the article of Bessemer steel. I desire to call the attention of the Senate to his figures by which he finds the profit on Bessemer steel for 1880. He says:

Amount of capital, real and personal, invested in the business.....	\$20, 975, 909
Cost of labor.....	4, 930, 349
Cost of material.....	36, 826, 928
Making labor and material cost.....	41, 757, 277
The value of the products when sold was.....	55, 805, 210
Deduct capital and labor.....	41, 757, 277
And it leaves a net profit of.....	14, 047, 933

"Or," as the Senator says, "66.9 per cent. profit upon their capital." Does the Senator from Kentucky mean to say that these Bessemer steel corporations make 66.9 per cent. profit? He goes on further, and in another place says that "some of the old establishments are in fact making far more than 66 per cent. profit." What is "far more than 66 per cent. profit?" Are they making 75 per cent. profit? Are they making 80 per cent. profit? The proposition itself of the Senator from Kentucky is so absurd that it only needs the statement for its refutation. What limit is there on any man in investing in Bessemer steel manufacturing operations; and I ask where is the man who will buy United States bonds bearing 3 per cent. or 3½ per cent. interest if by engaging in steel manufacture he can make far more than 66 per cent. profit?

Let me call the attention of the Senate to another statement of the Senator from Kentucky, and I do it in order to show how little reliance can be placed upon the arguments which were made on that side of the Chamber touching free trade. He takes up the silk manufactures in New Jersey. I was surprised that the Senator from New Jersey, [Mr. McPHERSON,] who knows that the statement was entirely without foundation in fact, should not have called attention to it at the time; I was at the time in the chair. He gives the amount of capital invested in silk manufacturing in New Jersey at \$18,899,500; labor, \$9,107,825; material, \$22,371,300; product, \$40,975,281. "Deduct the labor and material," and the net profit is so much; 50.2 per cent. net profit made by the silk manufacturers in New Jersey.

Does not the Senator from Kentucky know that that is not true? Does he mean to send out to the country as a fact that the profits made by the silk manufacturers in New Jersey are 50.2 per cent.? Does the Senator from Kentucky mean to assert that if he deducts the labor and material from the production, the balance shows the profit which is made by the silk manufacturers? That is what the Senator from Kentucky asserts here; it is what is printed in his speech; it is what goes out to the country as a statement by a leading Senator, the distinguished Senator from Kentucky, when discussing an important financial problem, stating as a matter of fact that the silk manufacturers of New Jersey realize 50.2 per cent. profit.

The Senator from Kentucky ought to know, and I presume does know, that in material and labor there is not a dollar of charge for power. Does the Senator from Kentucky know what the power costs in running a silk manufactory at Paterson, New Jersey? Does not the Senator from Kentucky know that there is not a cent there charged for taxes? Does the Senator know what the taxes are? Does not the Senator know that there is not a cent charged for commissions, nor for treasurers, nor for presidents, nor for superintendents? The Senator from Kentucky has left out of his computation a much larger sum in the cost of manufacturing silk goods in Paterson than he has put in there as labor.

Again, does not the Senator from Kentucky know; has he many constituents who do not know and who when they read his statement will not know, that it is utterly absurd to talk about the profits of silk manufacture being 50 per cent.? There is not a capitalist in New Jersey who would not build a silk manufactory if the profit were 50 per cent., or 40 per cent., or 30 per cent., or 20 per cent., or 15 per cent. There is not a capitalist in New Jersey who would not put his money into silk manufacturing at such a profit.

The other Senator from Kentucky, [Mr. WILLIAMS,] who at present is presiding over this body, takes cotton-mills, and gives these figures: wages paid, \$41,921,106; capital invested, \$207,781,868; value of productions, \$192,773,960. The Senator from Kentucky says the Senator from Vermont [Mr. MORRILL] "does not set down in his table, but states in his speech, that the amount of cotton used was 1,797,000 bales, which, at eight cents per pound, amounts to \$57,504,000." Does the Senator from Kentucky know where any cotton can be bought at eight cents a pound and landed at our mills? Does the Senator from Kentucky know in the last twenty years of a single pound of cotton that has been bought and landed at our cotton manufactories in New England for eight cents? Does not the Senator from Kentucky know that it costs all the way from eleven cents to fourteen cents? Then why should the Senator from Kentucky, when figuring out the profits of the cotton manufacturers, deliberately put the price of cotton at eight cents, when every other man in the Senate knows perfectly well that there has not been a dollar's worth of cotton carried into New England and manufactured into cotton goods that cost there less than eleven cents a pound? See how he comes out: "Now subtract cost of material and wages of labor"—the cost of the cotton and the wages of the actual labor—"and we have a profit to capital of \$93,348,860, or nearly 45 per cent."

Why did not the distinguished Senator from Kentucky put cotton at three cents? It would have made the profits twice as much. Why did he not put it at five cents? It would be just as true at five cents as at eight cents. Yet that information is sent out to the people of this country to educate them touching the iniquities of the tariff, and to show them what enormous profits cotton manufacturers are making. Forty-five per cent! That is the information Senators of the United States send over this country to produce trouble with the laborers in the mills, telling them the manufacturer is making 45 per cent., and that they are only getting 20.

Take the two largest manufacturing cities in the country, Lowell and Lawrence, does not the Senator from Kentucky know that in Lowell to enable them to get the power necessary to run those mills it costs millions upon millions of dollars? Does he not know that those immense stone dams crossing the river there again and again, and those great canals built there, cost an immense sum of money? Does he not know that those mills in Lowell and Lawrence are obliged to pay for every drop of water that runs over those wheels to make them run the spindles and the looms in those mills? Does the Senator from Kentucky know how much one of those cotton mills pays for power? I presume he does not, because if he had known he would have stated the fact and thus reduced the profits. The Senator from Kentucky did know when he made that statement of 45 per cent. that he did not include in the cost the pay of the treasurers of those mills, who receive from \$4,000 to \$6,000 annually. He did know that he did not include the pay of the agents of those mills, who receive from \$3,000 to \$10,000 annually. He did know that he did not include the selling agents of those mills. He did know that he did not include the commission on the sales of the goods of those mills. He did know that he did not include the taxes paid in those cities and towns where they are situated. He knew, if he was acquainted with cotton manufacturing, that the expenses of running a mill, outside of labor and outside of material, are greater than the wages paid for the actual labor itself.

Carefully prepared statistics have been taken within the last year of the profits of the cotton mills in Lowell and Lawrence, and for the past five years (and they have been good, reasonably prosperous manufacturing years) the profits of those mills have been a little less than 7 per cent.; 45 per cent. says the Senator from Kentucky, with his absurd figures. I say as a matter of fact less than 7 per cent. I say further to the Senator from Kentucky that there is not a cotton manufacturer in New England who will not be perfectly content if you guarantee him a profit of 7 per cent. on his capital invested.

Mr. ALDRICH. May I interrupt the Senator from Maine to make a suggestion right there?

Mr. FRYE. Certainly.

Mr. ALDRICH. I wish to call his attention and the attention of the Senate to the matter of depreciation of machinery, to which the Senator has not alluded. I venture the statement that there is not a first-class cotton mill in New England where the machinery has not been entirely replaced within the last fifteen years.

Mr. FRYE. I am obliged to the Senator from Rhode Island. The wear and tear of machinery is one of the most important items in the cost of manufacturing, which I neglected to mention. If I should say that that was 25 per cent. I should come nearer the truth than the distinguished Senator from Kentucky [Mr. BECK] came when he declared that the profits on Bessemer steel were 66 per cent. and the profits on silk manufacturing 50 per cent., and when the other distinguished Senator from Kentucky [Mr. WILLIAMS] declared that the profits on cotton manufacturing were 45 per cent. By reason of the small margin for profits in cotton and woolen mills to-day, by reason of the sharp competition all over this country cutting down the price of the goods, every cotton manufacturer and silk manufacturer and woolen manufacturer is obliged to study night and day how to decrease the cost of production and not take it from labor. Every invention is at once seized upon. If there is an invention that will save a mill on a yard of cotton cloth in the loom which



manufactures it, out goes every loom in that immense room and in come the new looms with the new invention. There has not been an invention made in the card-stripping machines or the spinning machines which saves a cent anywhere but immediately every piece of cotton machinery goes out, every carder, every spinner, and the new invention comes in; and does not the gentleman see that the machinery discarded by these mills cannot be sold for one-tenth part of its cost?

Again, the distinguished Senator from Kentucky [Mr. WILLIAMS] took the woolen mills. He gave these figures for them:

Wages paid.....	\$47, 115, 614
Material used.....	162, 609, 436
Capital invested.....	155, 454, 105
Value of production.....	265, 684, 796

Now, subtract the cost of wages—

Mind you, "wages"—

and raw material—

That is wool—

from value of production, and we have a profit of \$55,859,746, or about 33 per cent. on the capital invested.

What did the Senator from Kentucky mean to be understood by that? Did he mean to tell the people in Kentucky that our woolen manufacturers were making 33 per cent.? There can be no misunderstanding of the figures; it is wages and it is raw material in this last instance; it is money paid to labor, it is money paid for wool. Take the wool and the labor out from the whole value of the production, and the distinguished gentleman declares to the world that the woolen manufacturers are making 33 per cent. profit. How absurd on the face of it! Not a single dollar included of all the expenditures I have been talking about which amount to more than the wages paid for labor; nothing for the plant, the Senator from Vermont [Mr. MORRILL] suggests. I am only dealing with the annual expenditures and production of these mills.

Let me say to the distinguished Senator from Kentucky that I know something about woolen mills. When I was a boy about fourteen years old my father announced to me that I was to go to college. I announced to him that I was not going. He ran about the first woolen mill in Maine. He said, "Very well; if you are not going to college it is all right." But the next Monday morning when the bell rang (we worked twelve hours a day then) I found that I had a pair of overalls and one of the blue jackets the workmen wore; and I went into the mill. I went into the picker and I worked on the picker six months; then I went up and told Colonel Frye that I was willing to go to college; and he paid me my bills for my work and I went to college. I know something about woolen mills and that one especially. It was about the first woolen mill started in Maine. It continued under the hands of one agent for forty-two years. He was a careful, prudent agent, and understood his business from the picker right up through every room. He never wasted a cent. During the forty-two years he met with no losses of any account. He closed up his manufacturing about four years ago, having arrived at that time of life when it became irksome to further work. As a matter of curiosity we sat down and figured out the profits of that woolen mill, the most successful that ever was run in the State of Maine, the only one, I think, that had not failed, and the most of them fail over and over again. It was the most successful woolen mill within my knowledge, and the profits of that woolen mill for the forty-two years were about 14 mills less than 6 per cent. per annum. Thirty-three per cent., says the distinguished Senator from Kentucky, is the profit of woolen mills. Sir, let me repeat that the cotton manufacturers and the woolen manufacturers of New England are entirely content to-day with a 7 per cent. profit, and regard it as successful business if they make that.

Sir, I did not feel that I should be doing my duty if I allowed these statements of the two distinguished gentlemen from Kentucky to go to this country in all their nakedness with all of their misinformation.

Mr. BECK. Mr. President, I was not in my seat when the Senator was alluding to what I said. I only heard the last of it, in regard to Bessemer steel. I shall take occasion, after I read his remarks in the RECORD, to see how far they need correction.

Mr. FRYE. I remarked the fact to the Senate that the Senator from Kentucky was not present when I was talking.

Mr. BECK. I shall see it all in the morning, I hope.

Mr. VANCE. Is an amendment to the bill now in order?

The PRESIDING OFFICER, (Mr. WILLIAMS in the chair.) The amendment of the Senator from Arkansas [Mr. GARLAND] is first in order; but that can be amended.

Mr. VANCE. I should like then to submit my amendment and have it printed.

Mr. GARLAND. Is it an amendment to the amendment, or to the bill of the committee?

Mr. VANCE. To the bill of the committee.

Mr. GARLAND. If that is to be amended further, I will not offer my substitute yet. I will give any gentleman an opportunity to amend the original bill.

Mr. VANCE. Then I submit my amendment, and ask that it be laid on the table and printed.

The PRESIDENT *pro tempore*. The amendment can be offered now. It will be read.

Mr. VANCE. I wish it to come in as an additional section after section 4, as section 5.

The ACTING SECRETARY. It is proposed to add as an additional section:

SEC. 5. That in the selection of said commissioners, the President shall give representation to each of the industries of agriculture and manufactures in proportion to capital invested and the number of persons engaged therein.

Mr. MILLER, of New York. I desire to be heard upon this bill before the vote is taken, and I have understood that the gentleman having the bill in charge desired to have the vote to-day. I had not expected that the debate would be closed to-day, as other Senators had given notice of their intention to speak, and I am consequently not prepared to go on with my remarks to-night and do not desire to do so at this hour. I therefore ask that the bill go over until to-morrow, when I shall desire to be heard upon it.

Mr. SHERMAN. I think the public interest requires that this bill shall be acted upon as soon as possible, and I suggest, therefore, that we agree that to-morrow before adjournment a final vote shall be had upon the bill.

Mr. PLATT. Say Monday.

Mr. SHERMAN. To-morrow I think will do. I desire myself to say something in regard to one feature of the tariff laws, which will take but a few minutes. If that is agreeable to the Senator having the bill in charge, I propose that it be understood that we shall come to a vote to-morrow. There are many Senators absent, and we ought not to take the vote in their absence.

Mr. BAYARD. I hope so; and I think it is eminently fair to Senators who are absent as well as those who may desire to discuss this bill further, that there should be in this way about a day's notice given; and I trust it may be the pleasure of the Senate to bring this bill to a vote to-morrow. I shall certainly hope that it will be done.

Mr. SHERMAN. Perhaps we can agree upon an hour; say five o'clock.

Mr. BAYARD. I should have no objection if the Senate would agree to come to a vote at four o'clock to-morrow.

The PRESIDENT *pro tempore*. It is proposed by the Senator from Ohio and the Senator from Delaware that, by unanimous consent, a vote be taken upon this bill to-morrow at five o'clock.

Mr. BAYARD. I would say four.

Mr. MILLER, of New York. I do not understand that any hour is to be fixed. The Senator from Kentucky may desire to reply to the Senator from Maine.

Mr. MORRILL. I think it would be better, perhaps, not to name an hour, but say we shall insist on a vote before adjournment to-morrow.

Mr. SHERMAN. Let that be understood.

Mr. BAYARD. I would say also that having been charged with this bill by the Committee on Finance, while I do not desire to prolong debate, I should like to call the Senate back, if I may, to the real issues before it. The discussion has taken so wide a range and so much has been said which does not affect the merit of the measure before the Senate, that I should like to have it understood that I shall have at least fifteen minutes before the debate closes in which to attempt to explain the bill.

Mr. MORRILL. Certainly.

Mr. WILLIAMS. I am very anxious to have a vote on this question, and I do not intend to detain the Senate by making a speech, but I must reply to some remarks that fell from the Senator from Maine [Mr. FRYE] in his allusion to my speech made several weeks since in the Senate. He read from my speech what he considered very absurd statements on my part as to the profits of the manufacturers of wool and cotton. It will be observed by any Senator who reads the context of that speech that I was replying to the argument of the Senator from Vermont [Mr. MORRILL] in which he stated the necessity for protection in order to give the laborer better wages than he could get without it. I took his own tables and I showed, not the net profits, but the gross profits. I took the cost of material used, as stated by him, and the wages paid for labor, and of course the wages paid for labor did not include merely the operatives, it must necessarily include the intellectual labor, clerks, managers, and everybody else in connection with the establishment; and I showed that when you added the cost of material and the cost of labor in connection with these manufactures and subtracted the total from the value of the production, it left 45 per cent. in one instance and 33 in the other as the part received by capital, which was nearly twice as much as labor got.

When I calculate what I make on my farm I do not put down as a charge the first cost of the land; I do not charge interest on the value of the land; I state what I pay out for labor and what I pay for machinery. Then I take that from what I realize from my crop, and the result is my gross profit. I do not calculate my own wages for superintending it. I never heard of a man, in estimating the profits of a mill which he had built, estimating the value of the water-power. A man is supposed to own the water-power. I was showing the result of the productions of the mill, the gross profit. When I sell my tobacco crop I do not estimate as part of the cost the interest upon the value of the land. I estimate the cost of the labor, the cost of the machinery necessary to cultivate that crop, and then I take that cost from the amount realized, and the balance is my profit.

Why, sir, a company may be organized to manufacture and it may

pay its president \$10,000 and its clerk, his son, \$5,000, and that may reduce the net profits. Then it may charge interest upon the establishment; it may charge for the use of its own water-power, and what not. But my remarks were directed to the gross profits and the manner in which they were distributed between the laborer on the one side and the capitalist or the owner of the mill on the other. I made my estimates from the tables furnished by the Senator from Vermont himself, and showed that out of the gross profits of these mills capital received so much and labor so much; the percentage of capital being in one instance about 45 and in the other 33 per cent., amounting to nearly twice as much as labor got.

Mr. FRYE. May I ask the Senator a question? Did not the Senator know that there has not been a pound of cotton sold for eight cents in the last twenty years?

Mr. WILLIAMS. No, sir, I did not. I have seen cotton quoted in the last year at eight cents; not the best qualities, however.

Mr. FRYE. Where the Senator finds the average profit so much and reckons the raw material at so much, does the Senator from Kentucky mean to say that cotton for the last five years has been eight cents?

Mr. WILLIAMS. No, sir; I do not mean to say that. I am willing the Senator may amend that calculation of mine if I have underrated or understated the price of the cotton bought. I think cotton has been from eight to eleven cents; I may have given the lowest price. I know I have seen it quoted at eight cents, and I think you will find the quotation at that price now.

Mr. FRYE. I never heard of any bought at that.

Mr. WILLIAMS. That does not affect the principle.

Mr. FRYE. Does this affect the gentleman's principle? He supposes that the mill owns the power; but does he not know the fact that it is not so?

Mr. WILLIAMS. Somebody uses the power, and it is all in the capital that is employed, and it is that gets its share of the production.

Mr. FRYE. It only shows the Senator's misfortune in talking about these manufacturing industries without knowing so much about them as he would if he lived right close by them.

Mr. WILLIAMS. The Senator knows perfectly well when he pays for the clothes he wears the consequence of it. He bought clothes in Canada before they had a tariff there, he bought them in England and in France, and he knows that woolen clothes cost him twice as much to-day in this country as they did there.

Mr. FRYE. Oh, no; I do not know any such thing.

Mr. WILLIAMS. I know it.

Mr. FRYE. I know they do not, and I live right by the side of Canada. I want to call the Senator's attention to this: in every large manufacturing city in New England that I know of there is a water-power company, which has nothing to do as a rule with manufacturing at all; it owns all the water-power, and leases it for so much annual rental to the manufacturing corporations. Now, would the Senator reckon that in the cost of manufacturing? Would not the Senator include that?

Mr. WILLIAMS. When I come to distribute the relative share that capital gets upon one side and that labor gets upon the other side, I charge capital, not only the actual capital employed in moving the machinery but all the capital invested in producing the water-power, and that is a fair way of distributing the production between capital on the one side and labor on the other.

Mr. SHERMAN. Mr. President, I now move, with the understanding that the Senator from New York has the floor, that the Senate proceed to the consideration of executive business.

Mr. MORGAN. I hope the Senator from Ohio will indulge me in an effort to bring up the Japanese indemnity bill.

Mr. SHERMAN. There are some matters in executive session that will take some time.

Mr. MORGAN. I was very much in hopes the Senator would allow the Japanese indemnity bill to come up.

Mr. SHERMAN. There are certain controverted matters in executive session that ought to be disposed of. I think the Senator will see the necessity of it.

Mr. MORGAN. I think there will be but one question raised on the bill. I have made several efforts to get it before the Senate.

Mr. SHERMAN. I think we had better go into executive session. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. There is no understanding as to when the vote shall be taken on the tariff-commission bill.

Mr. SHERMAN. I understand it is agreed generally that we shall have a vote to-morrow.

The PRESIDENT *pro tempore*. No understanding has been had.

Mr. BAYARD. Can we not have an understanding that a vote shall be taken on this bill to-morrow at a certain hour?

Mr. HARRIS. I think it is better to let the matter take its natural course. I think there is a very general disposition to come to a vote as soon as the Senate shall find itself ready to vote, but I do not see the necessity for any precipitate agreement at this time that at any given hour we shall come to a vote in respect to this question.

The PRESIDENT *pro tempore*. The Senator from New York has the floor on the pending bill for to-morrow.

Mr. HOAR. I desire to suggest to my friend from Ohio that as the Senator from Alabama thinks his bill can be disposed of in half an hour, he be allowed to try it, and my friend can renew his motion to go into executive session at four o'clock. It is only half-past three now. If the Senator from Alabama fails and finds that a long debate is coming up, the Senator from Ohio will have the power to make the motion at any time. It is a privileged motion. It can be made in five minutes or in fifteen.

Mr. SHERMAN. I think if we get through with the executive business, which I know we shall not by that time, we can then have time to go on with legislative business.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate proceed to the consideration of executive business. Before putting the question, the Chair asks leave to lay before the Senate a House bill for reference.

#### HOUSE BILL REFERRED.

The joint resolution (H. R. No. 170) to provide for printing certain documents relating to customs revenues for the use of Congress was read twice by its title, and referred to the Committee on Printing.

#### SAINT LOUIS AND SAN FRANCISCO RAILWAY.

Mr. BROWN. I wish to make an announcement. At a period in the session some two months since Senate bill No. 60 that was introduced by the Senator from Texas, [Mr. MAXEY,] being the bill ratifying the act of the general council of the Choctaw Nation of Indians granting to the Saint Louis and San Francisco Railway Company right of way for a railroad and telegraph line through that nation, held a position high on the Calendar. After it had been reported by the Committee on Railroads there was a motion to refer it back to the committee that they might examine some additional testimony, with a distinct understanding that it was to resume its place on the Calendar. I think it takes precedence of all these motions now before us, and at the end of the morning hour to-morrow I shall ask the consent of the Senate to take it up. I think it will take but a short time to dispose of it.

The PRESIDENT *pro tempore*. It was put back to its place on the Calendar.

Mr. BROWN. It is early on the Calendar, before the measures now spoken of.

Mr. MAXEY. I trust very much that the motion of the Senator from Georgia will prevail, as I know personally that there are reasons why we should begin the work, if the bill passes, and get the benefit of this season's work. There is a bridge across the Arkansas River to be made that will be made if this bill passes, and will not be if it does not pass, and it ought to be commenced in season. I do not think the bill will take long. I am very anxious to have early action on it.

The PRESIDENT *pro tempore*. The Chair will recognize the Senator from Georgia to make his motion to-morrow.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed a bill (H. R. No. 879) authorizing the construction of a bridge over the Missouri River at or near Arrow Rock, Missouri; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. No. 71) to execute certain treaty stipulations relating to Chinese.

#### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated March 23, 1882, with accompanying report and estimates, recommending an increase in the clerical force of his office and in the offices of the Adjutant-General and Surgeon-General of the Army, in order that prompt replies may be made to the calls for information by the Commissioner of Pensions in pension cases, under a proposed plan to accomplish the settlement of all such claims within a limited number of years; also an increased appropriation for contingent expenses for each of the offices mentioned.

EXECUTIVE MANSION, March 23, 1882.

CHESTER A. ARTHUR.

#### INDIAN APPROPRIATION BILL.

Mr. DAWES. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. No. 4185) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1883, and for other purposes, to report it with amendments; and I give notice that I shall call it up early next week, if possible, for the action of the Senate.

Mr. CALL submitted an amendment intended to be proposed by him to the bill (H. R. No. 4185) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1883, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

#### COINAGE OF GOLD AND SILVER.

Mr. TELLER. I give notice that on Monday, after the morning hour, I shall call up the resolution I submitted on the 21st instant



concerning the coinage of gold and silver, with a view of submitting some remarks.

#### EXECUTIVE SESSION.

Mr. BAYARD. May I ask the Chair before the question is put on the motion for an executive session, whether any understanding is reached as to the time of voting on the tariff-commission bill?

The PRESIDENT *pro tempore*. No, sir; objection was made to any understanding. The bill remains the unfinished business for to-morrow, the Senator from New York [Mr. MILLER] having the floor upon it. The Senator from Ohio [Mr. SHERMAN] 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 one hour and forty-two minutes spent in executive session the doors were reopened, and (at five o'clock and twenty-two minutes p. m.) the Senate adjourned.

### HOUSE OF REPRESENTATIVES.

THURSDAY, March 23, 1882.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday was read and approved.

#### INTERNAL REVENUE.

Mr. DUNNELL, by unanimous consent, reported back from the Committee on Ways and Means the bill (H. R. No. 5237) to amend the laws relating to internal revenue, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

#### BRIDGE ACROSS THE MISSOURI RIVER.

Mr. HATCH. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (H. R. No. 579) authorizing the construction of a bridge over the Missouri River at or near Arrow Rock, Missouri, and that the same be considered at this time.

Mr. PAGE. If it does not elicit any debate I will not object; otherwise I must object.

Mr. HATCH. There will be no debate at all.

There being no objection, the Committee of the Whole was discharged from the further consideration of the bill, and the same was brought before the House.

Mr. HATCH. This bill was reported from the Committee on Commerce with sundry amendments, and there are other amendments which I desire to have adopted.

Mr. PAGE. I will say that this bill was reported unanimously from the Committee on Commerce.

The SPEAKER. The Chair understands that the gentleman from Missouri [Mr. HATCH] desires to amend the bill as reported by the committee.

Mr. HATCH. It is with the consent of the gentleman from Minnesota, [Mr. WASHBURN,] who has charge of the bill. The amendments are principally verbal amendments, and are intended to make the bill conform to the one for the same purpose reported by the Committee on Commerce of the Senate.

The SPEAKER. The amendments will be read.

The amendments were read, as follows:

In lines 3 and 4 of the printed bill strike out the word "railroad" and insert in lieu thereof the word "railway."

In line 6 of section 2, after the words "the United States," insert the words "or passengers or freight passing over said bridge."

Add to section 1 the words "for such reasonable rates of toll as may be approved from time to time by the Secretary of War."

In section 3, lines 10 and 11, strike out the words "the draw or pivot shall be over the main channel of the river at an accessible navigable point" and insert in lieu thereof the words "the draw or pivot shall be at or near that shore nearest the channel of the river where, in the opinion of the Secretary of War, a passage through the draw at that point can be constantly maintained; if not so constructed, then the pier to be in the main channel, and the opening or passage-way to be so constructed that water-craft can be worked through it by lines, when not safe to pass otherwise."

Mr. WASHBURN. I will state that these amendments have been submitted to me, and there is no objection to them.

The SPEAKER. If there is no objection, the question will be taken upon the amendments in gross.

There was no objection, and the amendments were agreed to.

The bill as amended was as follows.

*Be it enacted, etc.,* That it shall be lawful for the Hannibal and Southwestern Railway Company, a corporation duly and legally incorporated under and by virtue of the laws of the State of Missouri, its assigns or successors, to construct and maintain a bridge, and approaches thereto, over the Missouri River at or near Arrow Rock, in the county of Saline, in said State. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot-passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

SEC. 2. That any bridge built under this act, and subject to its limitations, shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charges shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, or passengers or freight passing over said bridge, than the rate per mile paid for the transportation

over the railroad or public highways leading to the said bridge; and it shall enjoy the rights and privileges of other post-roads in the United States.

SEC. 3. That if said bridge shall be made with unbroken and continuous spans, the spans thereof shall not be less than three hundred feet in length in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least fifty feet above extreme high-water mark, as understood at the point of location, and the bridge shall be at right angles to, and its piers parallel with, the current of the river: *Provided*, That if the same shall be constructed as a draw-bridge, the draw or pivot shall be at or near that shore nearest the channel of the river where, in the opinion of the Secretary of War, a passage through the draw at that point can be consistently maintained; if not so constructed, then the pier to be in the main channel, and the opening or passage-way to be so constructed that water-craft can be worked through it by lines, when not safe to pass otherwise; and the spans shall not be less than one hundred and sixty feet in length in the clear, and the piers of said bridge shall be parallel with, and the bridge itself at right angles to, the current of the river, and the spans shall not be less than ten feet above extreme high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge: *Provided, also*, That said draw shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe. No bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions be removed at the expense of the owner or owners of said bridge. And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river caused or alleged to be caused by said bridge, the case may be brought in the district court of the United States of the State of Missouri in which any portion of said obstruction or bridge may be located: *Provided further*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt this bridge from the operation of the same.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them desiring such use shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge and a map of the location, giving, for the space of one mile above and one mile below the proposed location, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction such change shall be subject to the approval of the Secretary of War.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill as amended was then ordered to be engrossed for a third reading, and it was accordingly read the third time, and passed.

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

The latter motion was agreed to.

#### ORDER OF BUSINESS.

Mr. WHITE. I ask unanimous consent to put a bill on its passage.

Mr. PAGE. I must ask for the regular order.

Mr. WHITE. If this bill elicits discussion or objection I will withdraw it.

Mr. TOWNSEND, of Ohio. I ask the gentleman from California to withdraw his call for the regular order that I may present a report.

Mr. PAGE. I am willing that reports may be made for a few moments; but all this time comes out of the discussion on the Chinese bill.

Mr. POUND. What is the use of having reports made if we cannot consider them?

#### AMENDMENT OF REVISED STATUTES.

Mr. SPAULDING. I ask unanimous consent to report from the Committee on Military Affairs a bill prepared in accordance with the request of the War Department.

There being no objection, the bill (H. R. No. 5379) to amend sections 1298 and 1302 of the Revised Statutes of the United States was reported, read a first and second time, placed on the House Calendar, and, with the accompanying report, ordered to be printed.

#### PRINTING FOR COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES.

Mr. SPRINGER. I rise to make a privileged report. The Committee on Printing, to whom was referred a resolution in regard to printing certain matter for the use of the Committee on Coinage, Weights, and Measures, have instructed me to report back the resolution with a recommendation that it be adopted.

The resolution was read, as follows:

*Resolved*, That the Committee on Coinage, Weights, and Measures be authorized to print the testimony taken before the committee in regard to establishment of new mints, as well as the needs and requirements of the Philadelphia mint and New York assay office, for the convenience and use of the committee as well as for the information of members of the House.

The resolution was adopted.